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PART II.—LEGAL.

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

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DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to Incorporate the Moors' Islamic Cultural Home.

WHEREAS an institution, styled and known as the Moors' Islamic Cultural Home, has heretofore been established at Colombo for the purpose of effectually carrying out and transacting all matters connected with the said institution.

Preamble.

And whereas the said institution has applied to be incorporated and it will be for the public advantage to grant the application:

Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the State Council thereof, as follows:—

1. This Ordinance may be cited as the Moors' Islamic Cultural Home, incorporation Ordinance No.

Short Title.

2. From and after the passing of this Ordinance, the President and members of the Panel of Trustees for the time being of the said Moors' Islamic Cultural Home, as hereinafter constituted, and as such and so many persons as now or shall hereafter be admitted as members of the Moors' Islamic Cultural Home shall be a corporation hereinafter called "the corporation", and shall have the name of "The Moors' Islamic Cultural Home", and in that name shall have perpetual succession and shall and may sue and be sued in all courts in Ceylon, and may have and use a common seal and alter the same at their pleasure.

Incorporation of the Moors' Islamic Cultural Home.

3. The general objects for which the corporation is constituted are hereby declared to be:—

General objects of the Corporation.

- (a) the spreading of Islamic humanization and morals
- (b) to foster a spirit of fellowship and camaraderie among its members and to instil into them the principles of service to the community and country
- (c) to provide and maintain facilities for the acquisition of knowledge, especially pertaining to Islam and to provide opportunities for members to acquaint themselves with current trends in other parts of the Islamic world.
- (d) to take from the culture of the East and West all that is good and to reject all that is bad in them
- (e) to provide and maintain opportunities for the interchange of ideas on current problems by a system of debates, lectures, study circles and the like.
- (f) to set up voluntary machinery and organisation to promote the religious, cultural, educational, social and economic welfare of the Muslims, irrespective of race
- (g) to provide facilities for recreation

- (h) to establish and maintain a hostelry to house outstation students and a guest house for visitors.
- (i) to run a restaurant or buffet where refreshments could be had at reasonable rates
- (j) to establish and maintain a set of apartments to be let out for weddings and other social functions.

Panel of Trustees.

4. (1) The affairs of the corporation shall, subject to any rules made or deemed to be made under this ordinance, be administered by a Panel of Trustees, consisting of the President, not less than five Vice-Presidents, three Honorary Joint Secretaries and two Honorary Joint Treasurers, respectively of the corporation and not less than thirty-eight members, to be nominated and elected respectively in accordance with the rules in the Schedule, or any rules amending the same.

(2) The first members of the Panel of Trustees shall be—

President	.. A. R. A. Razik, M.S.C., M.M.C., J.P., U.M.	.. Colombo
Vice-Presidents	.. W. M. Hassim, J. P.	.. Colombo
	Al Haj. A. V. Macan Markar	.. "
	A. R. M. Mukthar	.. "
	M. H. M. Munas	.. "
	Al Alim M. H. M. Shamsu- deen	.. "
	O. H. M. Sulaman	.. "
	Al Haj. M. H. M. Sulaiman	.. "
	L. M. M. Uvais	.. "
	M. I. Abdul Rasool	.. Trincomalee
Hon. Jt. Secretaries	A. I. L. Marikar	.. Colombo
	A. H. Macan Markar, B.A. (Cantab.)	.. "
	A. L. M. Lafir	.. "
Hon. Jt. Treasurers	M. L. M. Ghouse	.. Colombo
	A. H. Macan Markar, B.A. (Cantab.)	.. "
Panel of Trustees..	A. C. Abdeen	.. Colombo
	B. L. Abdul Bhari	.. Bentota
	A. C. M. Abdul Cader, Proctor, S.C.	.. Colombo
	M. C. M. Abdul Cader	.. Galle
	S. M. H. Abdul Hafeel	.. "
	M. A. M. Abdul Hassen	.. Warakapola
	A. R. A. M. Aboobucker, Kathi, J.P.	.. Trincomalee
	M. L. M. Ahmed	.. Colombo
	M. S. M. Anver	.. "
	T. M. Asanoon	.. Negombo
	Al Haj H. A. Cabeer	.. Colombo
	M. A. Careem, M.A. (Cantab.)	.. "
	S. A. I. Dheen, Proctor, S.C., Kathi, J.P.	.. Negombo
	M. M. M. Ghouse	.. Colombo
	Dr. M. S. Ghouzul Ameer	.. "
	M. I. M. Hamdoon	.. Negombo
	A. M. Hamid, M.R.A.S. (C.B.)	.. Colombo
	A. L. M. Haniffa, Kathi, J.P.	.. Anuradhapura
	M. Sulaiman Hassim	.. Colombo
	Al Haj. M. M. Ibrahim	.. Batticaloa
	M. Thowfeek Idroos	.. Colombo
	S. M. Ismail	.. "
	K. S. Jailabdeen	.. "
	Al Haj. Y. A. Jamaldeen	.. "
	M. F. M. Jaward	.. "
	M. H. M. Kamil	.. "
	Y. M. Khalid	.. "
	C. M. M. Maharroof, Proctor, S.C.	.. "
	S. D. M. Mansoor	.. "
	A. C. H. Mohamed	.. "
	I. S. Mohamed, Headman	.. Akurana
	K. M. N. S. Mohamed, Head- man	.. "
	A. F. Mohamed	.. Galle
	M. B. Mohamed	.. Colombo
	M. N. S. Mohamed	.. Trincomalee
	A. C. Mohammedo, J.P., U.M., Proctor, S.C.	.. Colombo
	H. M. Mohideen	.. Katugastota
	S. E. C. Mohideen	.. Minuwangoda
	Dr. M. Mohideen Hassan	.. Colombo
	M. Y. M. Mushood	.. "
	M. S. Nama Marikar	.. "
	S. M. A. Raheeman, J.P., U.M., Proctor, S.C.	.. Negombo
	Rajakaruna Vaidiyatilleke Muhandiram Sheik Moha- med Udayar	.. Aranayake
	Rasheed Bin Hassen, M.M.C.	.. Colombo
	Razeen Abdul Cader	.. "
	C. M. M. Sahid	.. "
	A. R. M. Saleem	.. "

C. M. M. Salih	..	Colombo.
O. L. M. M. Salih	..	..
M. Sameer	..	..
M. M. Shafi	..	..
M. M. Sulaiman	..	..
A. Mubarak Thaha	..	..
A. R. M. Thassim, Kathi,	..	..
J.P.	..	Balapitiya
M. H. M. Yusuf	..	Colombo
A. R. M. Zarook	..	..

5. (1) It shall be lawful for the Panel of Trustees at any of its meetings, held after due notice, by a majority of votes of the members present and voting at such meeting, to make rules:—

- (a) for the admission, withdrawal, suspension or expulsion of members
- (b) for the conduct of the duties of the Panel of Trustees and of the various sub-committees, office-bearers, agents and servants of the corporation
- (c) for the procedure in the transaction of business
- (d) for the election or appointment of the office-bearers of the corporation or of the members of the Panel of Trustees and for their tenure of office, and
- (e) otherwise generally for the management of the affairs of the corporation and the accomplishment of its objects.

(2) The rules in the Schedule to this Ordinance shall for all purposes be deemed to be the rules of the corporation in force at the commencement of this Ordinance, and to have been made under this Ordinance, and may be altered, added to, amended, or rescinded by rules, to be made under this Ordinance.

(3) All members of the corporation shall be subject to any rules made or deemed to be made under this Ordinance.

6. On the coming into operation of the Ordinance, all and every property belonging to the Moors' Islamic Cultural Home or in the name or names of any person or persons in trust for the Moors' Islamic Cultural Home shall be, and the same are hereby vested in the corporation and shall be held by the corporation in its corporate name and the same together with all property hereafter to be acquired by the corporation, both movable and immovable, and all subscriptions, contributions, donations, amounts of loans, and advances received or to be received, shall be held by the corporation for the purpose of this Ordinance subject to the rules made or deemed to be made under this ordinance and subject to any trusts under which such property may have been received, and in the administration of such trusts, nothing shall be done to violate the intention of the donor or donors.

7. All debts and liabilities of the said Moors' Islamic Cultural Home which were in existence before the coming into operation of this Ordinance, shall be paid by the corporation, and all debts due to and subscriptions and contributions payable to the said Moors' Islamic Cultural Home shall be paid to the corporation for the purpose of this Ordinance.

Debts, &c.,
due by and
payable to the
Corporation.

8. The seal of the corporation shall not be affixed to any instrument whatsoever, except in the presence of three members of the Panel of Trustees, of whom one shall be the President or a Vice-President, expressly nominated by the Panel of Trustees who shall sign their names to the instrument in token of their presence, and such signature shall be independent of the signing of any person as a witness.

Seal.

9. The corporation shall be able and capable in law to take and hold any property, which may become vested in it by virtue of any purchase, grant, gift, testamentary disposition, or otherwise, and all such property shall be held by the corporation for the purpose of this ordinance and subject to any rules made or deemed to be made under this ordinance with full power to sell, mortgage, lease, exchange or dispose of the same.

10. Except so far as provided in this ordinance or in any rules made or deemed to be made thereunder, any dispute or doubt as to any matter or question affecting or relating to the principles or policy of the corporation shall be referred to the Panel of Trustees whose decision thereon shall be final.

Decision of
disputes, &c.,
as to principles
or Policy.

11. Nothing in this ordinance contained shall prejudice or affect the rights of His Majesty the King, His heirs, and successors, or any body politic or corporation or of any other persons except such as are mentioned in this ordinance and those claiming by, from or under them.

Saving of the
rights of the
Crown and
others.

SCHEDULE.

Rules of the Moors' Islamic Cultural Home, Colombo.

1. In those rules, unless the context otherwise requires—

- (1) "The Corporation" means the Moors' Islamic Cultural Home, as incorporated by the Ordinance.
- (2) "The Ordinance" means the Moors' Islamic Cultural Home Incorporation Ordinance.
- (3) "The Panel" means the Panel of Trustees.

2. *Membership.*—(1) Persons not less than sixteen years of age, having any or all of the objects of the corporation in view, are eligible for membership.

(2) Every application for membership, countersigned by two members of the Panel shall be forwarded together with the Entrance Fee and annual subscription to the Honorary Joint Secretaries who shall submit it to the Panel for approval.

(3) The rates of subscription payable in advance by the members shall be as follows:—

- (a) for members of the Panel, an annual subscription of Rs. 25.
- (b) for ordinary members an entrance fee of Rs. 10 and an annual subscription of Rs. 10 or a contribution of Rs. 500 for life membership.
- (c) an honorary life membership may be conferred by the Panel on any Muslim who in the opinion of the Panel has rendered meritorious service to the cause of the community or the country or in the advancement of science, the arts or literature.

(4) The Panel may reject any application for membership without stating reasons.

(5) If any member is in arrears of subscription for a period of three months, the Panel may remove his name from the roll of members after a fortnight's notice.

(6) Any member whose conduct is found detrimental to the interest of the corporation may, after investigation, be suspended or removed from the roll, by the Panel at a meeting of the same specially convened for the purpose, if two-third of the members of the Panel present and voting at such meeting approve of such suspension or removal, voting being by ballot. The quorum at such a meeting shall be not less than fifteen.

3. *Management.*—(a) The affairs of the corporation shall be administered by the Panel consisting of a President, not less than five Vice-Presidents, three Honorary Joint Secretaries and two Honorary Joint Treasurers, who shall be *ex-officio* members of the Panel and not less than thirty-eight other members, to be elected at the Annual General Meeting of the corporation. The members shall hold office for three years, one third thereof retiring at the end of each year but being eligible for re-election. A member absenting himself from three consecutive meetings of the Panel shall cease to be a member thereof, unless re-elected by the Panel.

(b) The various activities of the corporation shall be in charge of Departmental Committees consisting of five members each, of whom four shall be elected at the Annual General Meeting and the other nominated by the Panel from among its members. Such nominee of the Panel shall be the Chairman or Secretary and convenor of the Committee to which he is appointed.

(c) All office-bearers and members of the Panel shall be persons professing the Islamic faith, and no member shall hold more than two offices simultaneously.

(d) The President, or in his absence one of the Vice-Presidents shall be the Chairman at the meetings of the corporation. If neither the President nor one of the Vice-Presidents be present, a member shall be voted to the chair. The Chairman shall have the casting vote.

(e) The Secretaries shall keep a record of all meetings of the corporation and of the Panel, a register of members, and any other record that may be necessary.

(f) The Honorary Treasurers shall collect, receive and keep accounts of all moneys and funds belonging to the corporation, and shall make such payments as are authorised by the Panel. They shall prepare and table a statement of account at the monthly meetings of the Panel and submit a duly audited statement of account and Balance Sheet at the Annual General Meeting and their books shall be open to the inspection of members through the Panel at all reasonable times.

(g) Meetings of the Panel shall be held at least once a month. Upon the written requisition of five members of the Panel the President shall have a meeting of the Panel convened to transact such business as is intimated in the notice calling the meeting. Five days' notice shall be given to the members of any such special meeting. Nine members shall form the quorum at meetings of the Panel.

(h) In the case of any vacancies occurring during the year among the office-bearers or in the Panel or in Departmental Committees, the Panel shall have power to fill such vacancies for the unexpired term.

(i) The Panel shall have power to make rules for its own government and for the management of the corporation and its departments provided that such rules are not inconsistent with the constitution.

(j) The Panel shall hold and administer for the purposes of the corporation all property belonging to the corporation. It shall also have power, with the consent of a two-thirds majority of members present at a General Meeting of the Corporation, to sell,

mortgage, lease, exchange or otherwise dispose of the immovable property belonging to the corporation. Provided that such decision be confirmed at a subsequent General Meeting held within one month.

4. *General Meeting of the Corporation.*—(a) The Annual General Meeting of the corporation shall be held in the month of August, at which the report of the Panel and of the Honorary Treasurers shall be presented. (b) The Honorary General Secretaries shall convene a General Meeting of the corporation upon the request of the Panel, or upon the written requisition of not less than twenty-five members. (c) A fortnight's notice shall be given of any general meeting, and twenty-five members shall constitute a quorum at such meeting.

5. *Bank Account, &c.*—All Bank accounts, securities, notes and debentures, the property of the corporation, shall be kept in the name of the corporation, and shall be under the control of the President, Vice-Presidents, Secretaries or Treasurers in accordance with the resolution of the Panel.

6. *Auditor.*—The members shall elect at the Annual General Meeting of the corporation a qualified auditor, who shall audit the accounts of the corporation for the ensuing year.

7. *Branches.*—Branch societies may be established wheresoever possible in the Island under such conditions as shall be determined by the Panel. All such societies shall be worked on the same principles as defined in these rules. A certificate of affiliation shall be issued to branches so formed.

8. *Affiliation.*—The corporation may be affiliated to organizations in other parts of the Islamic world having similar aims and objects.

9. *Amendment of Constitution.*—This constitution can be amended or altered only by a vote of two-thirds of those present at a General Meeting of the corporation, provided that such amendment shall have been previously approved by the Panel. A fortnight's notice shall be given to members of any proposed alteration of the rules.

10. *Interpretation.*—In the event of any uncertainty or ambiguity, the Panel shall have the power to interpret the constitution, rules and by-laws.

Objects and Reasons.

The object of this Bill is to incorporate the Institution called and known as the Moors' Islamic Cultural Home.

A. R. A. RAZIK,
Mover of the Bill.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,352. In the matter of the insolvency of Bramwell Herat Insolvency. Bibile of Fancy Field, Estate, Talangama, insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held at the 2nd sittings of this court on March 29, 1946, for the examination of the above-named insolvent.

March 6, 1946.

By order of court, M. N. PERERIS,
Secretary.

NOTICES OF FISCALS' SALES.

Central Province.

In the Court of Requests of Teldeniya.

Rankotduraiyalagedera Dinginiya of Elameda Pussekada in Retiyagama in Udasiyapattu South Uda Dumbara ... Plaintiff.
No. 759. Vs.

Herath Mudiyansele Kiribatthalawagedera Heen Banda Velmuladeniya of Kurukohogama in Udasiyapattu north ... Defendant.

NOTICE is hereby given that on Thursday, April 11, 1946, 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 defendant in the following property, mortgaged by bond No. 9,027 dated February 22, 1944, and attested by D. S. A. Jayasinghe, Notary Public, for the recovery of the sum of Rs. 215 being principal and interest and Rs. 29.25 costs of suit and poundage, viz. :—

1. An undivided one sixth part or share from and out of all that land called Kiribatthalawekumbura of three pelias in paddy sowing extent and the adjoining garden called Kiribatthalawewatta of about 15 nellies kurakkan sowing extent situate at Kurukohogama in Udasiyapattu north, Uda Dumbara in the District of Kandy, Central Province; and bounded on the north by the limit of Talawinnegederawatta, east by the kandura on the limit of the land Ratuwellewatta, south by the kandura on the limit of Madarawelagawawatta and on the west by the limit of Udagederawatta together with the plantations and the buildings standing thereon.

2. An undivided one sixth part or share from and out of Meegastannekumbura of about three pelias paddy sowing extent situate at Kurukohogama aforesaid; and bounded on the north

by the road on the limit of Gomagodagederakumbura, east by the limit of Kaduwelagederakumbura, south by Hindendu ela on the limit of Tennegewatta walauwe kumbura and on the west by the limit of Albert Baas's field together with a like share of everything thereon.

3. An undivided one sixth part or share from and out of Deltalawekumbura of about three pelias in paddy sowing extent situate at Hakmana in Udasiyapattu south aforesaid; and bounded on the north by the limit of Kalu Duraya's field, east by the limit of Polgaskumbura, south by the limit of Ukku Banda, Peace Officer's, kumbura and on the west by oya together with a like share of everything thereon. Registered F 126/162, 163, 164 at the Land Registry, Kandy, on March 21, 1944, and all the right, title, interest and claim whatsoever of the said defendant in, to upon or out of the said several premises mortgaged by the defendant.

Valuation : Rs. 1,500.

Fiscal's Office,
Kandy, March 6, 1946.

H. F. RATWATTA,
Deputy Fiscal.

In the District Court of Kandy.

N. R. M. Palaniappa Chettiar of 43, Trincomalee street, Kandy ... Plaintiff.

No. M. S. 1,344. Vs.

Bathgoda Mahalekama Paindakaragedera M. P. Sumanasiri of Danture in Yatnuwera ... Defendant.

NOTICE is hereby given that on Tuesday, April 16, 1946, 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 defendant in the following property, for the recovery of the sum of Rs. 4,585.50 with interest on Rs. 4,500 at 18 per centum per annum from January 22, 1946, till February 21, 1946, and thereafter with legal interest on the aggregate of decree till payment in full and poundage, viz. :—

1. All that land called Viharegedera arambe of five pelias in paddy sowing extent situate at Danture in Medapalata of Yatnuwera in the District of Kandy, Central Province; and bounded on the east by the ditch of the land of Yatnuwera Dissamahatmaya, south by the three feet road, west by ela and north by the stone and fence of Bilinda's land together with the tiled house and everything standing thereon, registered in B 133/147.

2. All that land called Gonnagahakotuwwatta of twelve lahas in paddy sowing extent situate at Danture aforesaid; and bounded on the east by ditch, south by ella alias three foot road, west by fence and ella of Viharegederawatta and north by the ditch of Polgaskotuwa together with everything thereon, registered in B 128/21.

3. All that land called Ayanganarambe *alias* Viharegederawatta of 12 lahas in paddy sowing extent situate at Danture aforesaid; and bounded on the east by the fence *alias* the ella of Gonnagahakotuwa, south by the three-foot road, west by the fence of Lagungerawatta and north by the fence of Hompolakotuwa, registered in B 128/22.

4. All that land called Pannaduragedera Konagewattae of six lahas in paddy sowing extent situate at Munwatugoda in Medapalata aforesaid; and bounded on the east by the fence of Yatinuwera Ratemahatmaya's land and a part of the Jak tree, south by this side of Viharegederawatte, west by above the ella and north by above the ella of Girisakanthiwelakumbura belonging to Nispologoda vihare, registered in B 163/275.

Fiscal's Office,
Kandy, March 9, 1946.

H. F. RATWATTA,
Deputy Fiscal.

In the Court of Requests of Gampola.

K. B. C de Silva, Kandy road, Gampola..... Plaintiff.
No. 7,002. Vs.

R. P. Alagasamy Menikwatta, Gonadika Estate,
Gampola..... Defendant.

NOTICE is hereby given that on Tuesday, April 9, 1946, at 12 o'clock in the noon, 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. 244.25 together with interest at 18 per cent. per annum on the principal sum of Rs. 200 from June 21, 1945, till August 24, 1945, and thereafter with legal interest on the aggregate amount till payment in full and poundage thereon, viz. :-

An undivided half part or share from and out of all that land called Gonadika estate, presently known as Manikawatta; containing in extent 6 A. 3 R. 36 P. in the whole situate at Elpitikande in Kandupalata of Udunuwera in the District of Kandy, Central Province, and the entirety being bounded on the north and east by land claimed by natives, south and west by Gonadika estate together with everything standing thereon.

Fiscal's valuation Rs. 5,000.

Fiscal's Office,
Kandy, March 6, 1946.

H. F. RATWATTA,
Deputy Fiscal.

Southern Province.

In the District Court of Matara.

In the matter of the estate of Pallimulle Kapugamage Iyanoris de Silva, deceased.

The Commissioner of Estate Duty, Colombo..... Petitioner.
No. 4,095 (Testy). Vs.

Pallimulle Kapugamage Don Andiris de Silva, Wewa Ihala-goda..... Respondent.

NOTICE is hereby given that on Saturday, April 6, 1946, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said estate in the following property, for the recovery of Rs. 157.02 with interest thereon at 4 per cent. from May 25, 1944, to date of payment and accrued interest Rs. 1.67, less Rs. 75 paid, viz. :-

All that land called Gorakagahenawatta together with the 13 cubit tiled house and kitchen standing thereon; situated at Wewa Ihalagoda in Four Gravets of Matara, Matara District, and bounded on the north by Polambehena, east by Delgahawatta, south by high road, and west by Medahena and containing in extent about 3 acres.

Deputy Fiscal's Office,
Matara, March 7, 1946.

F. P. W. GUNASEKERA,
Additional Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

Meenachy, widow of Ramalingam of Tholpuram..... Plaintiff.
No. 1,700. Vs.

(2) Sinnakkudy, widow of Ponnampalam of Karainagar, (6) Sengamalam, widow of Velaththai Kanagasabai of Ilakadi, Karainagar, (7) Ahilandam, widow of Ramalingam of ditto, (8) Ponnammah, widow of Ambalavanar Aiyadurai of ditto, (9) Sethupillai, widow of Ambalavanar Thiagarajah of ditto and (10) Sithamparappillai Sittampalam of Tholpuram..... Defendants.

NOTICE is hereby given that on Thursday, April 4, 1946, at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said 2, 6, 7, 8, 9 and 10 defendants in the following property for the recovery of the sum of Rs. 526 with further interest on Rs. 500 at the rate of 6 per cent. per annum from November 9, 1944, until payment in full and poundage and charges, viz. :-

All that piece of land situated at Tholpuram in Changanai Parish, Valigamam West Division of the Jaffna District, Northern Province, called "Poiamoli" in extent 70 lachams varagu culture with well and cultivated and spontaneous plantations; and bounded on the east by lane, north by road and Nagamutti, wife of Velautham, and by others, west by Visuvanathar Sinnathamby, and south by Crown-land.

2. All that piece of land situated at Tholpuram aforesaid called "Peepulo and Sathurangamanal"; in extent 5 lachams varagu culture and 14½ kules with cultivated and spontaneous plantations;

and bounded on the east by Nagamuttu, wife of Velautham, and by road, north by road and Sithamparappillai Sittampalam and shareholders, west by the heirs of Ramalingam Sinnakkudy, and south by Sithamparappillai Sittampalam and shareholders.

Fiscal's Office,
Jaffna, March 11, 1946.

S. S. ARYER,
for Fiscal.

In the District Court of Jaffna held at Point Pedro.

Vairavaram Visuvalingam of Thanakkarakurichy.. Plaintiff.
No. 599/P. Vs.

(13) Vairavy Ramu, (15) Veluppillai Eliyathamby, both of Thanakkarakurichy, (17) Selvanayagy, wife of Arunasalam Kandamar of Alvai North, (19) Vairavy, wife of Sinnathamby Ramalingam of Thanakkarakurichy, (30) Sinnaddy Sinnathamby, and (31) wife, Sellachchy, (32) Sinnaddy Veluppillai and wife, (33) Annamuttu, (34) Thangam, daughter of Ramu, (35) Sellammah, widow of Selvathurai, (36) Ramu Nallathamby, (37) Ramu Ratnam, (38) Ramu Thurassamy, (39) Ramu Suntharam, (40) Poornam, daughter of Ramu, and (41) Vairavy Ramu, all of Thanakkarakurichy.. Defendants.

NOTICE is hereby given that on Tuesday, April 9, 1946, at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said 13th and 30th to 41st defendants in the following property, for the recovery of the sum of Rs. 132.89 from the 13th defendant and Rs. 69.90 from the 30th to 41st defendants, and poundage and charges, viz. :-

Lands belonging to the 13th defendant.

1. All that within the boundaries of lot No. 6 in extent 1 lachams varagu culture and 6 kules, together with the share belonging thereto of the water of the well lying in lot No. 2 and the right of way and water course, according to plan No. 6,672 prepared by G. C. Kanapathippillai, Licensed Surveyor, and annexed to this case, for a piece of land situated at Thanakkarakurichy in Uduppiddy Parish, Vadamaradchy Division of the Jaffna District Northern Province, called "Koddaaththalvu" in extent 32 lachams varagu culture and 11 and 13/32 kules; the said lot No. 6 in extent 1 lacham varagu culture and 6 kules, is bounded on the east by lot No. 5 belonging to the heirs of Veluppillai Veeragathy, north by lane, west by lot No. 7 belonging to the late Nagaththai, daughter of Vinayagar, and south by Arunasalam Vairamuttu.

2. All that within the boundaries of lot No. 14 in extent 1 lacham varagu culture and 7 and 13/32 kules together with the share of the water of the well lying in lot No. 17 and right of way and water course, according to the abovesaid plan; and bounded on the east by Arumugam Ponniah and others, north by Sinnaddy Sinnathamby and others, west by newly allowed bye-lane and south by Veeragathy Rasamanicam.

Land belonging to the 30th-41st defendants.

3. All that within the boundaries of lot No. 7 in extent 1 lacham varagu culture and 7 kules, together with the share belonging thereto of the water of the well lying in lot No. 2 and right of way and water course, according to the abovesaid plan, and bounded on the east by lot No. 6 belonging to Vairavy Ramu, north by lane, west by bye-lane and south by Arunasalam Vairamuttu.

Fiscal's Office,
Jaffna, March 11, 1946.

S. S. ARYER,
for Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

Revd. N. Gunaratana Teriyhnaage, Controlling Viharadhipathy of the Gangarame Vihara of Alupota in Ratnapura.... Plaintiff.
No. 7,389-D.C.R. Vs.

Jothimuni Charles Appu of Porahitagama and six others..... Defendants.

NOTICE is hereby given that on Friday, April 5, 1946, at 11 o'clock in the forenoon, commencing from the 1st land, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 1,298.45, viz. ; Rs. 938.45 being costs from the 1st to 7th defendants, Rs. 360.00 being damages from 1st, 3rd and 4th defendants and poundage :-

1. The right, title and interest of the defendants in and to the land called and known as Alutwatta, Alutgederawatta *alias* Ranhamigewatta situate at Alupota in Meda pattu of Nawadun korale in the District of Ratnapura of the Province of Sabaragamuwa; and bounded on the north by Andacumbura, east by Pallewatta, south by Mahawatta *alias* Galpottewatta, west by Godella, *alias* Godellewatta; containing in extent about four seers of kurakkan sowing together with wild thatched house and the plantations.

2. The right, title and interest of the defendants in and to the land called Godella *alias* Godellewatta together with the plantations standing thereon situate at Alupota aforesaid; and bounded on the north by Andacumbura and Alutwatta, east by Alutwatta *alias* Ranhamigewatta, south by Mahawatta *alias* Galpottewatta and Hiricumbura, west by Hiricumbura; containing in extent about three seers of kurakkan sowing.

3. The right, title and interest of the defendants in and to the land called Andacumbura, situate at Alupota aforesaid; and bounded on the north by Othuhariyethunpelecumbura, east by Podicumbura and Rukula, south by Pallewatta and Galpottewatta, west by Hiricumbura and Rukula; containing in extent three pelas and five lahas of paddy sowing.

4. The right, title and interest of the defendants in and to the land called Hiricumbura situate at Alupota aforesaid; and bounded on the north by Depawella, east by Godella, Wella and Galpottewatta, south by Paranawatta, west by Hiricumburapahalakella Dingiyeyirawalla; and containing in extent one amunam of paddy sowing.

5. The right, title and interest of the defendants in and to the land called Parana-watta situated at Alupota aforesaid; and bounded on the north by Hirucumbura, east by Galpottagemahawatta, south by Palledeniya and Okandepittaniya, west by Yak-dehigeokandewita; containing in extent about seven seers of kurakkan sowing together with the plantations standing thereon.

Fiscal's Office,
Ratnapura, March 6, 1946.

A. B. KARALLIADDE,
Additional Deputy Fiscal.

In the District Court of Ratnapura.

W. M. Tikiri Bandara of Ganegama in Pelmadulla Plaintiff.
No. 7,481-D.C.R. Vs.

S. L. M. M. Yoosof of Main street of Balagoda Defendant.

NOTICE is hereby given that on Monday, April 8, 1946, at 10.30 in the forenoon, will be sold by public auction at the said premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 720, with legal interest thereon from December 15, 1943, till payment in full and poundage, viz.:

An undivided 1/16th share of the boutique and premises appearing depicted in title plan No. 56499 bearing former assessment No. 229 and now bearing assessment No. 202 situate at Main street in the Town of Ratnapura in Uda pattu of Kuruwiti korale in the District of Ratnapura of the Province of Sabaragamuwa; and bounded on the north-east by land described in plan No. 51933, south-east by land described in plan No. 56511 and on all other sides by roads; and containing in extent 1 1/2 perches; and registered in A. 282/28 and 283/3.

Fiscal's Office,
Ratnapura, March 7, 1946.

A. B. KARALLIADDE,
Additional Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testy. Juris. In the Matter of the Intestate Estate of the late
No. 11,665. Samuel Vethakan of Brownlow Estate,
Maskeliya, deceased

V. S. Arulanandam of 22, Maliban street in Colombo Petitioner.

Vs.

(1) Ebenezer Samuel Vethakan, (2) Thangam Arulanandam, wife of V. S. Arulanandam, both of Maliban street, Colombo, (3) George Daniel Schlesch, (4) Arthur David, (5) Edmund Emmanuel Nesadurai, (6) Winifred Alice Nesammal, (7) Christina Lily Sugantham; the 5th, 6th and 7th respondents, minors, by their guardian *ad litem* (8) George Daniel Schlesch of Maliban street, Colombo Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on February 8, 1946, in the presence of Mr. K. T. Chittampalam, Proctor, on the part of the petitioner abovenamed; and the affidavit of the said petitioner dated August 11, 1945, having been read:

It is ordered that the 8th respondent above named be and he is hereby declared appointed guardian *ad litem* of the minors, 5th, 6th and 7th respondents above named, and the petitioner above named be and he is hereby declared entitled, as the attorney of the widow of the deceased, to have letters of administration to the estate of the said deceased issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before April 4, 1946, show sufficient cause to the satisfaction of this court to the contrary.

March 8, 1946.

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Richard
Jurisdiction. Samarasinghe Gunasekera, late Secretary of the
No. 11,668. District Court of Kalutara, deceased.

Juliet Samarasingha Gunasekera nee Siriwardena of 105, Hill street, Dehiwala Petitioner.

And

(1) Ratnawali Sylvia Samarasingha Gunasekera, (2) Wallace Samarasingha Gunasekera, (3) George Oscar Samarasingha Gunasekera, (4) Llewelyn Samarasingha Gunasekera, (5) Padmini Fredrica Samarasingha Gunasekera, (6) Jasmine Chandrani Samarasingha Gunasekera, (7) Octavia Samarasingha Gunasekera, (8) Parana Pallia Guruge Piyadasa Sriwardena, all of 105, Hill street, Dehiwala, the 8th respondent, as guardian *ad litem* of the 2nd, 3rd, 4th, 5th, 6th and 7th respondents Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on November 21, 1945, in the presence of Mr. H. E. S. Wickremaratne, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 18, 1945, having been read:

It is ordered that the 8th respondent above named be and he is hereby appointed guardian *ad litem* over the minors the 2nd, 3rd, 4th, 5th, 6th and 7th 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 above named or any person interested shall, on or before March 21, 1946, show sufficient cause to the satisfaction of this court to the contrary.

March 11, 1946

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects
Jurisdiction. of Richard Abeyawickrama of the Mental Hospital
No. 11,708. Angoda, deceased.

Samuel Charles Abeyawickrama of Market street,
Negombo Petitioner.

Vs.

(1) David Abeyawickrama of Law Library, Hulftsdorp,
Colombo, and (2) Alice Coonarathne (nee Abeya-
wickrama) wife of S. M. Coonarathne of St. Mary's street,
Negombo Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on December 21, 1945, in the presence of Mr. L. G. Motha, Proctor, on the part of the petitioner above named and the affidavit of the said petitioner dated December 21, 1945, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the eldest brother of the deceased to have letters of administration to the estate of the said deceased issued to him accordingly unless the respondents above named or any person or persons interested shall, on or before March 21, 1946, show sufficient cause to the satisfaction of this court to the contrary.

March 11, 1946.

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Watutantrige Podinola Alwis of 13, Dehiwala,
No. 11,728. deceased.

Beruwalage Emanis Fernando of 13, Dehiwala Petitioner.

And

Beruwalage Sriyathie Fernando of 13, Dehiwala Respondent.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on February 16, 1946, in the presence of Mr. J. P. Salgadoe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 8, 1946, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the widower of the deceased to have letters of administration to the estate of the said deceased issued to him accordingly, unless the respondent above named or any person or persons interested shall, on or before March 21, 1946, show sufficient cause to the satisfaction of this court to the contrary.

March 2, 1946.

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Hettige
Jurisdiction. Don William of Meetotamulla, Colombo, deceased.
No. 11,743.

Opatha Muhandrange Dona Chandrawathie Perera of Meetotamulla, Colombo Petitioner.

Vs.

(1) Dona Irangani Sujata William, (2) Don Dunstan Upali Jayatissa William, (3) Dona Eileen Surangani Mallik William, (4) Don Neil Gamini Piyatissa William, minors appearing by their guardian *ad litem*, (5) Hettige Don Simon also of Meetotamulla aforesaid Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on January 28, 1946, in the presence of Donald F. Perera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 18, 1946, having been read:

It is ordered that the 5th respondent above named be and he is hereby declared appointed guardian *ad litem* over the minors the 1st, 2nd, 3rd and 4th respondents above named and the petitioner above named be and she is hereby declared entitled, as 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 21, 1946, show sufficient cause to the satisfaction of this court to the contrary.

February 28, 1946.

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Withanage alias Tantrigamage Abraham Perera of
No. 11,749. Kottawa deceased.

Waduwarage Baby Perera of Kottawa Petitioner.

Vs.

(1) Withanage alias Tantrigamage Premawathie Perera of Udahamulla, (2) Withanage alias Tantrigamage Somawathie Perera, (3) ditto Seelawathie Perera, (4) ditto Amalappa Perera, (5) ditto Dharmawathie Perera, (6) ditto Unesa Perera, (7) ditto Jayasena Perera, all of Kottawa, the 4th, 5th, 6th and 7th respondents minors by their guardian *ad litem* the 1st respondent Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on February 1, 1946, in

the presence of Mr. A. H. Seneviratne, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 31, 1946, having been read:

It is ordered that the 1st respondent above named be and she is hereby appointed guardian *ad litem* over the minors the 4th, 5th, 6th and 7th 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 above named or any person or persons interested shall, on or before March 21, 1946, show sufficient cause to the satisfaction of the court to the contrary.

March 5, 1946. V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of the
Jurisdiction. late Peyahandi John de Silva of Sinharamulla in
No. 11,751. Kelaniya, deceased.

Peyahandi Emlyn Agnes de Silva of Sinharamulla in
Kelaniya Petitioner.

Vs.

(1) Peyahandi Charlotte Matilda de Silva, (2) Peyahandi
Florinda de Silva, a minor by her guardian *ad litem* (3)
Weerawardhana Seldin de Silva, (4) Thunakorala Adipathige
Cecilia Perera, all of Sinharamulla in Kelaniya Respondents.

THIS matter coming on for disposal before V. E. Rajakarier,
Esq., Additional District Judge of Colombo, on February 4, 1946,
in the presence of Mr. Fred. G. de Silva, Proctor, on the part of the
petitioner above named; and the affidavit of the said petitioner
dated January 30, 1946, the affidavit of the Notary attesting the
will dated January 30, 1946, and the affidavit of one of the attesting
witnesses dated February 4, 1946, having been read:

It is ordered that the last will and testament of Peyahandi John
de Silva, 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 petitioner be and she is hereby declared
entitled to have probate of the will issued to her accordingly, unless
the respondents above named, or any other person or persons
interested shall, on or before March 21, 1946, show sufficient cause
to the satisfaction of this court to the contrary.

It is further ordered that the 3rd respondent above named be and
he is hereby declared appointed guardian *ad litem* over the minor,
the 2nd respondent above named, unless sufficient cause be shown
to the contrary on or before March 21, 1946.

March 2, 1946. V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of the
Jurisdiction. late Gangaboda Aratchige Bastian Perera of
No. 11,752. Sedawatta in Ambatalenpahalala, deceased.

Madanayakage Yasawathie Perera Hamine of Sedawatta afore-
said Petitioner.

THIS matter coming on for disposal before V. E. Rajakarier,
Esq., Additional District Judge of Colombo, on March 6, 1946, in the
presence of Mr. D. L. Gunasekera, Proctor, on the part of the
petitioner above named; and the amended affidavit of the said
petitioner dated March 5, 1946, having been read:

It is ordered that the will of Gangaboda Aratchige Bastian
Perera, 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 be and she is hereby
declared entitled to have probate of the said will issued to her
accordingly, unless any person or persons interested shall, on or
before May 23, 1946, show sufficient cause to the satisfaction of this
court to the contrary.

March 6, 1946. V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of the
Jurisdiction. the late Bastian Korallage Juwan Rodrigo
No. 11,754. Appuhamy. of Maria-Villa in Pamunugama,
deceased.

Bastian Korallage Eppurasa Rodrigo Hamine of Maria Villa
in Mahawatta in Pamunugama Petitioner.

THIS matter coming on for disposal before V. E. Rajakarier,
Esq., Additional District Judge of Colombo, on February 5, 1946,
in the presence of Messrs. Moonesinghe & Jayamaha, Proctors, on
the part of the petitioner dated October 15, 1945, the affidavit of
attesting Notary dated February 1, 1946, and the affidavit of one
of the attesting witnesses dated January 29, 1946, having been
read:

It is ordered that the last will and testament of the late Bastian
Korallage Juwan Rodrigo, 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 any person or persons interested shall,
on or before March 28, 1946, show sufficient cause to the satisfaction
of this court to the contrary.

March 4, 1946. V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Late
Jurisdiction. Gurunnanselage Don Harris Appuhamy of Thelen-
No. 11,757. gapatha in Kelaniya, deceased.

Edippuli Aratchige Dona Meraya Gunasekura of Tholengapatha
in Kelaniya Petitioner.

Vs.

(1) Gurunnanselage Dora Agnes, (2) ditto Don Leelaratna, (3)
ditto Clara Magdaling all of Tholengapatha aforesaid, (4) Don
Beonis Jayasingha of Weboda, the 2nd and 3rd respondents,
minors, by their guardian *ad litem* the 4th res-
pondent Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq.,
Additional District Judge of Colombo, on February 7, 1946, in the
presence of Mr. R. Hewagama, Proctor, on the part of the petitioner
above named; and the affidavit of the said petitioner dated February
4, 1946, 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
2nd and 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 above
named or any person or persons interested shall, on or before March
28, 1946, show sufficient cause to the satisfaction of this court to the
contrary.

March 4, 1946. V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Waragoda Kankanamalage Herry de Alwis of
No. 11,758. Hendala, deceased.

Waragodakankanamalage Louisa Wilhelmina Samarasingha
(nee de Alwis) of Hendala, Wattala Petitioner.

Vs.

(1) Waragodakankanamalage Julian de Alwis, a minor by his
guardian *ad litem*, (2) Kaluaratchige Don Tudor Samara-
singhe, both of Hendala, aforesaid Respondents.

THIS matter coming on for disposal before V. E. Rajakarier,
Esq., Additional District Judge of Colombo, on February 8, 1946,
in the presence of Mr. Ben Samarasinghe, Proctor, on the part of
the petitioner above named; and the affidavit of the said peti-
tioner dated January 22, 1946, 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 1st respondent above named and the petitioner above named,
be and she is hereby declared entitled as the sister 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 28, 1946,
show sufficient cause to the satisfaction of this court to the
contrary.

March 4, 1946. V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of the,
Jurisdiction. late Grace Pusparanee, Sanders of 147
No. 11,760. Greenlands road, Havelock Town in Colombo,
deceased.

Mushueloe Thevathasan of 147, Greenlands road, Havelock
Town in Colombo Petitioner.

THIS matter coming on for disposal before V. E. Rajakarier, Esq.,
Additional District Judge of Colombo, on February 11, 1946, in the
presence of Mr. C. Sevaprakasam, Proctor, on the part of the
petitioner above named; and the affidavit of the said petitioner
dated February 5, 1946, and the affidavit of the witnesses dated
February 7, 1946, having been read:

It is ordered that the last will and testament of Grace Pusparanee
Sanders, 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 executor named in
the will and the said petitioner be and he is hereby declared entitled
to have probate of the said will issued to him accordingly, unless any
person or persons interested shall, on or before March 28, 1946, show
sufficient cause to the satisfaction of this court to the contrary.

February 23, 1946. V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Late Jurisdiction. S. E. Habib Mohamed of 2nd Cross street, No. 11,766. Colombo, deceased.

K. V. Seyed Ahmed of 110, Prince street in Colombo. Petitioner.

Vs.

(1) S. E. Mohamed Omer Saibo Natchi, (2) K. V. Mahadom Mohamado, (3) K. V. Mohamad Aysamma, (4) K. V. Seyed Mohideen, (5) K. V. Seyed Rabiath Umma, (6) K. V. Sahul Hameed, (7) K. V. Beevi Pathummal, (8) K. V. Sadakku Mohamed Ibrahim Saibo, (9) K. V. Naseeba Beebee, (10) K. V. Ahamed Thahir, all of Kayalpatnam, South India, (11) S. S. E. Mohamed Sadakathulla of 38, Old Moor street, Colombo, guardian *ad litem* over the minors, the 8th, 9th and 10th respondents. Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on February 19, 1946, in the presence of Mr. C. Sevaprakasam, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 13, 1946, having been read.

It is ordered that the 11th respondent above named be and he is hereby declared appointed guardian *ad litem* over the minors the 8th, 9th and 10th respondents above named; and the petitioner above named be and he is hereby declared entitled, as one of the sons of the deceased, to have letters of administration to the estate of the said deceased issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before April 4, 1946, show sufficient cause to the satisfaction of this court to the contrary.

V. E. RAJAKARIER,
Additional District Judge.

February 23, 1946.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Sri Brakmana Wanninayaka Tennekoon Mudiyan-selage Punchi Banda Tennekoon of Gampaha, deceased.

Sri Brakmana Wanninayaka Tennekoon Mudiyan-selage Herat Banda Tennekoon of Nikaweratiya in the District of Kurunegala. Petitioner.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on February 20, 1946, in the presence of Messrs. Arunachalam & Karunaratna, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 14, 1946, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the brother of the deceased, to have letters of administration to the estate of the said deceased issued to him accordingly unless any person or persons interested shall, on or before April 11, 1946, show sufficient cause to the satisfaction of this court to the contrary.

V. E. RAJAKARIER,
Additional District Judge.

March 5, 1946.

In the District Court of Colombo.

Order Nisi declaring will proved, &c.

Testamentary In the Matter of the Estate of the late Kotikalage Jurisdiction. Anthony Perera, Muhuppu of Hendala, Palliyawatta, Wattala, deceased.

(1) Kotikalage Roslind Perera, and (2) J. D. alias D. J. Jayamaha (wife and husband), both of Hendala in Palliyawatta, Wattala. Petitioners.

Vs.

(1) Kotikalage Hendrick Edwin Perera, (2) Kotikalage Bernard Perera, (3) Kotikalage Vincent Perera, (4) Kotikalage Mary Magdoline Perera, (5) Kotikalage Winifred Perera, (6) Kotikalage Briget Perera, (7) Kotikalage Micheal Perera, and (8) Kotikalage Aloysius Perera, all of Hendala, Palliyawatta, Wattala, the 4th, 5th, 6th, 7th and 8th respondents, minors, by their guardian *ad litem*, the 1st respondent. Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge, on February 20, 1946, in the presence of Mr. T. Canaga-Rayar, Proctor, on the part of the petitioners; and the affidavit of the above-mentioned petitioners dated February 14, 1946, and the affidavit of the attesting Notary and one of the attesting witnesses dated February 16, 1946, having been read:

It is ordered that the will of Kotikalage Anthony Perera Muhuppu of Hendala Palliyawatta, deceased, dated August 29, 1941, and numbered 1524 be and the same is hereby declared proved unless the respondents or any person or persons interested shall, on or before April 11, 1946, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 1st respondent be appointed guardian *ad litem* over the 4th, 5th, 6th, 7th and 8th respondents and that the said petitioners are the executors named in the said will and that they are entitled to have probate of the same issued to them accordingly unless the respondents above named or any person or persons interested shall, on or before April 11, 1946, show sufficient cause to the satisfaction of this court to the contrary.

V. E. RAJAKARIER,
Additional District Judge.

March 6, 1946.

B 2

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Kaippalath Jurisdiction. Paral Thayyil Kanchi Abdul Rahman of Kallai No. 11,734. Amsom, Edannur Desom, Kotteyem, Taluk, Mahe, Malabar, deceased.

Thayyil Kodaran Assoo of 212, Bankshall street, Colombo. Petitioner.

Vs.

(1) Thayyil Kedarar Biyyathu, (2) Thayyil Kedarar Aboo, (3) Thayyil Kodaran Pathutty, (4) Thayyil Kedarar Sayina, (5) Thayyil Kedarar Kunhi Moosa, (6) Thayyil Kedarar Suvaada, (7) Thayyil Kedarar Ahammad, (8) Thayyil Kedarar Ayissomma, (9) Thayyil Kedarar Mammoonath, all of Mahe aforesaid (2nd, 3rd, 4th, 5th, 6th, 7th, 8th and 9th respondents are minors—appearing by their guardian *ad litem*, (10) Valappagath Mundookil Umer of 212, Bankshall street, Colombo. Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on February 21, 1946, in the presence of Mr. M. A. Raheem, Proctor, on the part of the petitioner above named and the affidavit of the petitioner dated February 21, 1946, having been read:

It is ordered that the 10th respondent above named be and he is hereby declared appointed guardian *ad litem* of the minors, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th and 9th respondents to represent them for all purposes of these proceedings and the petitioner above named, be and he is hereby declared entitled, as the attorney of the 1st respondent above named widow of the deceased, to have letters of administration to the estate of the deceased issued to him accordingly unless the respondents above named or any person or persons interested shall, on or before April 11, 1946, show sufficient cause to the satisfaction of this court to the contrary.

V. E. RAJAKARIER,
Additional District Judge.

February 21, 1946.

In the District Court of Colombo.

Order Absolute.

Testamentary In the Matter of the Last Will and Testament Jurisdiction. of Athel Eustace Gilgott Blackett of St. Helens, No. 11,737. 31, Karlsrue Gardens, Maradana, Colombo, deceased.

Wilford Stanley Blackett of 31, Karlsrue Gardens, Maradana, Colombo. Petitioner.

THIS matter coming on for final determination before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on February 21, 1946, in the presence of Mr. L. L. Fonseka, Proctor, on the part of the petitioner above named; and the affidavit of (1) the petitioner dated February 15, 1946, and (2) the attesting Notary Public and witnesses dated February 20, 1946, having been read:

It is ordered that the last will and testament No. 3205 made by Athel Eustace Gilgott Blackett, the deceased above named, on December 6, 1945, and attested by J. M. Pereira, Notary Public, the original of which has been produced and is now deposited in this court be and the same is hereby declared proved.

It is further ordered that the petitioner above named is the executor named in the said will and he is hereby declared entitled to have probate thereof issued to him accordingly, on his taking the usual oath and tendering the security bond.

V. E. RAJAKARIER,
Additional District Judge.

March 1, 1946.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Frederick Jurisdiction. Bernard Toussaint of 22, 17th lane, Bambalapitiya, deceased.

And

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

Mrs. Roseline Mary Toussaint of 24, 16th lane, Bambalapitiya. Petitioner.

(1) Bernard Dunbar Nell Toussaint of 124, Link road, Wellawatta, (2) Frederick Francis Nell Toussaint of 22, 17th lane, Bambalapitiya, (3) Claude Leslie Nell Toussaint of 67, Lauries road, Bambalapitiya, (4) Douglas Marc Nell Toussaint of Hotel road, Mount Lavinia. Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on February 22, 1946, in the presence of Messrs. C. M. G. de Saram & Dias Abeyesinghe, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 16, 1946, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled to have letters of administration in respect of the intestate estate of Frederick Bernard Toussaint, deceased, issued to her accordingly, unless the above-named respondents or any other person or persons interested shall, on or before May 23, 1946, show sufficient cause to the satisfaction of this court to the contrary.

V. E. RAJAKARIER,
Additional District Judge.

February 27, 1946.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Weeratunga Aratchige Dayawathie, wife of R. M.
No. 11,795. Marshal late of 112, Avissawella road, Wellam-
pitiya, deceased.

Ratnayaka Mudiyansele Marshal of 108, Brownrigg street,
Kandy Petitioner.

Vs.

(1) Marilyn Nona, (2) Jayawardana, both of 108, Brownrigg street,
Kandy, (3) Weeratunga Aratchige Francis of 112, Avissawella
road, Wellampitiya Respondents.

THIS matter coming on for disposal before V. E. Rajakarier,
Esq., Additional District Judge of Colombo, on February 26, 1946,
in the presence of Mr. Prosper Abraham, Proctor, on the part of the
petitioner above named; and the affidavit of the said petitioner
dated February 18, 1946, having been read:

It is ordered that the 3rd respondent above named be and he is
hereby declared appointed guardian *ad litem* over the minors, the
1st and 2nd respondents above named, and the petitioner above
named be and he is hereby declared entitled, as the widower of the
deceased, to have letters of administration to the estate of the said
deceased issued to him accordingly, unless the respondents above
named, or any person or persons interested shall, on or before May
23, 1946, show sufficient cause to the satisfaction of this court to the
contrary.

March 5, 1946.

V. E. RAJAKARIER,
Additional District Judge.

I the District Court of Panadura.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Opallage Hendrick Perera of Raigama, deceased.
No. 6.

Opallage Charles Perera of Raigama Petitioner.

Vs.

(1) Opallage Sopohamy of Serukana, (2) ditto Yasohamy of
Talagala, (3) ditto Leisahamy of Raigama, (4) ditto Jane
(Nona) of Poruwedanda Respondents.

THIS matter coming on for disposal before N. Sinnatamby,
Esq., District Judge of Panadura, on November 21, 1945, in the
presence of Messrs. Tririmanna and Meegama, Proctors, on the part of
the petitioner; and the affidavit of the above-named petitioner
dated September 17, 1945, having been read, and filed of record:

It is ordered that the petitioner above named be and he is hereby
declared entitled to have letters of administration to the estate of the
said deceased issued to him accordingly, unless the respondents
above named or any person or persons interested shall, on or before
March 26, 1946, show sufficient cause to the satisfaction of this
court to the contrary.

November 21, 1945.

N. SINNETAMBAY,
District Judge.

In the District Court of Panadura.

Order Nisi declaring the Will proved.

Testamentary In the Matter of the Last will and Testament of
Jurisdiction. Undugodage Babbu Singho Rodrigo of Paragas-
No. 12. tota, deceased.

Undugodage Francis Rodrigo of Paragastota Petitioner.

Vs.

Undugodage Emi Nona Rodrigo of Millaniya Respondent.

THIS matter coming on for disposal before N. Sinnatamby,
Esq., District Judge of Panadura on January 4, 1946, in the presence
of Messrs. Tririmanna and Meegama Proctors on the part of the
petitioner; and the affidavit of the above-named petitioner dated
January 4, 1946, and the affidavit of the notary and witnesses dated
October 13, 1943, and last will No. 7,875 dated September 17, 1935,
having been read and filed of record:

It is ordered that the will of Undugodage Babbu Singho Rodrigo of
Paragastota, deceased, be and the same is hereby declared proved,
and that he be declared the executor of the said last will and testa-
ment and probate be issued to him, unless the respondent above
named or any other person or persons interested show sufficient
cause to the contrary to the satisfaction of this court on or before
March 18, 1946.

January 4, 1946.

N. SINNETAMBAY,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Kalnga
Jurisdiction. Mudalge John Perera of Kotadeniyawa, deceased.
No. 3,353.

Jayakody Mudiyansele Pauline Perera Hamine of
Kotadeniyawa Petitioner.

And

(1) Kalnga Mudalge Beatrice Trecilla Perera, (2) ditto
Christopher Resided Edward Perera, (3) ditto Hellen
Patricia Perera, (4) ditto Enof Florence Sriyawathie Perera,
(5) ditto Consius Rupas Perera, (6) ditto Noelin Hanrita
Agnes Perera, all of Kotadeniyawa Respondents.

THIS matter coming on for disposal before H. S. Roberts, Esq.,
District Judge of Negombo, on January 16, 1946, in the presence
of Mr. H. Paul Silva, Proctor, on the part of the petitioner above
named, and the affidavit of the petitioner dated January 7, 1946,
having been read:

It is ordered that the 2nd respondent above named be appointed
guardian *ad litem* over the 5th and 6th respondents above named,
minors, to represent them for all the purposes of this action and
that the petitioner above named be and she is hereby declared
entitled, as the widow of the above-named deceased, 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 February 12, 1946,
show sufficient cause to the satisfaction of this court to the contrary.

January 16, 1946.

HERBERT S. ROBERTS,
District Judge.

The date for showing cause against this *Order Nisi* is extended
to March 20, 1946.

February 12, 1946.

HERBERT S. ROBERTS,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Rajapaksa
Jurisdiction. wataladeniyegedara Jinadasa, deceased, of 18,
No. T. 557. Talwatta, Kandy.

THIS matter coming on for disposal before H. A. de Silva, Esq.,
District Judge of Kandy, on November 12, 1945, in the presence of
Mr. A. R. M. Shariff, Proctor, on the part of the petitioner,
Maragalathahenegedara Menikie of 18, Talwatta, Kandy; and
the affidavit of the said petitioner dated November 6, 1945, having
been read:

It is ordered that the petitioner be and she is hereby declared
entitled, as the widow of the above-named deceased, to have
letters of administration to the estate of the deceased issued to her,
unless the respondents (1) Rajapakswataladeniyegedara Dhar-
madasa, (2) ditto Gunandawathie, (3) ditto Wimalawathie, (4)
ditto Buddadasa, and (5) ditto Premawathie, all of Talwatta-or
any other person or persons interested shall, on or before January
24, 1946, show sufficient cause to the satisfaction of this court to the
contrary.

It is further ordered that the 1st respondent be appointed guardian
ad litem over the 4th and 5th minor respondents, unless the respon-
dents or any other person or persons interested shall, on or before
January 24, 1946, show sufficient cause to the satisfaction of this
court to the contrary.

November 12, 1945.

H. A. DE SILVA,
District Judge.

The date for showing cause against the foregoing *Order Nisi*
is extended to April 15, 1946.

February 21, 1946.

H. A. DE SILVA,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate, and Effects of the late
Jurisdiction. Sivapakkiyam, wife of M. Vettivelupillai of
No. T 568. Rattota, deceased.

THIS matter coming on for disposal before H. A. de Silva, Esq.,
District Judge of Kandy, on December 18, 1945, in the presence of
Mr. P. Balasingam, Proctor, on the part of the petitioner, M.
Vettivelupillai of Rattota; and the affidavit of the said petitioner
dated November 5, 1945, having been read:

It is ordered that the petitioner be and he is hereby declared
entitled, as the husband of the above-named deceased, to have
letters of administration to the estate of the above deceased issued
to him, unless the respondents—(1) Vettivelupillai Thanapakkiyam,
(2) ditto Sivanandan, (3) ditto Wijayalakshimi, (4) ditto Wimala-
ratnam, (5) ditto Manoranjitham, (6) ditto Ramalingam, and
(7) Saravanamuttu Kanagasabai, all of Matale, or any other
person or persons interested shall, on or before March 21, 1946, show
sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 7th respondent be appointed
guardian *ad litem* over the 1st to 6th respondents, unless the res-
pondents or any other person or persons interested shall, on or
before March 21, 1946, show sufficient cause to the satisfaction of
this court to the contrary.

December 18, 1945.

H. A. DE SILVA,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate and Effects of the late
Jurisdiction. Alfred de Silva Samarasekera of Ukuwela,
No. T 575. deceased.

THIS matter coming on for disposal before H. A. de Silva, Esq.,
District Judge of Kandy, on January 23, 1946, in the presence of
Mr. S. P. Wijayatilake, Proctor, on the part of the petitioner A. L.
Samarasekera, Proctor of Matale; and the affidavit of the said
petitioner dated November 30, 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) Louis Adhne de Silva Samarasekera of
Ukuwela, (2) Maug Princy de Silva Nanayakkara of Ankumbura,
(3) Daisy Lydia Dharmadasa of Negombo road, Kurunegala, (4)
Muriel Florence Gnanawardene of Watarappola road, Mount Lavinia,
(5) Andawatte Gemunu Samarasekera of Galigamuwa, Kegalla-
or any other person or persons interested shall, on or before March
28, 1946, show sufficient cause to the satisfaction of this court to the
contrary.

January 23, 1946.

H. A. DE SILVA,
District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved &c.

T 585. In the Matter of the Last Will and Testament of Miss Emily Mary Northway, deceased, of 140, Katugastota road, Kandy.

THIS matter coming on for disposal before H. A. de Silva, Esq., District Judge, Kandy, on March 5, 1946, in the presence of Mr. P. Mapalagama, Proctor, on the part of the petitioner, Dr. Norman Charles Todd of Kandy; and the affidavit of the said petitioner dated February 9, 1946, and of the attesting notary dated March 5, 1946, having been read:

It is ordered that the last will of the above-named deceased, dated September 19, 1943, and now deposited in this court be and the same is hereby declared proved, unless the respondent, Ethel Mary Northway of 140, Katugastota road, Kandy, or any other person or persons interested shall, on or before April 8, 1946, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the petitioner is one of the executor named in the said last will and that he is entitled to have probate of the same issued to him accordingly, as the respondent (the first named executrix in the said last will) is unable and unwilling to take out probate, unless the said respondent 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.

March 5, 1946.

H. A. DE SILVA,
District Judge.

In the District Court of Nuwara Eliya.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and effects of Jurisdiction. Weerasooriya Mudiyansele Mutu Banda of No. 403. Napatawela in Maturata korale, deceased.

Weerasooriya Mudiyansele Palingu Menika of Napatawela Petitioner.

And

Weerasooriya Mudiyansele Loku Banda of Napatawela aforesaid Respondent.

THIS matter coming on for disposal before T. P. P. Goonetilleke, Esq., District Judge of Nuwara Eliya, on January 11, 1946, in the presence of Mr. Ernest Wanduragala, Proctor, on the part of the petitioner; and the petition and the affidavit of the petitioner dated January 10, and 8, 1946, respectively, having been read:

It is ordered that the petitioner, as the daughter of the said deceased, be and she is hereby declared entitled to have letters of administration to the estate of the said deceased issued to her, unless the respondent above named or any other person or persons interested shall, on or before February 15, 1946, show sufficient cause to the satisfaction of this court to the contrary.

Nuwara Eliya, January 11, 1946. T. P. P. GOONETILLEKE,
District Judge.

Time for showing cause is extended to March 22, 1946.

T. P. P. GOONETILLEKE,
District Judge.

In the District Court of Nuwara Eliya.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects of Jurisdiction. Devasagayam Vedanayagam of Oliphant estate No. 405. in Nuwara Eliya.

Between

Jesudian Rowlands Rajendram of Oliphant estate, Nuwara Eliya presently of Colombo Petitioner.

And

(1) Grace Anbammal, wife of S. G. William Durai of Nuwara Eliya, (2) Margaret Annathai, wife of K. S. Rajamanie of Brookside, (3) Esther Pushpam Vedanayagam, (4) Mary Pakkiam Kovilpillai Vedanayagam, (5) Flora Glory Kamalam Vedanayagam, all of Nuwara Eliya, the 5th above named a minor by her guardian *ad litem* the 1st above named. Respondents.

THIS matter coming on for disposal before T. P. P. Goonetilleke, Esq., District Judge, Nuwara Eliya, on February 21, 1946, in the presence of Mr. V. Ponnusamy, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner dated February 16 and 18, 1946, respectively, having been read: It is ordered: (1) That the petitioner above named be and he is hereby declared entitled, as eldest son of the deceased above named, to apply for and obtain letters of administration to the estate of the deceased; (2) That such letters of administration be granted to him; (3) That Grace Anbammal, the 1st respondent above named be and she is hereby appointed guardian *ad litem* over the minor Flora Glory Kamalam Vedanayagam, the 5th respondent above named, for the purpose of these proceedings, unless the respondents above named or any other person or persons interested in the said estate shall, on or before March 22, 1946, show sufficient cause to the contrary to the satisfaction of this court.

February 21, 1946.

T. P. P. GOONETILLEKE,
District Judge.

In the District Court of Galle.

Order Absolute in the First Instance.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Elsie Jane de Zilva Adhietty nee Garihagama, No. 8, 171 T. late of Kumbalwella, Galle.

John de Zilva Adhietty, Surveyor, Galle Petitioner.

THIS matter coming on for final determination before S. J. C. Schokman, Esq., District Judge of Galle, on February 27, 1946, in the presence of Mr. J. E. Corea, Proctor, on the part of the petitioner; and the petition and affidavit of the said petitioner dated February 20, 1946, and the affidavit of the attesting witnesses dated February 20, 1946, having been read:

It is ordered that the last will of the said Elsie Jane de Zilva Adhietty nee Garihagama, deceased, bearing No. 968, dated January 14, 1941, and attested by Peter A. Adhietty, Notary Public, the original thereof has been produced and is now deposited in this court be and the same is hereby declared proved and that the said petitioner is the executor named in the said will and that he is entitled to have probate thereof issued to him accordingly.

February 27, 1946.

S. J. C. SCHOKMAN,
District Judge.

In the District Court of Balapitiya.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Kirahandi Jurisdiction. Catherin de Silva of Middaramulla in Kosgoda, No. T 9. deceased.

Between

Wijemuni Gunawardena Graniel de Silva Rajakaruna of Middaramulla Petitioner.

And

(1) Walineththi Somawathie Amarasinghe nee Zoysa and (2) Walineththi Indradasa Amarasinghe, both of Attungalla in Kosgoda Respondents.

THIS matter coming on for disposal before W. Thalagodapitiya, Esq., District Judge of Balapitiya, on January 15, 1946, in the presence of Mr. P. K. de Silva, Proctor, on the part of the petitioner; and the petition and affidavit of the said petitioner dated January 15, 1946, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as husband of the said deceased, to have letters of administration to the estate issued to him accordingly, unless the respondents above named of any other person or persons interested shall, on or before April 3, 1946, show sufficient cause to the satisfaction of this court to the contrary.

January 15, 1946.

W. THALGODAPITIYA,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Ellen Jurisdiction. Gnanam, widow of A. C. Aseervatham deceased of No. 512. Chavakachcheri.

Annet Rajakulasingam Aseervatham of Chavakachcheri now of Ministry of Agriculture Petitioner.

Vs.

Lizetta Ariyanayagam, widow of J. V. Kandavarlam of Chavakachcheri Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, on January 8, 1946, in the presence of Mr. S. K. Thiravianayagam, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner having been read:

It is ordered that the petitioner be declared entitled to have letters of administration to the estate of the said intestate and that such letters be issued to him accordingly, unless the respondents or others interested shall, on or before February 15, 1946, show sufficient cause to the satisfaction of this court to the contrary.

January 8, 1946.

R. R. SELVADURAI,
District Judge.

Extended and reissued for April 9, 1946.

R. R. SELVADURAI,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Kantha- Jurisdiction. gnaniar Nadarajah of Araly South, deceased. No. 529.

Nadarajah Kanthagnaniar of Araly South Petitioner.

Vs.

(1) Ponnammah widow of Nadarajah, (2) Nadarajah Kannasapillai, (3) Nadarajah Apparswamy and (4) Nadarajah Sinnadurai of Araly South Respondents.

THIS matter coming on for disposal before R. R. Selvadurai Esq., District Judge, Jaffna, on February 21, 1946, in the presence of Mr. E. M. Mathiapparanam, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner having been read:

It is ordered that the above-named 1st respondent be appointed guardian *ad litem* over the minor 4th respondent for the purpose of watching the interests and of representing him in these proceedings and that the petitioner be declared entitled, as one of the heirs of the deceased, to administer his estate and letters of administration be issued to him, unless the respondents appear before this court on March 20, 1946, and state objection to the contrary.

February 21, 1946.

R. R. SELVADURAI,
District Judge.

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

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Vadivelu Selvanayagam of Valvettiturai,
No. 292. P.T. deceased.

Mahaledchumy, widow of Vadivelu Selvanayagam of Valvetti-
turai Petitioner.

Vs.

(1) Theivanyaki, daughter of Selvanayagam, (2) Wallinayaki,
daughter of Selvanayagam, (3) Lakkumidevi, daughter of
Selvanayagam, (4) S. Vethavanam Sinnathamby, all of
Valvettiturai Respondents.

THIS matter coming on for disposal before E. Wijewardene,
Esq., Additional District Judge, Jaffna, on February 22, 1946, in the
presence of Mr. K. Ratnasingham, Proctor, on the part of the
petitioner; and the petition and affidavit of the petitioner having
been read:

It is ordered that the 4th respondent above-named be appointed
guardian *ad litem* over the minors, the 1st, 2nd and 3rd respondents,
for the purpose of these testamentary proceedings and that the
said petitioner be and she is hereby declared entitled, as widow of the
above-named deceased, to have letters of administration to his
estate issued to her, unless the respondents or any other person or
persons interested shall, on or before March 22, 1946, show sufficient
cause to the satisfaction of this court to the contrary.

February 22, 1946.

E. WIJEWARDENE,
Additional District Judge.

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

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects
Jurisdiction. of the late S. Selvadurai (Head Guard, C. G. R.,
No. 296. P.T. Maradana) of Valvettiturai, deceased.

Navaratnamalai widow of S. Selvadurai of Valvetti-
turai Petitioner.

Vs.

(1) Rajaratnammal, daughter of Selvadurai, (2) Selvadurai
Nadesapillai, (3) Rukmanidevi, daughter of Selvadurai,
(4) Thavamani, daughter of Selvadurai, (5) S. Veluppillai
Sivasubramaniam, all of Valvettiturai Respondents.

THIS matter coming on for disposal before Eardley Wijeye-
wardene, Esq., Additional District Judge, Jaffna, on January 29,

1946, in the presence of Mr. K. Ratnasingham, Proctor, on the part
of the petitioner; and the affidavit of the petitioner dated August
28, 1945, having been read:

It is ordered that the 5th respondent be and he is hereby appointed
guardian *ad litem* over the 1st, 2nd, 3rd and 4th respondents for the
purpose of these proceedings and that the said petitioner be and
she is hereby declared entitled, as widow of the above-named
deceased, to have letters of administration to his estate issued to her,
unless the respondents or any other person or persons interested
shall, on or before February 22, 1946, show sufficient cause to the
satisfaction of this court to the contrary.

January 29, 1946.

E. WIJEWARDENE,
Additional District Judge.

Time to show cause extended till March 22, 1946.

February 22, 1946.

E. WIJEWARDENE,
Additional District Judge.

In the District Court of Ratnapura.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Peiris Silva Subasinghe of Galature in the Palle
No. 1, 194. pattu of Kukul Korale of the Ratnapura District,
deceased.

Between

Dhanapala Subasinghe of Galature Petitioner.

And

(1) Misilin Nona Ranasinghe of Galature, (2) Sugathapala
Subasinghe of Table Salt Factory, Maradana, Colombo, (3)
Albert Silva Subasinghe of Galature, (4) Wimalawathie
Subasinghe of Galature Respondents.

THIS matter coming on for disposal before Spencer Rajaratnam,
Esq., District Judge, Ratnapura, on December 7, 1945, in the
presence of Mr. F. D. W. Siriwardene, Proctor, on the part of the
petitioner; and the affidavits of the attesting witnesses dated November 12
and 15, 1945, having been read: It is ordered that the will of
Peiris Silva Subasinghe of Galature, deceased, dated September 1,
1945, and now deposited in this court, be and the same is hereby
declared proved, unless the respondents above named or any other
person or persons interested shall, on or before January 22, 1946,
show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said petitioner above named, as the
son of the deceased above named, is entitled to have letters of
administration to the estate of the deceased with the copy of will
annexed issued to him accordingly, unless the respondents above
named or any other person or persons interested shall, on or before
January 22, 1946, show sufficient cause to the satisfaction of this
court to the contrary.

Ratnapura, December 7, 1945.

S. RAJARATNAM,
District Judge.The above *Order Nisi* is extended till 21.3.46.

21.2.46.

S. RAJARATNAM,
District Judge.

PASSED ORDINANCES.

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

No. 4 of 1946.

L. D.—O. 8/46.

C.S.O.—CF. D. 327/39.

An Ordinance to provide for the further suspension of the
Defence Contribution Ordinance (Chapter 294).

HENRY MOORE.

BE it enacted by the Governor of Ceylon, with the advice
and consent of the State Council thereof, as follows:—

Short title
and duration.

1. This Ordinance may be cited as the Defence Contribu-
tion (Suspension) Ordinance, No. 4 of 1946, and shall
continue in force until such date as the Governor may ap-
point by Proclamation published in the *Gazette*.

Suspension
of Chapter 294.

2. The operation of the Defence Contribution Ordinance
shall be suspended during the continuance in force of this
Ordinance.

Passed in Council the First day of March, One thousand
Nine hundred and Forty-six.

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

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

J. A. MULHALL,
Acting Secretary to the Governor.

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

No. 5 of 1946.

L. D.—O. 2/46/M/LA.—D. 107

An Ordinance to make provision for facilitating the operation of certain provisions of the Local Government Service Ordinance, No. 43 of 1945, during the interval before regulations are duly made for the purposes of that Ordinance.

HENRY MOORE.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows :—

1. This Ordinance may be cited as the Local Government Service (Transitional Provisions) Ordinance, No. 5 of 1946.

Short title.

2. In the event of Part II of the Local Government Service Ordinance, No. 43 of 1945, (hereinafter referred to as the "principal Ordinance"), being brought into operation before the regulations required for any of the purposes of that Part come into force, the following provisions shall, notwithstanding anything in the principal Ordinance, have effect as supplementary provisions in relation to that purpose :—

Supplementary provisions to facilitate the operation of Part II of Ordinance No. 43 of 1945

(a) where there is in force in respect of that purpose any written law which would have been applicable to a case but for the enactment of the principal Ordinance, the Local Government Service Commission may apply that written law to that case so far as that law is not inconsistent with the principal Ordinance, and may act in like manner as if the powers conferred by that law upon any local authority or officer or person had been transferred to or vested in the Commission ; and

(b) where there is no such written law in force in respect of that purpose, the Local Government Service Commission may, in its discretion, determine any matter which is required or authorised by the principal Ordinance to be prescribed for that purpose by regulation.

3. This Ordinance shall cease to be in force in relation to any purpose referred to in section 2 on such date as the Governor may appoint by Order published in the *Gazette*.

Duration of
Ordinance.

Passed in Council the First day of March, One thousand Nine hundred and Forty-six.

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

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

J. A. MULHALL,
Acting Secretary to the Governor.

the Assistant Government Agent of a revenue district within which the office of a Government Agent is situated and every Additional Assistant Government Agent and every Office Assistant to an Assistant Government Agent of a revenue district shall be an Additional District Registrar for that district.

(4) Every Assistant Registrar-General shall be an Additional District Registrar for each of the revenue districts of Colombo and Kalutara.

(5) In the case of any revenue district the Governor may appoint any person to be the District Registrar in place of the officer specified in sub-section (2), and any person, other than an officer specified in sub-section (3), to be an Additional District Registrar.

(6) Every District Registrar shall have and may exercise within his district the powers and duties vested by or under this Ordinance in a registrar of a division, and shall superintend and control, subject to the direction of the Registrar-General, the registration of marriages within the district, and the registrars hereinafter mentioned, and all other persons appointed for or engaged in carrying out the provisions of this Ordinance.

Replacement of section 7 of the principal Ordinance.

Power to make rules.

5. Section 7 of the principal Ordinance is hereby repealed and the following new section is substituted therefor :—

7. (1) The Executive Committee may from time to time make rules for the direction of the Registrar-General, the District Registrars, registrars, ministers, and all persons whomsoever in the discharge of their duties under this Ordinance, for all matters required by this Ordinance to be prescribed, and generally for the effective carrying out of the provisions of this Ordinance.

(2) No rule made under this section shall have effect until it is approved by the State Council and ratified by the Governor and notification of such approval and ratification is published in the Gazette.

Insertion of new section 12A in the principal Ordinance.

Rectification of errors.

6. The following section is hereby inserted, immediately after section 12 of the principal Ordinance, and shall have effect as section 12A of that Ordinance :—

12A. The Registrar-General may at any time correct or cause to be corrected any error in any entry made in the book kept under section 10 for the registration of buildings.

Replacement of Section 13 of the principal Ordinance.

Publication of lists of registrars and registered buildings.

7. Section 13 of the principal Ordinance is hereby repealed and the following new section is substituted therefor :—

13. The Registrar-General may from time to time publish in the Gazette a list of the Registrars of Marriages in the Island, with their names, the names of their divisions, offices, and stations, and a list of the buildings registered for the solemnization of marriages therein, and of which the registration has not been cancelled.

Insertion of new section 33A in the principal Ordinance.

Addition of religious ceremony to marriage solemnized by registrar.

8. The following section is hereby inserted, immediately after section 33 of the principal Ordinance, and shall have effect as section 33A of that Ordinance :—

33A. (1) Where a minister of any Christian church or persuasion reads or celebrates in a registered place of worship any marriage service or ceremony at the request of the parties to any marriage which has previously been solemnized by a registrar, such reading or celebration shall not—

- (a) be deemed to supersede or to affect in any way the marriage previously solemnized as aforesaid; or
- (b) be entered as a marriage in the register book kept by the minister under section 32.

(2) No religious service or ceremony shall be read or celebrated at the office or station of a registrar in connexion with the solemnization of any marriage by the registrar.

Amendment of section 57 of the principal Ordinance.

9. Section 57 of the principal Ordinance is hereby amended as follows :—

(1) by the re-numbering of that section as sub-section (1) of section 57; and

(2) by the insertion, immediately after the re-numbered sub-section (1), of the following new sub-section :—

“(2) In addition to the fees payable under sub-section (1), whenever a registrar enters a notice of marriage or solemnizes a marriage at any place other than his office, there shall be paid to him by the person requiring him to enter such notice or solemnize

such marriage as expenses incurred by him in travelling from his residence to such place and returning from such place to his residence, a sum equal to the fare that would be payable under any law for the time being in force in the area for a motor cab in respect of a journey of the same length and duration, and if there is no such law for the time being in force in that area, then a sum calculated at such rate as may be prescribed.”

10. Section 59 of the principal Ordinance is hereby amended as follows:—

Amendment of section 59 of the principal Ordinance.

(1) by the substitution, for the definition of “district”, of the following new definition:—

“‘district’ means a revenue district”;

(2) by the insertion, immediately after the definition of “district”, of the following new definitions:—

“District Registrar” in any section (other than section 8 or section 9) in which any power, duty or function of that officer is prescribed or referred to, includes an Additional District Registrar;

“Executive Committee” means the Executive Committee of Labour, Industry and Commerce”;

(3) by the insertion, immediately after the definition of “minister”, of the following new definition:—

“‘prescribed’ means prescribed by rule made under section 7”;

(4) by the omission of the definition of “province”.

11. The provisions of the principal Ordinance which are specified in the first column of the Schedule to this Ordinance are hereby amended in the manner and to the extent specified in the corresponding entries in the second column of that Schedule.

Other amendments of the principal Ordinance.

12. (1) Every notification issued by the Governor under section 4 of the old law and in force on the day immediately preceding the appointed date shall, on and after that date, be deemed to be a notification issued by the Executive Committee under section 4 of the new law.

Transitory provisions.

(2) Every rule made by the Governor under section 7 of the old law and in force on the day immediately preceding the appointed date shall, on and after that date, be deemed to be a rule made, approved, ratified and notified in accordance with the provisions of section 7 of the new law.

(3) All fees and stamps prescribed by the Governor under section 47 of the old law and in force on the day immediately preceding the appointed date shall, on and after that date, be deemed to have been prescribed by the Executive Committee by rule made in accordance with the provisions of the new law.

(4) Any act or thing which is required by the old law to be done by or before the Provincial Registrar or Assistant Provincial Registrar and which is pending or incomplete on the day immediately preceding the appointed date may be carried on and completed under the new law by or before the District Registrar.

(5) Any notice, information, declaration, certificate, return or other document which is required by the old law to be delivered, sent or given to the Provincial Registrar or Assistant Provincial Registrar and which is not so delivered, sent or given before the appointed date may, on and after that date, be delivered, sent or given in accordance with the new law to the District Registrar.

(6) Where, before the appointed date, notice of an intended marriage is given to a Provincial Registrar or an Assistant Provincial Registrar in accordance with the provisions of the old law, but the certificate under section 25 is not issued before that date, or where such certificate is issued before that date but the marriage is not solemnized before that date, then in every such case that certificate may be issued, or that marriage may be solemnized, and any other act required by the new law to be done in that connexion by a registrar may be done, on or after that date by the District Registrar of the district within which the party, who gave such notice or the notice on which such certificate was issued, was resident at the time the notice was given.

(7) Every reference in any written law other than this Ordinance to a Provincial Registrar or an Assistant Provincial Registrar of Marriages appointed for the purposes of the Marriage Registration Ordinance shall be read and construed as a reference to a District Registrar.

(8) In this section—

“ District Registrar ” includes an Additional District Registrar ;

“ Executive Committee ” means the Executive Committee of Labour, Industry and Commerce ;

“ new law ” means the Marriage Registration Ordinance as amended by this Ordinance ;

“ old law ” means the Marriage Registration Ordinance as amended by any written law other than this Ordinance.

Schedule.

(Section 11)

Column I. Provisions of Principal Ordinance.	Column II. Amendments.
Section 2	IN sub-section (2), for the word “ Governor ”, there shall be substituted the words “ Minister for Labour, Industry and Commerce ”.
Section 4	<p>In sub-section (1)—</p> <p>(a) for the word “ Governor ”, there shall be substituted the words “ Executive Committee ”;</p> <p>(b) for the word “ provinces ”, there shall be substituted the words “ revenue districts ”;</p> <p>(c) for the words “ such divisions or any of them at any time he may amend, alter, or abolish ”, there shall be substituted the words “ may at any time by a like notification amend, alter or abolish any such division ”.</p>
Section 5	<p>The words “ by notification in the Government Gazette ” shall be omitted.</p> <p>For the words “ Provincial Registrar or Assistant Provincial Registrar ”, there shall be substituted the words “ Registrar-General or District Registrar ”.</p> <p>For the words “ for any period not exceeding ” there shall be substituted the words “ so however that no such appointment shall be made by a District Registrar for any period exceeding ”.</p> <p>The words “ and shall be notified in the Government Gazette ” shall be omitted.</p>
Section 8	<p>For the words “ Provincial Registrar ” wherever they occur in this section, there shall be substituted the words “ District Registrar ”.</p> <p>In sub-section (2), for the word “ province ”, there shall be substituted the word “ district ”.</p>
Section 9	<p>For the words “ Provincial Registrar ” wherever they occur in this section, there shall be substituted the words “ District Registrar ”.</p>
Section 22	<p>In sub-sections (1) and (2), for the words “ Assistant Provincial Registrar or the Provincial Registrar in whose territorial jurisdiction ”, there shall be substituted the words “ District Registrar in whose district ”.</p> <p>In sub-sections (3) and (4), for the words “ registrar, Assistant Provincial Registrar, or Provincial Registrar in whose territorial jurisdiction ”, there shall be substituted the words “ registrar in whose division or to the District Registrar in whose district ”.</p>
Section 23	<p>In sub-section (6), for the words “ Provincial Registrar or Assistant Provincial Registrar ”, there shall be substituted the words “ District Registrar ”.</p>
Section 25	<p>In sub-section (1), for the words “ the Provincial Registrar or the Assistant Provincial Registrar ”, there shall be substituted the words “ or by the District Registrar ”.</p>
Section 26	<p>In sub-section (1)—</p> <p>(a) for the words “ Registrar-General, or the Provincial Registrar, or the Assistant Provincial Registrar within whose territorial jurisdiction ”, there shall be substituted the words “ District Registrar within whose district ”;</p> <p>(b) for the words “ Registrar-General, or Provincial Registrar, or Assistant Provincial Registrar ”, there shall be substituted the words “ District Registrar ”.</p> <p>In sub-section (2), for the words “ Registrar-General, or the Provincial Registrar, or the Assistant Provincial Registrar within whose territorial jurisdiction ”, there shall be substituted the words “ District Registrar within whose district ”.</p>

- In sub-section (3), for the words "Registrar-General, or Provincial Registrar, or Assistant Provincial Registrar, and", there shall be substituted the words "District Registrar and".
- In sub-section (5), for the words "Registrar-General, or of the Provincial Registrar, or Assistant Provincial Registrar, as the case may be", there shall be substituted the words "District Registrar".
- Section 26A In sub-section (1)—
- (a) for the words "Registrar-General, or the Provincial Registrar or the Assistant Provincial Registrar within whose territorial jurisdiction", there shall be substituted the words "District Registrar within whose district";
- (b) for the words "Registrar-General, the Provincial Registrar or the Assistant Provincial Registrar, as the case may be", there shall be substituted the words "District Registrar".
- Section 31 For the words "Registrar-General, the Provincial Registrar or the Assistant Provincial Registrar", there shall be substituted the words "District Registrar".
- Section 32 In sub-section (5), for the words "Provincial Registrar or Assistant Provincial Registrar within whose territorial jurisdiction", there shall be substituted the words "District Registrar within whose district".
- In sub-section (6), for the words "Provincial Registrar or Assistant Provincial Registrar", there shall be substituted the words "District Registrar".
- Section 34 In sub-section (1), for all the words from "forwarded, monthly" to "together with the duplicates", there shall be substituted the words "sent monthly to the District Registrar before the fifth day of the following month and by the District Registrar, together with the duplicates".
- In sub-section (2)—
- (a) for the words "the preceding section", there shall be substituted the word and figures "section 33";
- (b) for the words "Provincial Registrar or Assistant Provincial Registrar", there shall be substituted the words "District Registrar".
- For the marginal note, there shall be substituted the following new marginal note:—
- "Transmission to Registrar-General of duplicates of entries made by registrar."
- Section 35 In sub-section (1), for the words "Registrar-General, or Provincial Registrar, or Assistant Provincial Registrar", there shall be substituted the words "District Registrar".
- In sub-section (2), for the words "Registrar-General, or Provincial Registrar, or Assistant Provincial Registrar" in both places where those words occur collectively in this sub-section, there shall be substituted the words "District Registrar".
- In sub-section (3)—
- (a) for the words "Registrar-General, or to the Provincial Registrar or the Assistant Provincial Registrar within whose territorial jurisdiction", there shall be substituted the words "District Registrar within whose district";
- (b) for the words "Registrar-General, or the Provincial Registrar, or Assistant Provincial Registrar", there shall be substituted the words "District Registrar".
- Section 37 In sub-section (3), for the words "forward to the Provincial Registrar or Assistant Provincial Registrar", there shall be substituted the words "send to the District Registrar".
- In sub-sections (4), (5) and (6), for the words "Provincial Registrar or Assistant Provincial Registrar", there shall be substituted the words "District Registrar".
- Section 40 The proviso to sub-section (3) shall be re-numbered as section 40A, and for the words "Provided, however, that any", there shall be substituted the word "Any".
- Section 45 In sub-section (1)—
- (a) for the words "Provincial Registrars, Assistant Provincial Registrars", there shall be substituted the words "District Registrars";

- (b) for the words "prescribed by this Ordinance, or shall be prescribed by the Governor", there shall be substituted the words "prescribed by or under this Ordinance";
- (c) for the words "made by the Governor" there shall be substituted the words "made thereunder".

In sub-section (2), for all the words from "Every registrar" to "such registrar or minister resides," there shall be substituted the words "Every registrar and every minister of a registered place of worship shall, when called upon by the Registrar-General or by the District Registrar within whose district such registrar's division".

In sub-section (3), for the words "Assistant Provincial Registrar, or if there be no Assistant Provincial Registrar, to the Provincial Registrar", there shall be substituted the words "District Registrar".

In the marginal note, for the words "Provincial Registrar", there shall be substituted the words "District Registrar".

Section 46

In sub-section (2)—

- (a) for the words "Governor, by order, published in the Government Gazette", there shall be substituted the words "Executive Committee by rule made under section 7";
- (b) the words "or order" shall be omitted;
- (c) for the words "to him", there shall be substituted the words "to that Committee";
- (d) for the words "to prescribe", there shall be substituted the words "may prescribe".

Section 47

In sub-section (1)—

- (a) for the words "Provincial Registrar, Assistant Provincial Registrar" in both places where those words occur collectively, there shall be substituted the words "District Registrar";
- (b) for the word "Governor" in both places where that word occurs, there shall be substituted the words "Executive Committee".

In sub-section (2), for the word "Governor", there shall be substituted the words "Executive Committee".

Section 48

For all the words from "or of his assistant" to "shall be received", there shall be substituted the words "the Assistant Registrar-General of the District Registrar or if purporting to be made under the hand of the registrar and counter-signed by the Registrar-General, the Assistant Registrar-General or the District Registrar shall be received".

Section 49

In sub-section (1)—

- (a) for all the words from "with a list thereof" to "shall carefully arrange", there shall be substituted the words "with a list thereof to the District Registrar who shall carefully arrange";
- (b) for the words "delivered by the Assistant Provincial Registrar or the Provincial Registrar", there shall be substituted the words "delivered by the District Registrar".

Sub-section (1), amended as hereinbefore specified, shall be re-numbered as section 49.

Sub-section (2) shall be omitted.

Section 49A

For the words "Provincial Registrar or Assistant Provincial Registrar", there shall be substituted the words "District Registrar".

Section 50

For the words "the last section", there shall be substituted the word and figures "section 49".

Section 51

For the words "Assistant Provincial Registrar or Provincial Registrar", there shall be substituted the words "District Registrar".

Section 51

For all the words from "to imprisonment" to the end of this section, there shall be substituted the words "with simple or rigorous imprisonment for a term not exceeding three months or with both such fine and such imprisonment".

Section 52

In paragraph (c), for the word "sign", there shall be substituted the words "shall sign".

In paragraph (d), for the word "certify", there shall be substituted the words "shall certify".

- Section 53 For the words "penalty not exceeding"; there shall be substituted the words "fine not exceeding".
- Section 54 For the words "Provincial Registrar or Assistant Provincial Registrar of the district"; there shall be substituted the words "District Registrar".
- Section 56 For the words "Provincial Registrar, or Assistant Provincial Registrar", there shall be substituted the words "a District Registrar".
- First Schedule In Form E, for the word "Province" occurring in the heading to the Form, there shall be substituted the word "District".
In Form F, for the words "Registrar-General, Provincial Registrar, (or) Assistant Provincial Registrar, as the case may be" occurring in the footnote, there shall be substituted the words "District Registrar".

In Form G—

- (a) for the words "of a marriage intended to be had", there shall be substituted the words "within the ——— district of which I am the District Registrar/for which I am an Additional District Registrar, of a marriage intended to be had";
- (b) for all the words from "before the Registrar-General" to "the declaration", there shall be substituted the words "before the District Registrar of the ——— district (or an Additional District Registrar for the ——— district) the declaration";
- (c) for the words "Registrar-General, or Provincial Registrar, or Assistant Provincial Registrar", there shall be substituted the words "District Registrar or Additional District Registrar";
- (d) for the footnotes to this Form, there shall be substituted the following new footnotes:—

"* Where the notice has been given to the District Registrar or to an Additional District Registrar, substitute 'to the District Registrar of the ——— district' or 'to an Additional District Registrar for the ——— district', as the case may be.

† Strike out the words which are inapplicable."

In Form H—

- (a) for all the words from "before the Registrar-General" to "the declaration", there shall be substituted the words "before the District Registrar of the ——— district (or an Additional District Registrar for the ——— district) the declaration";
- (b) for the words "Registrar-General, or Provincial Registrar, or Assistant Provincial Registrar", there shall be substituted the words "District Registrar, or Additional District Registrar".

In Form M—

- (a) the words "OF THE — PROVINCE" occurring in the heading to this Form shall be omitted;
- (b) for the words "Provincial Registrar's or Assistant Provincial Registrar's", there shall be substituted the words "District Registrar's".

Second Schedule For the words "Provincial Registrar", there shall be substituted the words "District Registrar".

For the words "Assistant Provincial Registrar", there shall be substituted the words "Additional District Registrar".

The asterisk wherever it occurs in the last column of this Schedule and the footnote to this Schedule shall be omitted.

Objects and Reasons.

The principal object of this Bill is to amend the Marriage Registration Ordinance (Chapter 95) so as to alter the administration of that Ordinance from a provincial basis to a revenue district basis. The Ordinance at present gives power to appoint Provincial Registrars, Additional Provincial

Registrars and Assistant Provincial Registrars. Since 1943, the Assistant Provincial Registrars have had instructions to correspond direct with the Registrar-General. The only statutory powers of a Provincial Registrar which cannot in law be exercised by an Assistant Provincial Registrar are the powers conferred by sections 8 and 9 of the Ordinance. These powers can, if the law is altered, be exercised equally well by Assistant Provincial Registrars. It is proposed therefore to make the revenue district the unit for the purpose of administering the Ordinance and to declare the Government Agent of a province to be the District Registrar for the revenue district within which his office is situated and the Assistant Government Agent of any other revenue district to be the District Registrar of that district. All other superintending officers will be called "Additional District Registrars" (Clause 4).

2. The numerous consequential amendments necessary to give effect to this amendment together with a few other amendments of a minor nature are set out in the Schedule to the Bill.

3. Clause 2 is intended to remove a conflict between the long title to the Marriage Registration Ordinance (Chapter 95) and the long title to the Kandyan Marriages (Removal of Doubts) Ordinance (Chapter 97).

4. The existing Ordinance does not contain any provision enabling a person to be appointed an Assistant Registrar-General. The power to make such appointments will be taken by Clause 3.

5. The following powers are vested in the Governor by the Ordinance:—

Under section 2 (2), to give directions to the Registrar-General.

Under section 4, to divide the Island into Marriage Registration divisions.

Under section 7, to make rules for the direction of officers.

Under section 46 (2), to alter the Forms set out in the Schedule to the Ordinance.

Under section 47, to prescribe certain fees.

It is proposed by this Bill to transfer to the Minister the power vested in the Governor by section 2 (2) and to the Executive Committee the other powers referred to above. The exercise of these powers (other than the power under section 4) will be subject to the approval of the State Council and the ratification of the Governor.

6. For the purposes of sections 10, 11 and 12 of the Ordinance, the Registrar-General is required to keep a register of all places of public christian worship at which marriages may be solemnized. No power is given to the Registrar-General to correct any error in such register. This omission in the law will be rectified by Clause 6.

7. Section 13 of the Ordinance has been rendered inoperative by a notification under section 2 (1) of the Government Gazette (Publication) Ordinance (Chapter 5). The periodical publication of lists of registrars and registered buildings serves a useful purpose and it is accordingly proposed by Clause 7 to re-enact that section in a modified form.

8. The new section 33A which will be inserted in the principal Ordinance by Clause 8 is based on section 12 of the Marriage and Registration Act, 1856, of the United Kingdom (19 & 20 Vict. c. 119).

The intention of sub-section (1) of that section is to make it clear that the addition of a Christian religious ceremony to a marriage already solemnized by a registrar under section 33 will not supersede or affect that marriage in any way. By providing that an entry relating to such a ceremony should not be made in the marriage register kept by the minister who performs the ceremony, the sub-section will also prevent the registration of the same marriage in two different registers. The object of sub-section (2) is to put an end to the practice of performing religious ceremonies at such a place as the office of a registrar where the civil solemnization alone can properly take place.

9. Clause 9 will enable a registrar to charge travelling expenses at a higher rate than is payable today. The rate of fifty cents per mile payable under the footnote to the Second Schedule to the Ordinance is very inadequate.

10. The necessary transitional provisions are set out in Clause 12.

I. X. PEREIRA,

Acting Minister for Labour, Industry and Commerce.
Colombo, 9th March, 1946.

MINUTE.

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

L. D.—O. 36/44.

**An Ordinance to amend the Factories Ordinance,
No. 45 of 1942.**

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows :—

- | | |
|--|---|
| <p>1. This Ordinance may be cited as the Factories (Amendment) Ordinance, No. of 1945.</p> | <p>Short title.</p> |
| <p>2. Section 25 of the Factories Ordinance, No. 45 of 1942 (hereinafter referred to as "the principal Ordinance"), is hereby amended, by the substitution, for the words "shall not be required or permitted to clean", of the words "shall not clean".</p> | <p>Amendment of section 25 of Ordinance No. 45 of 1942.</p> |
| <p>3. Section 26 of the principal Ordinance is hereby amended in sub-section (1), by the substitution, for the words "shall be required or permitted to work", of the words "shall work".</p> | <p>Amendment of section 26 (1) of the principal Ordinance.</p> |
| <p>4. Section 32 of the principal Ordinance is hereby amended, in paragraph (b) of sub-section (1), by the substitution, for the words "shall be required or permitted to enter", of the words "shall enter".</p> | <p>Amendment of section 32 (1) of the principal Ordinance.</p> |
| <p>5. Section 34 of the principal Ordinance is hereby amended in sub-section (9) as follows :—</p> <p>(1) in paragraph (a) thereof, by the substitution, for the words "No steam boiler", of the words "No new steam boiler"; and</p> <p>(2) in paragraph (b) thereof, by the substitution, for all the words from "in the factory" to the end of that paragraph, of the words "in the factory."</p> | <p>Amendment of section 34 (9) of the principal Ordinance.</p> |
| <p>6. The following new section is hereby inserted immediately after section 76 of the principal Ordinance, and shall have effect as section 76A of that Ordinance :—</p> | <p>Insertion of new section 76A in the principal Ordinance.</p> |
| <p>76A. (1) Subject to the provisions of this section, a young person who has not attained the age of sixteen and is taken into any employment in a factory, shall not remain in that employment after the expiration of such period, not being less than seven days, as may be prescribed, unless he has been examined by the examining surgeon and certified by him to be fit for that employment.</p> <p>(2) Where the examining surgeon after examining a young person, requires further information or further time for consideration before deciding whether or not to certify him as fit for employment or as to the conditions subject to which the certificate is to be issued, he may issue a provisional certificate authorising the employment of the young person for such period as may be certified in the certificate, not exceeding twenty-one days from the date on which it was issued.</p> <p>(3) Any certificate by the examining surgeon may be issued—</p> <p>(a) in respect of employment in all factories in the occupation of the same occupier, or such of them as may be specified in the certificate;</p> <p>(b) subject to conditions as respects the nature of the work in which the person concerned is to be employed;</p> <p>(c) subject to a condition that he shall be re-examined after an interval specified in the certificate.</p> <p>(4) Where a certificate under this section in respect of any young person is issued by the examining surgeon upon any such condition as aforesaid, the young person shall not be employed except in accordance with the condition.</p> <p>(5) Where the examining surgeon so directs in the certificate, any such condition as aforesaid shall, so far as relates to the employment in respect of which the certificate was issued or other employment in a factory in the occupation of the same occupier, continue to have effect after the young person has attained the age of sixteen; but unless such direction is made, the condition shall cease to have effect when the young person attains the age of sixteen, and shall in any case cease to have effect when the young person attains the age of eighteen.</p> <p>(6) Where a certificate under this section is subject to a condition requiring re-examination after an interval specified in the certificate, the examining surgeon, on such re-examination, may vary the certificate or may revoke the</p> | <p>Certificate of fitness for employment of young persons.</p> |

certificate as from such date as he may direct; and, if the certificate of a young person is revoked before he attains the age of sixteen, he shall not remain in any employment to which the certificate relates, and sub-section (1) of this section shall thereafter have effect as if no certificate had been issued in respect of that young person.

(7) Where a certificate under this section in respect of any young person is refused or revoked, the examining surgeon shall, if requested to do so by the parent of the young person, give to the parent in writing the reasons for the refusal or revocation.

(8) The Executive Committee may make regulations prescribing—

- (a) the manner in which, and the place at which, examinations under this section shall be conducted;
- (b) the form of certificates under this section;
- (c) the facilities to be afforded by occupiers of factories for the purpose of examinations under this section, including facilities for an examining surgeon to inspect any process in which a young person is to be employed;
- (d) any other matter which the Executive Committee may consider desirable for the purpose of giving effect to this section.

(9) The Executive Committee may by regulations exempt from the operation of this section any class or description of factory in which mechanical power is not used.

Insertion of new section 94A in the principal Ordinance.

Prohibition of deductions from wages.

Amendment of section 103 (1) of the principal Ordinance.

7. The following new section is hereby inserted immediately after section 94 of the principal Ordinance, and shall have effect as section 94A of that Ordinance:—

94A. Save as otherwise expressly provided under this Ordinance, the occupier of a factory shall not in respect of anything to be done or provided by him in pursuance of this Ordinance, make any deduction from the sum contracted to be paid by him to any person employed or receive or allow any person in his employment to receive any payment from any such person.

8. Section 103 of the principal Ordinance is hereby amended in sub-section (1), by the substitution, for the words "may, after consultation with the Factory Advisory Board, make regulations", of the words "may make regulations".

Objects and Reasons.

Although our Factories Ordinance, No. 45 of 1942, is based on the English Factories Act, 1937, the phraseology of that Ordinance, differs in some cases from the phraseology of the Act. Thus the phraseology of section 25 (1), 26 (1), 32 (1) (b) and 34 (9) differs from the phraseology of the corresponding sections of the English Act. The object of Clauses 2, 3, 4, and 5 of this Bill is to amend those sections so as to bring them into line with the corresponding sections of that Act.

2. There are no provisions in our Factories Ordinance similar to sections 99 and 120 of the Factories Act, 1937. Section 99 of that Act provides for the medical examination of young persons at the beginning of their employment in a factory. Section 120 of that Act provides that "the occupier of a factory shall not, in respect of anything to be done or provided by him in pursuance of this Act, make any deduction from the sum contracted to be paid by him to any person employed or receive or allow any person in his employment to receive any payment from any such person".

The object of Clauses 6 and 7 of this Bill is to include in that Ordinance provisions similar to the said sections 99 and 120.

3. The English Factories Act provides that regulations under the Act should be framed by the Secretary of State, but there is no legal provision in that Act that such regulations should be made after consultation with any expert authority or organisation. Under section 103 of the Factories Ordinance, however, regulations under the Ordinance are to be made by the Executive Committee of Labour, Industry and Commerce after consultation with the Factories Advisory Board. It is felt that such consultation delays the preparation of regulations. It is also felt that the absence of such consultation will not result in the preparation of defective regulations, as the Executive Committee has the power, under section 97 (2) (b) of the Ordinance, to consult the Board in any matter in which the Committee wants advice. The object of Clause 8 of this Bill is to amend section 103 of the Ordinance by the omission of the provision requiring such consultation.

I. X. PEREIRA,

Acting Minister for Labour, Industry and Commerce.
Colombo, February 27, 1946.

MINUTE.

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

L. D.—O. 12/46.

L. G. D.—BB 1048.

An Ordinance to make special provision to enable the members of the Jaffna Urban Council, whose term of office is due to expire on the thirty-first day of December, 1946, to continue in office until the thirty-first day of December, 1947.

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 Jaffna Urban Council (Term of Office) Ordinance, No. of 1946. Short title.

2. The term of office of the members of the Jaffna Urban Council, which, under section 16' of the Urban Councils Ordinance, No. 61 of 1939, is due to expire on the thirty-first day of December, 1946, is hereby extended to and shall expire on the thirty-first day of December, 1947; and accordingly the year 1946 shall not be deemed for the purposes of any of the other provisions of that Ordinance to be a year in which a general election of members of that Council is due to be held. Extension of term of office.

3. Notwithstanding that, by virtue of the operation of section 2 of this Ordinance, a general election of members of the Jaffna Urban Council will be due to be held in the year 1947, it shall not be necessary for the Government Agent to commence the preparation of lists of voters for the purposes of that general election or to take any other measures relating to or connected with that general election, unless the Governor, by Order published in the Gazette, directs him so to do, or until such date as may be specified in such order. Suspension of measures relating to general election.

Objects and Reasons.

The term of office of the members of the Jaffna Urban Council is due to expire on December 31, 1946. As a Municipality is to be constituted for the town of Jaffna, in lieu of the Urban Council, with effect from January 1, 1948, it is felt that no useful purpose will be served by holding a general election in December, 1946, and that the present members should continue in office until the date of the constitution of the Municipal Council.

The object of this Bill is to make the necessary statutory provision to enable them to do so.

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

Colombo, March 12, 1946.

MINUTE.

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

L.D.—O.10/46.

C.S.O.—CF.D.513/39.

An Ordinance to provide that certain regulations made under the Naval Volunteer Ordinance relating to the Placing on compulsory leave without pay of members of the Ceylon Naval Volunteer Force shall have retrospective effect, and to provide for matters incidental thereto. Chapter 254
(Vol. VI. p. 55)

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 Ceylon Naval Volunteer Force (Compulsory Leave) Ordinance No. of 1946. Short title.

2. (1) Notwithstanding anything in sub-section (2) of section 10 of the Naval Volunteer Ordinance, the principal regulations shall have effect, and be deemed to have had effect, as though the new regulation 28 which was added thereto by the regulation under the aforesaid sub-section (2), published in Gazette No. 9,528 of the eighth day of March, 1946, had been so added on the twenty-fourth day of February, 1946. Retrospective effect of regulation 28 of the regulations under section 10 (2) of Chapter 254.

(2) Every notice whereby any member of the Ceylon Naval Volunteer Force was placed on compulsory leave under any law in force prior to the twenty-fourth day of February, 1946, being a notice in force on the day immediately preceding that date, shall be deemed on and after the aforesaid twenty-fourth day of February to be a notice given under the principal regulations.