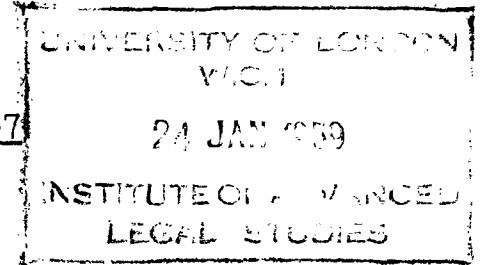


4, 1958

1.



IN THE PRIVY COUNCIL

No. 2 of 1957

ON APPEAL
FROM THE SUPREME COURT OF CEYLON

52057

B E T W E E N

TENNEKON MUDIYANSELAGE TIKIRI BANDA AMUNUGAMA
(Plaintiff) Appellant

- and -

HERATH MUDIYANSELAGE TIKIRI BANDA HERATH
(Defendant) Respondent

10

CASE FOR THE APPELLANT

RECORD

1. This is an appeal from a judgment and decree of the Supreme Court of Ceylon, dated the 15th February, 1955, allowing an appeal from a judgment and decree, dated the 10th February, 1953, of the District Court of Kurunegala. The District Court had entered judgment for the Appellant (the Plaintiff in the original proceedings) with costs. In allowing the appeal the Supreme Court dismissed the Appellant's action with costs in both Courts.

p.75
p.82
p.56
p.82

20

2. The question raised by this appeal is the beneficial ownership of part of a parcel of land, some thirty acres in extent called Peelagahawatte situate at Nakolagamuwa.

30

3. One Edward Banda Korala, a Kandyan landowner, married to one Bandara Menika, died intestate, in March, 1929. There was no issue of the marriage but the couple had adopted, as a child, one Somawathie, a daughter of a cousin of Edward Banda Korala; the said Somawathie, who was born on the 7th September, 1912, was a minor.

4. The Appellant married the said Somawathie in 1932. She died in 1945. The Respondent is the nephew of the said Bandara Menika.

5. On the death of her husband Bandara Menika made an application to Court for letters of

RECORD

P.3, p.115.
P.4, p.116.

administration to his estate. In two affidavits, P.3, dated the 11th June, 1929 and P.4, dated the 8th July, 1929, filed in connection with this application she stated

p.115, l.38.

"The said Edward Banda Korala, died intestate on the 3rd day of March, 1929, at Nakolagamuwa, within the jurisdiction of this Court, leaving as heirs myself, his widow, and the first respondent, who is the adopted child of the said deceased".

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(The respondent referred to above is Somawathie).

P.5, p.119.

6. On the 9th July, 1929, however, in one of two Petitions (P.5) filed by her on the same application, Bandara Menika stated that Edward Banda had died leaving as heirs herself (being the widow) and Somawathie "who is the adopted child of the deceased but as to whose adoption the petitioner is unaware whether it is in accordance with the requirements of the Kandyan Law for the purpose of inheritance", and joined two children of Edward Banda's sister, Kuma Kumarihamy and Ran Menika, as parties "as they claim an interest in the estate".

20

p.121, l.7.

In the other Petition she moved that Somawathie's father, W.M. Appuhamy, be appointed Guardian-ad-litem, of the latter.

7. Under Kandyan Law, the widow Bandara Menika, would be entitled to a life-interest in her deceased husband's estate; Somawathie on proof of her adoption as a child for the purpose of inheritance would be the sole heir.

30

P.6) p.137.
D.30)

8. On the 9th October, 1930 following a court hearing at which the District Judge said "I think the proposed settlement may be allowed. Let the papers of settlement be filed in the case", a consent motion, P.6, was filed by the proctor for Bandara Menika, asking that the property of the estate be divided equally between Bandara Menika, Somawathie, Kuma Kumarihamy and Ran Menika, each party getting an undivided $\frac{1}{4}$ share. This motion was signed by W.M. Appuhamy as the guardian-ad-litem of Somawathie, who on this date was a minor being only 18 years old.

40

9. The said consent motion was acted upon and the movable as well as the immovable property of

RECORD

- the estate divided equally among the said four persons. Ran Menika, by Deed No. 1494 dated the 10th April, 1934, conveyed, inter alia, a 1/12th of her share in Peelagahawatte to Bandara Menika. Bandara Menika, by Deed No. 1700 dated the 2nd December, 1936, gifted inter alia the share claimed by her on the said settlement of the 9th October, 1930, plus the 1/12th share that had accrued to her from Ran Menika, to the Respondent, thus purporting to give the Respondent 1/3rd of the said land.
- 10
10. Bandara Menika died on the 31st July, 1940. Somawathie thereupon applied on 16th November 1940 in D.C. Kurunegala Case No. 4402 for letters of administration as the adopted daughter and sole heir of the deceased. The application was opposed by Ukku Banda Ambahera and Tikiri Banda Herath, the Respondent in this appeal, children of a brother and sister respectively of Bandara Menika, who denied that Somawathie was an adopted daughter and claimed to be themselves the next of kin of Bandara Menika.
- 20
11. The District Judge who enquired into the application held by his Order dated 24th August, 1942, that Somawathie was the adopted daughter and sole heir of Bandara Menika, and was accordingly entitled to letters of administration. On appeal this finding was affirmed by the Supreme Court by a Bench of three Judges (Mosley, Hearne and Wijewardene JJ.), on 5th August, 1943.
- 30
12. While she was taking steps to obtain letters of administration to the estate of Bandara Menika, Somawathie heard for the first time of the settlement P.6. of 1930 effected on the basis that there was a dispute as to whether she had been adopted by Edward Banda for the purpose of inheritance.
- 40
13. It was Somawathie's submission that there had never been any doubt as to her said adoption. Accordingly she made an application to Court on 22nd October 1943 for the said settlement of 1930 to be set aside and that the said estate be distributed on the footing that she was the sole heir. The Respondents to the application were -

- (1) W. M. Appuhamy
- (2) Kuma Kumarihamy and
- (3) Ran Menika Kumarihamy,

D.26, p.94.

D.27, p.102

P.9, p.170.

P.12, p.186.

P.14, p.190.

P.15, p.196.

P.6)
D.30) p.137.

P.19, p.159.

RECORD

three of the four persons who were parties to the settlement of 1930. The fourth Bandara Menika being dead. At the hearing of the application Ran Menika came to a settlement with Somawathie, while the other two respondents did not appear although notice had been served on them. The District Judge made Order in the following terms :-

P.23, p.168, l.25.

"..... and first and 2nd respondents Appuhamy and Kumarihamy having filed no objection to this application and being in default it is ordered in terms of the settlement filed of record dated the 19th day of August, 1944, that the settlement entered into on the 9th day of October, 1930, be and the same is hereby set aside and the petitioner above-named being the adopted daughter of the late Edward Banda Korala and his sole heir be declared entitled to succeed to the entirety of the estate of the said Edward Banda Korala." 10

Somawathie on her part agreed to waive all her claims if any against Ran Menika and to ratify all acts done by Ran Menika under the settlement of 1930. 20

D.12, p.225.

14. Concurrently with case No. 4042 there was proceeding in the D.C. Kurunegala a partition action No.1052, instituted on 21st July, 1942 by the Respondent for a partition of the land called Peelagawatte.

15. Somawathie who was cited as the 2nd Defendant to the action No.1052 took up the following position in her answer :- 30

D.13, p.228, l.9

"This defendant denies that Bandara Menika the vendor to plaintiff had any right or title to convey to plaintiff.

In the alternative this defendant pleads that the said Bandara Menika did not convey her interests in the land sought to be partitioned to plaintiff.

As a matter of law the plaintiff has not status to have and maintain this action." 40

D.16, p.230.

16. On the trial date of action No. 1052 (20.10.44), Somawathie was not present in Court and her lawyers stated that they had no instructions from her. The District Judge heard the case

ex-parte and made Order and Interlocutory Decree partitioning the land as follows :

D.17, p.231

1/3rd to the Respondent
1/3rd to 1st Defendant Kuna Kumarihamy
1/3rd to Somawathie

10 17. On the 14th March, 1945, Somawathie, by petition prayed that the said Interlocutory Decree should be set aside on the ground that her absence from Court on the trial date was due to serious illness. She produced a medical certificate from the Medical Officer of Health, Narammala, in support.

D.24, p.233

In this petition she also reiterated the position she had taken up in her Answer, namely, that the "Plaintiff's vendor had no right or title to convey to the plaintiff and in the alternative that the vendor did not convey her interest in the land sought to be partitioned."

20 After inquiry, the learned District Judge refused the application to have the Interlocutory Decree set aside. Somawathie appealed to the Supreme Court. While the appeal was pending Somawathie died. On the 8th December, 1948, the appeal came before the Supreme Court in the presence of counsel for the Respondent. There was no appearance on behalf of the appellant who was now dead and no one appears to have informed the Court of her death. The Court on the said day made an order dismissing the appeal with costs. (Jayatileke J. and Canekkeratne J.).

D.25, p.235, l.31.

D.19, p.239.

30 18. On the death of Somawathie on 27th September, 1945, her husband, the Appellant, was appointed sole heir.

19. On the 22nd February, 1949, the Appellant, as Substituted Defendant in place of his deceased wife Somawathie, through his proctor, moved in the action (No.1052) in the following terms:-

40 "This action for partition having been brought on the footing that Edward Banda Korala was the owner of the land in question and that by a settlement arrived at in his Testamentary Case No. D.C. 3714 the first defendant, second defendant, Bandaramenika and Ranmenika became entitled as his heirs each to a one-fourth share of the said

D.20, p.240.

RECORD

property but during the pendency of these proceedings the said settlement of 1920 having been set aside the second defendant having been declared the sole heir of Edward Banda Korala by the order of this Court dated 21.8.1944 in the said Case No.3714 I move that the one-third share of the land in question which was allotted to the first defendant on the basis of the original settlement be now allotted to Tennakoon Mudiyansele Tikiri Banda Amunugama substituted in room of Somawathie Kumarihamy the deceased second defendant and the interlocutory decree be amended accordingly on notice to parties." 10

D.22, p.243.

20. Final Decree was thereafter drawn up and entered in action (No.1052), on the 16th June, 1950, allotting Lot 1 to the Respondent and Lots 2 and 3 to the Substituted Defendant (the Appellant).

p.8.

21. On the 25th July, 1950, the Appellant filed

THE PRESENT SUIT 20

against the Respondent,

praying; - inter alia -

(a) For a declaration that the defendant held the said lot 1 in trust for the plaintiff; and

(b) For a decree directing the Respondent to execute a conveyance of the said lot in favour of the Appellant and that the Appellant be quieted in possession of the said lot. 30

22. The accrual of the cause of action was thus stated in the plaint :-

p.9, l.1.

" The said Bandara Menika well knowing that she and her husband had adopted the said Somawathie to inherit their property and though she was bound in a fiduciary capacity to protect the interest of the said Somawathie, who was then a minor and living with her, took advantage of her fiduciary position and acting in fraud and collusion with the guardian-ad-litem, of the said Somawathie in Case No.3714, viz., Wijesundera Mudiyansele Appuhamy entered into a 40

fraudulent and collusive agreement with the guardian ad litem, Kuma Kumarihamy and Ran Menika Kumarihamy and made an application to divide the estate of the said Edward Banda Korala among herself, Somawathie Kumarihamy, Kuma Kumarihamy and Ran Menika Kumarihamy in the proportion of a quarter ($\frac{1}{4}$) share each. No decree was entered on this application and no sanction of Court was obtained for a compromise as required by Section 500 of the Civil Procedure Code."

10

23. The Respondent, while denying the above averment in the plaint, also set up the pleas of res judicata and estoppel.

p.11

24. The Case went to trial on the following among other issues which were answered as indicated :-

	<u>ISSUE.</u>	<u>ANSWER.</u>	
20	"1. Was Somawathie Kumarihamy adopted by Edward Banda Korala as his daughter for the purpose of inheritance?	Yes.	Issues p.15. Answer p.67, 1.35
	2. Was Somawathie Kumarihamy the sole heir of Edward Banda Korala?	Yes.	Answer p.67, 1.36
30	3. Are the order and decree dated 21.8.44 in D.C.Kurunegala, Case No.3714 Testamentary declaring Somawathie the sole heir of Edward Banda Korala, res judicata and binding on the defendant ?	Yes.	Answer p.67, 1.37
40	6. Are the order and proceedings in D.C., Kurunegala, Case No.4402 Testamentary res judicata and binding on the defendant ?	With regard to issue No. 6 it was contended by Counsel for defendant that D26 was dated 2.12.36 and the Supreme Court decree in Case No. 4402 was only in 1942; but as I have already referred to above that Bandara Menika was a	Answer p.67, 1.40
	(a) on the question of heirship of Edward Bandara Menika, and		

RECORD

(b) in respect of the properties comprising the estate of Edward Banda Korala and Bandara Menika?

constructive trustee and held the property in trust for Somawathie, the defendant being a volunteer under Bandara Menika, would also be under that trust. I therefore answer issue 6A and 6B in the affirmative.

Answer p.68, 1.6.

8. Was the division of the estate of Edward Banda purported to have been made on 9.10.30 in the said Case No. 3714 between Bandara Menika, Somawathie Kumarihamy, Kuma Kumarihamy, and Ran Menika a fraudulent and collusive arrangement entered into between Bandara Menika, Kuma Kumarihamy, Ran Menika and Appuhamy the G.A.L. of the said Somawathie?

Yes.

10

Answer p.68, 1.7.

9. Was Bandara Menika acting in the said Testamentary Case No. 3714 in -

(A) Yes.

(B) Yes.

(a) a fiduciary capacity to Somawathie; and

(b) did she take advantage of her fiduciary position?

30

Answer p.68, 1.8.

10. If issues 8 and 9 or either of them are answered in the affirmative, did the said Bandara Menika hold a 1/4th share of the property in question, allotted to her; and Ran Menika the 1/4th share allotted to her at the alleged settlement in trust for Somawathie?

Yes, but the 1/4th share of Bandara Menika and only the 1/12th share of Ran Menika which came back to Bandara Menika would be subject to this trust.

40

11. Is the alleged division dated 9.10.30 in Case No.3714 binding on the plaintiff inasmuch as -

(A) It is not necessary to answer this.

Answer p.68, 1.11

(B) No.

(C) No.

(a) no decree was entered in pursuance thereof;

(b) sanction of the Court was not obtained under section 500 therefor;

(c) the alleged division was not on the footing that Somawathie was not adopted by Edward Banda Korala for the purpose of inheritance?

It is admitted that Somawathie Kumarihamy was born on 7.9.12.

12. Was the defendant -

(a) a party to the said fraudulent and collusive arrangement to divide the estate of Edward Banda?

(b) Had the defendant notice of the said fraudulent and collusive arrangement; and

(c) Has the defendant better rights than Bandara Menika, if any, inasmuch as he is a donee from Bandara Menika?

(A) Yes. The evidence of the witness Karunanayake is that the defendant was present in the office of Mr. Wanduragala at the time of the decision of the settlement P6.

(B) The circumstances show that the defendant was fully aware of all the facts which prove the settlement P6 was a fraudulent and collusive one.

(C) No.

Answer p.68,1.12.

(c) on the question whether the settlement dated 9.10.30 conferred rights as pleaded by the defendant; the benefits conferred by the final decree on the defendant are held in trust for him.

10 (d) on the question whether order dated 21.8.44 was valid to grant rights as stated by plaintiff.

20 34. Was the final decree in D.C.Kurunegala, Case No.1052 res judicata on the question whether the defendant obtained absolute and indefeasible title to the land described in the Schedule B to the plaint free of any trust as alleged?

Vide my answer to 33.

Answer p.70, 1.18

30 35. Did the plaintiff expressly and by his conduct acquiesce in the entering of final decree in D.C.Kurunegala, Case No.1052 allotting the land in Schedule B to the defendant ?

The plaintiff could not assert and prove a trust which was denied in partition proceedings. I therefore answer this issue in the negative.

25. The learned District Judge after a careful review of the circumstances immediately before and leading up to the original settlement of the 9th October 1930 stated as follows :-

40 "The main point in the case for the plaintiff is that when the settlement of 9.10.30 was entered into, in Case No. 3714, between Bandara Menika, Somawathie and Kuma Kumarihamy, the only two persons whose duty it was to protect the interests of Somawathie, had fraudulently and collusively entered into that arrangement dividing the estate among these four persons. The two persons referred to above being Bandara Menika and Appuhamy, Somawathie's own father and guardian ad litem.

p.63, 1.33

RECORD

P.15, p.196

The evidence shows that Somawathie was living in the house of Bandara Menika. She had been adopted by Bandara Menika for the purpose of inheritance. The decision of the Supreme Court P15, holds that Somawathie was the adopted daughter of Bandara Menika, but does not decide the question as to whether Somawathie had also been adopted by Edward Banda, for the purpose of inheritance.

But the uncontradicted evidence led in this case, of the witnesses Ukku Banda and Sri Sumangala Thero, the High Priest of Tiragama Temple, supported by the evidence of the plaintiff himself, places beyond doubt, the fact that Somawathie had been adopted by both Edward Banda and Bandara Menika for the purpose of inheritance." 10

x x x x x

p.65, l.18.

P.6, p.137

"In these circumstances, to my mind, there is not the slightest doubt that when Bandara Menika and Appuhamy came to the Courts and filed the consent motion P6 on 9.10.30 they were not acting in the interests of Somawathie. Somawathie was at that time a minor living in the house of Bandara Menika and was her adopted daughter. Bandara Menika was undoubtedly in a fiduciary capacity to Somawathie. 20

D.29, p.206

The proceedings of 9.9.30 D29 and P6 do not show that the District Judge had expressly addressed his mind to and sanctioned the particular terms of settlement which had been proposed." 30

26. The learned District Judge went on to say

p.66, l.19.

"Where a party claims to be interested only as a beneficiary of a trust, section 9 of the Partition Ordinance will not shut the beneficiary out from claiming that the trustee holds the lot which was allotted to him in the partition decree in trust for him."

x x x x x

p.66, l.37.

"..... The defendant being only a donee would be in the same position as Bandara Menika. Counsel for plaintiff therefore contends that his admission in Case No. 1052 on 40

16.6.50 (Vide D23) that he was "not making any claim against the plaintiff or contesting the rights to the share allotted to the plaintiff" will not bar him from making his claim in the present case.

10 I agree that this contention is correct as I hold that Bandara Menika and therefore her volunteer, the present defendant, holds the property in trust for the present plaintiff. This would follow directly from the decision of Marikar vs. Marikar referred to above."

27. In the result the learned District Judge rejected the pleas of res judicata and estoppel and delivered judgment for the Appellant as prayed for.

20 28. The Respondent appealed to the Supreme Court of Ceylon. The appeal was heard by Gratiaen J. and Sansoni J. who delivered judgment allowing the Respondent's appeal (and dismissing the Appellant's original action) with costs.

29. Dealing with the conduct of Bandara Menika in relation to the circumstances in which the settlement of 9th October 1930 was drawn up, Gratiaen J. with whom Sansoni J. agreed, said :-

30 "I have come to the conclusion that the judgment under appeal must be set aside because the respondent wholly failed to establish his allegation that Bandara Menika was guilty of express fraud or that (even on a slightly low plane of criticism) she had abused her fiduciary position and thereby derived a pecuniary advantage at the expense of her beneficiary.

p.78, l.31.

40 Let us consider first the allegation of express fraud. When this action commenced, twenty years had elapsed since the settlement of 1930 was reached in the testamentary proceedings. During this long interval of time, Bandara Menika had died and could not give her version of the motives that induced her to agree to its terms; Mr. Wanduragala (who acted as his proctor in the litigation) and Mr. V.I.V. Gomis (who acted for the rival claimants) are also admittedly dead; so are Somawathie and her guardian ad litem who

RECORD

consented to the settlement on independent legal advice. In the absence, therefore, of most of the principal parties to the compromise, it is incumbent upon us to scrutinise the very belated allegation of fraud with considerable caution.

The only direct evidence on which the learned Judge based his inference of express fraud was the testimony of a proctor's clerk who claimed in 1952 to have overheard parts of certain vague conversations 23 years earlier in Mr. Wanduragala's office. To my mind, this evidence (even if true) was quite inadequate to establish fraud against a woman who had since died. As for the circumstantial evidence referred to in the judgment under appeal, it only proves that Bandara Menika knew (as she had herself always admitted) that her husband in fact regarded Somawathie as their adopted child; it does not justify the further inference that she did not entertain a genuine doubt as to the chances of convincing a Court of Law in a contested litigation that the adoption was of a kind which constituted Somawathie the sole heir of her adoptive father under the Kandyan Law. The entire evidence is quite consistent with the more charitable theory that, in her honest opinion, which was shared by honest lawyers, a settlement of the dispute was in the best interests of the minor whom she too regarded as her daughter." 10
20
30

30. Referring to the abstract question of adoption for purposes of inheritance under the Kandyan Law, Gratiaen J. stated :-

p.79, l.21.

"The difficulty of establishing adoption for purposes of inheritance under the Kandyan Law by oral evidence (i.e. before the legislature enacted section 7 of Ordinance No. 39 of 1938) is a matter of common knowledge, and the law on the subject was even more controversial in 1930 than it is now." 40

31. Dealing with the question of the constructive trust which was raised in the case Gratiaen J. said :-

p.80, l.6.

"Has the evidence established a constructive trust against Bandara Menika even though there was insufficient proof of express

10 fraud ? That she stood in a fiduciary position towards Somawathie, is clear enough. But did she abuse that position in order to gain some personal advantage at the beneficiary's expense ? And, above all, did she in fact derive any demonstrable advantage from the settlement ? For then only can the plaintiff invoke the well-settled principle of law which has been incorporated in section 90 of the Trusts Ordinance in the following terms :-

"When a person bound in a fiduciary capacity to protect the interests of another person, by availing himself of his character, gains for himself any pecuniary advantage he must hold for the benefit of such other person the advantage so gained."

20 Gratiaen J. concluded :-

30 "I am very far from satisfied (even if one reconsiders the matter retrospectively) that Bandara Menika herself did gain any demonstrable pecuniary advantage from the settlement. Her own claim to a life interest in the entire was certainly not in jeopardy. How then could it have been argued at the relevant date that she necessarily benefited by taking an absolute interest in a 1/4th share of the estate in exchange for a life interest in the entirety ? She had waived in favour of Somawathie and the other claimants her legal right to receive an assured immediate income during her lifetime from the outstanding 3/4th share of a valuable estate "

p.80, 1.27.

40 "The learned District Judge has emphasised the fact that, according to the evidence, Bandara Menika appropriated her income of the entire property during her lifetime. Even if that be true, it has not relevancy to the present cause of action, because such appropriation was contrary to and not a consequence of the terms of the impugned settlement."

p.81, 1.6.

32. The Appellant submits that the judgment of the Supreme Court is wrong and that the judgment

RECORD

of the District Court should be restored with costs for the following among other

R E A S O N S

- (1) BECAUSE Somawathie was, in fact, the adopted daughter of Edward Banda Korala, for the purposes of inheritance under Kandyan Law and there was ample evidence to establish this;
- (2) BECAUSE the Kandyan Law of adoption for the purpose of inheritance was not controversial in 1930; 10
- (3) BECAUSE on the death of Edward Banda Korala, the said Somawathie as sole heir to his estate subject to a life-interest in Bandara Menika, was entitled to succeed to the title to the entirety of the estate of the said deceased;
- (4) BECAUSE on the death of the said Edward Banda Korala, the said Somawathie being a minor at the time, the said Bandara Menika stood in a fiduciary position to the said Somawathie; 20
- (5) BECAUSE the said Bandara Menika did not make a true and full disclosure to the Court as to the relationship that had subsisted between the said Edward Banda Korala and the said Somawathie;
- (6) BECAUSE the settlement of October, 1930, made in consequence of such non-disclosure deprived an infant beneficiary, namely, the said Somawathie, of her right of succession; 30
- (7) BECAUSE in effect, in the said settlement, the said Bandara Menika acted in fraud of the said Somawathie and in collusive agreement with the others concerned;
- (8) BECAUSE the said settlement of the 9th October, 1930, was set aside by the District Court of Kurunegala on the 21st August, 1944; 40
- (9) BECAUSE by virtue of Section 90 of the Trusts Ordinance, the said Bandara Menika

held for the benefit of the said Somawathie, the advantage she gained under the purported settlement of the 9th October, 1930;

- 10
- (10) BECAUSE the said settlement of the 9th October, 1930, being avoidable, ab initio, the position ante quo should be restored;
 - (11) BECAUSE the learned District Judge rightly rejected the Respondent's pleas of estoppel and res judicata;
 - (12) BECAUSE the decree of the Supreme Court in Case No.1052 is a nullity;
 - (13) BECAUSE the judgment of the Supreme Court is wrong; and
 - (14) BECAUSE the judgment of the District Court is right.

PHINEAS QUASS

SIRIMEVAN AMERASINGHE

No. 2 of 1957

IN THE PRIVY COUNCIL

ON APPEAL FROM THE SUPREME

COURT OF CEYLON

B E T W E E N

TENNEKOON MUDIYANSELAGE TIKIRI
BANDA AMUNUGAMA (Plaintiff)
Appellant

- and -

HERATH MUDIYANSELAGE TIKIRI
BANDA HERATH (Defendant)
Respondent

CASE FOR THE APPELLANT

T.L. WILSON & CO.,
6 Westminster Palace Gardens,
London, S.W.1.