



THE CEYLON GOVERNMENT GAZETTE

No. 9,720 — FRIDAY, JUNE 20, 1947.

Published by Authority.

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. 23 of 1947.

L. D.—O. 1/42.

PN 1272.

An Ordinance to amend the Public Service Provident Fund Ordinance, No. 18 of 1942.

HENRY MOORE.

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

1. This Ordinance may be cited as the Public Service Provident Fund (Amendment) Ordinance, No. 23 of 1947. Short title.

2. The following new section is hereby inserted immediately after section 5, and shall have effect as section 5A, of the Public Service Provident Fund Ordinance, No. 18 of 1942 (hereinafter referred to as "the principal Ordinance") :— Insertion of new section 5A in Ordinance No. 18 of 1942.

" 5A. Notwithstanding anything in sections 2, 4 and 5, a person who becomes a scheduled employee on or after such date as may be specified by the Governor for the purposes of this section by Order published in the *Gazette*, not being a date earlier than the first day of March, 1947, shall not be entitled to contribute to the Fund or to receive any benefits therefrom unless the salary of such person is payable at a monthly rate." Modification of sections 2, 4 and 5 in certain cases.

3. Section 7 of the principal Ordinance is hereby amended in sub-section (2) thereof, by the substitution, for the words and figures "sections 10 and 11.", of the words and figures "sections 10, 11 and 13." Amendment of section 7 of the principal Ordinance.

4. (1) Section 13 of the principal Ordinance is hereby amended as follows :— Amendment of section 13 of the principal Ordinance.

(a) by the substitution, for all the words from "if a contributor dies" to "in any of the following circumstances.", of the following :—

"if a contributor is transferred from a scheduled post to any other post or office (not being a pensionable post or office) in the public service or dies while in the service of the Government or leaves the service in any of the following circumstances." ;

(b) in paragraph (a) of the proviso thereto, by the substitution for the words and figures "the Fund or deemed to be so paid under section 7;" , of the words "the Fund;" ; and

(c) by the substitution, for the marginal note thereto, of the following new marginal note :—

"Payment of benefits on death, transfer or termination of service."

(2) The amendments effected in the principal Ordinance by sub-section (1) shall for all purposes be deemed to have had effect on the first day of May, 1943.

Insertion of new section 13A in the principal Ordinance.

Power to modify paragraph (6) of section 13 in the case of female employees.

5. The following new section is hereby inserted immediately after section 13, and shall have effect as section 13A, of the principal Ordinance :—

“ 13A. The Governor may, by Order published in the *Gazette*, direct that in the case of a female contributor of any such class or description as may be specified in the Order the minimum service required by paragraph (6) of section 13 shall be five years' service in lieu of the three years' service specified in that paragraph, and in every such case the provisions of that paragraph shall apply accordingly.”

Amendment of section 14 of the principal Ordinance.

6. Section 14 of the principal Ordinance is hereby amended as follows :—

(1) by the substitution, for all the words from “ if a contributor shall be dismissed, ” to “ under which he may be serving—”, of the following :—

“ if a contributor is dismissed, or discontinued on the ground of inefficiency or misconduct or leaves the service of the Government in any circumstances other than those in which section 13 applies—” ;

and,

(2) by the substitution, for the marginal note thereto, of the following new marginal note :—

“ Payment of benefits on dismissal or discontinuance or termination of service in any circumstances other than those in which section 13 applies.”

Replacement of section 19 of the principal Ordinance.

Benefit or qualification which, under the Minutes on Pensions, has accrued to a contributor before he became a contributor.

7. Section 19 of the principal Ordinance is hereby repealed and the following section is substituted therefor :—

“ 19. Where a contributor has, before the date on which he became a contributor, held any post or office, service in which has qualified or would qualify him for an award under the Minutes on Pensions; he may retain any benefit or qualification which may have accrued to him under such Minutes, and, accordingly—

(a) in the event of his leaving the public service in any of the following circumstances, that is to say—

- (i) retirement on account of age or on the ground of ill-health ; or
- (ii) abolition of office,

the following award may be granted to such contributor, namely, such award as might have been granted to him under such Minutes if he had retired from such service on the aforesaid date on the ground of ill-health, or

(b) in the event of his death while he is in such service, the following award under those Minutes may be granted to the person or persons to whom such award might have been granted under those Minutes, namely, such award as might have been granted under those Minutes to such person or persons if such contributor had died on the aforesaid date :

Provided, however, that where such contributor leaves the public service in consequence of abolition of office, such award shall be granted to him on the date on which he leaves the public service or on the date on which he attains the age of fifty-five years, whichever is less.”

Insertion of new section 19A in the principal Ordinance.

Deductions on account of income tax.
Cap. 188.

8. The following new section is hereby inserted immediately after section 19, and shall have effect as section 19A, of the principal Ordinance :—

“ 19A. In the event of the Fund being approved by the Commissioner of Income Tax under section 9 (1) (g) of the Income Tax Ordinance, the Deputy Financial Secretary may, before payment is made of moneys lying to the credit of a contributor's account in the Fund, make deductions on account of income tax from such moneys in accordance with the conditions prescribed by the Commissioner of Income Tax under the aforesaid section of that Ordinance. Any sum so deducted shall be paid to the Commissioner of Income Tax.”

9. Section 20 of the principal Ordinance is hereby amended as follows :—

Amendment of section 20 of the principal Ordinance.

- (1) by the substitution, for the words " Where payment ", of the words " Before payment "; and
- (2) by the substitution, for the words " the amount otherwise payable. ", of the words " such moneys. "

10. Section 23 of the principal Ordinance is hereby amended as follows :—

Amendment of section 23 of the principal Ordinance.

- (1) in sub-section (1), by the substitution, for the words " may deem fit. ", of the words " may deem fit, or from time to time replace the Schedule by a new Schedule incorporating all amendments and variations made under the preceding provisions of this sub-section. "; and

- (2) by the substitution, for the marginal note thereto, of the following new marginal note :—

" Power to amend and replace Schedule and consequences of such amendment and replacement. "

Passed in Council the Fifteenth day of May, One thousand Nine hundred and Forty-seven.

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

Assented to by His Excellency the Governor the Third day of June, One thousand Nine hundred and Forty-seven.

J. A. MULHALL,
Secretary to the Governor.

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

No. 25 of 1947.

L. D.—CF. 3/47

An Ordinance to provide, in the event of a public emergency, for the enactment of Emergency Regulations in the interests of the public security and the preservation of public order and for the maintenance of supplies and services essential to the life of the community.

HENRY MOORE.

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

PART I.—GENERAL.

1. This Ordinance may be cited as the Public Security Ordinance, No. 25 of 1947.

Short title.

2. (1) Where the Governor is of opinion that, by reason of the existence in Ceylon of a state of public emergency, it is expedient so to do in the interests of public security and the preservation of public order or for the maintenance of supplies and services essential to the life of the community, the Governor may, by Proclamation published in the *Gazette*, declare that the provisions of Part II. of this Ordinance shall come into operation forthwith or on such date as may be specified in the Proclamation.

Power of Governor to bring Part II into operation in event of public emergency.

(2) Where the provisions of Part II. of this Ordinance have come into operation by virtue of a Proclamation under sub-section (1), they shall continue in operation until such time as that Proclamation is revoked by the Governor, but without prejudice to the power of the Governor subsequently to make a further Proclamation under that sub-section.

3. Where the provisions of Part II. of this Ordinance are or have been in operation during any period by virtue of a Proclamation under section 2, the fact of the existence in Ceylon, during that period, of a state of public emergency shall not be called in question in any court.

Presumption as to existence of public emergency.

4. The revocation of any Proclamation under section 2 shall not affect or be deemed to have affected—

Saving provisions applicable on cessation of operation of Part II.

- (a) the past operation of anything duly done or suffered to be done under Part II of this Ordinance while that Part was in operation ;

- (b) any offence committed, or any right, liberty or penalty acquired or incurred while that Part was in operation;
- (c) the institution, maintenance or enforcement of any action, proceeding or remedy under that Part in respect of any such offence, right, liberty or penalty.

PART II.—EMERGENCY REGULATIONS.

Power of Governor to make Emergency Regulations.

5. (1) The Governor may, upon the recommendation of the appropriate Minister, make such Regulations (hereinafter referred to as "Emergency Regulations") as appear to him to be necessary or expedient in the interests of public security and the preservation of public order and the suppression of mutiny, riot or civil commotion, or for the maintenance of supplies and services essential to the life of the community.

(2) Without prejudice to the generality of the powers conferred by the preceding sub-section, Emergency Regulations may, so far as appears to the Governor to be necessary or expedient for any of the purposes mentioned in that sub-section—

- (a) make provision for the detention of persons;
- (b) authorise—
- (i.) the taking of possession or control, on behalf of His Majesty, of any property or undertaking;
- (ii.) the acquisition on behalf of His Majesty of any property other than land;
- (c) authorise the entering and search of any premises;
- (d) provide for amending any law, for suspending the operation of any law and for applying any law with or without modification;
- (e) provide for charging, in respect of the grant or issue of any licence, permit, certificate or other document for the purposes of the Regulations, such fee as may be prescribed by or under the Regulations;
- (f) provide for payment of compensation and remuneration to persons affected by the Regulations;
- (g) provide for the apprehension, trial and punishment of persons offending against the Regulations:

Provided that nothing in this section shall authorise the making of provision for the trial of persons by Military Courts.

(3) For the purposes of sub-section (1), the expression "the appropriate Minister" in relation to any Emergency Regulation proposed to be enacted, means the Chairman of the Executive Committee which, or the Officer of State who, by or under the Ceylon (State Council) Order in Council, 1931, is given charge of the subject or function to which the proposed regulation relates.

Delegation of powers.

6. Emergency Regulations may provide for empowering such authorities or persons as may be specified in the Regulations to make orders and rules for any of the purposes for which such Regulations are authorised by this Ordinance to be made, and may contain such incidental and supplementary provisions as appear to the Governor to be necessary or expedient for the purposes of the Regulations.

Emergency Regulations to prevail over other law.

7. An Emergency Regulation or any order or rule made in pursuance of such a Regulation shall have effect notwithstanding anything inconsistent therewith contained in any law; and any provision of a law which may be inconsistent with any such Regulation or any such order or rule shall, whether that provision shall or shall not have been amended, modified or suspended in its operation under section 5 of this Ordinance, to the extent of such inconsistency have no effect so long as such Regulation, order or rule shall remain in force.

Regulations, orders, &c., not to be called in question in any court.

8. No Emergency Regulation, and no order, rule or direction made or given thereunder shall be called in question in any court.

Protection of officers, &c.

9. No suit, prosecution or other proceeding, civil or criminal, shall lie against the Government or any officer or person for any act or thing in good faith done in pursuance or supposed pursuance of any Emergency Regulation or of any order made or direction given thereunder.

Reception of documents in evidence, &c.

10. Every document purporting to be an instrument made or issued by the Governor or other authority or person in pursuance of this Ordinance or of any Emergency Regulation,

and to be signed by or on behalf of the Governor or such other authority or person, shall be received in evidence, and shall, until the contrary is proved, be deemed to be an instrument made or issued by the Governor or that authority or person.

11. Notwithstanding anything in the Interpretation Ordinance or in any other law, every Emergency Regulation shall come into force forthwith upon its being made by the Governor, and shall be deemed to be as valid and effective as though it were herein enacted.

Passed in Council the Eleventh day of June, One thousand Nine hundred and Forty-seven.

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

Assented to by His Excellency the Governor the Sixteenth day of June, One thousand Nine hundred and Forty-seven:

J. A. MULHALL,
Secretary to the Governor.

Regulations
to come
into force
upon being
made by
the
Governor.

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

No. 26 of 1947.

L. D.—O. 50/45.

An Ordinance to amend the Education Ordinance,
No. 31 of 1939.

HENRY MOORE.

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

1. This Ordinance may be cited as the Education (Amendment) Ordinance, No. 26 of 1947.

2. Part II of the Education Ordinance, No. 31 of 1939, (hereinafter referred to as "the principal Ordinance"), is hereby amended as follows:—

(1) by the substitution, for the heading "ADVISORY BODIES AND COMMITTEES, CENTRAL AND LOCAL.", of the following heading:—

"ADVISORY AND EXECUTIVE BODIES.";

and

(2) by the insertion, immediately after section 12, of the following new sections which shall have effect as sections 12A, 12B, 12C, 12D, 12E, and 12F, respectively, in that Part:—

"The Examinations Council.

12A. There shall be established an Examinations Council consisting of the Director and of the prescribed number of members appointed by the Governor.

12B. The Examinations Council shall be an executive body and shall organise and conduct examinations in accordance with such regulations, as may be made under this Ordinance.

12C. The provisions of sections 7 and 8 as to meetings, appointment of members, tenure of office, and vacation of office shall apply to the Examinations Council and the members thereof in like manner as if every reference in those provisions to the Board or to members of the Board were a reference to the Examinations Council or to members thereof.

The Educational Research Council.

12D. There shall be established an Educational Research Council consisting of the Director and of the prescribed number of members appointed by the Governor.

12E. The Educational Research Council shall be an executive body and shall, subject to such directions as may be issued by the Executive Committee, conduct and promote research in educational theory and practice and investigations and experiments with a view to the improvement of the methods of teaching.

Short title.

Amendment of
Part II of
Ordinance
No. 31 of 1939.

Establishment
of Examinations
Council.

Functions of
Examinations
Council.

Meetings,
appointment
of members,
and tenure
and vacation
of office by
members, of
Examinations
Council.

Establishment
of Educational
Research
Council.

Functions of
Educational
Research
Council.

Meetings, appointment of members, and tenure and vacation of office by members, of Educational Research Council.

Amendment of section 28 of the principal Ordinance.

Replacement of section 29 of the principal Ordinance.

Religious instruction.

Repeal of section 30 of the principal Ordinance.

12f. The provisions of sections 7 and 8 as to meetings, appointment of members, tenure of office, and vacation of office shall apply to the Educational Research Council and the members thereof in like manner as if every reference in those provisions to the Board or to members of the Board were a reference to the Educational Research Council or to members thereof."

3. Section 28 of the principal Ordinance is hereby amended by the addition, at the end thereof, of the following proviso :—

" Provided however that, during such period as may be prescribed, an applicant may be refused admission into any Assisted school on the ground that there are no facilities at the school for teaching him through the medium of the language through which he is by regulation made under this Ordinance required to be taught. "

4. Section 29 of the principal Ordinance is hereby repealed and the following section substituted therefor :—

29. (1) Subject as hereinafter provided, instruction in the religion of the parent of each pupil in a Government school shall be given to that pupil, as part of his course of studies in the school, by a person who is an adherent of that religion and who has been approved by the Director :

Provided however that—

(a) instruction in a particular religion need not be given in a Government school where there are not more than fifteen pupils whose parents are of that religion, and

(b) attendance of a pupil at any instruction in, or any worship or observance connected with, the religion of his parent shall not be required or permitted if the parent has voluntarily made a written request to the principal of the school to exempt the pupil from such attendance.

(2) The principal or any person for the time being in charge of a Government school or an Assisted school shall not require or permit a pupil of the school to attend, in the school or in any hostel of the school or in any chapel or place of worship situated within the premises of the school, any instruction in, or any worship or observance connected with, a religion which is not the religion of the parent of the pupil.

(3) The time for any instruction in, or for any worship or observance connected with, any religion at a meeting of a Government school or an Assisted school shall be at the beginning or at the end or at the beginning and the end of such meeting, and shall be specified in a time table approved by the Director and kept permanently and conspicuously affixed in every classroom of the school.

(4) For the purposes of this section—

(a) the definition of "parent" in section 50 shall not apply, and

(b) the religion of the parent of a pupil shall be determined in accordance with the following provisions :—

(i) where the father of the pupil, being of sound mind, makes a declaration of his religion, that religion shall be deemed to be the religion of the parent of the pupil ;

(ii) where, in the absence of the declaration referred to in the preceding paragraph (i), the mother of the pupil, being of sound mind, makes a declaration of her religion, that religion shall be deemed to be the religion of the parent of the pupil ;

(iii) in any case other than that referred to in any of the preceding paragraphs (i) and (ii), the religion which any person having legal or actual control of the pupil declares to be the pupil's religion shall be deemed to be the religion of the parent of the pupil.

(5) In the case of any Assisted school, the Director may, for the breach of any of the provisions of this section, withhold or refuse to pay any such grant from State funds as may be payable to the manager of the school or remove the school from the list of registered schools."

5. Section 30 of the principal Ordinance is hereby repealed.

6. Section 31 of the principal Ordinance is hereby amended as follows :—

Amendment of section 31 of the principal Ordinance.

- (1) by the substitution, for sub-section (1) of that section, of the following sub-section :—

“(1) The Director may appoint as the manager of an Assisted school any person recommended in writing by the proprietor of the school.”;

- (2) by the insertion, immediately after sub-section (3) of that section, of the following new sub-sections :—

“(3A) The Director may suspend or remove from office the manager of an Assisted school either of the Director's own motion or upon a written request made in that behalf by the proprietor of the school.

(3B) Where the proprietor of an Assisted school makes a written request to the Director to suspend or remove from office the manager of the school, the Director may, for reasons to be stated by him in writing and communicated to the proprietor, refuse to suspend or remove the manager from office.

(3C) A person suspended or removed from the office of manager of an Assisted school by the Director of his own motion shall be entitled to appeal to the Executive Committee against the suspension or removal. The decision of the Executive Committee on any appeal under this sub-section shall be final and conclusive.”; and

- (3) in sub-section (4) of that section, by the substitution, for the words “ recommendation of the proprietor.”, of the following :—

“ recommendation of the proprietor, or refusing to suspend or remove the manager from office.”.

7. Section 32 of the principal Ordinance is hereby amended in sub-section (2) thereof as follows :—

Amendment of section 32 of the principal Ordinance.

- (1) under the heading “ I.—Education.”—

- (a) by the substitution, for paragraph (a), of the following paragraph :—

“(a) the establishment, taking over, transfer, continuance, discontinuance, grading, staff, and equipment of schools, including nursery schools for the education of children who have not attained the age of five years, schools for the education of blind, deaf, defective, or epileptic children, and schools in any sanatorium for the reception of pupils and teachers from schools in epidemic-stricken areas ;”;

- (b) by the insertion, immediately after paragraph (b), of the following new paragraph :—

“(ba) the registration of schools after July 1, 1947, subject to the condition that in the case of any denominational school any grant from State funds shall be payable only in respect of pupils whose parents profess the religion of the proprietor of the school ;”;

- (c) by the insertion, immediately after paragraph (c), of the following new paragraphs :—

“(ca) the language through the medium of which instruction shall be given in any class in any Government school or Assisted school ;

(cb) the classification of pupils other than those attending unaided schools, and their assignment to classes or schools, according to their proficiency and aptitude ;”;

- (d) in paragraph (g), by the substitution, for the words “ free meals and free books”, of the words “ free meals, free clothes, and free books”;

- (e) by the insertion, immediately after paragraph (g), of the following new paragraph :—

“(gg) the classification of schools into—

- (i) secondary schools,
 (ii) senior schools,
 (iii) practical schools, and
 (iv) other classes and types ;”;

(f) by the substitution, for paragraph (j), of the following paragraph :—

“(j) the qualifications, period of training, salaries, appointment, registration, grading, suspension, and removal of teachers ; ”;

and

(g) in paragraph (o), by the substitution, for all the words from “child between the ages” to “residing”, of the following :—

“child not less than five and not more than sixteen years of age residing”;

(2) under the heading “II.—*Training of Teachers.*”, by the substitution, for paragraph (a), of the following paragraph :—

“(a) the establishment, taking over, transfer, continuance, discontinuance, staff, and equipment of, and the control of the admission of students into, training schools for teachers ; ”;

and

(3) under the heading “IV.—*General.*”—

(a) by the substitution, for paragraph (a), of the following paragraph :—

“(a) the terms and conditions relating to the award of exhibitions and scholarships for purposes of study whether in Ceylon or abroad ; ”;

(b) by the insertion, immediately after paragraph (a), of the following new paragraph :—

“(aa) the education of adults ; ”;

(c) by the omission of paragraph (c) ; and

(d) in paragraph (f), by the substitution, for the words “Board of Education,” of the words “Board of Education, Examinations Council, Educational Research Council,”

Replacement of sections 84 to 40 of the principal Ordinance.

Application of Part VI.

Premises to be set apart on estates for establishing schools for children resident on the estates.

8. Sections 34. to 40 (both inclusive) of the principal Ordinance are hereby repealed and the following sections substituted therefor :—

“34. (1) This Part of this Ordinance shall, subject to the provisions of sub-section (2), apply to every estate on which there are more than twenty-seven children who are not less than five and not more than sixteen years of age and whose parents are resident on that estate.

(2) Where the Director certifies in writing that the children resident on any estate referred to in sub-section (1) can be conveniently educated in any school other than a school established and maintained under this Part of this Ordinance, the Governor may by order published in the *Gazette* declare that this Part shall not apply to such estate ; and where such Order is made in respect of such estate, the provisions of the other Parts of this Ordinance shall apply to the education of such children.

35. (1) Subject to the provisions of sub-section (2), the owner of an estate shall set apart on the estate premises consisting of—

(a) a building which conforms to such standard as may be prescribed and which is to be used for educating the children on the estate who are required to attend school under section 38,

(b) a habitable house for a married head teacher, and

(c) an area of uncultivated land not less than one acre in extent situated in the vicinity of the aforesaid building and suitable for use partly as a school playground and partly as a school garden.

(2) The owners of two or more estates may, with the written sanction of the Director, jointly set apart on any of those estates such premises as are referred to in sub-section (1) for the purposes of a common school for the children on those estates who are required to attend school under section 38, and where such premises are so set apart, the owner of each of those estates shall be deemed to have adequately complied with the provisions of sub-section (1).

(3) Where the owner of an estate has failed to comply or is not deemed to have complied with the provisions of sub-section (1), the Director may, by written notice served on the person for the time being in charge of the estate, direct the owner to conform to those provisions within such period not less than six months as may be specified in the notice ; and where such notice is served on the aforesaid person and the owner commits default

in complying with the notice, the Director or any person authorised by him may enter the estate with such assistants, servants, implements and materials, and do such acts and take such measures, as may be necessary to make good the default of the owner.

(4) The amount of the expenses incurred by the Director in causing any act to be done or any measure to be taken on an estate under sub-section (3) shall be deemed to be a debt due to the Crown from the owner of the estate and shall be recovered accordingly.

36. (1) The owner and the person for the time being in charge of an estate shall permit the Director to establish and maintain a Government school on premises set apart on the estate under section 35.

Establishment and maintenance of Government schools on premises set apart on estates under section 35.

(2) Where a Government school is maintained on premises set apart on an estate under section 35, the Director shall pay to the owner of the estate rent at such rates and at such times as may be prescribed.

(3) The owner of an estate shall keep in repair any building or house in respect of which the Director pays rent under sub-section (2). Where any necessary repairs to such building or house are not effected by the owner, the Director shall, by written notice served on the person for the time being in charge of the estate, require the owner to effect those repairs within such period not less than two months as may be specified in the notice; and where such notice is served on the aforesaid person and the owner commits default in complying with the notice, the Director shall cause those repairs to be effected and shall deduct their cost from the rent payable to the owner.

(4) So long as the Director pays rent under sub-section (2) in respect of premises set apart on an estate under section 35, no action or proceedings for the ejectment of the Director or any person authorised by the Director from those premises shall be instituted in or entertained by any court.

37. Where a Government school is maintained on premises set apart on an estate under section 35, no person shall, without the written permission of the Director, use any part of those premises for any purpose other than a purpose of that school.

Prohibition of unauthorised use of premises set apart under section 35.

38. Where the parent of a child not less than five and not more than sixteen years of age is resident on an estate, he shall cause the child to attend school.

Parents to cause children to attend school.

39. The owner and the person for the time being in charge of an estate shall permit the Director or any person authorised by the Director—

Entry into estates.

- (a) to enter, inspect or occupy any premises set apart on the estate under section 35, or
- (b) to transport by vehicle any person or article into or out of those premises, or
- (c) to enter the estate and exercise the powers conferred by sub-section (3) of section 35.

40. (1) A parent who contravenes the provisions of section 38 shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one rupee, and in the case of a continuing offence, an additional fine of fifty cents in respect of each day on which the offence is continued.

Offences.

(2) The owner or the person in charge of an estate who contravenes the provisions of sub-section (1) of section 36 or the provisions of section 39, and any person who contravenes the provisions of section 37, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred rupees or to imprisonment of either description for any period not exceeding three months."

9. Notwithstanding anything in the new section 38 inserted in the principal Ordinance by this Ordinance, it shall not be obligatory to cause any child referred to in that section to attend school—

Exemptions from the provisions of new section 38 inserted in the principal Ordinance by this Ordinance.

- (a) during the period commencing on the date on which this Ordinance comes into operation and ending on December 31, 1947, if he is more than ten years of age, or
- (b) during the period commencing on January 1, 1948, and ending on December 31, 1949, if he is more than twelve years of age, or
- (c) during the period commencing on January 1, 1950, and ending on December 31, 1951, if he is more than fourteen years of age:

Provided, however, that a child who under paragraph (a) is exempted from attending school shall not under paragraph (b) or paragraph (c) be so exempted, and a child who under paragraph (b) is exempted from attending school shall not under paragraph (c) be so exempted.

Insertion of new section 41A in Part VII of the principal Ordinance.

Prohibition of fees for admission to or education in Government and Assisted schools.

10. Subject to the provisions of section 11 of this Ordinance, the following new section is hereby inserted in Part VII., immediately before section 42, and shall have effect as section 41A, of the principal Ordinance :—

“41A. (1) No fees shall be charged in respect of admission to, or of the education provided in, a Government school or an Assisted school.

(2) Notwithstanding anything in sub-section (1), charges not exceeding the prescribed rates in respect of the provision of any facilities for games or physical training or of the provision of any article or service for a prescribed purpose may be levied in a Government school or an Assisted school, from such of the pupils benefited by that provision as are, in the opinion of the principal of the school, able to pay those charges.

(3) In the case of any Assisted school, the Director may, for the contravention of the provisions of sub-section (1), withhold or refuse to pay any such grant from State funds as may be payable to the manager of the school or remove the school from the list of registered schools.”

Application of the provisions of new section 41A inserted in the principal Ordinance by this Ordinance.

11. Where, in accordance with the School Grants (Revised Conditions) Regulations, 1945, published in *Gazette* No. 9,459 of September 14, 1945, the proprietor of an Assisted school elects that the revised conditions set out in those Regulations shall be complied with in that school and nominates 1948 as the year in which the compliance is to commence, the provisions of section 41A inserted in the principal Ordinance by this Ordinance shall apply to that school on and after October 1, 1948, and not earlier.

Insertion of new sections 43A, 43B, 43C and 43D in the principal Ordinance.

Discontinuance of unaided schools which are unsatisfactory.

12. Subject to the provisions of section 13 of this Ordinance, the following new sections are hereby inserted immediately after section 43, and shall have effect as sections 43A, 43B, 43C and 43D, respectively, of the principal Ordinance :—

“43A. (1) Where, after an unaided school has been examined under section 43, the Director is satisfied that the school is open to the complaint—

- (a) that, having regard to the number, ages and sex of the pupils attending the school, the accommodation provided at the school is inadequate or unsuitable, or
- (b) that the sanitary arrangements at the school are inadequate, or
- (c) that, having regard to the ages and sex of the pupils attending the school, efficient and suitable instruction is not provided at the school, or
- (d) that the proprietor of the school or any teacher employed therein is not a proper person to be the proprietor of a school or to be a teacher in a school, as the case may be,

the Director may cause to be served upon the proprietor of the school an order—

- (i) stating full particulars of the matters complained of and the measures necessary to remedy such matters,
- (ii) specifying the time, not being less than six months after the service of the order, within which such measures are to be taken, and
- (iii) directing that, in the event of such measures not being taken within such time, the school shall be discontinued forthwith after the expiry of such time.

(2) Every order served under this section shall also specify the time, not being less than one month after the service of the order, within which an appeal against the order may be preferred as hereinafter provided.

Order under section 43A.

43B. The proprietor of an unaided school on whom an order is served under section 43A may, within the time allowed in that behalf by the order, prefer a written appeal against the order to a Tribunal of Appeal constituted under section 43C. Every appeal shall state the substance of the order against which the appeal is preferred and the grounds of appeal, and shall be addressed to the Chairman, Tribunal of Appeal, and transmitted to the office of the Director so as to reach the Director within the aforesaid time.

43c. (1) For the purpose of constituting Tribunals of Appeal for hearing and determining appeals under section 43B, there shall be established a panel of not less than ten persons appointed by the Governor.

Tribunal
of Appeal.

(2) A person who is directly or indirectly engaged in the management of any school or who has no legal experience shall not be eligible for appointment to the panel under sub-section (1). Every person appointed to the panel shall, unless he earlier resigns his office or is removed therefrom by the Governor, hold office for such period as the Governor may determine at the time of the appointment. Any person vacating office by effluxion of time may be reappointed to the panel.

(3) Every Tribunal of Appeal shall consist of three persons selected from the panel by the Minister and shall be convened by the Director. The members of such Tribunal shall elect one from among themselves as Chairman of such Tribunal. The decision of the majority of such members on any matter referred to such Tribunal shall be the decision of such Tribunal.

(4) It shall be the duty of the Director to submit to a Tribunal of Appeal constituted under this section every appeal preferred under section 43B.

(5) Upon an appeal being submitted under sub-section (4) to a Tribunal of Appeal, such Tribunal may, after affording to the appellant and the Director or their representatives an opportunity of being heard and after considering such evidence as may be tendered by them or on their behalf, make an order—

- (a) that the order against which the appeal has been preferred shall be annulled, or
- (b) that the unaided school to which such order relates shall be discontinued unless the requirements of such order, subject to any modifications which may be specified by such Tribunal, are complied with within the time so specified.

43D. Where an order for the discontinuance of an unaided school, made under section 43A and not appealed against under section 43B or made under section 43C, is not complied with within the time specified in that behalf in the order, the proprietor of that school shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred rupees, and, in the case of a continuing offence, an additional fine not exceeding ten rupees in respect of each day on which the offence is continued."

Non-compliance
with an order
for discontinu-
ance of an un-
aided school to
be an offence.

13. (1) During the period commencing on the date on which this Ordinance comes into operation and ending on the date on which the State Council constituted by the Ceylon (State Council) Order in Council, 1931, is dissolved—

Operation of
new sections
43B and 43C
of the
principal
Ordinance.

(a) section 43B inserted in the principal Ordinance by this Ordinance shall have effect as if—

- (i) for the words "a Tribunal of Appeal constituted under section 43c.", there were substituted the words "the Executive Committee of Education.",

and

- (ii) for the words "addressed to the Chairman, Tribunal of Appeal, and transmitted to the office of the Director so as to reach the Director within the aforesaid time.", there were substituted the words "addressed to the Executive Committee of Education and transmitted to the office of the Minister for Education so as to reach him within the aforesaid time.";

and

(b) section 43c inserted in the principal Ordinance by this Ordinance shall have effect as if—

- (i) for the marginal note thereto, there were substituted the following marginal note:—

"Powers of the Executive Committee of Education in regard to appeals under section 43B.",

- (ii) sub-sections (1), (2), (3) and (4) were omitted therefrom,

- (iii) sub-section (5) thereof were re-numbered as section 43c,

(iv) for the words "Upon an appeal being submitted under sub-section (4) to a Tribunal of Appeal, such Tribunal may," there were substituted the words "Upon an appeal being preferred under section 43B to the Executive Committee of Education, such Committee may," and

(v) for the words "by such Tribunal," there were substituted the words "by such Committee,".

(2) Upon the expiry of the period specified in sub-section (1), all pending appeals under section 43B of the principal Ordinance as modified by that sub-section shall be referred by the Minister for Education to a Tribunal of Appeal constituted under section 43C of the principal Ordinance, and such Tribunal shall hear and determine those appeals in accordance with sub-section (5) of the said section 43C.

Insertion of new section 49A in the Principal Ordinance.

14. The following new section is hereby inserted immediately after section 49, and shall have effect as section 49A, of the principal Ordinance :—

Exemption from the provisions of this Ordinance.

"49A. The provisions of this Ordinance shall not apply to any institutions, devoted mainly or entirely to the education in agriculture of persons who are not less than sixteen years of age."

Amendment of section 50 of the principal Ordinance.

15. Section 50 of the principal Ordinance is hereby amended, in sub-section (1) thereof, by the insertion, immediately after the definition of "State funds", of the following definition :—

" "unaided school" means a school which is not a Government school or an Assisted school ; "

Passed in Council the Twenty-seventh day of May, One thousand Nine hundred and Forty-seven.

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

Assented to by His Excellency the Governor the Seventeenth day of June, One thousand Nine hundred and Forty-seven.

J. A. MULLHALL,
Secretary to the Governor.

DRAFT ORDINANCES.

MINUTE.

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

M/L. A.—B. A. 448

An Ordinance to provide for the continuance of the Anuradhapura (Preservation) Ordinance, No. 34 of 1942, notwithstanding the expiry thereof, and for the validation, indemnity and other matters rendered necessary by such expiry.

WHEREAS the Anuradhapura (Preservation) Ordinance, No. 34 of 1942, which, by virtue of sub-section (1) of section 1 thereof and the several proclamations heretofore published under the proviso to that sub-section, was in force until the twenty-first day of November, 1946, has not been continued in force from that day :

And Whereas the continuance of that Ordinance, for a further period commencing on that day, is necessary for the purpose of securing the objects for which that Ordinance was enacted :

Be it, therefore, 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 Anuradhapura Preservation Ordinance (Continuation) Ordinance, No. of 1947.

Duration of Ordinance No. 34 of 1942.

2. The Anuradhapura (Preservation) Ordinance, No. 34 of 1942, (hereinafter referred to as the "principal Ordinance"), shall, notwithstanding anything in section 1 of that Ordinance, be deemed to have been in force during the period commencing on the twenty-first day of November, 1946, and ending on the day immediately preceding the date of the commencement of this Ordinance, and shall continue to be in force from that date until the twenty-first day of November, 1949, or until such earlier day as may be appointed in that behalf by the Governor by proclamation published in the Gazette.

3. (a) All regulations made under the principal Ordinance and in force immediately prior to the twenty-first day of November, 1946; and

(b) all permits granted and all orders and decisions made or given by the proper officer or the Executive Committee, and all acts done or caused to be done by the proper officer, under the principal Ordinance during the period commencing on the twenty-first day of November, 1946 and ending on the day immediately preceding the date of the commencement of this Ordinance,

shall be deemed to have been and shall be, for all purposes, as valid and effectual as though the principal Ordinance had been in force during that period:

Provided, however, that no person shall be or be deemed to be guilty of any offence under the principal Ordinance by reason of any act or thing done or omitted to be done during the period aforesaid.

Validation,
indemnity, &c.

Objects and Reasons.

The duration of the Anuradhapura (Preservation) Ordinance, No. 34 of 1942, was, through an oversight, not extended beyond November 21, 1946, although it was necessary that the operation of the Ordinance should have been extended for some further time. The object of this Bill is to declare that the Ordinance shall be deemed to have been in force since the date aforesaid and shall continue in force until November, 1949.

Clause 3 of the Bill expressly provides against the possibility of prosecutions being instituted under the Ordinance in respect of acts or things done or omitted to be done between November 21, 1946, and the date on which the Bill itself becomes law.

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

Colombo, June 13, 1947.

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Tangalla, will be holden at the Court-house at Matara on Monday, June 16, 1947, 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.

Deputy Fiscal's Office,
Hambantota, June 7, 1947.

C. J. OORLOFF,
Deputy Fiscal.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

P. M. Nadarajah of "Paokysludshumy Stores", 5th Cross street, Colombo Plaintiff.
No. 6,761/S. Vs.

S. P. Aloysius Silva of Kalapaluwawa, Rajaguriya Defendant.

NOTICE is hereby given that on Friday, July 18, 1947, will be sold by public auction at the premises at Kalapaluwawa the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 6,250, with legal interest thereon from February 22, 1946, till payment in full and costs of suit, viz. :—

1. At 2 p.m.—An undivided $\frac{1}{2}$ share of all that defined portion of the land called Kosgahawatta together with the buildings, trees and plantations standing thereon, situated at Kalapaluwawa in the Palle pattu of Hewagam korale, Colombo District, Western Province; bounded on the north by Delgahawatta and Tunhaul Kurunduwatta, east by Delgahawatta and Pelangahawatta, south by the lands belonging to Pasusdunkoralage Andiris Perera, and west by also the same land belonging to Pasusdunkoralage Andiris Perera; and containing in extent about 2 acres, and registered in G 86/82, Colombo.

2. At 2.15 p.m.—An undivided $\frac{1}{2}$ share of all that defined portion of the land called Delgahawatta together with the thatched house, trees and plantations standing thereon, situated at Kalapaluwawa aforesaid; and bounded on the north by the high road, east by a footpath separating this land from Pelengahawatta, south by portion of this land belonging to Weerasinghe Aratchige Puchi Nona Perera and Dodangodage Don Padrick, and west by a roadway; and containing in extent about 25 perches, and registered in G 136/73, Colombo.

3. At 2.30 p.m.—An undivided $\frac{1}{2}$ share of all that undivided portion three feet wide (along the western boundary) from and out of the defined portion of the land called Delgahawatta, situated at Kalapaluwawa aforesaid; bounded on the north by a portion of this land, east by footpath separating this land from Pelengahawatta, south by Kosgahawatta belonging to Aberan Perera and others, and west by road way; and containing in extent about 30 perches; and registered in G 136/74, Colombo.

4. At 2.45 p.m.—An undivided $\frac{1}{2}$ share of all that undivided $\frac{1}{4}$ part or share from and out of the land called Delgahawatta

and of the trees and plantations thereon, situated at Kalapaluwawa aforesaid; bounded on the north by high road, east by the fence separating Pelengahawatta, south by Kosgahawatta belonging to Aberan Perera and others, and west by Thunhalkurunduwatta belonging to Weerasinghe Atchige people; containing in extent space sufficient to plant about 250 coconut plants; and registered in G 125/67, Colombo.

Fiscal's Office,
Colombo, June 18, 1947.

G. M. CHINNATAMBY,
Deputy Fiscal.

Province of Uva.

In the District Court of Badulla.

(1) V. Pandiya Nadar, (2) A. Vayanasamy Nadar, and (3) S. Uthira-pandiya Nadar, trading under the registered name, style and vilasam of R. Sudalamuthu Nadar & Co., at Puhulpola, Welimada Plaintiffs.
No. 7,936. Vs.

V. M. Ponnusamy of Ulugala, Welimada Defendant.

NOTICE is hereby given that on Saturday, July 26, 1947, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title and interest of the said defendant in the following property for the recovery of the sum of Rs. 706.33 with legal interest thereon from March 14, 1945, till payment in full and costs of suit which will be taxed and informed of later, less a sum of Rs. 60 paid by the defendant to the plaintiff, viz. :—

All that unexpired leasehold rights of the defendant out of the 30 years period of lease created by indenture of lease bearing No. 10,107 dated November 18, 1946, attested by Mr. Stanley H. Abeyesekera, Notary Public, in and to the following property, to wit :—

All that and those contiguous allotments of land called and known as Galgodehinnepatana and Pahalapansalewatta, situated at Ulugala in Dehiwimpalata korale, Udukinda division, Badulla District of the Province of Uva; and bounded on the north by, Galmilekumbura-ela, east by Waralhenawatta-agala, south by the boundary of Kadewatta, and on the west by Yallearawe-agala containing in extent $11\frac{1}{2}$ acres, together with tea plantations, buildings and everything standing thereon.

Fiscal's Office,
Badulla, June 16, 1947.

T. KANDIAR,
for Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

Nilamugam Ramanathan of Bulathgama in Balangoda .. Plaintiff.
No. 8,140. Vs.

Bastian Korallage Edwin Rodrigo of Naluwela in Bulathgama Defendant.

NOTICE is hereby given that on Friday, July 18, 1947, at 11 o'clock in the afternoon, will be sold by public auction at the premises the right, title and interest of the said defendant in the following

property, for the recovery of Rs. 2,888 together with interest on Rs. 2,250 at 12 per cent. per annum from August 30, 1946, till November 21, 1946, and thereafter with legal interest on the aggregate amount of the decree till payment in full and poundage, viz. :—

An undivided 5/12th share of all that allotment of land called Pelamalpitiyowatta together with all the tea and other plantations and everything standing thereon (exclusive of only of the wild thatched house and the well and the soil covered thereby; bounded on the north, south, and west by the remaining portion of Pelamalpitiyowatta, east by old road; and containing in extent seventy five feet in length and fifty feet in width, situate at Naluwela in the Uduwaggam pattu of Kadawata korale in the District of Ratnapura of the Province of Sabaragamuwa, and bounded on the north by Samutralagehena and foot path to Pettara, east by stone fence and old road, west by Liyangahawatta and Godakumbura-ela, south by Ratmalgahawatte Iura and Godakumbura Watura-ela and; containing in extent thirty kurumes of kurakkan sowing together with the whole of the new building now under construction and registered at the Tea Controller's Office under No. SY 317 and registered in D. 63/360

Fiscal's Office,
Ratnapura, June 13, 1947.

A. B. KARALLIADDE,
Additional Deputy Fiscal.

I. Kanthiah Vaithianathan, Fiscal for the Central Province, do hereby appoint Mr. S. N. Guruswamy, Clerk, Magistrate's Court, Gampola, to act as my Marshal for the Division of Gampola, with effect from June 11, 1947, until further orders, under Ordinance No. 4 of 1867 and authorise him to perform the duties and exercise the authority of Marshal for which this shall be his warrant.

Fiscal's Office,
Kandy, June 10, 1947.

K. VAITHIANATHAN,
Fiscal, C P.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Mohamed Mohamed Haniffa of 15, Arab passage,
No. 12,353. Colombo.

Mohamed Haniffa Abdul Jabbar of 15, Arab passage,
Colombo Petitioner.

And

(1) Mohamed Haniffa Noor Umma, (2) Mohamed Haniffa, Sithi Nuwalza, (3) Mohamed Haniffa Sithi Makeeiy, (4) Mohamed Haniffa Mohamed Nawfer, all of 15, Arab passage, Colombo; the 2nd, 3rd, and 4th, respondents are minors appearing by their guardian *ad litem*, (5) A. L. M. Aboobucker of 90, Galkapanawatte road, Grandpass, Colombo Respondents.

THIS matter coming on for disposal before Mr. N. Sinnnetamby, Esq., Additional District Judge of Colombo, on February 28, 1947, in the presence of Mr. A. R. M. Razeen, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 31, 1946, having been read :

It is ordered that the 5th respondent above named be and he is hereby declared appointed guardian *ad litem* over the minors, the 2nd, 3rd, and 4th respondents above named, and 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 deceased issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before May 15, 1947, show sufficient cause to the satisfaction of the court to the contrary.

March 3, 1947.

N. SINNETAMBY,
Additional District Judge.

The date for showing cause against the foregoing *Order Nisi* is hereby extended to June 26, 1947.

May 15, 1947.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Jayasingha Arachchige Dona Bastiana Jaya-
No. 12,355. singhe of Ranmutugala, Kadawata, deceased.

Robert Peiris Jayawardena of Ranmutugala, Kadawata, .. Petitioner.
Vs.

(1) Ranjit Peiris Jayawardena, (2) Indranee Peiris Jayawardena, (3) Nohal Peiris Jayawardena, (4) Dharmapriya Peiris Jayawardena, (5) Piyasiri Peiris Jayawardena, all of Ranmutugala; minors, by their guardian *ad litem*, (6) D. J. Jayasingha of Gower street, Bambalapatiya, .. Respondents.

THIS matter coming on for disposal before N. Sinnnetamby, Esq., Additional District Judge of Colombo, on February 28, 1947, in the presence of Messrs. Perera & Senaratne, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 4, 1947, having been read :

It is ordered that the 6th respondent above named be and he is hereby declared appointed guardian *ad litem* over the minors, the 1st, 2nd, 3rd, 4th, and 5th respondents above named and the petitioner above named be and he is hereby declared entitled, as the widower of the deceased, to have letters of administration to the estate

of the said deceased issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before May 15, 1947, show sufficient cause to the satisfaction of this court to the contrary.

March 3, 1947.

N. SINNETAMBY,
Additional District Judge.

The foregoing *Order Nisi* is hereby extended to June 26, 1947.

May 15, 1947.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary
Jurisdiction.
No. 12,856.

In the Matter of the Last Will and Testament
of Ellen Marion Green of The Home Estate,
Gampaha, in the Island of Ceylon, widow,
deceased.

THIS matter coming on for disposal before N. Sinnnetamby, Esq., Additional District Judge of Colombo, on May 22, 1947, in the presence of Messrs. F. J. & G. de Saram, Colombo, Proctors, on the part of the petitioner, Cecil Albert Knowles, care of the Imperial Bank of India, Colombo; and (1) the affidavit of the said petitioner dated May 14, 1947, (2) the power of attorney dated April 23, 1947, and (3) the affidavit of the attesting notary dated May 19, 1947, having been read : It is ordered that the will of the said Ellen Marion Green, deceased bearing No. 2622 dated January 24, 1943, and attested by James Aubrey Martensz of Colombo, Notary Public, the original of which 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 Cecil Albert Knowles is the attorney in Ceylon of the executor named in the said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before July 10, 1947, show sufficient cause to the satisfaction of this court to the contrary.

May 24, 1947.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Ethige-
Jurisdiction. Wijemuni Eileen Rosebelle de Silva of 285,
No. 12,393. Mutwal street, Mutwal, Colombo, deceased.

Dr. Mahadura Jeevadasa de Silva Jayasekera of 285, Mutwal
street, Mutwal, Colombo Petitioner.

Vs.

(1) Mahadura Mahinda Kirthisiri de Silva Jayasekera of 285,
Mutwal street, Mutwal, Colombo, minor, by his guardian
ad litem, (2) Bernard Reginald de Silva of Watersmeet,
Mutwal, Colombo Respondents.

THIS matter coming on for disposal before N. Sinnnetamby, Esq., Additional District Judge of Colombo, on May 1, 1947, in the presence of Mr. Sugathadasa Gunasekera, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated January 31, 1947, having been read :

It is ordered that the 2nd respondent be and he is hereby appointed guardian *ad litem* over the 1st respondent, minor, and that the petitioner be and he is hereby declared entitled, as the widower of the deceased, to have letters of administration to the estate of the deceased issued to him accordingly, unless the respondents or any other person or persons interested shall, on or before June 26, 1947, show sufficient cause to the satisfaction of this court to the contrary.

May 16, 1947.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects
Jurisdiction. of Susan Techla de Zilwa of 18, Vajira road,
No. 12,439. Bambalapatiya, Colombo, deceased.

Marian Ursula de Zilwa of 18, Vajira road, Bambalapatiya,
Colombo Petitioner.

Vs.

(1) Marie Theresa Antoinette Josephine Pavey nee de Zilwa,
(2) Mary Patricia Genevieve Pavey nee de Zilwa, (3) Mary
Helen Margaret Cayula de Zilwa, all of Bambalapatiya,
Colombo Respondents.

THIS matter coming on for disposal before N. Sinnnetamby, Esq., Additional District Judge of Colombo, on May 8, 1947, in the presence of Mr. C. Vethecan, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated May 7, 1947, having been read :

It is ordered that the petitioner be and she is hereby declared entitled, as a daughter of the deceased; to have letters of administration to the estate of the deceased issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before June 26, 1947, show sufficient cause to the satisfaction of this court to the contrary.

June 13, 1947.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Panagodge Dona Selohamy of Horatuduwa in No. 12,446. Uduyaha pattu of Salpiti korale, deceased.

Dise Somasiri Kannangara of Wewita-Galtude in Bandaragama in the District of Kalutara Petitioner.

And

Kalyanawathie Kannangara of Karanmagoda in Neboda in the District of Kalutara Respondent.

THIS matter coming on for disposal before N. Sinnetamby, Esq., Additional District Judge of Colombo, on May 12, 1947, in the presence of Mr. A. M. Fuard, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated May 10, 1947, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as the eldest daughter of the deceased to have letters of administration to the estate of the deceased issued to her accordingly, unless the respondent or any other person or persons interested shall, on or before June 26, 1947, show sufficient cause to the satisfaction of this court to the contrary.

May 16, 1947. N. SINNETAMBY, Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Edwin Jurisdiction. Henry Seneviratne of Sea View, Galle road, No. 12,451. Galkissa in the District of Colombo, deceased.

Eugene Caroline Gertrude Seneviratne of Sea View, Galle road, Galkissa aforesaid Petitioner.

Vs.

(1) Conrad Hithaprema Seneviratne, (2) Gertrude Hemawathie Seneviratne, (3) Lionel Janaki Seneviratne, all of Sea View, Galle road aforesaid, minors, by their guardian *ad litem* (4) Christopher de Saram of Gangodawila in the District of Colombo Respondents.

THIS matter coming on for disposal before N. Sinnetamby, Esq., Additional District Judge of Colombo, on May 25, 1947, in the presence of Mr. S. R. Ameresekera, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated April 17, 1947, having been read:

It is ordered that the 4th respondent be and he is hereby appointed guardian *ad litem* over the 1st, 2nd, and 3rd respondents, minors, and that the petitioner be and she is hereby declared entitled, as the widow of the deceased, to have letters of administration to the estate of the deceased issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before June 26, 1947, show sufficient cause to the satisfaction of this court to the contrary.

June 11, 1947. N. SINNETAMBY, Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Honda- Jurisdiction. muni Martheis Singho also called and known as No. 12,453. Hondamum Martheis Jinadasa and lately known as Herath Mudianselage Jinadasa of 105, Santiago street, Colombo, deceased.

Pathirenege Rose Gertrude Perera of 105, Santiago street, Colombo Petitioner.

Vs.

(1) Herath Mudianselage Gladys Jinadasa, (2) ditto Ramee Jinadasa, (3) ditto Malika Jinadasa, (4) ditto Merveyn Jinadasa, minors, by their guardian *ad litem*, (5) Pathirenege Walter Perera, all of 105, Santiago street, Colombo Respondents.

THIS matter coming on for disposal before N. Sinnetamby, Esq., Additional District Judge of Colombo, on May 15, 1947, in the presence of Mr. D. F. J. Perera, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated March 31, 1947, having been read:

It is ordered that the 5th respondent be and he is hereby appointed guardian *ad litem* over the 1st to 4th respondents, minors, and the petitioner be and she is hereby declared entitled, as the widow of the deceased, to have letters of administration to the estate of the deceased issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before June 26, 1947, show sufficient cause to the satisfaction of this court to the contrary.

June 17, 1947. N. SINNETAMBY, Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Kuruwita Jurisdiction. Aratchige Peter Appuhamy of Imbulana, No. 12,457. deceased.

Hewarallage Caroline Somawathie of (Imbulana Estate) Srisevvana, Imbulana, Ruanwella Petitioner.

(1) Kuruwita Aratchige Milly Yasoma, (2) Kuruwita Aratchige Amita Dayangani, minor, appearing by her guardian *ad litem*, (3) Hewarallage Wimalawathie, all of Imbulana Respondents.

THIS matter coming on for disposal before N. Sinnetamby, Esq., Additional District Judge of Colombo, on May 20, 1947, in the presence of Mr. H. V. Ram Iswera, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated April 9, 1947, having been read:

It is ordered that the 3rd respondent be and she is hereby appointed guardian *ad litem* over the 2nd respondent, minor, and that the petitioner be and she is hereby declared entitled, as the widow of the deceased, to have letters of administration to the estate of the deceased issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before June 26, 1947, show sufficient cause to the satisfaction of this court to the contrary.

May 22, 1947.

N. SINNETAMBY, Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Wasala Tantrige Don Christogu Seneviratne, No. 12,454. Peace Officer of Enderamulla in the Adikari pattu of Siyane korale, deceased

Ponweera Aratchuge Dona Rosa Maria Seneviratne Hamine of Enderamulla aforesaid Petitioner.

Vs.

(1) Wasala Tantrige Don James Henry Seneviratne, (2) Wasala Tantrige Don George Seneviratne and (3) Wasala Tantrige Don Joseph Wilfred Seneviratne, minors, all of Enderamulla (4) Wasala Tantrige Edwin Kartheis Wijegoonesekera, guardian *ad litem* over the 2nd and 3rd respondents, minors Respondents.

THIS matter coming on for disposal before N. Sinnetamby, Esq., Additional District Judge of Colombo, on May 16, 1947, in the presence of Mr. D. L. Gunasekera, Proctor, on the part of the petitioner; and the affidavit of the notary and the witnesses dated April 25, 1947, having been read:

It is ordered that the 4th respondent be and he is hereby appointed guardian *ad litem* over the 2nd and 3rd respondents, minors.

It is further ordered that the last will and testament of Wasala Tantrige Don Christogu Seneviratne, Peace Officer of Enderamulla, the above-named deceased, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved and that the petitioner is the executrix named in the said will and that she is hereby declared entitled to have probate thereof issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before June 26, 1947, show sufficient cause to the satisfaction of this court to the contrary.

June 13, 1947. N. SINNETAMBY, Additional District Judge.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament and Codicil of Herbert Alexander MacLennan, late of 204, Howard street, Glasgow, and of Cairndowan, 3, Victoria Circus, Downhill, Glasgow, Scotland, deceased.

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

NOTICE is hereby given that after the expiry of twenty-one days from the date hereof, application will be made to the District Court of Colombo under the British Courts Probates, (Re-sealing) Ordinance (Chapter 84) for the sealing of the duplicate copy of the Scotch confirmation of the last will and testament and codicil of Herbert Alexander MacLennan of 204, Howard street, Glasgow, and of Cairndowan, 3, Victoria Circus, Downhill, Glasgow, Scotland, deceased, granted by the Sheriff Court of Lanarkshire on August 8, 1946.

JULIUS & CREASY,

Proctors for Theodore James De La Mare, Attorney for John Finlay Macdarmid Miller and John Donald Kelly, executors of the last will and testament and codicil of Herbert Alexander MacLennan, deceased.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament Jurisdiction. of Gilbert Battams Cornish Northey of Churston cottage, Churston Ferrers, Devon, formerly of "Dundela", Churston Ferrers, near Brixham in the County of Devon, deceased.

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

NOTICE is hereby given that after the expiry of twenty-one days from the date hereof, application will be made to the District Court of Colombo under the British Courts Probates (Re-sealing) Ordinance (Chapter 84) for the sealing of a certified copy of the grant of letters of administration with will annexed of Gilbert Battams Cornish Northey of Churston cottage, Churston Ferrers, Devon, formerly of "Dundela", Churston Ferrers, near Brixham in the County of Devon, deceased, granted by the Principal Probate Registry of His Majesty's High Court of Justice on August 16, 1946.

JULIUS & CREASY,

Proctors for Roger Stedman Davies, Attorney for William Deacon's Bank Limited, the English administrator of the last will and testament of Gilbert Battams Cornish Northey, deceased.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Ranasinghe
Jurisdiction. Aratchige Don Dionis Appuhamy of Nagoda
No. 12,465. in the Ragam pattu of Alutkuru korale, deceased.

Moderage Ceciliana Pinto of Nagoda aforesaid.Petitioner.
Vs.

(1) Ranasinghe Aratchige Don Joseph, (2) Ranasinghe Aratchige
Don Tudor, (3) Ranasinghe Aratchige Don Peter Paul, all
of Nagoda aforesaid, minors, appearing by their guardian,
ad litem, (4) Ranasinghe Aratchige Don James of Nagoda
aforesaid Respondents.

THIS matter coming on for disposal before N. Sinnetamby, Esq.,
Additional District Judge of Colombo, on May 22, 1947, in the presence
of Mr. D. L. Gunasekera, Proctor, on the part of the petitioner;
and the affidavit of the petitioner dated April 29, 1947, having
been read:

It is ordered that the 4th respondent be and he is hereby appointed
guardian *ad litem* over the 1st, 2nd, and 3rd respondents, minors,
and that the petitioner be and she is hereby declared entitled,
as the widow of the deceased, to have letters of administration to the
estate of the deceased issued to her accordingly, unless the respondents
or any other person or persons interested shall, on or before July
3, 1947, show sufficient cause to the satisfaction of this court
to the contrary.

June 13, 1947.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Absolute.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Sarah Grace Fernando of 82, Avondale road,
No. 12,466. Maradana, Colombo, deceased.

Ruth Sella Fernando of 82, Avondale road, Maradana,
ColomboPetitioner.

THIS action coming on for final determination before N. Sinne-
tamby, Esq., Additional District Judge of Colombo, on May 23,
1947, in the presence of Mr. D. F. de Silva, Proctor, on the part of
the petitioner above named; and the affidavit of (1) the petitioner
dated March 15, 1947, and (2) the attesting Notary Public and the
witnesses dated March 31, 1947, having been read:

It is ordered that the last will No. 971 made by Sarah Grace Fernan-
do, the deceased above named, and attested by D. F. de Silva,
Notary Public, on August 24, 1944, the original of which has been
produced and is now deposited in this court be and the same is
hereby declared proved.

It is further ordered that the petitioner is the executrix named
in the said will and she is hereby declared entitled to have probate
thereof issued to her accordingly on her taking the oath and tender-
ing security.

June 11, 1947.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament
Jurisdiction. of Alice Mary Fox of Ruffway, St. Mary's
No. 12,469. Platt, Sevenoaks, Kent, England, widow,
deceased.

THIS matter coming on for disposal before N. Sinnetamby,
Esq., Additional District Judge of Colombo, May 23, 1947, in the
presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the
petitioner, Dundas Peacock, and (1) the affidavit of the said peti-
tioner dated May 20, 1947, (2) the power of attorney dated
March 5, 1947, and (3) the order of the Supreme Court dated
May 8, 1947, having been read: It is ordered that the will of the
said Alice Mary Fox, deceased, dated February 25, 1944, a certi-
fied copy of which under the Seal of His Majesty's High Court
of Justice in England, has been produced and is now deposited
in this court, be and the same is hereby declared proved; And
it is further declared that the said petitioner is the attorney in
Ceylon of the executors named in the said will and that he is entitled
to have letters of administration (with will annexed) issued
to him accordingly, unless any person or persons interested shall,
on or before July 3, 1947, show sufficient cause to the satisfaction
of this court to the contrary.

June 6, 1947.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament
Jurisdiction. (and two codicils) of William Murray Gerrard
No. 12,470. of Moytura, Dreghorn Loan, Colinton, Edn-
burgh, deceased.

THIS matter coming on for disposal before N. Sinnetamby,
Esq., District Judge of Colombo, on May 23, 1947, in the presence
of Messrs. F. J. & G. de Saram, Proctors, on the part of the peti-
tioner, Alexander McInnes; and (1) the affidavit of the said petitioner
dated May 20, 1947, (2) the power of attorney dated January 28,
1947, and (3) the order of the Supreme Court dated May 8, 1947,
having been read: It is ordered that the will of the said William
Murray Gerrard, deceased, dated August 30, 1937, and two
codicils thereto dated January 25, 1944 and August 31, 1944,

respectively, a certified copy of which under the Seal of the Com-
missariat of Edinburgh, 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 Alexander McInnes is the attorney
in Ceylon of the executor named in the said will and that he is
entitled to have letters of administration (with will and codicils
annexed) issued to him accordingly, unless any person or persons
interested shall, on or before July 3, 1947, show sufficient cause
to the satisfaction of this court to the contrary.

June 6, 1947.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Lady Alma Mathilda Angelika Fraser of Villa
No. 12,471. Florenza, Denison road, Launceston, in the State
of Tasmania, Commonwealth of Australia,
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 probate of the will of Lady Alma
Mathilda Angelika Fraser of Villa Florenza, Denison road, Launce-
ston, Tasmania, widow deceased, granted by the Supreme Court of
Tasmania on November 14, 1946.

F. J. & G. DE SARAM,
Proctors for Irmgard Agnes Angelika Fraser,
the executrix named in the will:

Colombo, June 20, 1947.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament
Jurisdiction. of Cecil Frederick Mcready Horsford of
No. 12,472. Netherwood, Collington Lane, Bexhill-on-
Sea in the County of Sussex, England, retired
tea planter, deceased.

THIS matter coming on for disposal before N. Sinnetamby, Esq.,
Additional District Judge of Colombo, on May 30, 1947, in the presence
of Messrs F. J. & G. de Saram, Proctors, on the part of the peti-
tioner, Dundas Peacock, and (1) the affidavit of the said petitioner
dated May 26, 1947, (2) the power of attorney dated March 5,
1947, and (3) the order of the Supreme Court dated May 13, 1947,
having been read: It is ordered that the will of the said Cecil
Frederick Mcready Horsford, deceased, dated March 9, 1944, a
certified copy of which under the Seal of His Majesty's High Court
of Justice in England has been produced and is now deposited
in this court, be and the same is hereby declared proved; And
it is further declared that the said petitioner is the attorney in
Ceylon of the executor named in the said will and that he is entitled
to have letters of administration (with will annexed) issued to
him accordingly, unless any person or persons interested shall,
on or before July 10, 1947, show sufficient cause to the satisfaction
of this court to the country.

June 7, 1947.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Victor
Jurisdiction. Charles de Soysa, Senior, of 400, Laxapathiya,
No. 12,473. Moratuwa, in the Island of Ceylon, deceased.

Lionel de Soysa of Laxapathiya estate, Moratuwa, in the Island
of Ceylon. Petitioner.

Vs.

(1) Victor Charles de Soysa, Junior, and (2) Mary de
Soysa, both of Colombo, minors, by their Guardian *ad litem*
Mary de Soysa nee Knight of Grand Hotel, Mount
Lavinia, Respondents.

THIS matter coming on for disposal before N. Sinnetamby, Esq.,
Additional District Judge of Colombo, on May 30, 1947, in the presence
of Messrs. Julius & Creasy, Proctors, on the part of the petitioner
above named; and the affidavit of the said petitioner dated May 15,
1947, and certificate of death of the above-named deceased having
been read:

It is ordered (a) that Mary de Soysa nee Knight be and she is
hereby appointed guardian *ad litem* of the minor respondents
above named to represent them for all the purposes of this action
and (b) that the petitioner be and he is hereby declared entitled,
as the brother and next-of-kin of the said deceased, to have letters
of administration to the intestate estate of the said deceased issued
to him accordingly, unless the respondents or any other person
or persons interested shall, on or before July 3, 1947, show sufficient
cause to the satisfaction of this court to the contrary.

June 7, 1947.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Absolute in the First Instance.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Mary Helen Oorloff of Maysland, Lily avenue, No. 12,482 N.T. Wellawatta, in the Island of Ceylon, widow, deceased.

And in the Matter of the Civil Procedure Code (Cap. 86) Chapter XXXVIII.

George Stephen Louise Oorloff of "Maysland", Lily avenue, Wellawatta Petitioner.

THIS matter coming on for final determination before N. Sinnatamby, Esq., Additional District Judge of Colombo, on June 5, 1947, in the presence of Clifford Trevor de Saram, Proctor, on the part of the petitioner, George Stephen Louise Oorloff of "Maysland", Lily avenue, Wellawatta aforesaid, and (1) the affidavit of the said petitioner dated May 24, 1947, (2) the affidavit of the attesting witnesses of the will dated May 24, 1947, (3) the affidavit of the notary attesting the will dated May 27, 1947, and (4) deed of renunciation No. 107 dated May 23, 1947, having been read.

It is ordered that the will of the said Mary Helen Oorloff dated January 21, 1943 (the original of which will has been produced and is now deposited in this court) be and the same is hereby declared proved; and it is further declared that the said George Stephen Louise Oorloff is one of the executors named in the said will the other executor having renounced probate and that he is entitled to have probate thereof issued to him accordingly subject to his tendering the usual oath.

N. SINNETAMBY,
Additional District Judge.

June 11, 1947.

In the District Court of Panadura.

Order Nisi Declaring Will proved, etc.

Testamentary Jurisdiction. In the matter of the Estate of the late Haddagoda ratalage Don Julias Appuhamy of Walana, deceased.

Haddagodaralage Don Peter James Seneviratne of Walana Petitioner.

Vs.

(1) Haddagodaralage Dona Wolse Soslin, (2) ditto Dona Tewly Cecily, both of Walana Respondents.

THIS matter coming on for disposal before K. D. de Silva Esq., District Judge of Panadura, on January 28, 1947, in the presence of Messrs. Timmanne & Meegama, Proctors, on the part of the petitioner; and the affidavit of the above-mentioned petitioner, dated January 28, 1947, having been read, together with the affidavit of the notary and witnesses: It is ordered that the will of the late Haddagodaralage Don Julias Appuhamy deceased, dated August 5, 1944, and numbered 1650 be and the same is hereby declared proved, unless the respondents or any other person or persons shall, on or before March 26, 1947, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Haddagodaralage Don Peter James Seneviratne, petitioner, as 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 or others shall, on or before the March 26, 1947, show sufficient cause to the satisfaction of this court to the contrary.

January 28, 1947. K. D. DE SILVA,
District Judge.

This *Order Nisi* is extended to May 21, 1947.

K. D. DE SILVA,
District Judge.

The date for showing cause against the *Order Nisi* is extended to June 25, 1947.

May 21, 1947. K. D. DE SILVA,
District Judge.

In the District Court of Panadura.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Gunwardenawaduge Jeremias Fernando of Rawatawatta in Moratuwa, deceased.

Mututentrige Rosalind Waththalia Fernando of Rawatawatta in Moratuwa Petitioner.

And

(1) Gunwardenawaduge Newton Mathew Fernando, (2) Gunwardenawaduge Nita Margaret Fernando, (3) Gunwardenawaduge Jeremias Anthony Fernando, (4) Gunwardenawaduge Raphael Marcus Fernando, (5) Gunwardenawaduge Edwin Alexius Fernando, (6) Gunwardenawaduge Theresa Agnes Fernando, (7) Gunwardenawaduge Jerome Gregory Fernando, (8) Gunwardenawaduge Thomas Carlow Fernando, (9) Gunwardenawaduge Gratien Justin Fernando (minors), all of Rawatawatta, Moratuwa, (10) Gunwardenawaduge Juan Fernando of Moratumulla, Moratuwa Respondents.

THIS matter coming on for disposal before K. D. de Silva, Esq., District Judge, Panadura, on April 25, 1947, in the presence of Mr. C. C. Stembo, Proctor, on the part of the petitioner; and the affidavit of the petitioner above named dated April 16, 1947, having been read:

It is ordered that the 10th respondent above named be appointed guardian *ad litem* over the 1st to 9th minor respondents above named, to represent them for all purposes of this action and that the petitioner above named be and she is hereby declared entitled, as the widow of the above-named deceased, to have letters of

administration to the above estate issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before June 25, 1947, show sufficient cause to the satisfaction of this court to the contrary.

April 26, 1947.

K. D. DE SILVA,
District Judge.

In the District Court of Panadura.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Tantulago Reginald Arthur Fernando of Rawatawatta in Moratuwa, deceased.

Mahamarakkelage Liddie Joslin Fernando of Rawatawatta in Moratuwa Petitioner.

THIS matter coming on for disposal before K. D. de Silva, Esq., District Judge of Panadura, on May 8, 1947, in the presence of Mr. C. C. Stembo, Proctor, on the part of the petitioner above named; and the affidavits of the petitioner dated January 31, 1945, (2) the attesting notary dated January 25, 1945, (3) the witness dated January 21, 1946, having been read:

It is ordered that the last will and testament No. 50 dated December 29, 1944, and attested by Andrew M. G. do Silva, Notary Public, executed by Tantulago Reginald Arthur Fernando, 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.

It is further ordered that the petitioner above named is the executrix named in the said will and she is hereby declared entitled to have probate thereof issued to her accordingly, unless sufficient cause be shown to the contrary on or before June 25, 1947.

May 8, 1947.

K. D. DE SILVA,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Katchchakaduge Romel Fernando of Raddoluwa, deceased.

Kirihettige Rosaline Fernando of Raddoluwa Petitioner.

Vs.

(1) Katchchakaduge David Fernando, (2) Katchchakaduge Willie Fernando, (3) Katchchakaduge Jeremias Fernando, (4) Katchchakaduge Pedrick Fernando, (5) Katchchakaduge Catherina Fernando, all of Raddoluwa Respondents.

THIS matter coming on for disposal before Leonard B. de Silva, Esq., District Judge of Negombo, on May 9, 1947, in the presence of Mr. D. C. E. V. Karunaratne, Proctor, on the part of the petitioner above named; and the affidavit of (1) the petitioner dated April 30, 1947, (2) the affidavit of the attesting notary dated May 8, 1947, and (3) the affidavits of the attesting witnesses dated May 3, 1947, having been read:

It is ordered that the last will and testament No. 2,120 of Katchchakaduge Romel Fernando, deceased, the original of which had been produced and is now deposited in this court be and the same is hereby declared proved, and that the petitioner is executrix named on the said will and is hereby declared entitled to have probate thereof issued to her accordingly, and that the 1st respondent above named be appointed guardian *ad litem* over the 2nd to 5th respondents, minors, above named to represent them for all the purposes of this action, unless the respondents above named or any other person or persons interested shall, on or before June 3, 1947, show sufficient cause to the satisfaction of this court to the contrary.

May 9, 1947.

LEONARD B. DE SILVA,
District Judge.

Time for showing cause against this *Order Nisi* is extended to June 24, 1947.

LEONARD B. DE SILVA,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Don Theodore Ranasinghe of 6, St. Sebastian's road, Negombo, deceased.

Mrs. Clara Harriet Ranasinghe of 6, St. Sebastian's road, Negombo Petitioner.

Vs.

(1) Bridget Gresilda Gertrude Ranasinghe of St. Anne's Convent, Bangalore, (2) Elijah Theodora Ranasinghe, (3) Clarence Theodore Ranasinghe, both of 6, St. Sebastian's road, Negombo, by their Guardian *ad litem*, (4) Mary Attenuyake of 6, St. Sebastian's road, Negombo, as guardian *ad litem* of 1st, 2nd, and 3rd respondents: Respondents.

THIS matter coming on for disposal before Leonard B. de Silva, Esq., District Judge of Negombo, on May 29, 1947, in the presence of Mr. L. S. Kirthisinghe, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated March 25, 1947, having been read:

It is ordered that the 4th respondent be appointed guardian *ad litem*, over 1st, 2nd, and 3rd minors above named to represent them for all the purposes of this action and that the petitioner above named be and she is hereby declared entitled, as the widow of the

said deceased above named, to have letters of administration issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before June 26, 1947, show sufficient cause to the satisfaction of this court to the contrary.

May 29, 1947.

L. B. DE SILVA,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Horathalpedige Hatana of Bokalagama, deceased.
No. 3.422.

Amarasinpedige Kinchi of Bokalagama..... Petitioner.
Vs.

(1) Horathalpedige Puncha, (2) Horathalpedige Romanis, (3) Horathalpedige Seda, (4) Horathalpedige Jemisa, (5) Horathalpedige Andiya, all of Bokalagama, (6) Horathalpedige Rosa of Elupitiya, and (7) Horathalpedige Sallu of Bokalagama..... Respondents.

THIS matter coming on for disposal before Leonard B. de Silva, Esq., District Judge of Negombo, on May 22, 1947, in the presence of Mr. M. A. Rahiman, Proctor, on the part of the petitioner above named; and the affidavit dated May 10, 1947, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as the widow of the deceased above named, to have letters of administration to the above estate issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before June 25, 1947, show sufficient cause to the satisfaction of this court to the contrary.

May 22, 1947.

L. B. DE SILVA,
District Judge.

In the District Court of Kandy.

Order Absolute in the First Instance.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Balane Wagapedigedera Gunadara Mudalali No. T. 666. of Balane in Kadugannawa, deceased.

Balane Wagapedigedera Subasiri presently of Pavilion street, Kandy..... Petitioner.
Vs.

(1) Ketakumbure Hapanpedigedera Sarangu of Ketakumbura, Kadugannawa, (2) Balane Wagapedigedera Andiris, (3) Balane Wagapedigedera Sarnelis, both of Amunupura, Kadugannawa, (4) Balane Wagapedigedera Ukku of Bathgoda in Dantura, Kadugannawa, (5) Balane Wagapedigedera Ukku Amma of Amunupura, (6) Balane Wagapedigedera Sumanawathie of Kituldeniya, (7) Balane Wagapedigedera Seelawathie of Kadugannawa, and (8) Balane Wagapedigedera Abeysundera of St. Anthony's College, Kandy..... Respondents.

THIS matter coming on for final determination before H. A. de Silva, Esq., District Judge of Kandy, on May 12, 1947, in the presence of Messrs. Miso Wimalasena, Proctors, on the part of the petitioner; and (1) the affidavit of the said petitioner dated May 12, 1947, and (2) the affidavit of the notary who attested the will dated April 5, 1947, having been read:

It is ordered that the last will and testament of the above-named deceased dated April 5, 1947, the original of which 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 petitioner is the executor named in the said will and that he is entitled to have probate thereof issued to him accordingly subject to his tendering the usual oath.

May 12, 1947.

H. A. DE SILVA,
District Judge.

In the District Court of Balapitiya.

Order Nisi.

No. T 29. In the Matter of the Intestate Estate of Podinona Panditharatna (Mrs. Goonasekara) late of Bentota since deceased.

Mahagama Charles Goonasekara of Bentota..... Petitioner.
Vs.

(1) Wimalawathe Goonasekara (Mrs. G. H. D. Kumaradasa of Gampola, (2) Wilson Goonasekara of Nindana in Wellaboda pattu, (3) Charlotte Goonasekara (Mrs. D. N. W. Kumarasinghe) of Tangalla, (4) Anny Goonasekara (Mrs. J. D. A. Jayasekara), (5) Albert Goonasekara of Induruwa, (6) Emy Goonasekara (Mrs. G. L. Jayawardena) of Beruwala..... Respondents.

THIS matter coming on for disposal before Walter Thalgodapitiya, Esq., District Judge of Balapitiya, on February 13, 1947, in the presence of Messrs. de Alwis & Bodinagoda Proctors, on the part of the petitioner; and after reading the petition and affidavit of the petitioner above named:

It is declared that the above-named petitioner, as husband of the deceased, is entitled to have letters of administration issued to him accordingly, unless sufficient cause be shown to the contrary to the satisfaction of the court on or before April 16, 1947.

March 11, 1947.

W. THALGODAPITIYA,
District Judge.

Extended for May 21, 1947.

W. THALGODAPITIYA,
District Judge.

Extended for June 18, 1947.

W. THALGODAPITIYA,
District Judge.

Extended for August 6, 1947.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Doctor Mohamed Shafee Hassen of Fort, Galle, No. 8,232. deceased.

Mohamed Hussain Careem, Proctor, Fort, Galle..... Petitioner.
And

(1) Haleema Hassen *nee* Careem, (2) Ansari Hassen, (3) Lafet Hassen, (4) Kadiya Hassen, (5) Jiffry Careem, all of Fort, Galle..... Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., District Judge of Galle, on May 16, 1947, after reading the petition and affidavit of the said petitioner; and the motion of Messrs. Saheed & Thamm, Proctors, on the part of the petitioner:

It is ordered that the 5th respondent above named be and he is hereby appointed guardian *ad litem* over the 2nd, 3rd, and 4th respondents for the purpose of these proceedings and that the petitioner, as brother-in-law of the deceased, be and he is hereby declared entitled to have letters of administration to the estate of the said deceased, unless the respondents above named or any other person or persons interested shall, on June 27, 1947, show sufficient cause to the satisfaction of this court to the contrary.

May 16, 1947.

S. J. C. SCHOKMAN,
District Judge.

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

Order Nisi.

Testamentary In the matter of the Last Will and Testament of Jurisdiction. Vaithampillai Savarimuttu of Karaveddy West, No. 345/P.T. deceased.

Victoriapillai, widow of Vaithampillai Savarimuttu of Karaveddy West..... Petitioner.
Vs.

(1) Innasippillai Alasuppillai, (2) Innasippillai Johnpillai, (3) Vaitampillai Lucasuppillai, (4) wife Varoniccum, (5) Anthonipillai Seemampillai, (6) wife Swanapillai, (7) Savariapillai, widow of Vaithampillai, all of Karaveddy West..... Respondents.

THIS matter coming on for disposal before G. C. T. A. de Silva, Esq., Additional District Judge, Jaffna, on May 23, 1947, in the presence of Messrs. Kandaya & Mailvaganam, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated May 4, 1947, having been read:

It is ordered that the said last will be declared proved and admitted to probate and the petitioner be declared executrix of the said last will and that probate be issued to her, unless the respondents or any other person shall, on or before June 27, 1947, show cause to the satisfaction of the court to the contrary.

May 23, 1947.

G. C. T. A. DE SILVA,
Additional District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. of the late Kanther Ponniah of Vannarponnai East, Jaffna, deceased. No. 642.

Sinnathamangam, widow of Kanther Ponniah of Vannarponnai East, Jaffna..... Petitioner.
Vs.

(1) Saraswathy Ammah, wife of (2) Chellappah Sinnadurai, (3) Nagammah *alias* Yogammah, wife of (4) Ramalingam Chanmugavadivel, all of ditto..... Respondents.

THIS matter of the petition of the above-named petitioner coming on for final disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on May 29, 1947, in the presence of Mr. M. R. Karalasingham, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated November 20, 1946, having been read:

It is ordered and declared that the last will and testament of the above-named deceased dated February 13, 1937, and attested by K. Aiyadurai, Notary Public, under No. 3911 declared proved and that probate be issued to the petitioner, as the executrix named therein, unless the respondents above named or any other person shall, on or before July 11, 1947, show sufficient cause to the satisfaction of this court to the contrary.

May 29, 1947.

R. R. SELVADURAI,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Arunasalam Jurisdiction. Kaspillai of Karamagar, Jaffna, deceased. No. 704.

Sinnapillai, widow of Arunasalam Kaspillai of ditto..... Petitioner.
Vs.

(1) Thayanayagi, daughter of Kaspillai, (2) Kaspillai Thiruchittampalam (minors), both of ditto appearing by their guardian *ad litem* the 3rd respondent, (3) Thillaiampalam Mahalingam of ditto..... Respondents.

THIS matter of the petition of the petitioner praying that the 3rd respondent be appointed guardian *ad litem* over the 1st and 2nd respondents and that the petitioner, as widow of the deceased,

be granted letters of administration to the estate of the above-named deceased, commg on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on May 13, 1947, in the presence of Mr. V. Navaratnarajah, Proctor, on the part of the petitioner and the petition and affidavit of the petitioner having been read :

It is ordered that the 3rd respondent be appointed guardian *ad litem* over the 1st and 2nd respondents and that the petitioner as widow of the deceased granted letters of administration to the estate of the deceased, unless the respondents or any other person or persons shall show sufficient cause to the contrary on or before June 30, 1947, at 10 A.M.

May 13, 1947:

R. R. SELVADURAI,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. the late Naganather Chellappah of Tellippalai North-West No. 706.

Sellappah Kumaraswamy of Tellippalai North-West Petitioner.

(1) Vallammaippillai, widow of Naganather Chellappah, of ditto, (2) Chellappah Balasubramaniam, (3) Chellappah Thandikai Kanaganayagam of Tellippalai, presently Postmaster of Mirigama Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on May 15, 1947, in the presence of Mr. T. Kumaraswamy, Proctor, on the part of the petitioner; and the affidavit of the petitioner, notary and witnesses dated April 19, 1947, having been read :

It is ordered that the last will and testament of the above-named deceased dated April 19, 1944, and attested by A. Ponnampalam, Notary Public, under No. 15845 be declared proved, and that probate thereof be issued to the petitioner as executor named therein, unless the said respondents or any other person shall appear before this court on June 30, 1947, and show sufficient cause to the satisfaction of this court to the contrary.

May 27, 1947.

R. R. SELVADURAI,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Morgaser Sabaratnam of Vaddukodai, No. 708. Jaffna, who died at Senggarang, Johore, deceased.

Maheswary widow of Morgaser Sabaratnam of Vaddukodai Petitioner.

Vs.

(1) Menakai daughter of Sabaratnam, (2) Sarojini daughter of Sabaratnam, (3) Sakuntala daughter of Sabaratnam, (4) Suntharammah, widow of Morgaser, all of Vaddukodai Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on May 19, 1947, in the presence of Mr. S. Kandasamy, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 14, 1947, having been read :

It is ordered (a) that the 4th respondent be and she is hereby appointed guardian *ad litem* of the minors, 1st to 3rd respondents above named, to represent them for all the purposes of this action, and (b) that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before June 30, 1947, show sufficient cause to the satisfaction of this court to the contrary.

May 28, 1947.

R. R. SELVADURAI,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Sunderam Jurisdiction. pillai Kumarayah of Anaicottai, deceased, No. 714.

Ratnam, widow of Kumarayah of Anaicottai. Petitioner.

Vs.

(1) Ranjithavany daughter of Kumarayah of Anaicottai, a minor of the age of about 6 months appearing by her guardian *ad litem*, (2) Nagalingam Sunderampillai of Anaicottai Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge of Jaffna, on May 27, 1947, in the presence of Mr. S. Tirunavukkarasu, Proctor, on the part of the petitioner, and the petition and affidavit of the petitioner dated May 25, 1947, having been read :

It is ordered that the above-named 2nd respondent be appointed guardian *ad litem* over the 1st respondent-minor for the purpose of representing her in this action and that letters of administration of the estate of the above-named deceased be issued to the petitioner as the widow of the deceased, unless respondents or any other person or persons interested shall appear before this court on or before July 9, 1947, and show sufficient cause to the satisfaction of this court to the contrary.

May 27, 1947.

R. R. SELVADURAI,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. the late Alvarappapillai Thillaivanampillai of No. 719. Vannarponnai West, Jaffna, deceased.

Chinnappah Chettiar Navaratnam of Vannarponnai West, Jaffna, presently of Kurunegala Petitioner.

Vs.

(1) Sivapackiathammal, widow of A. Thilliarvanampillai, (2) Kannammal, daughter of Chinnappah Chettiar, (3) Sribbulakshumi, daughter of A. Thillaivanampillai, (4) A. Thillaivanampillai Sangaralingam, all of Vannarponnai West, Jaffna; the 3rd and 4th respondents are minors represented by their guardian *ad litem*, (5) Kandiah Ponnappu of Vannarponnai East, Jaffna Respondents.

THIS matter of the petition of the above-named petitioner coming on for final disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on June 6, 1947, in the presence of Mr. M. R. Karalasingham, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated May 25, 1947, having been read :

It is ordered and declared that the above-named 5th respondent be appointed guardian *ad litem* over the minors, the 3rd and 4th respondents, for the purpose of this action and that the last will and testament of the above-named deceased dated December 24, 1946, and attested by M. R. Karalasingham, Notary Public, under No. 1035 declared proved and that probate be issued to the petitioner as the executor named therein, unless the respondents above named or any other person shall, on or before June 26, 1947, show sufficient cause to the satisfaction of this court to the contrary.

June 6, 1947.

R. R. SELVADURAI,
District Judge.

In the District Court of Badulla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Kuppany's Jurisdiction. son, Sinnamooka Velar of Nikapota, deceased. No. B/1,154.

Sinnamooka Velar's son, Velu Velar of Nikapota Petitioner.

And

Muruge Velar's son, Velu Velar of Nikapota Respondent.

THIS matter coming on for disposal before Spencer Rajaratnam, Esq., District Judge of Badulla, on May 22, 1947, in the presence of Messrs. Nadarajah & Nambihai, Proctors, on the part of the petitioner; and his affidavit dated April 2, 1947, having been read :

It is ordered that the petitioner above named be and he is hereby declared entitled to letters of administration in respect of the aforesaid estate as the son and sole heir of the deceased and that letters of administration be issued to him accordingly, unless the respondent above named or any person or persons lawfully interested therein shall, on or before July 3, 1947, show sufficient cause to the satisfaction of this court to the contrary.

May 22, 1947.

S. RAJARATNAM,
District Judge.

In the District Court of Ratnapura.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Veera Jurisdiction. muthupillai Ponnusampillai of Dumbara No. 1,186. estate, Ratnapura, deceased.

Rasathy, widow of the late Veeramuthupillai Ponnusampillai by her attorney T. P. Subramaniam, presently of 79, Sea street in Colombo Petitioner.

(1) Pathmawathie, wife of C. Manickampillai of Kandewatte estate, Teldenya, (2) Thilagawathie, wife of K. Karuppanpillai of Ratnapura; (3) Ramanathan, (4) Puwanasundary, minors by their guardian *ad litem*, (5) Kumarasamy Manickampillai of Beddegama estate, Galboda Respondents.

THIS matter coming on for disposal before V. H. Wijeyaratne, Esq., District Judge, Ratnapura, on March 24, 1947, in the presence of Mr. K. T. Chittampalam, Proctor, on the part of the petitioner; and the petition and affidavit of the petitioner above named dated January 31, 1947, having been read : It is ordered that the petitioner above named, as the widow of the deceased, is entitled to have letters of administration to the estate of the deceased issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before May 1, 1947, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 5th respondent above named be appointed guardian *ad litem* over the minors, Ramanathan and Puwanasundary, the 3rd and 4th respondents above named or any other person or persons interested shall, on or before May 1, 1947, show sufficient cause to the satisfaction of this court to the contrary.

March 24, 1947.

V. H. WIJEARATNE,
District Judge.

The above *Order Nisi* is extended till June 3, 1947.

May 1, 1947.

T. C. P. FERNANDO,
District Judge.

The above *Order Nisi* is extended till July 3, 1947.

June 3, 1947.

V. H. WIJEARATNE,
District Judge.