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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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PASSED ORDINANCES.

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

No. 34 of 1946.

L. D.—O. 49/44.

An Ordinance to amend the Marriage Registration Ordinance.

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

J. C. HOWARD.

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

1. This Ordinance may be cited as the Marriage Registration Amendment Ordinance, No. 34 of 1946, and shall come into operation on such date (hereinafter referred to as "the appointed date") as the Governor may appoint by Proclamation published in the Gazette.

Short title
and date of
operation.

2. The long title of the Marriage Registration Ordinance (hereinafter referred to as "the principal Ordinance") is hereby amended, by the omission of the words "OF KANDYANS OR".

Amendment of
long title of
Chapter 95.

3. The following section is hereby inserted, immediately after section 2 of the principal Ordinance, and shall have effect as section 2A of that Ordinance :—

Insertion of
new section 2A
in the
principal
Ordinance.

2A. It shall be lawful for the Governor from time to time to appoint a fit and proper person or each of two or more such persons to be or to act as an Assistant Registrar-General of Marriages. Any person so appointed may exercise, perform or discharge any power, duty or function expressly conferred or imposed upon the Assistant Registrar-General, and may subject to the directions of the Governor and under the authority and control of the Registrar-General, exercise, perform or discharge any power, duty or function conferred or imposed upon the Registrar-General, by or under this Ordinance.

Appointment
of Assistant
Registrars-
General and
their duties.

4. Section 3 of the principal Ordinance is hereby repealed and the following new section is substituted therefor :—

Replacement
of section 3
of the principal
Ordinance.

3. (1) For each revenue district there shall be a District Registrar of Marriages.

District
Registrars.

(2) The Government Agent of a province shall be the District Registrar for the revenue district within which his office is situated, and the Assistant Government Agent of a revenue district, not being a revenue district within which the office of a Government Agent is situated, shall be the District Registrar for that district.

(3) The Additional Government Agent of a province and every Office Assistant to a Government Agent shall be an Additional District Registrar for the revenue district within which the office of the Government Agent is situated, and 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 ;’ ; and

(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 or 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".

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.

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

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

Assented to by His Excellency the Officer Administering the Government, the Twenty-third day of August, One thousand Nine hundred and Forty-six.

C. H. HARTWELL,
Secretary to the Governor.

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

No. 35 of 1946.

L.D.—O. 46/44.

An Ordinance to amend the Maternity Benefits Ordinance, No. 32 of 1939.

J. C. HOWARD.

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

- Short title. 1. This Ordinance may be cited as the Maternity Benefits (Amendment) Ordinance, No. 35 of 1946.
- Amendment of section 4 of Ordinance No. 32 of 1939. 2. Section 4 of the Maternity Benefits Ordinance, No. 32 of 1939, (hereinafter referred to as "the principal Ordinance"), is hereby amended in section 4 thereof, as follows :—
- (1) by the substitution, for the words " has been employed " of the words " has worked " ; and
 - (2) by the substitution, for all the words from " for a period " to the end of that section, of the following :—

" for not less than one hundred and fifty days within the period of one year immediately preceding the date of the notice required by section 6 (2). "
- Replacement of section 5 of the principal Ordinance 3. Section 5 of the principal Ordinance is hereby repealed and the following new section is substituted therefor :—
- Liability of employer and rate of maternity benefit. 5. (1) Subject to the provisions of sub-sections (2), (3) and (4), the employer of a woman worker shall pay to such worker maternity benefit at the prescribed rate for the entirety of the period of two weeks immediately preceding her confinement and of the period of four weeks immediately following her confinement.
- (2) No woman worker who has worked in her employment on any day during the period of two weeks immediately preceding her confinement shall be entitled to any maternity benefit for that day or for that part of the period which precedes that day.
- (3) Where the Commissioner has issued to any employer a written certificate which states that such employer is an employer who has made arrangements for providing for female labourers employed on his estate such alternative maternity benefits as may be prescribed, such employer shall provide, in lieu of the maternity benefits referred to in sub-section (1), those alternative maternity benefits—
- (a) to every female labourer who is resident on such estate ; and
 - (b) to every female labourer who is not resident on the estate and who has, prior to her confinement, given notice in the prescribed manner to such employer of her desire to receive those alternative maternity benefits.
- (4) Any female labourer referred to in sub-section (3) who refuses to accept from her employer the alternative maternity benefits referred to in that sub-section shall not be entitled to receive the maternity benefit referred to in sub-section (1).
- (5) A certificate issued to any employer under sub-section (3) shall be liable to be cancelled by the Commissioner, if the Commissioner is satisfied, after such inquiry as he may deem necessary, that the employer has ceased to make arrangements for providing for female labourers on his estate the alternative maternity benefits referred to in that sub-section.
- (6) Where a certificate issued to any employer of an estate under sub-section (3) is cancelled by virtue of the provisions of sub-section (5), the employer shall pay to the female labourers on his estate, the maternity benefit referred to in sub-section (1).
- (7) Where payment of money in cash is to be part of the alternative maternity benefits referred to in sub-section (3), the Executive Committee shall not prescribe as the amount of such payment any sum which exceeds, or any sums which in the aggregate exceed, four-sevenths of the total amount payable as maternity benefit under sub-section (1).
- (8) In the computation of the periods in respect of which payments are made under this section, Sundays and holidays shall be taken into account.

4. The following new section is hereby inserted immediately after section 5, and shall have effect as section 5A, of the principal Ordinance :—

Insertion of new section 5A in the principal Ordinance.

5A. Nothing in the provisions of section 4 or section 5 shall be deemed to entitle any woman to claim either the maternity benefit or the alternative maternity benefits referred to in this Ordinance from more than one employer in respect of the same confinement.

Women not to claim benefits, in respect of the same confinement, from more than one employer.

5. Section 10 of the principal Ordinance is hereby amended, in sub-section (1) thereof, by the substitution, for the words " within a period of three months before her confinement shall have the effect of depriving her of any maternity benefit " of the words " within a period of five months before her confinement shall have the effect of depriving her of any maternity benefit or alternative maternity benefits ".

Amendment of section 10 of the principal Ordinance.

6. Section 11 of the principal Ordinance is hereby repealed and the following new section substituted therefor :—

Replacement of section 11 of the principal Ordinance.

11. (1) The Commissioner may at any time by notice communicated to any employer require him to furnish before a specified date a return containing such particulars as may in the opinion of the Commissioner be necessary for the purposes of this Ordinance, and it shall be the duty of such employer, when so required, to furnish such a return to the Commissioner before that date.

Power to obtain information.

(2) Any notice of the Commissioner under sub-section (1) shall be deemed to have been duly communicated to any employer to whom such notice is applicable if it is—

- (a) published in the *Gazette* ; or
- (b) sent by letter posted to such employer at his usual place of business or residence.

7. Section 12 of the principal Ordinance is hereby repealed and the following section shall be substituted therefor :—

Replacement of section 12 of the principal Ordinance.

12. (1) The Commissioner or any special officer may at any time during the day enter any factory, estate, mine or shop where women are employed, for the purposes of inspection and of ascertaining whether the provisions of this Ordinance have been complied with or contravened ; and, for such purposes, the Commissioner or such officer may make all such inquiries as he may deem necessary, and it shall be the duty of the employer of such women to furnish the Commissioner or the special officer with all such information as he may require.

Powers of inspection.

(2) The Commissioner and every special officer shall be a public servant within the meaning of the Penal Code.

Cap. 15.

8. Section 13 of the principal Ordinance is hereby amended, in paragraph (g) of sub-section (2), by the substitution, for the words " inspectors, officers and servants ", of the words " a special officer ".

Amendment of section 13 of the principal Ordinance.

9. Section 14 of the principal Ordinance is hereby amended, by the substitution, for the words " regulation made thereunder ", of the words " regulation made thereunder, or any woman who claims any benefit under the Ordinance in respect of the same confinement from more than one employer, ".

Amendment of section 14 of the principal Ordinance.

10. Section 16 of the principal Ordinance is hereby amended, by the substitution, for the words " six months " wherever they occur collectively therein or in the marginal note thereto, of the words " two years ".

Amendment of section 16 of the principal Ordinance.

11. Section 19 of the principal Ordinance is hereby amended as follows :—

Amendment of section 19 of the principal Ordinance.

(1) by the substitution, for the definition of " Controller ", of the following new definition :—

" " Commissioner " means the person for the time being holding the office of Commissioner of Labour, and includes any person for the time being holding the office of Deputy Commissioner of Labour ; "

(2) by the insertion immediately after the definition of " shop ", of the following new definition :—

" " special officer " means any Deputy or Assistant Commissioner of Labour, any Inspector of the Department of Labour, or any person appointed by the Commissioner in writing for the purpose of enforcing the provisions of this Ordinance ; "

and

(3) by the substitution, for the definition of "woman worker", of the following new definition:—

"woman worker" means a woman employed on wages in any shop, mine, factory or estate in which ten or more persons are employed, whether such wages are calculated by time or by work done or otherwise and whether the contract of employment or service was made before or after the commencement of this Ordinance, and whether such contract is expressed or implied, oral or in writing.'

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

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

Assented to by His Excellency the Officer Administering the Government, the Twenty-sixth day of August, One thousand Nine hundred and Forty-six.

C. H. HARTWELL,
Secretary to the Governor.

(Continued on page 760.)

DRAFT ORDINANCES.

MINUTE.

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

L.D.—O. 40/46.

An Ordinance to provide immunity from civil or criminal proceedings in respect of the publication or reproduction of authorised documents.

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

Short title.

1. This Ordinance may be cited as the Official Publications (Immunity) Ordinance, No. of 1946.

Immunity in respect of publication or reproduction of authorised documents.

2. No action or proceeding, whether civil or criminal, shall be instituted or maintained against any person, in respect of—

- (a) the publication of any report or other official document which is ordered by the Governor to be published for general information; or
- (b) the reproduction, in any newspaper, of any document or of an extract from any document so published, where such reproduction is made for the public benefit and without malice.

Objects and Reasons.

The object of this Bill is to provide immunity from civil or criminal proceedings to persons concerned in the publication of any official document which is ordered by the Governor to be published for general information, or in the reproduction, in newspapers, of any such documents or extracts from such documents made for the public benefit and without malice.

Colombo, 27th August, 1946.

J. H. B. NEHILL,
Legal Secretary.

(Continued on page 76.)

SUPREME COURT NOTICES.

The Ceylon (Non-Domiciled Parties) Divorce Rules, 1936.

IN pursuance of the provisions of Rule 2 (3) of the Ceylon (Non-Domiciled Parties) Divorce Rules, 1936, it is hereby notified by order of the Acting Chief Justice of the Supreme Court of the Island of Ceylon that the Lord Chancellor has approved the appointment of the Honourable Mr. E. A. L. Wijeyewardene, K.C., Senior Puisne Justice, as a Judge appointed to exercise jurisdiction under the Indian and Colonial Divorce Jurisdiction Act, 1936, and the Ceylon (Non-Domiciled Parties) Divorce Rules, 1936, as applied to Ceylon by the Ceylon Divorce Jurisdiction Order in Council, 1936, to take the place of the Honourable Sir John Curtois Howard, K.T., K.C., who is Administering the Government of Ceylon during the absence of the Governor from the Island—*vide* Notification appearing in the *Government Gazette* No. 9,582 of July 20, 1946.

The Registry, Supreme Court,
Colombo, August 21, 1946.

CLARENCE DE SILVA,
Registrar of the Supreme Court.

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the Southern Circuit will be holden at the Court-house at Galle on Monday, September 16, 1946, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Galle, August 20, 1946.

W. P. DALUWATTE,
Fiscal, S. P.

NOTICES OF INSOLVENCY.

In the District Court of Badulla.

No. 38. In the Matter of the Insolvency of Don Beonis Jayasinghe of Poonagala road, Bandarawela.

WHEREAS Don Beonis Jayasinghe of Poonagala road, Bandarawela has filed a declaration of insolvency, and a petition for the

sequestration of the estate of the said Don Beonis Jayasinghe has been filed by S. Shanmugaratnam of Badulla under the Ordinance No. 7 of 1853 :

Notice is hereby given that the said court has adjudged the said Don Beonis Jayasinghe, insolvent accordingly; and that two public sittings of the court, to wit, on September 5, 1946, and on October 10, 1946, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of other steps set forth in the said Ordinance of which creditors are hereby required to take notice

By order of court, FRED. JANSZ,
Secretary.

south and west by stone fence together with a like share of soil, trees, plantations and everything standing thereon, registered in D 130/224.

4. An undivided half part or share from and out of an undivided one-fourth part or share of and in all that land called Wilaudahena, presently garden, of three pelas in paddy sowing extent in the whole situated at Meetalawa, aforesaid; and which said entire land is bounded on the north by patana, on the east by Galperiya, on the south by Mala-ela and on the west by Wilaudatonna together with a like share of soil, trees, plantations and everything standing thereon, registered in D 130/225, and all the right, title, interest and claim whatsoever of the said 1st and 2nd defendants in to upon or out of the said several premises mortgaged by the 1st and 2nd defendants.

Fiscal's Valuation : Rs. 10,800.

Fiscal's Office,
Kandy, August 26, 1946.

H. F. RATWATTE,
Deputy Fiscal.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

(1) A. Mathupalaniappa Chettiar and another, both carrying on business under the name, style and firm of A. M. R. M. Firm at 274, Sea street, Colombo Plaintiffs.

No. 6,921/S. Vs.

(1) K. M. V. Perera, and (2) P. D. Simon Singho, both of 95, Drieberg's lane, Maradana, Colombo Defendants.

NOTICE is hereby given that on Monday, September 23, 1946, at 4 P.M., will be sold by public auction at the premises the right, title, and interest of the second defendant in the following property, for the recovery of the sum of Rs. 978.66 with interest on Rs. 975 at 9 per cent annum from May 20, 1946, to June 10, 1946, and thereafter legal interest on the aggregate amount till payment in full and costs of suit, viz :—

All that lot marked A of land which bore assessment No. 18A thereafter Nos. 7 (1), 7 (2), 7 (3 and 4) and presently Nos. 95, 97, 99 situated at Drieberg's lane now Drieberg's avenue in Dematagoda, within the Municipality and District of Colombo, Western Province; and bounded on the north by the ditch separating this land from the field of S. H. Nanayakkara, east by the part of the same land reserved for a road 12 feet wide, south by part of this land sold to Government, west by the garden formerly of Paulus Perera, Notary, now of Aegis Dias Jayasinghe and others, containing in extent 15 32/100 perches.

Fiscal's Office,
Colombo, August 26, 1946.

G. M. CHINNATAMBY,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Swanna Sockalingam Chettiar of Gampola Plaintiff
No. M. B. 942. Vs.

(1) Kadawathpedigedera Babe, (2) Alutdurayalagedera *alias* Meetalawa Alutgamage Setuwa Vidane, both of Polmalgama, (3) M. P. M. Ramasamy Chettiar, (4) M. P. M. Narayanan Chettiar, both of Ambogamuwa road, Gampola Defendants.

NOTICE is hereby given that on Tuesday, September 24, 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 1st and 2nd defendants in the following property, mortgaged by bond No. 4,089 dated, April 22, 1941, and attested by M. W. R. de Silva, Notary Public, for the recovery of the sum of Rs. 2,785.95 with further interest on Rs. 1,800 at 21 per centum per annum from March 1, 1944, till February 14, 1945, and thereafter with legal interest on the aggregate amount till payment in full and the costs of suit and poundage, viz :—

1. All that and those contiguous allotments of land called Paulpitiyahenawatta Embulmayagahamulohenawatta Ambalagahamulohenawatta Tumpahanayshenawatta, Galkotuawawatta, Dodantenmonaraendugalawatte, Ukkutugodahenawatta, Kobbe-heeriyahenawatta and Tennewatte which from their situation as respect each other can be included on one survey and forming part and parcel of the estate called Hapugahawatta situate at Meetalawa in Dolosbage Ganga Ihala korale of Udupalate in the District of Kandy, Central Province; and which said contiguous allotments of land are together bounded on the east by Pallewagurakumburayaye-ela and the live fence separating Dodantenmenhenyaye, south by Nagahapillahena Mahagala and ditch, west by ditch and Galperiya and on the north by the limit of Dewalakkumburahena Mala-ela of Ukkutugodahena belonging to Kirisadaya Veda, Batadoma tree in a straight line with the Galperiya Mala-ela separating Helehen and the limit of Ambegahamulohena belonging to Ratarana; and containing in extent about 26 acres in the whole with the plantations and everything standing thereon, registered in D 146/243.

2. An undivided half part or share from and out of an undivided half part or share of and in all that land called Udagamawatta of 3 kurumes in paddy sowing extent in the whole situate at Meetalawa in Dolosbage aforesaid and which said entire land is bounded on the north and east by live fence and on the south and west by patana, together with a like share of the soil, trees, plantations and everything standing thereon, registered in D 130/223.

3. An undivided half part or share from and out of all that land called Udahawatta of about one pela in paddy sowing extent in the whole situate at Meetalawa, aforesaid; and which said entire land is bounded on the north and east by live fence, and on the

North-Western Province.

In the District Court of Kurunegala.

Nekadage Subaneris Appuhamy of Galgomuwa Plaintiff
No. 2,881. Vs.

Perumbuli Arachchige Sirisena of Beddegedara, presently of Galahitiyawa School, Katupotha Defendant.

NOTICE is hereby given that on Monday, October 14, 1946, at 11 o'clock in the forenoon, will be sold by public auction at the premises commencing from the 1st land the right, title, and interest of the said defendant, in the following property mortgaged with the plaintiff by bond No. 5,436, dated January 2, 1944, and attested by Mr. P. M. P. Ratnayake, Notary Public, and declared specially bound and executable under decree dated, August 1, 1945, and ordered to be sold by order of court, dated May 24, 1946, for the recovery of the sum of Rs. 1,312.50 with interest thereon at the rate of 9 per cent. per annum from date of decree till payment in full and costs, Rs. 171.40.

1. An undivided 2/9 share of the field called Hewanmullukumbura, containing in extent about five lahas paddy sowing soil, situate at Ihala Pallewela in Yatikaha Korale South of katugampola Hatpattu, in the District of Kurunegala, North-Western Province; and bounded on the north by Nugagahakumbura, east by the bund of Kirigalawewa, south by Hewanmullukumbura and west by field of Dingiri Appu and others; and containing in extent according to plan No. 1,112 made by D. Goonasekara, Licensed Surveyor, 2 acres and 20 perches, and registered under C 515/146. Valued at Rs. 2,500.

2. An undivided 2/9 share of the field called Watteliyadda, containing in extent about two pelas and five lahas paddy sowing soil, situate at Ihala Pallewela aforesaid; and bounded on the north by Paranawatta, east by Amunekumbura, south by field of Andihamy and others, and west by the field of Manelhamy and others; and containing in extent according to plan No. 1,113 of the Surveyor, aforesaid, 1 acre and 2 roods and registered under C 484/71. Valued at Rs. 500.

3. An undivided 2/9 share of the field called Kurikotuwekumbura of one amunam of paddy sowing soil and its adjoining Degodapilledeka of twelve seers of kurakkan sowing soil forming one property, situate at Gulagedara in Yatikaha korale south aforesaid; and bounded together on the north by the chena of Appuhamy and others (Lunumidellagahamulohena), east by Ambagahamulohena, south by field of Kiri Banda, Vidane, and west by garden of Ukkurala (Innawatta); containing in extent according to plan No. 1,114 of the aforesaid Surveyor, 2 acres, 1 rood and 10 perches, together with a like share in everything thereon and registered under C 528/265. Valued at Rs. 1,000.

4. An undivided 4/18 share of the field called Pitapottekumbura of two pelas of paddy sowing soil, situate at Ennoruwa in Yatikaha korale aforesaid; and bounded on the north by the liminary ridge of field called Gananketekumbura, east by liminary ridge of Pitapottekumbura of Manelhamy and others, south by Marakanda ela (oya), and west by the liminary ridge of the field called Bogahapottekumbura; and containing in extent according to plan No. 1,116 of the said Surveyor, 1 acre and 20 perches, and registered in C 549/61. Valued at Rs. 400.

5. An undivided 1/6 share of the field called Humbuluwekumbura, containing in extent one amunam of paddy sowing soil, situate at Galagedara aforesaid; and bounded on the north by the field of Guruhamy, Vidane, east, south and west by fields of Lekam Mahatmaya; and containing in extent according to plan No. 1120 of the said surveyor, 2 acres, 3 roods and 12 perches and registered under C 484/72. Valued at Rs. 3,000.

6. An undivided 1/6 share of Kovilegodallehena, situate at Ennoruwa aforesaid; and bounded according to plan No. 1,118 of the same Surveyor, on the north by lots 43A and 45 in P. P. 963, east by lot 42 in P. P. 963, south by lot 42 in P. P. 963 and Dandagamuwa-oya and west by lot 115 in P. P. 963 and T. P. 289,852; and containing in extent 2 acres, 2 roods and 20 perches, together with a like share in everything thereon and registered under C 414/254. Valued at Rs. 50.

Total value Rs. 7,450.

Amount to be recovered Rs. 1,312.50 with interest thereon at the rate of 9 per cent. per annum from date of decree till payment in full and costs, Rs. 171.40 and poundage.

Fiscal's Office,
Kurunegala, August 24, 1946.

K. M. TENNEKON,
Deputy Fiscal.

In the District Court of Kurunegala.

Seena Asi Lebbe of Oruliyadda Plaintiff.
No. 18,634. Vs.

(1) Hetti Arachige Juse Appu (*dead*), (2) Ana Omer Lebbe, (3) Uduwa Lobbelage Levana Marikkar (*dead*), (4) Uduwa Lobbelage Junus Lebbe, (5) Uduwa Lobbelage Abubackker Lebbe, (6) Uduwa Lobbelage Hamid Lebbo, (7) Uduwa Lobbelage Abdul Rahiman, all of Oruliyadda, (1) Levana Marikkar, (2) Usubu Lebbe, (2) Levana Marikkar Abdul Wahatu, (3) ditto Sabiya Umma, all of Madalagama, (substituted in place of 3rd defendant) Defendants.

NOTICE is hereby given that on Friday, September 27, 1946, at 1 o'clock in the afternoon, will be sold by public auction at the premises commencing from the 1st land the right, title and interest of the said defendants in the following property, viz:—

1. The field called Mahakumbura of twelve lahas of paddy sowing in extent situate at Oruliyadda *alias* Kulpitiya in Udapola Otota korale of Dambadeni Hatpattu in the District of Kurunegala, North-Western Province; and bounded on the east by the endaru fence of the garden of Banis, Notary, south by the liminary ridge of the field belonging to Salt, north by the liminary ridge of the field of Mr. Polpitiya, west by the wire fence of the land belonging to Isi Lebbe. Valued at Rs. 250.
2. An undivided two-third share of the land called Galoruwehena *alias* watta of one laha kurakkan sowing in extent situate at Oruliyadda aforesaid; and bounded on the east by the endaru fence of the land of Isi Lebbe, south by the fence to Wekanda, north by the wire fence of the land belonging to Thaha, west by the fence to Wewewatta. Valued at Rs. 375.
3. An undivided three-ninth share of the land called Wewagawawatta of three lahas kurakkan sowing in extent situate at Oruliyadda aforesaid; and bounded on the east by Galoruwehena *alias* watta belonging to Isi Lebbe and others, south by the fence to Wewa, north by the fence of the garden belonging to Thaha, west by the fence of the garden of Mamma Cassim and others. Valued at Rs. 500.
4. An undivided one-third share of Asseddumekumbura of two pelus paddy sowing in extent situate at Oruliyadda aforesaid; and bounded on the north by the liminary ridge of the field called Welgodakumbura, east by the wire fence of the pilawa of Isi Lebbe and others, south by liminary ridge of Panwale Kumbura belonging to Isi Lebbe and others and west by the endaru fence of the pilawa belonging to Isi Lebbe and others. Valued at Rs. 125.
5. An undivided two-ninth share of the field called Welgode kumbura of two pelus paddy sowing in extent situate at Oruliyadda aforesaid; and bounded on the north by the liminary ridge of the field called Kebellagahakumbura, east by the wire fence of the pilawa belonging to Isi Lebbe and others, south by the liminary ridge of Asseddumekumbura of Isi Lebbe and others and west by the endaru fence of the pilawa belonging to Isi Lebbe and others. Valued at Rs. 100.
6. An undivided two-eighth share of the field called Kebellagahakumbura of two pelus paddy sowing in extent situate at Oruliyadda aforesaid; and bounded on the north by the liminary ridge of the field called Welgodekumbura, east by the wire fence of the pilawa belonging to Isi Lebbe and others, south by the liminary ridge of the field called Welgodekumbura and west by the endaru fence of the pilawa belonging to Isi Lebbe and others. Valued at Rs. 125.
7. An undivided two-third share of the land called Paranawatta of three lahas kurakkan sowing in extent situate at Oruliyadda aforesaid; and bounded on the north by the fence of the garden of Mohammedu Ali, east by the fence of Welipillewa of Isi Lebbe and others, south by the fence of the land of Ismail Daudu and west by the fence of the garden belonging to Silindi. Valued at Rs. 300.

Total Value: Rs. 1,775.

Amount to be recovered Rs. 3,181.50 with further damages at the rate of Rs. 150 per annum from June 30, 1946, till possession is given to plaintiff of his share of land referred to and poundage.

Fiscal's Office,
Kurunegala, August 6, 1946.

K. M. TENNEKON,
Deputy Fiscal.

In the District Court of Puttalam.

Thena Pana Lana Mena Meyappa Chettiyar of Kottaiyoor in South India, presently of Puttalam Plaintiff.
No. 4,844. Vs.

Achanna Veena Mena Mena Lena Letchumanan Chettiar of House 99/100-103, north of Maharnambu, Pottal in P. A. L. street, Karaikudi in South India, presently of Sembattal in Puttalam Defendant.

NOTICE is hereby given that on Tuesday, September 24, 1946, commencing from the first land at 2 o'clock in the afternoon, will be sold by public auction at the respective lands the right, title, and interest of the said defendant in the following property, viz:—

1. All that land called Amaikul Kany and Erukilam Chenai situate at Amaikul in Puttalam pattu south in Erukilam District, North-Western Province; and bounded on the north by the land belonging to the heirs of Mena Yana Avanna Annamalai Chettiar, east by the land mentioned below, south and west by land belonging to Mena Yana Navanna Meyappa Chettiar and others, and containing in extent 15 acres.
 2. All that land called Amaikul Kadu situate at Amaikul aforesaid; and bounded on the north by land belonging to the heirs of the said Annamalai Chettiar, east and south by crown lands and west by the above-mentioned land and land belonging to Mena Yana Navanna Meyappa Chettiar; and containing in extent 50 acres.
- For the recovery of the sum of Rs. 6,612 with legal interest thereon from January 17, 1941, till payment in full and costs of suit (bill not taxed).

Properties valued at Rs. 39,000.

Fiscal's Office,
Puttalam, August 23, 1946.

D. W. WICKREMASINGHE,
for Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. the late Robert Newton Setukavalal of Central No. 11,894. road, Batticaloa, deceased.

Robert Edward John Allagakoon Setukavalal of Central road, Batticaloa Petitioner.

Vs.

(1) Ellen Catherine Nesamma Pullenayegum *nee* Sethukavalal of 51, College street, Kotahena in Colombo, (2) Solomon Hannah Setukavalal of 57/11, School lane, Colpetty in Colombo, (3) Hilda Beatrice Thilakasunderam Somanadar of Kalmunai, (4) Catherine Mercy Selvasunderam Olagasageram of Kuruppu road, Borella in Colombo Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on May 4, 1946, in the presence of Mr. Ernest A. de Silva, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 24, 1946, and the affidavit of the attesting witnesses dated February 12, 1944, March 10 and 11, 1944, having been read:

It is ordered that the last will and testament of the late Robert Newton Setukavalal, 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 above named, be and he is hereby declared entitled to have letters of administration with will annexed issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before September 26, 1946, show sufficient cause to the satisfaction of this court to the contrary.

N. SINNETAMBY,
Additional District Judge.

August 21, 1946.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Padumawathus de Silva Gunawardana of Beddegane road, Pita Kotte, deceased.

W. E. A. Delgoda of 1/35, Beddegane road, Pita Kotte... Petitioner.

Vs.

(1) Lalini Delgoda Kumarihamy, (2) Madduma Bandara Delgoda, (3) Sunanda Delgoda Kumarihamy, all of 1/35, Beddegane road, Pitakotte, minors, appearing by their guardian *ad litem* (4) Nicholas George de Silva Gunawardana of 1/35, Beddegane road, Pita Kotte Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on June 21, 1946, in the presence of Messrs. Weeraratne & Haseeb, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated June 21, 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 1st, 2nd and 3rd 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 September 5, 1946, show sufficient cause to the satisfaction of this court to the contrary.

S. C. SWAN,
Additional District Judge.

June 27, 1946.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Pattiya Jurisdiction. Pauluge Chandrasekera of Dalupitiya in Adikari No. 11,974. Pattu of Siyane korale, deceased.

Irippuwa Badalge Emi Nona also of Dalupitiya aforesaid Petitioner.

Vs.

(1) Pattiya Pauluge Andris Hamy, (2) Pattiya Pauluge Paulu Singho both of Dalupitiya, (3) D. Christian Perera of Payyagala estate, Kafutara, (4) D. Luwis Perera of 81, Mutwal street, Colomb6, (5) Irippuwa Badalge Ango Nona of Pannipitiya, (6) Odiris Weerawardane, (7) Irippuwa Badalge Nishala Nona, (8) Induruwa Achari Mestriuge Paulis Hamy, (9) Induruwa Achari Mestriuge Peter Singho, (10) Induruwa Achari Mestriuge David Singho all of Dalupitiya, (11) Induruwa Achari Mestriuge Albert Singho, minor, (12) Induruwa Achari Mestriuge Simon Singho, minor, appearing by their guardian *ad litem* (13) Induruwa Achari Mestriuge Isan Hamy all of Dalupitiya aforesaid, (14) Pattiya Pauluge Emaline Nona of Wadumulla in Veyangoda, (15) Rankaru Badalage Podi Nona of Mihirigama Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on June 21, 1946, in the presence of Mr. D. S. Ganegoda, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated June 20, 1946, having been read:

It is ordered that the 13th respondent above named be and he is hereby declared appointed guardian *ad litem* over the minors, the 11th and 12th respondents above named, and the petitioner above named be and she is hereby declared entitled to have letters of administration to the estate of the said deceased issued to her, as the daughter of a deceased paternal aunt of the deceased, unless the respondents above named or any person or persons interested shall, on or before September 5, 1946, show sufficient cause to the satisfaction of this court to the contrary.

N. SINNETAMBY,
Additional District Judge.

August 21, 1946.

In the District Court of Colombo.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late Sinnappu Jurisdiction. Kandiah, General Merchant, deceased of No. 11,999. Kochchikade, Negombo.

Ampalavanar Kanapathpillai of 94, Bazaar street, Kochchikade, Negombo Petitioner.

(1) Kandiah Ganesapillai of 313A, Vaidiya road, Dehiwala, (2) Thambimuthu Kanapathpillai of 89, Bazaar street, Kochchikade, Negombo Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge, Colombo, on July 5, 1946, in the presence of Mr. S. Ratnakaram, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated July 3, 1946, having been read: It is ordered that the will of Sinnappu Kandiah of 94, Bazaar street, Kochchikade, Negombo, deceased, dated January 4, 1946, be and the same is hereby declared proved, unless the respondents above named or any person or persons interested shall, on or before September 12, 1946, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 2nd respondent be appointed guardian *ad litem* over the 1st respondent and that the said petitioner is the executor named in the said will and that he is entitled to have probate of the same issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before September 12, 1946, show sufficient cause to the satisfaction of this court to the contrary.

July 27, 1946.

S. C. SWAN,
Additional District Judge

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Samaraweera Mudalige Don Themis Wijegunaratna Samaraweera of Ambanwita, Gampaha, deceased.

Mary Sophaya Samaraweera of 384, Anderson road, Gampaha Petitioner.

Vs.

(1) Samaraweera Mudalige Basil Osman Wijegunaratna Samaraweera, (2) Samaraweera Mudalige Lulan Wijegunaratna Samaraweera, both of 384, Anderson road, Gampaha, minors, by their guardian *ad litem* (3) Samaraweera Mudalige Thomas Albert Samaraweera of Akarawita, Gampaha Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on July 17, 1946, in the presence of Mr. M. P. P. Samarasinghe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 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 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 September 19, 1946, show sufficient cause to the satisfaction of this court to the contrary.

August 1, 1946.

S. C. SWAN,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Johannes Alexander Dias Edirisinghe of 16, No. 12,031. Kotahena street, Colombo, deceased.

Roland Prethisanke Frederick Edirisinghe of 16, Kotahena street, Colombo, Petitioner.

Vs.

(1) Mary Regina Theodora Edirisinghe, (2) Janet Lenora Matilda Edirisinghe, (3) Douglas Lionel Flavian Edirisinghe, (4) Nellie Jane Claribel Edirisinghe, (5) Percy Bertram Edirisinghe, (6) Catherine Dora Lizzie Edirisinghe, (7) Mary Agnes Cyril Edirisinghe, (8) Anne Mary Margaret Edirisinghe, all of 16, Kotahena street, Colombo, the 3rd, 4th, 5th, 6th, 7th and 8th respondents, minors, by their guardian *ad litem* the 2nd respondent Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on July 23, 1946, in the presence of Mr. Ernest A. de Silva, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 20, 1946, having been read:

It is ordered that the 2nd respondent above named be and she is hereby declared appointed guardian *ad litem* over the minors, the 3rd, 4th, 5th, 6th, 7th and 8th respondents above named, and the petitioner above named be and he is hereby declared entitled, as the eldest son 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 September 26, 1946, show sufficient cause to the satisfaction of this court to the contrary.

July 26, 1946.

S. C. SWAN,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Harankaha Patirennehelage Pieris Singho of No. 12,030. Bopagama, in the Udugaha pattu of Siyane korale, deceased.

Harankaha Patirennehelage Alceo Nona of Bopagama aforesaid Petitioner.

Vs.

(1) Harankaha Patirennehelage Podi Menika, (2) Harankaha Patirennehelage Ango Nona, and (3) Harankaha Patirennehelage Seda Nona, all of Bopagama aforesaid . . . Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on July 24, 1946, in the presence of Mr. H. A. Abeyewardene, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 22, 1946, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as the daughter 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 September 26, 1946, show sufficient cause to the satisfaction of this court to the contrary.

August 22, 1946.

N. SINNATHAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Pahalage Siyadoris Appu of Ihala Biyanwila in No. 12,041. Adikani pattu of Siyane korale, deceased.

Pahalage Luwis Singho of Ihala Biyanwila aforesaid Petitioner.

Vs.

(1) Liyanage Ancy Nona of Ihala Biyanwila aforesaid, (2) Pahalage Baby Nona, wife of (3) Withanage Aron Singho, both of Kossinna Meda pattu of Siyane korale, (4) Pahalage Subatharisi Singho of Ihala Biyanwila aforesaid, a minor, by his guardian *ad litem* the 3rd respondent above named Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on July 30, 1946, in the presence of Mr. A. M. Fuard, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 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 minor, the 4th respondent above named, and the petitioner above named be and he is hereby declared entitled, as the eldest son 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 October 3, 1946, show sufficient cause to the satisfaction of this court to the contrary.

August 3, 1946.

S. C. SWAN,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Visalatchi Achi, widow of the late K. R. A. R. Arumugam Chettiyar of Paguneri in South India, deceased.

K. R. A. R. Sathappa Chettiyar of 67, Maliban street, Colombo Petitioner.

Vs.

Devaiyani Achi, wife of V. K. R. K. R. Caruppen Chettiyar of Paguneri Respondent.

THIS matter coming on for disposal before W. Sangora, Esq., District Judge of Colombo, on August 8, 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 July 26, 1946, and the Supreme Court order dated July 9, 1946, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the son 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 October 3, 1946, show sufficient cause to the satisfaction of this court to the contrary.

August 21, 1946.

N. SINNATHAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Violet Milhe Lane of Peaceheaven, Bandarawela in the Island of Ceylon, deceased.

THIS matter coming on for disposal before N. Sinnathamby, Esq., Additional District Judge of Colombo, on August 23, 1946, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner Kenneth Ashton Robertson of the Mercantile Bank of India, Limited, Colombo; and (1) the power of attorney dated January 23, 1946, and (2) affidavit of the said petitioner dated August 22, 1946, having been read: It is ordered that the said

Kenneth Ashton Robertson is the attorney in Ceylon of the executor named in the said will, which was declared proved on May 24, 1946, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before September 12, 1946, show sufficient cause to the satisfaction of this court to the contrary.

N. SINNATHAMBY,
Additional District Judge.

August 23, 1946.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Sadique Buhari Latiff of 38, Hudson road, No. 12,064. Colombo, deceased.

Nagai Kitchill Latiff of 38, Hudson road, Colombo . . . Petitioner.
Vs.

(1) Siti Marillya Latiff, (2) Tuan Hamid Latiff (minors), both of 38, Hudson road, Colombo, (3) Tuan Ariffin Noordeen Latiff of 38, Hudson road, Colombo, (4) Dane Seenar, (5) Mohamed Nizar, (6) Mohamed Ansar, the 4th, 5th and 6th respondents, minor, all of Java lane, Colombo, (7) Rahaman Mahamooth also of 16, Java lane, Colombo Respondents

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on August 16, 1946, in the presence of Mr. P. S. de Kretser, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated August 8, 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 and 7th respondent above named, be and he is hereby declared appointed guardian *ad litem* over the minors the 4th, 5th and 6th 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 October 10, 1946, show sufficient cause to the satisfaction of this court to the contrary.

August 21, 1946.

N. SINNATHAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi in Intestacy.

Testamentary In the Matter of the Intestate Estate of George Jurisdiction. Henry Ludovici of 731, Circular road, Kegalla, No. 12,066. Surveyor, deceased.

William Henry Edwin Ludovici of 8, Elliot place, Borella. . . Petitioner.
Vs.

(1) Katherine Edith Ephraums *nee* Ludovici, wife of (2) Edgar Lancelot Ephraums, both of Galle, (3) Arabella Elizabeth Ludovici presently in Hong Kong, spinster, (4) Laurens Victor Ludovici, of Beaumonde, Peradeniya road, Kandy, (5) Margarita Ludovici of Hillwood, Kandy, spinster, (6) Edward Ambrose Ludovici of 79, 5th lane, Colpetty, Colombo Respondents.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on August 16, 1946, in the presence of Mr. Victor Gnanaratnam Cooke, Proctor, on behalf of the petitioner William Henry Edwin Ludovici of Colombo; and (1) the affidavit of the said petitioner dated July 11, 1946, and (2) the minutes of consent from the 1st, 2nd, 4th, 5th and 6th respondents above named, having been read: It is ordered that the said William Henry Edwin Ludovici is the full brother and one of the heirs and next of kin of the above-named George Henry Ludovici, deceased, and that he is entitled to have letters of administration issued to him accordingly, unless the above-named respondents or any other person or persons interested shall, on or before September 26, 1946, show sufficient cause to the satisfaction of this court to the contrary.

August 21, 1946.

N. SINNATHAMBY,
Additional District Judge.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. John Guillum Cruickshank of Shan Ting, Mavins road, Farnham, Surrey, England, formerly of Gothic House, Green street, St. Heliers in the Island of Jersey, deceased.

And

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

NOTICE is hereby given that after the expiry of fourteen days from the date hereof, application will be made to the District Court of Colombo under the British Courts Probates (Re-sealing) Ordinance (Chapter 84) for the sealing of the probate of the will of John Guillum Cruickshank of Shan Ting, Mavis road, Farnham, Surrey, England, formerly of Gothic House, Green street, St. Heliers in the Island of Jersey, deceased, granted by the Principal Probate Registry of His Majesty's High Court of Justice in England on the second day of March, One thousand nine hundred and forty-six.

F. J. & G. DE SARAM,
Proctors for Barclays Bank,
Limited, the sole executor named in the will.
Colombo, August 30, 1946.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Hettiyakandage John Fernando of Alutgama, No. 3,279. deceased.

Hettiyakandage Rompy Fernando of Alutgama. Petitioner.
Vs.

(1) Totage Kotcho Nona Fernando of Alutgama, (2) Hettiyakandage William Fernando of Bertuwalla, (3) Ditto Alice Fernando of ditto, (4) Ditto Miss Nona Fernando of ditto Respondents.

THIS matter coming on for disposal before J. H. V. S. Jayawickreme, Esq., District Judge of Kalutara, on August 12, 1946, in the presence of Mr. Wilson de Silva, Proctor, on the part of the petitioner, and the affidavit of the above-named petitioner dated May 6, 1946, having been read:

It is ordered that the petitioner Hettiyakandage Rompy Fernando, as brother of the said deceased, be appointed administrator of the estate of the said deceased, and that letters of administration be issued to him, unless the respondents or any party interested shall, on or before September 20, 1946, show sufficient cause to the satisfaction of this court to the contrary.

August 12, 1946.

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

In the District Court of Nuwara Eliya.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament or Jurisdiction. Trust Disposition and Settlement of William No. 415. Gibson of Netherbyres, Haputale in the Island of Ceylon, Tea Planter, deceased.

THIS matter coming on for disposal before M. M. Maharroof, Esq., District Judge of Nuwara Eliya, on August 12, 1946, in the presence of Mr. V. C. Modder, Proctor, on the part of the petitioner David Lowden of the Chartered Bank of India, Australia and China, Colombo; and (1) the affidavit of the said petitioner dated August 2, 1946, and (2) the power of attorney dated July 2, 1946, having been read: It is ordered that the will of the said William Gibson, deceased, dated October 10, 1905, a certified copy of which under the seal of the Commissariat of Edinburgh, Scotland, has been produced and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the said David Lowden is the attorney of the executor in Scotland of the said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before September 13, 1946, show sufficient cause to the satisfaction of this court to the contrary.

August 12, 1946.

M. M. MAHARROOF,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Ahangama Jurisdiction. Walawege Mendis Appuhamy of Ethgandara No. 8,192. estate, Imaduwa, deceased.

Ahangama Walawege Sirisena of Ethgandara estate, Imaduwa Petitioner.
Vs.

(1) Ceceliyana Senanayake of Ethgandara estate, Imaduwa, (2) Ahangama Walawege Gauthamadasa, merchant, Talawakele, (3) ditto Saranasena, Department of Fisheries, Colombo, (4) Ahangama Walawege Mendis Piyasena of Ethgandara estate, Imaduwa, (5) Ahangama Walawege Wajirasena, Sub-Inspector of Co-operative Societies, Dodangoda, (6) Ahangama Walawege Ariyavathie of Ethgandara estate, Imaduwa, (7) ditto Seelawathe of Bendiyamulla in Gampaha Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., District Judge of Galle, on July 19, 1946, in the presence of Mr. D. A. Wickramasinghe, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated July 15, 1946, having been read:

It is ordered that the said petitioner be and he is hereby declared, as son of the deceased, entitled to have letters of administration to the estate of the above-named deceased issued to him, unless the respondents or any other person or persons interested shall, on or before September 4, 1946, show sufficient cause to the satisfaction of this court to the contrary.

July 19, 1946.

S. J. C. SCHOKMAN,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Henry Alwis Wijesiri Gunawardene of Matara, No. 4,314. deceased.

Peerus Alwis Wijesiri Gunawardene of Ahangama Petitioner.
Vs.

(1) William Alwis Wijesiri Gunawardene of Ahangama, (2) Dedrick Alwis Wijesiri Gunawardene of Kalutara, (3) Albert Alwis Wijesiri Gunawardene of Horana, (4) Charles Alwis Wijesiri Gunawardene of Negombo, (5) Simon Alwis Wijesiri Gunawardene of Matara, (6) Dickwelle Vidanage Ellen Silva of Peradeniya, (7) Dickwelle Vidanage Hubert Silva of ditto, (8) Willie Wijeratne of Wellawatta, Colombo Respondents.

THIS matter coming on for disposal before K. D. de Silva, Esq., District Judge of Matara, on July 30, 1946, in the presence of

Mr. A. E. Bultjens, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated June 18, 1946, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as brother of the deceased, to have letters of administration issued to him, unless the respondents or any other person or persons interested in the estate shall, on or before September 9, 1946, show sufficient cause to the satisfaction of this court to the contrary.

July 30, 1946.

K. D. DE SILVA,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Sinnatamby
Jurisdiction. Kandiah of Karainagar East, Jaffna, deceased
No. 590. of Tampin, F. M. S.

Vs.

Velayuther Karthigesu of Karainagar East Petitioner.

(1) Nagamma, daughter of Sinnatamby Kandiah, (2) Ponnamma, daughter of Sinnatamby Kandiah, (3) Kanapathupillai Subramaniam, and wife (4) Siyapakkiam, (5) Sinnatamby Kandiah Paramanathan, (6) Thilagavathy, daughter of Sinnatamby Kandiah, all of Karainagar East, the 2nd, 5th and 6th respondents are minors, by their guardian *ad litem* the 1st respondent Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on July 31, 1946, in the presence of Mr. A. Kanagasabai, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated July 24, 1946, having been read:

It is further declared that the 1st respondent be appointed guardian *ad litem* over the minors 2nd 5th and 6th respondents and that the said petitioner be declared entitled to have letters of administration to the estate of the said intestate, as her father-in-law, unless the respondents or others interested shall, on or before September 11, 1946, show sufficient cause to the satisfaction of this court to the contrary.

July 31, 1946.

O. L. DE KRETZER,
Acting District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Valliammai,
Jurisdiction. wife of Sinnatamby Kandiah of Karainagar east,
No. 591. deceased of Tampin, F. M. S.

Velayuther Karthigesu of Karainagar East Petitioner,

Vs.

(1) Nagamma, daughter of Sinnatamby Kandiah, (2) Ponnamma, daughter of Sinnatamby Kandiah, (3) Kanapathupillai Subramaniam, and wife (4) Siyapakkiam, (5) Sinnatamby Kandiah Paramanathan, (6) Thilagavathy, daughter of Sinnatamby Kandiah, all of Karainagar East, the 2nd, 5th and 6th respondents are minors, by their guardian *ad litem* the 1st respondent Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on July 31, 1946, in the presence of Mr. A. Kanagasabai, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated July 24, 1946, having been read:

It is further declared that the said 1st respondent, be appointed guardian *ad litem* over the minors 2nd 5th and 6th respondents and that the said petitioner be declared entitled to have letters of administration to the estate of the said intestate, as her father, unless the respondents or others interested shall, on or before September 11, 1946, show sufficient cause to the satisfaction of this court to the contrary.

July 31, 1946.

O. L. DE KRETZER,
Acting District Judge.

Order Nisi.

Testamentary In the Matter of an Application of the Intestate
Jurisdiction. Estate of the late Kadanavi Panikkar Moham-
No. 691. mado Casim of Periyapullaichipotkeni, deceased.

Packeermohamed Mohamado Mohideen of Periyapullaichipotkeni Petitioner.

Vs.

(1) Packeermohamed Alimohamed of Periyapullaichipotkeni, and (2) Ascen Pathu Buvee, widow of Mohamado Cassim of Vepankulam Respondent.

THIS matter coming on for disposal before V. S. Gunewardene, Esq., District Judge, Mannar, on July 30, 1946, in the presence of Mr. M. M. Aboothahir, Proctor, on the part of the petitioner, and the petition and affidavit of the said petitioner, having been read:

It is ordered that the petitioner is entitled to letters of administration to the estate of the said intestate, unless the respondents or any other person shall, on or before September 16, 1946, show sufficient cause to the satisfaction of this court to the contrary.

July 30, 1946.

V. S. GUNEWARDENE,
District Judge.

In the District Court of Kurunegala.

Order Nisi.

Testamentary In the Matter of the Estate of the late Wijesundara
Jurisdiction. Mudiyanseleage Somawathie Kumarihamy of
No. 4,630. Amunugama, deceased.

THIS matter coming on for disposal before T. P. P. Goonatilaka, Esq., District Judge of Kurunegala, on June 21, 1946, in the presence of Mr. R. E. de S. Jayasundara, Proctor, on the part of the petitioner; and the affidavit of the petitioner—Tennakoon Mudiyanseleage Tikiri Banda Amunugama, dated May 20, 1946, having been read:

It is ordered that the will of Wijesundara Mudiyanseleage Somawathie Kumarihamy of Amunugama, deceased, dated May 25, 1941, and now deposited in this court be and the same is hereby declared proved, unless the respondent or any person on whom the court directs the order to be served shall, on or before July 26, 1946, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Tennakoon Mudiyanseleage Tikiri Banda Amunugama of Amunugama is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless the respondent or any other person on whom the court directs the order to be served shall on or before July 26, 1946, show sufficient cause to the satisfaction of this court to the contrary.

T. P. P. GOONATILAKA,
District Judge.

The date to show cause is extended for September 6, 1946.

T. P. P. GOONATILAKA,
District Judge.

In the District Court of Puttalam.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
No. 796. Anthonia Gnanamuthu nee Canagamuthu of Daluwa, deceased.

Between

Simon Sebastian Gnanamuthu of Chilaw Petitioner.

Vs.

(1) Mrs. Leo Pullenayagam of Mahateenu estate, Veralagama, Kandy, (2) Sebastian Gnanamuthu of Daluwa, (3) Mrs. R. J. Gnanamuthupillai of 48, St. Lucia's street, Kothahena Respondents.

THIS matter coming on for disposal before V. H. Wijeyaratne, Esq., District Judge of Puttalam, on July 17, 1946, on the motion of Mr. H. S. Ismail, Proctor, on the part of the petitioner; and the petition of the petitioner dated July 17, 1946, and affidavit dated May 5, 1946, having been read: It is ordered that the above-named petitioner Simon Sebastian Gnanamuthu be and he is hereby appointed administrator of the intestate estate of the above-named deceased Anthonia Gnanamuthu nee Canagamuthu and that letters of administration be accordingly issued to him, unless the respondents above named or any other person or persons interested in the matter of this application shall, on or before August 19, 1946, show sufficient cause to the contrary.

July 31, 1946.

V. H. WIJAYARATNE,
District Judge.

Time for showing cause against the *Order Nisi* is extended to September 9, 1946.

August 19, 1946.

V. H. WIJAYARATNE,
District Judge.

In the District Court of Puttalam

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of
No. 797. the late Sheikh Muhammad Ibrahim Pathu Muthu, deceased.

Hameed Hussain Marikar Muhammad Salih Marikar of Puttalam Petitioner.

Vs.

(1) Muhammad Ismail Marikar Hadija Beevy, (2) S. A. K. Hameed Hussain Marikar, (3) S. A. M. Haniffa Marikar, (4) Sheikh Muhammad Ibrahim Pitchai Thangachchy, (5) S. M. Muhammad Meera Natchiya all of Puttalam Respondents.

THIS matter coming on for disposal before V. H. Wijeyaratne, Esq., District Judge of Puttalam, on July 22, 1946, on the motion of Mr. H. S. Ismail, Proctor, on the part of the petitioner; and the petition of the petitioner dated July 22, 1946, and his affidavit dated July 22, 1946, and the affidavit of the witnesses to the last will dated July 9, 1946, having been read: It is ordered that the last will of the above-named deceased filed in this case be and the same is hereby declared proved and that the above-named petitioner be and he is hereby declared the executor of the said last will and that probate thereof be accordingly issued to him, unless the

respondents above named or any other person or persons interested in the matter of this application shall, on or before August 19, 1946, show sufficient cause to the contrary.

August 1, 1946:

V. H. WIJAYARATNE,
District Judge.

Time for showing cause against the *Order Nisi* is extended to September 9, 1946.

August 19, 1946.

V. H. WIJAYARATNE,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Annie Grace Jayamanna *nee* Perera of Madampe, No. 2,367. deceased.

S. K. D. Jayamanna of Madampe and presently of Kachcheri, Nuwara Ehiya Petitioner.

Vs.

(1) S. J. Percival Jayamanna, (2) L. G. Donald Jayamanna, (3) A. E. Christopher Jayamanna, (4) Mary Irene Frances Jayamanna, (5) Marian Therese Cieta Jayamanna, (6) Liyanage John Silva, all of Madampe Respondents.

THIS matter coming on for disposal before V. H. Wijeyaratne, Esq., District Judge of Chilaw, on August 1, 1946, in the presence of Mr. W. P. Ranasinghe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 26, 1946, having been read:

It is ordered that the 6th respondent above named be and he is hereby appointed guardian *ad litem* over the 2nd, 3rd, 4th and 5th respondents, who are minors, for all the purposes of this action, and that the petitioner above named, as the son of the said deceased, be and he is hereby declared entitled to have letters of administration to the estate of the said deceased, unless the said respondents or any other person or persons interested in the said estate shall, on or before September 5, 1946, show sufficient cause to the satisfaction of this court to the contrary.

August 1, 1946.

D. E. WIJEYAWARDANA,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Mahamalage Francis Sals Perera of Egodayagama, Madampe, deceased. No. 2,364.

Mahamalage Wenceslaus Perera of Madampe Petitioner.

Vs.

(1) J. K. Agnes Perera of Madampe, (2) M. Mary Josephine Perera of Wennappuwa, (3) M. Carlo Edmund Perera, (4) M. Cyril Anthony Perera, (5) M. Helen Therese Monica Perera, (6) M. Joseph Michael Caitanu Perera, all of Madampe Respondents.

THIS matter coming on for disposal before V. H. Wijeyaratne, Esq., District Judge of Chilaw, on May 31, 1946, in the presence of Mr. W. P. Ranasinghe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 31, 1946, having been read:

It is ordered that the 3rd respondent above named be and he is hereby appointed guardian *ad litem* over the 5th and 6th respondents, who are minors, for all the purposes of this action, and that the petitioner above named, as the son of the said deceased, be and he is hereby declared entitled to have letters of administration to the estate of the said deceased, unless the said respondents or any other person or persons interested in the said estate shall, on or before June 21, 1946, show sufficient cause to the satisfaction of this court to the contrary.

V. H. WIJAYARATNE,
District Judge.

Time for showing cause against this *Order Nisi* is extended to July 18, 1946.

June 25, 1946.

V. H. WIJAYARATNE,
District Judge.

Time for showing cause against this *Order Nisi* is extended to August 14, 1946.

July 18, 1946.

V. H. WIJAYARATNE,
District Judge.

Time for showing cause against this *Order Nisi* is extended to September 5, 1946.

August 19, 1946.

V. H. WIJAYARATNE,
District Judge.

PASSED ORDINANCES.

(Continued from page 754.)

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

No. 39 of 1946.

L. D.—O. 35/44.

An Ordinance to amend the Agricultural and Industrial Credit Corporation Ordinance, No. 19 of 1943.

[Assented to by His Majesty the King: See Proclamation dated August 29, 1946, published in Gazette No. 9,594 of August 30, 1946.]

J. C. HOWARD.

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

Short title.

1. This Ordinance may be cited as the Agricultural and Industrial Credit Corporation (Amendment) Ordinance, No. 39 of 1946.

Insertion of new section 24A in Ordinance No. 19 of 1943.

2. The following new section is hereby inserted immediately after section 24 of the Agricultural and Industrial Credit Corporation Ordinance, No. 19 of 1943, (hereinafter referred to as "the principal Ordinance"), and shall have effect as section 24A thereof:—

Power of Board to borrow from the public.

24A. (1) The Board may, pending any issue of debentures, raise from any person, for the purpose of carrying on the business of the corporation, a loan, repayable within a period not exceeding twelve months, of such sum or sums of money and on such terms and conditions relating to the rate and payment of interest, as the Board of Ministers may approve.

(2) The principal of, and interest due upon, every loan raised under sub-section (1) shall, as they fall due, be paid out of the funds of the corporation, and the payment thereof shall be guaranteed by the Government of Ceylon in writing under the signature of the Deputy Financial Secretary.

Amendment of section 37 of the principal Ordinance.

3. Section 37 of the principal Ordinance is hereby amended by the substitution, for "24, 25", of "24, 24A, 25".

Passed in Council the Nineteenth day of July, One thousand Nine hundred and Forty-five.

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

DRAFT ORDINANCES.

(Continued from page 754.)

MINUTE.

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

L. D.—O. 19/46.

34/2/4 (FSO).

An Ordinance to amend the Estate Duty Ordinance.Chapter 187,
Vol. IV., p. 574

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 Estate Duty (Amendment) Ordinance, No. of 1946. Short title.

2. Section 45A of the Estate Duty Ordinance is hereby amended as follows :— Amendment of section 45A of Chapter 187.

(1) in sub-section (3) of that section, by the substitution, for the words “an amount equal to the face value of such stock.”, of the following :—

“an amount equal to the aggregate of—

- (a) the face value of such stock, and
(b) the accrued interest on such stock.”;

(2) in sub-section (4) of that section, by the substitution, for the words “an amount which bears the prescribed proportion to the face value of such stock.”, of the following :—

“an amount equal to the aggregate of—

- (a) a sum bearing the prescribed proportion to the face value of such stock, and
(b) the accrued interest on such stock.”;

and

(3) by the addition, immediately after sub-section (4) of that section, of the following new sub-section :—

“ (5) Where the surrender of stock by any person under this section is deemed under sub-section (3) or sub-section (4) to be equivalent to the payment

in cash of an amount which exceeds the estate duty payable by him, the excess shall be disposed of in the following manner :—

(a) where the amount of the excess is not less than one hundred rupees—

(i) each complete sum of one hundred rupees comprised therein shall be reckoned as a unit and each unit or each group of two or more units, as the Financial Secretary may determine, shall be returned in the form of stock of the same issue as the surrendered stock ; and

(ii) any outstanding fraction of a unit shall be returned in cash ; and

(b) where the amount of the excess is less than one hundred rupees, such amount shall be returned in cash. ”

Objects and Reasons.

Section 45A of the Estate Duty Ordinance (Chapter 187) enables the surrender of Government stock in lieu of the payment of estate duty in cash. The surrender of such stock is deemed under that section to be equivalent to the payment in cash of a certain amount. That amount does not include accrued interest on such stock.

2. Where the value of the stock surrendered is in excess of that which is required for the payment of estate duty, the excess has to be returned. The manner of returning such excess is not set out in the aforesaid section.

3. The object of this Bill is to amend section 45A of the Estate Duty Ordinance so as to provide that the amount referred to in the first paragraph shall include the interest mentioned in that paragraph and that the excess referred to in the second paragraph shall be returned in stock in certain circumstances and in cash otherwise.

Financial Secretary's Office, C. E. JONES,
Colombo, August 28, 1946. Acting Financial Secretary.