



THE CEYLON GOVERNMENT GAZETTE

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PART II.—LEGAL.

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

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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 Central Province will be holden at the Court-house at Audience Hall, Kandy, on Monday, August 2, 1948, at 11.30 of the morning of the said day.

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

Fiscal's Office,
Kandy, July 6, 1948.

H. F. RATWATTE,
for Fiscal.

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 Kurunegala will be holden at the Emergency Court-house at Kurunegala on Monday, August 2, 1948, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Kurunegala, July 5, 1948.

W. D. GUNARATNA,
Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.
Insolvency. In the matter of the insolvency of Lionel Alton No. 5,725. Mortier of 127, Cotta road, Borella, insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on July 16, 1948, for the examination of the above-named insolvent.

July 7, 1948.

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

In the District Court of Colombo.
Insolvency. In the matter of the insolvency of Herbert Hector de Fonseka of 28, St. Joseph's lane, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at a sitting of the above court at 10.45 A.M. on July 23, 1948, for the examination of the above-named insolvent.

July 5, 1948.

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

In the District Court of Colombo.
Insolvency. In the matter of the insolvency of B. W. Pereira of No. 5,770. 151/3, Mahawatte road, Colombo, insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court at 10.45 in the forenoon of July 16, 1948, for the examination of the insolvent.

July 5, 1948.

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

215—J. N. A 81510-1,345 (7/48)
B 1

In the District Court of Colombo.

Insolvency. In the matter of the insolvency of Humphrey Neil No. 5,772. Cooke of 13/5, 60th lane off Hampden lane, Wellawatta, insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on July 30, 1948, at 10.45 A.M., to consider the grant of a certificate of conformity of the above-named insolvent.

June 27, 1948.

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

In the District Court of Colombo.

Insolvency. In the matter of the insolvency of A. K. Haniffa No. 5,802. of 46, New Moor street, Colombo, insolvent.

WHEREAS the above-named A. K. Haniffa has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by K. M. Mohamed Abdulla of 263/48, Dam street, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. K. Haniffa insolvent accordingly; and that two public sittings of the court, to wit, on August 24, 1948, and on September 14, 1948, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

June 30, 1948.

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

In the District Court of Colombo.

Insolvency. In the matter of the insolvency of Roy Henry Pereira of 29/8, Lockgate lane, Colombo, insolvent.

WHEREAS the above-named Roy Henry Pereira has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by G. Edwin Perera of 472, Lake road, Boralessgomuwa, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Roy Henry Pereira insolvent accordingly; and that two public sittings of the court, to wit, on August 31, 1948, and on September 21, 1948, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

July 2, 1948.

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

In the District Court of Colombo.

Insolvency. In the matter of the insolvency of A. C. Thajudeen No. 5,804. of 793, Mabola, Wattala, insolvent.

WHEREAS the above-named A. C. Thajudeen has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by A. A. M. Zanoon of 136, Temple road, Maradana, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. C. Thajudeen insolvent accordingly; and that two public sittings of the court, to wit, on August 31, 1948, and on September 21, 1948, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

July 5, 1948.

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

NOTICES OF FISCALS' SALES.

Western Province.

Ceylon Income Tax.

The Commissioner of Income Tax, Colombo Petitioner.

No. 28/A.I. 5,575. Vs.

Messrs. Ranjit Wijemanne & Co., Ltd., of 26, Bagatalle road, Colombo Defaulter.

NOTICE is hereby given that on Saturday, July 31, 1948, at 9 A.M., will be sold by public auction at 26, Bagatalle road, Colombo, the following movable property, for the recovery of the sum of Rs. 13,498.50 being excess profits duty due from the defaulter for the 4th accounting period (August 1, 1943, to July 31, 1944), and the 5th accounting period (August 1, 1944, to July 31, 1945), viz.:-

Three iron almirahs (steel cabinets), 1 large wooden writing table, 1 glass book case with table, 1 large glass almirah, 1 glass book case, 6 typewriting tables, 3 typewriters, 10 large racks, 2 duplicating machines, 1 cabinet, 200 chairs, 30 tables, 2 almirahs, 6 large chairs, 2 cushioned chairs, 10 counters, 1 brass elephant, 20 benches, 8 large cushioned chairs, 2 almirahs, 1 chair, 20 desks, 5 electric ceiling fans, 1 chair, 20 desks, 1 arm-chair, 1 almirah, 1 arm-chair, 1 chair, 1 small table clock, 1 small whatnot, 1 almirah, 1 toilet table, 1 G.O.H. chair, 16 chairs, 1 large wooden box, 35 stools, 2 chairs, 2 G.O.H. chairs, 1 arm-chair, 1 desk, 12 stools, 1 lot glass jars and bottles with chemical, &c., 1 almirah, 1 glass almirah, 25 brushes, 1 small almirah, 1 rack, 15 jars, 3 distilled water jars, 1 distillator, 1 fume cupboard, 2 glass almirahs with glass articles, 3 large chemistry tables, 4 desks, 11 balances with glass cases, 10 stools, 1 spectrometer, 2 balances (out of order), 1 Young Modulus apparatus, 1 stand with 10 burettes, 6 funnel stands, 1 lot glass bottles with chemicals, 1 Jolly's air bulb apparatus, 2 racks, 28 stools, 13 galvanised trays (dissecting-basins), 5 enamel dissecting basins (trays), 2 tortoise shells, 1 glass almirah with skeletons, 90 specimen jars, 3 stain racks with glass phials, 1 glass case (development of the chick), 1 glass case with specimens of butterflies, 2 counter desks, 1 glass counter, 10 stools, 1 counter, 2 magneto meters, 1 violin box (sonometer), 1 compass, 1 stop watch, 2 glass boxes, 1 glass almirah with electric experiment apparatus, 3 arm chairs, 1 chair, 1 glass box with map of Ceylon (topography), 1 Boyle's law apparatus, 1 retort stand, 1 Grenier's hydrometer, 1 balance with glass case, 1 round wall clock, 1 embedding bark with stand, 1 drying oven, 12 retort stands, 2 sets of weights, 8 long measuring scales, 15 T squares, 25 drawing boards, 10 boxes zoo slides, 10 boxes test tubes, 5 packets filter paper, 1 rack, 4 racks, 1 lot large and small glass bottles with chemicals, &c., 3 balances with glass cases, 2 chairs, 13 burettes with stand, 12 jars, 1 linear expansion apparatus, 1 bellows, 23 microscopes, 33 boxes with botany slides, 248 specimen jars, 1 Genog's photometer, 1 complete respiration apparatus, 1 light screen, 1 root pressure apparatus, 1 dark chamber experiment apparatus, 1 Clinostat, 22 stools, 1 blackboard, 1 glass almirah, 4 specimen racks, 1 large desk (table), 7 stain racks, 6 electric table lamps, 1 addressing machine, 3 brass vases, 1 large table clock, 1 oval mirror, 2 picture frames, 1 large table with steel top, 2 steel cabinets, 1 iron almirah (steel cabinet), 3 notice boards, 1 hat stand, 1 wooden stand, 2 electric ceiling fans, 1 arm chair, 1 chair, 7 desks, 1 chair, 7 desks, 10 chairs, 2 almirahs, 1 ice chest, 6 stands, 1 piece (half) round table, 1 teapoy, 1 blackboard, 3 chairs, 5 benches, 11 desks, 1 chair, 1 lot remaining articles.

Fiscal's Office,
Colombo, July 7, 1948.

G. M. CHINNATAMBY,
Deputy Fiscal.

Ceylon Income Tax.

The Commissioner of Income Tax, Colombo Petitioner.

No. 29/A.I. 5,575. Vs.

Messrs. Ranjit Wijemanne & Co., Ltd. of 26, Bagatalle road, Colombo Defaulter.

NOTICE is hereby given that on Saturday, July 31, 1948, at 9 A.M., will be sold by public auction at 26, Bagatalle road, Colombo, the following movable property for the recovery of the sum of Rs. 9,529.60 being income tax due from the defaulter for the years of assessment, 1945-46, 1946-47, and 1947-48, viz.:-

Three iron almirahs (steel cabinets), 1 large wooden writing table, 1 glass book case with table, 1 large glass almirah, 1 glass book case, 6 typewriting tables, 3 typewriters, 10 large racks, 2 duplicating machines, 1 cabinet, 200 chairs, 30 tables, 2 almirahs, 6 large chairs, 2 cushioned chairs, 10 counters, 1 brass elephant, 20 benches, 8 large cushioned chairs, 2 almirahs, 1 chair, 20 desks, 5 electric ceiling fans, 1 chair, 20 desks, 1 arm-chair, 1 almirah, 1 arm-chair, 1 chair, 1 small table clock, 1 small whatnot, 1 almirah, 1 toilet table, 1 G.O.H. chair, 16 chairs, 1 large wooden box, 35 stools, 2 chairs, 2 G.O.H. chairs, 1 arm-chair, 1 desk, 12 stools, 1 lot glass jars and bottles with chemical, &c., 1 almirah, 1 glass almirah, 25 brushes, 1 small almirah, 1 rack, 15 jars, 3 distilled water jars, 1 distillator, 1 fume cupboard, 2 glass almirahs with glass articles, 3 large chemistry tables, 4 desks, 11 balances with glass cases, 10 stools, 1 spectrometer, 2 balances (out of order), 1 Young Modulus apparatus, 1 stand with 10 burettes, 6 funnel stands, 1 lot glass bottles with chemicals, 1 Jolly's air bulb apparatus, 2 racks, 28 stools, 13 galvanised trays (dissecting basins), 5 enamel dissecting basins (trays), 2 tortoise shells, 1 glass almirah with skeletons, 90 specimen jars, 3 stain racks with glass phials, 1 glass case (development of the chick), 1 glass case with specimens of butterflies, 2 counter

desks, 1 glass counter, 10 stools, 1 counter, 2 magneto meters, 1 violin box (sonometer), 1 compass, 1 stop watch, 2 glass boxes, 1 glass almirahs with electric experiment apparatus, 3 arm chairs, 1 chair, 1 glass box with map of Ceylon (topography), 1 Boyle's law apparatus, 1 retort stand, 1 Grenier's hydrometer, 1 balance with glass case, 1 round wall clock, 1 embedding bark with stand, 1 drying oven, 12 retort stands, 2 sets of weights, 8 long measuring scales, 15 T squares, 25 drawing boards, 10 boxes zoo slides, 10 boxes test tubes, 5 packets filter paper, 1 rack, 4 racks, 1 lot large and small glass bottles with chemicals, &c., 3 balances with glass cases, 2 chairs, 13 burettes with stand, 12 jars, 1 linear expansion apparatus, 1 bellows, 23 microscopes, 33 boxes with botany slides, 248 specimen jars, 1 Genog's photometer, 1 complete respiration apparatus, 1 light screen, 1 root pressure apparatus, 1 dark chamber experiment apparatus, 1 Clinostat, 22 stools, 1 blackboard, 1 glass almirah, 4 specimen racks, 1 large desk (table), 7 stain racks, 6 electric table lamps, 1 addressing machine, 3 brass vases, 1 large table clock, 1 oval mirror, 2 picture frames, 1 large table with steel top, 2 steel cabinets, 1 iron almirah (steel cabinet), 3 notice boards, 1 hat stand, 1 wooden stand, 2 electric ceiling fans, 1 arm chair, 1 chair, 7 desks, 10 chairs, 2 almirahs, 1 ice chest, 6 stands, 1 piece (half) round table, 1 teapoy, 1 blackboard, 3 chairs, 5 benches, 11 desks, 1 chair, 1 lot remaining articles.

Fiscal's Office,
Colombo, July 7, 1948.

G. M. CHINNATAMBY,
Deputy Fiscal.

In the District Court of Colombo.

S. P. L. M. S. Nachammai Achy of 302, Sea street, Colombo Plaintiff.

No. 9,012/S Vs.

Ranjit Wijemanne & Co. Ltd., of Bagatalle road, Bam-balapatiya Defendant.

NOTICE is hereby given that on Saturday, July 31, 1948, at 9 A.M. will be sold by public auction at the Pembroke Academy, Bagatalle road, Colombo, the following movable property for the recovery of the sum of Rs. 12,234 with interest on Rs. 12,000 at 18 per cent. per annum from March 10, 1948, till April 30, 1948, and thereafter on the aggregate amount at 5 per cent. per annum till payment in full, viz.:-

Three iron safes, 1 large writing desk, 1 glass book case with table, 1 large glass almirah, 1 glass book case, 6 typewriter tables, 3 typewriters, 10 racks, 2 duplicators, 1 cabinet, 200 chairs, 30 tables, 2 almirahs, 6 large chairs, 2 upholstered chairs, 10 counters, 1 brass elephant, 20 benches.

Fiscal's Office,
Colombo, July 6, 1948.

G. M. CHINNATAMBY,
Deputy Fiscal.

In the District Court of Colombo.

Wijesundera Appuhamillage Joi Nona of Mahawatta in Narahenpita Plaintiff.

No. 1,805/M.B. Vs.

Adikari Aratchige Don Deonis of Bopagama, administrator of the estate of the late Kariawasan Gamage Aron Singho Defendant.

NOTICE is hereby given that on Friday, August 6, 1948, commencing at 1 P.M., at the first land, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 1,054 dated October 8, 1938, and attested by M. R. Wickramasinghe, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated March 7, 1947, for the recovery of the sum of Rs. 400 together with interest on Rs. 400 at the rate of 5 per cent. per annum from May 27, 1946, till payment in full and costs of suit, viz.:-

1. Undivided six-fourteenth parts or shares of the land called Kahatagahawatta with the tiled house standing thereon, situated at Bopagama, in the Udugaha pattu of Siyane korale, in the District of Colombo, Western Province; bounded on the north and west by Kahatagahalanda belonging to Hewawasan Wickrema Atchige Thepanis Appu and others, east by the ditch of Kelagahawatta or Kongahawatta belonging to Kariawasan Wickrema Atchige Isan Appu and others, south by water-course; containing in extent about one and half acres.

2. Undivided six-fourteenth parts or shares of the land called Dunumadalagahalanda, situated at Bopagama aforesaid; bounded on the north by the land of Kariawasan Wickrema Atchige Carols Appu and others, east by Kahatagahalanda belonging to Kariawasan Wickrema Atchige Appu Singho, south and west by Kahatagahalanda belonging to Hewawasan Wickrema Atchige Thepanis Appu and others; containing in extent about three acres.

3. Undivided two-third parts or shares of the land called Gonnagahawatta, situated at Bopagama aforesaid; bounded on the east by Galahitiyawakumbura belonging to Kariawasan Wickrema Atchige Panchi Singho and others, south by Maladola and garden of Kariawasan Wickrema Atchige Peris Appu and others, west by stone fence of the garden of Kariawasan Wickrema Atchige Hendappu and others, north by the ditch of the garden of Kariawasan Wickrema Atchige Appu Singho and others; containing in extent about one acre.

Fiscal's Office,
Colombo, July 6, 1948.

G. M. CHINNATAMBY,
Deputy Fiscal.

In the District Court of Avissawella.

(1) Rauasinghe Arachchige Don Dinitias Appuhamy of Padukka, (2) Muttantrige James of Mitiyagalla ... Plaintiffs.
No. 4,609. Vs.

(1) Sooriya Arachige Don Hendrick de Silva, alias Don Hendrick Sooriya Arachy of Galagedara Defendant.

NOTICE is hereby given that on Friday, July 30, 1948, commencing at 3 p.m., will be sold by public auction at premises the right, title, and interest of the said defendant in the following property, viz. —

For the recovery of the sum of Rs. 2,500, and Rs. 150, as damages up to January 28, 1946, and legal interest on Rs. 2,500, from January 28, 1946, to the date of recovery and costs Rs. 343.07, viz. —

1. All that land called Nabirittelanda planted in rubber, situated at Udagama in Meda pattu of Howagama korale, Colombo District; bounded on the north by land appearing in T. P. 297190, east by land appearing in T. P. 275508 and 27189, south and west by lot 25310 in T. P. 13903; and containing in extent 1 acre 2 roods 20 perches.
Valuation: Rs. 1,200.

2. All that land called Nabirittelanda, planted with rubber, situated at Udagama aforesaid; bounded on the north by reservation along the road, south by lot 4071 in T. P. 15109, west by lot 25310 in T. P. 13903; and containing in extent 36 perches.
Valuation: Rs. 200.

3. An undivided 23/30 share planted with rubber of land called Galkotuweowita, situated at Udagama; and bounded on the north and west by land belonging to M. Sinnappa and others, east and south by Wakoya; and containing in extent one and half acres.
Valuation: Rs. 600.

Fiscal's Office,
Avissawella, June 25, 1948.

A. V. P. SAMARANAYAKA,
Deputy Fiscal.

Central Province.

In the District Court of Kegalla.

Mirihello Warakapitiye Mudiyansele Tikiri Banda of Mawela in Ganne pattu Plaintiff.
No. 3,494. Vs.

Balane Wagapedigedera Gunadara Veda of Kadugannawa (dead) Defendant.
B. W. Subasiri of 23, Pavilion street, Kandy Subs. Defendant.

NOTICE is hereby given that on Thursday, August 19, 1948, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 6,002.35 and poundage, viz. —

1. All that allotment of land called Imbulpitiye Megodabittarapelakumbura and Wanata (portion out of eastern portion), containing in extent 21 perches; bounded on the south by Imbulpitiyawekumbura, east by remaining portion of this land, west by limit of land reserved for road leading to the well being 6 feet in breadth from the wall of upstairs house erected on the remaining portion, and north by Colombo road, together with tiled houses, Nos. 134, 135, and 136, now 183, 184, and 185, situated at Kadugannawa, within the Sanitary Board limit in Kandupalata of Yatnuwara, in Kandy District, and registered in B. 158/128 (Kandy).

2. All that allotment of land called Dehiangekumburewatta alias Dehiangekumburewatta, 24 feet in length and 55 feet in breadth; bounded on the east by remaining portion, south by Dehiange Kahapuwelagahagawakumbura, west by land in plan No. 137,217, and north by high road, situated at Kadugannawa aforesaid, together with houses Nos. 47 and 48 thereon, and registered in B. 158/127.

Fiscal's Office,
Kandy, June 28, 1948.

H. F. RATWATTE,
Deputy Fiscal.

Southern Province.

In the District Court of Matara.

No. ED 2. In the matter of the Estate of Mohamed Lebbe Marikar Ahamed Lebbe Marikar, deceased.

The Commissioner of Estate Duty Petitioner

Ahamadu Lebbe Marikar Innu Laha de 1,003, Kade-weediya, Matara, being the executor of the estate of the above-named deceased Respondent.

NOTICE is hereby given that on Wednesday, July 28, 1948, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said estate in the following property, for the recovery of a sum of Rs. 254 63 with interest thereon at 4 per centum per annum from July 21, 1941, to the date of payment, viz. —

All that undivided $\frac{1}{2}$ share of Mahawila and Paranawila being a portion of the entire field called Dalugodawila, situated at Kitalagama Bajjama in Gangaboda pattu of Matara District, Southern Province; and which said portion is bounded on the north by Banwelduwa Dalugodawila east by Kukulawatta and Dalugodawila, south by Gansabhawa road, and on the west by Dalugodawila; and containing in extent about 9 acres. Valued at Rs. 2,000.

Deputy Fiscal's Office,
Matara, June 30, 1948

D. L. P. KARAWITA,
Additional Deputy Fiscal.

In the District Court of Tangalla.

P. H. Mendis Silva of Hambantota Plaintiff.
No. 4,778. Vs.

W. K. Dionis Appu of Palapota and others Defendants.

NOTICE is hereby given that on Tuesday, August 3, 1948, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, for the recovery of Rs. 609.38, viz. —

At Sitinamaluwa.

(1) Ketangahahena lot B in extent 2 roods and 35 1128/3360 perches, situated at Sitinamaluwa, in West Giruwa pattu of the Hambantota District, Southern Province; and bounded on the north by Suriyagahahena, east by lot C, south by Telvidanage-watta, and west by lot A.

(2) Ketangahahena lot C in extent one acre and 2240/8360 perch, situated at Sitinamaluwa aforesaid; and bounded on the north by Suriyagahahena, east by lot D, south by Telvidanage-watta, and west by lot B.

(3) Ketangahahena lot D in extent 2 roods and 1120/8360 perch, situated at Sitinamaluwa aforesaid; and bounded on the north by Suriyagahahena, east by lot E, south by Telvidanage-watta, and west by lot C.

Deputy Fiscal's Office,
Tangalla, June 28, 1948.

W. A. BENNETT SILVA,
Additional Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

(1) Puththirar Periatnamby and (2) wife Ponnammah of Chulipuram Plaintiffs.
No. 4,118. Vs.

Arunasalam Kandasamy of Chulipuram Defendant.

NOTICE is hereby given that on Saturday, August 14, 1948, at 10 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. 1,012 with interest on Rs. 1,000 at the rate of 7 per cent. per annum from January 7, 1948, till February 9, 1948, and thereafter on the aggregate amount of decree at 5 per cent. per annum till payment in full and poundage and charges, viz. —

An undivided $\frac{1}{2}$ share of all that piece of land situated at Chulipuram in Chankana parish, Valikamam West Division of the Jaffna District, Northern Province, called Iramanusanthan, in extent 13 $\frac{1}{2}$ lms. p.c.; bounded on the east by Pary, wife of Raman, frontage of by-lane and by Sithamparam Velu, north by Punnan Kanthan and T. Kanagasabai, west by K. P. Saraswathy and K. Sithamparapillai, and south by S. Kanapathippillai and shareholders.

This land is said to be under mortgage.

Fiscal's Office,
Jaffna, July 6, 1948.

K. C. CHELLAPPAN,
for Fiscal.

Province of Uva.

In the District Court of Badulla.

C. Kandasamy of Badulla Plaintiff.
No. 8,232. Vs.

A. M. Abdulla Sahib of Gurundawatta in Badulla ... Defendant.

NOTICE is hereby given that on Friday, July 30, 1948, at 2.30 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 a sum of Rs. 150, viz. —

All that land called and known as Kandekumbura (lot No. 2) situated in Weddigune, Ralpola korale, Yatikinda division, Badulla District of the Province of Uva; and bounded on the north by the stone boundary of Peellapitiyewatta and limit of Appunade's paddy field, east by stone boundary of Peellapitiyewatta, south by road, ima and Pallepeella, and west by the limit of Mali Neina Lebbe's paddy field; containing in extent 1 acre 1 rood and 5 perches, and registered under B 136/95 at the Badulla Land Registry.

Fiscal's Office,
Badulla, July 5, 1948.

T. KANDIAH,
for Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Bamunu Aratchige Don Semaneri Appuhamy, Managing Director of the High Level Road Bus Company, Ltd. of Homagama, in the District of Colombo, deceased.
No. 12,968.

Bamunu Aratchige Don Ranpala of Ratmalana, in the District of Colombo Petitioner.

And

(1) Dona Gnanawathie Ranasinghe Wijesiriwardene, (2) Bamunu Aratchige Dharmasena, (3) ditto Piyasena, (4) ditto Piyaseli, (5) ditto Saranapala, and (6) ditto Mahipala; the 2nd to 6th respondents, minors, appearing by their guardian ad litem the 1st respondent above named, all of Homagama, in the District of Colombo Respondents.

THIS matter coming on for disposal before N. Sunnetamby, Esq., Additional District Judge of Colombo, on June 23, 1948, in the presence of Messrs. de Silva & Mendis, Proctors, on the

part of the petitioner; and the affidavit of the petitioner dated April 21, 1948, and Supreme Court order dated May 18, 1948, having been read:

It is ordered that the 1st respondent above named be and she is hereby appointed guardian *ad litem* over the 2nd, 3rd, 4th, 5th and 6th respondents, minors, and that the petitioner be and he is hereby declared entitled, as nephew 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 August 5, 1948, show sufficient cause to the satisfaction of this court to the contrary.

June 23, 1948.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament Jurisdiction. of Don Lewis Kuruppu Wijewardane of Jayamandira, Tantrimulla, Panadure, deceased.
No. 12,962.

Don Vincent Indrasena Kuruppu Wijewardane of Jayamandira, Tantrimulla, Panadure Petitioner.
Vs.

Don Douglas Karunasena Kuruppu Wijewardane of Jayamandira, Tantrimulla, Panadure Respondent.

THIS matter coming on for disposal before V. S. Jayawickrema, Esq., Additional District Judge of Colombo, on June 4, 1948, in the presence of Messrs. Moonesinghe & Jayamaha, Proctors, on the part of the petitioner; and the affidavits of (1) the petitioner dated April 8, 1948 and (2) the attesting notary and witnesses dated April 8, 1948, having been read:

It is ordered that the last will and testament of Don Lewis Kuruppu Wijewardane, the deceased above named, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved, and the petitioner is the executor named in the said will, and he is hereby declared entitled to have probate thereof issued to him accordingly, unless the respondent or any other person or persons interested shall, on or before July 15, 1948, show sufficient cause to the satisfaction of this court to the contrary.

June 30, 1948.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jayasekera Kattota Ralalage alias Jayasekera Jurisdiction. Mudiyansele Agos Singho of Opathella in the Udugaha pattu of Siyane korale, deceased.
No. 12,965.

Kaluachchi Kankanamalage Ran Menika of Opathella aforesaid Petitioner.

Vs.

(1) Jayasekera Kattota Ralalage alias Jayasekera Mudiyansele Premawathie, (2) Jayasekera Kattota Ralalage alias Jayasekera Mudiyansele Samarasinghe of Opathella, minors, appearing by their guardian *ad litem* (3) Kaluachchi Kankanamalage Jayasekera of Opatha Respondents.

THIS matter coming on for disposal before V. S. Jayawickrema, Esq., Additional District Judge of Colombo, on June 7, 1948, in the presence of Mr. L. C. de Livera, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated May 25, 1948, having been read:

It is ordered that the 3rd respondent be and he is hereby appointed guardian *ad litem* over the 1st and 2nd respondents, minors, and the petitioner be and she is hereby declared entitled, as 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 15, 1948, show sufficient cause to the satisfaction of this court to the contrary.

June 18, 1948.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. R. M. S. L. Letchumana Pillai of Colombo, deceased.
No. 12,974.

Manickam Pillai, son of Letchumana Pillai of Sea street, Colombo Petitioner.

Vs.

(1) Meenatchi Ammal, widow of R. M. S. L. Letchumana Pillai of Kandavarayanpatti, Ramnad District, South India Respondent.

THIS matter coming on for disposal before N. Sinnetamby, Esq., Additional District Judge of Colombo, on June 16, 1948, in the presence of Mr. K. Rasanathan, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated January 20, 1948, and Supreme Court order dated June 2, 1948, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son of the deceased, to have letters of administration to the estate of the deceased issued to him accordingly, unless the respondent or any other person or persons interested shall, on or before August 26, 1948, show sufficient cause to the satisfaction of this court to the contrary.

June 22, 1948.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament Jurisdiction. of Charles Kent of 70, Cranbrook road, Handsworth in the City of Birmingham, England, formerly of Horton place, Colombo.
No. 12,975-T.

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 the above-named Charles Kent, deceased, granted by the Birmingham District Probate Registry at Birmingham, of His Majesty's High Court of Justice in England, on the 16th day of January, 1948.

LIONEL L. FONSEKA,
Proctor for David Christie Lornie, Attorney for George Forbes Neville Kent, Administrator (with will annexed), of Charles Kent, deceased, 51, Queen street, Fort Colombo.

Colombo, June 11, 1948.

In the District Court of Colombo.

Order Absolute in the First Instance.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Nugegodage Richard de Silva Karunaratne of No. 12,978. 4th lane, Colpetty, in Colombo, deceased.

Nugegodage Alice de Silva Karunaratne of 51, Jayawardene place, Hill street, Dehiwala Petitioner

THIS matter coming on for final determination before N. Sinnetamby, Esq., Additional District Judge of Colombo, on June 14, 1948, in the presence of Mr. F. Rustomee, Proctor, on the part of the petitioner; and the affidavits of (1) the petitioner dated March 3, 1948, and (2) the attesting notary and witnesses dated November 14, 1947, having been read:

It is ordered that the last will and testament No. 2,106 made by Nugegodage Richard de Silva Karunaratne, and attested by Mr. J. M. Pereira, Notary Public, on June 11, 1937, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved, and the petitioner is the executrix named in the said will and she is hereby declared entitled to have probate thereof issued to her accordingly on her taking the oath and tendering security.

June 18, 1948.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Notice of Application

Testamentary In the Matter of the Last Will and Testament Jurisdiction. of Florence Emily Clark, late of Houghton Hembury Broadhembury, in the County of Devon, formerly of Dunedin, Yatiyantota, in the Island of Ceylon, widow, deceased.
No. 12,991.

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 probate of the last will and testament of Florence Emily Clark late of Houghton Hembury Broadhembury, in the County of Devon, formerly of Dunedin, Yatiyantota, in the Island of Ceylon, widow, deceased, granted by the District Probate Registry of His Majesty's High Court of Justice at Winchester, on the fourteenth day of January, one thousand nine hundred and forty-eight.

F. G. ROWAN,
Attorney for Bertie Neil Grant Gordon Graham the sole executor of the last will and testament of Florence Emily Clark, deceased.

Colombo, June 22, 1948.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament Jurisdiction. and Codicils of Richard Alfred Edward Townley Woodman, late of 5, Clarence terrace, Regents Park, London, deceased.
No. 12,992.

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 probate of the last will and testament and codicils of

Richard Alfred Edward Townley Woodman, late of 5, Clarence terrace, Regents Park, London, deceased, granted by the Principal Probate Registry of His Majesty's High Court of Justice on August 14, 1947.

F. C. ROWAN,

Attorney for Stafford Hubert Ferrand and Hugo William John Ferrand, the executors of the last will and testament and codicils of Richard Alfred Edward Townley Woodman, deceased.

Colombo, June 22, 1948

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament and Codicils of Sir John Scurrah Randles, late of Bistowe Hill, Keswick, in the County of Cumberland, England, 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 photostatic copy of probate of the last will and testament and codicils of Sir John Scurrah Randles, late of Bristower Hill, Keswick, in the County of Cumberland, England, deceased, granted by the District Probate Registry of His Majesty's High Court of Justice at Carlisle on the 1st day of June, 1945.

F. C. ROWAN,

Attorney for Dame Elizabeth Hartley Randles, Rowland Waddington Scurrah and John Arnold Ellis, the Executors of the last will and testament and codicils of Sir John Scurrah Randles, deceased.

Colombo, June 22, 1948.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament of Dame Maud Adeline McIlquham of Staverton House, Staverton, in the County of Gloucester, England, 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 probate of the last will and testament of Dame Maud Adeline McIlquham of Staverton House, Staverton, in the County of Gloucester, England, deceased, granted by the District Probate Registry of His Majesty's High Court of Justice at Gloucester on the 17th day of July, 1947.

F. C. ROWAN,

Attorney for Sir Gilbert McIlquham, the sole executor of the last will and testament of Dame Maud Adeline McIlquham, deceased.

Colombo, June 22, 1948.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Gamage Jurisdiction Don David Appuhamy of Wijesiri Mandira, No. 12,995. 116, Layards Broadway, Colombo, deceased.

Gamage Dona Karunawathie Perera of 717, 2nd Division, Maradana, Colombo Petitioner.

Vs.

(1) Gamage Don Lionel Ayupala, (2) ditto Don Clement Chandrapala, (3) ditto Don Earnest Abeyapala, (4) ditto Don Douglas Ratnapala, (5) Don Edward Jayapala, (6) ditto Don Nelson Wijepala, all of 717, 2nd Division, Maradana, Colombo; minors, by their guardian *ad litem* (7) Gamage Don Karunaratne Perera of 191, Welikada, Rajagiriya Respondents.

THIS matter coming on for disposal before N. Sinnatamby, Esq., Additional District Judge of Colombo, on June 23, 1948, in the presence of Mr. S. H. Dias-Abeyasinghe, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated June 22, 1948, having been read:

It is ordered that the 7th respondent be and he is hereby appointed guardian *ad litem* over the 1st to 6th 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 July 29, 1948, show sufficient cause to the satisfaction of this court to the contrary.

June 28, 1948.

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 Maurice James Paine of 52, Langdale Gardens, Hove, in the County of Sussex, England, Company Director, 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 last will and testament of Maurice James Paine of 52, Langdale Gardens, Hove, in the County of Sussex, England, Company Director, deceased, granted by the Principal Probate Registry of His Majesty's High Court of Justice in England on the second day of February, one thousand nine hundred and forty-eight.

F. J. & G. DE SARAM,

Proctors for Alexander Godfrey Donn, the attorney of The Royal Exchange Assurance of the Royal Exchange in the City of London, England, the sole executor named in the said will.

Colombo, July 9, 1948.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament of Henry Charles Geoffrey Blandford, otherwise Geoffrey Blandford of Royal Naval Base, Trincomalee, in the Island of Ceylon, formerly of Brookwood, in the County of Surrey, England, a Lieutenant Colonel, in His Majesty's Royal Marines, 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 last will and testament of Henry Charles Geoffrey Blandford, otherwise Geoffrey Blandford of Royal Naval Base, Trincomalee, in the Island of Ceylon, formerly of Brookwood, in the County of Surrey, England, a Lieutenant Colonel, in His Majesty's Royal Marines, deceased, granted by The District Probate Registry at Winchester of His Majesty's High Court of Justice in England on the 21st day of November, one thousand nine hundred and forty-seven.

V. GNANARATNAM COOKE,

Proctor for James Frederick van Langenberg, the attorney of Irene Anna Anita Marguerite Blandford of 21, Hill Court, Wimbledon Hill, S. W. 19, in the County of London, England, widow, the sole executrix named in the said will.

Colombo, July 9, 1948.

In the District Court of Panadura.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction Mapiitiyage Thomas Singho of Demaladuwa. No. 117. in the Palle pattu of Salpiti korale, deceased.

Pathirage Selohamy of Demaladuwa aforesaid Petitioner.

(1) Mapiitiyage Seneris Singho, (2) ditto Carolis Singho, (3) ditto Noris Singho, (4) ditto Susanahamy, (5) ditto Haramanis Karunatileke, (6) ditto Mary Nona, (7) ditto Aslin Nona, (8) ditto Maggie Nona, all of Demaladuwa aforesaid; the 6th, 7th, and 8th are minors, appearing by their guardian *ad litem* the 2nd respondent above named Respondents.

THIS matter coming on for disposal before K. D. de Silva, Esq., District Judge of Panadura, on May 27, 1948, in the presence of Mr. Danister Perera, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner having been read:

It is ordered that the 2nd respondent be and he is hereby appointed guardian *ad litem* over the 6th, 7th, and 8th 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 July 21, 1948, show sufficient cause to the satisfaction of this court to the contrary.

July 5, 1948.

ROLAND DE ZOYSA,
Additional District Judge.

In the District Court of Panadura.

Order Absolute in the First Instance.

Testamentary In the Matter of the Last Will and Testament
Jurisdiction. of Weerabandenne Mary Ellen Peris *nee*
No. 122. Fernando of "Elerhe" Idama, in Mora-
tuwa, deceased.

Mutantrige James Ernest Victor Peetis of Idama in
Moratuwa Petitioner.

THIS matter coming on for final determination before A. C. Gooneratne, Esq., Additional District Judge of Panadura, on June 23, 1948, in the presence of Mr. Alfred V. Fernando, Proctor, on the part of the petitioner above named, and the affidavits of (1) the said petitioner dated June 15, 1948, and (2) the attesting notary and the two witnesses to the last will and testament dated June 15 and 17, 1948, having been read.

It is ordered that the last will and testament of the above-named deceased bearing No. 1,700 dated August 23, 1943, and attested by Alfred V. Fernando of Moratuwa, Notary Public, the original of which has been produced and is now deposited in 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 last will and testament and he is entitled to have probate of the said will issued to him accordingly, on his taking the usual oath, unless sufficient cause is shown to the contrary to the satisfaction of this court on or before July 28, 1948.

ROLAND DE ZOYSA,
Additional District Judge.
July 2, 1948.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Hetti-
Jurisdiction. aratchige Don Richard Gunasekera of Medam-
No. 3,482. mulla in the District of Negombo, deceased.

Jayasinghe Aratchige Don Peter Appuhamy of Medammulla
aforesaid Petitioner.

And

- (1) Jayasinghe Aratchige Dona Lizzie Nona of Medammulla,
(2) Hetti-aratchige Dona Anulawathie, (3) ditto Chandra-
latha Beatrice, both of Medammulla aforesaid; the
said 2nd and 3rd respondents, minors, by their guardian
ad litem the 1st respondent above named Respondents

THIS matter coming on for disposal before L. B. de Silva, Esq., District Judge of Negombo, on April 9, 1948, in the presence of Mr. M. Austin Fernando, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated January 8, 1947, having been read:

It is ordered that the 1st respondent be and she is hereby appointed guardian *ad litem* over the 2nd and 3rd respondents, minors, and the petitioner be and he is hereby declared entitled, as brother-in-law of the deceased, and brother of the 1st respondent, 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 May 11, 1948, show sufficient cause to the satisfaction of this court to the contrary.

N. KRISHNADASAN,
District Judge.
May 6, 1948.

The date is extended to June 1, 1948.

N. KRISHNADASAN,
District Judge.
The date is extended to June 22, 1948.

N. KRISHNADASAN,
District Judge.
The date is extended to July 13, 1948.

N. KRISHNADASAN,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Dona
Jurisdiction. Caroline Athulathmudali Jayawardane,
No. 3,338. deceased, of Welipenna.

(1) Jayanetti Korallage Don Solomon Jayawardane, Inquirer
into Sudden Deaths of Welipenna Petitioner.

Vs.

- (1) Dona Helena Manamperi Hamme, (2) Don Abraham
Athulathmudali, (3) Don Manis Athulathmudali, (4) Dona
Albina Athulathmudali, all of Maha Aruggoda, in Alu-
bomulla, (5) Don James Athulathmudali of Maha Bellana
in Alubomulla, (6) Dona Missia Athulathmudali of Ha-
bakkala in Induruwa Respondents.

THIS matter coming on for disposal before M. C. Sansoni, Esq., District Judge, Kalutara, on June 12, 1948, in the presence of Mr. Arthur de Silva, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated June 9, 1948, having been read:

It is ordered that the above-named petitioner is entitled to letters of administration to the estate of the said deceased and the same be issued to him, unless the respondents or any other person or persons interested shall, on or before July 30, 1948, show sufficient cause to the satisfaction of this court to the contrary.

M. C. SANSONI,
District Judge.
June 12, 1948.

In the District Court of Matale.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jayasuriya
Jurisdiction. Aratchige Don William of Ambagastenna in
No. T 13. Rattota, Matale East, Matale.

Jayasuriya Aratchige Don Charles of Ambagastenna in
Rattota, Matale East Petitioner.

Vs.

- (1) Jayasuriya Aratchige Dona Letitia, (2) Jayasuriya
Aratchige Don Thimothy Abel, (3) Jayasuriya Aratchige
Dona Adline Maraya, all of Ambagastenna, in Rattota
aforesaid Respondents.

THIS matter coming on for disposal before P. R. Gunasekera, Esq., District Judge, Matale, on May 14, 1948, in the presence of Messrs. Wijayatilake & Wijayatilake, Proctors, on the part of the petitioner; and the affidavit of the above-named petitioner dated April 22, 1948, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as brother of the said deceased, to have letters of administration to his estate issued to him, unless the above-named or any other person or persons interested shall, on or before June 24, 1948, show sufficient cause to the satisfaction of this court to the contrary.

P. R. GUNASEKERA,
District Judge.
June 22, 1948.

This is extended to show cause if any on or before
July 15, 1948.

P. R. GUNASEKERA,
District Judge.
June 25, 1948.

In the District Court of Balapitiya.

Order Nisi.

Testy. No. 54 In the Matter of the Intestate Estate of Malliya
Wadu Carolis de Silva of Patabendimulla in
Ambalangoda, deceased.

Maliya Wadu Thomas de Silva of Patabendimulla in
Ambalangoda Petitioner.

Vs.

- (1) Maliya Wadu Piyaseeh of Andadola in Ambalangoda,
(2) ditto Layasena, (3) ditto Karunawathie, both of Pata-
bendimulla in Ambalangoda Respondents.

THIS matter coming on for disposal before T. P. P. Goonetilleke, Esq., District Judge of Balapitiya, on June 1, 1948, in the presence of Mr. S. Ekaratne, Proctor, on the part of the petitioner above named; the petition of the above-named petitioner dated June 1, 1948, and the affidavit dated May 31, 1948, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as an heir and as the eldest son of the above-named deceased, to have letters of administration to the above estate issued to him accordingly, unless some other person or persons interested shall, on or before July 28, 1948, show sufficient cause to the satisfaction of this court to the contrary.

T. P. P. GOONETILLEKE,
District Judge.
June 11, 1948.

In the District Court of Balapitiya.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament
No. T 56. of Jasentu Patabendi Carolis de Silva, late
of Polwatta in Ambalangoda

Obadage Sophia de Silva Jayawardana of Polwatta in
Ambalangoda Petitioner

And.

- (1) Jasentu Patabendi Sematunga of Polwatta in Ambalan-
goda, (2) Jasentu Patabendi Gunapala of Patabendimulla
in Ambalangoda, (3) Jasentu Patabendi Jinadari of Pol-
watta in Ambalangoda, (4) Jasentu Patabendi Sirina-
wathie, (5) ditto Banduwathie, (6) ditto Mahindradasa,
(7) ditto Karunasena, (8) Gustinna Liyana Amara *alias*
Matilda Piyasena *nee* de Silva, all of Polwatta in Amba-
langoda, (9) Gustinna Liyana Malika Sumana Suriya *nee*
de Silva of Maha-Ambalangoda, (10) Gustinna Liyana
Tilaka de Silva, (11) ditto Warna de Silva, (12) ditto
Sujata de Silva, (13) ditto Austin Premananda de Silva,
all of Polwatta, (14) Jasentu Patabendi Robert de Silva,
presently of Singapore; the 10th, 11th, 12th and 13th res-
pondents being minors appearing by their guardian *ad*
litem the 5th respondent Respondents.

THIS matter coming on for disposal before T. P. P. Goonetilleke, Esq., District Judge of Balapitiya, on June 19, 1948, in the presence of Mr. J. P. S. de Silva, Proctor, on the part of the petitioner above named; and the affidavits of the said petitioner and the attesting notary and the witnesses dated June 16, 1948, and June 2 and 16, 1948, having been read:

It is ordered that the joint last will and testament bearing No. 1,751 dated April 6, 1944, and attested by Mr. J. P. S. de Silva, Notary Public, of Jasentu Patabendi Carolis de Silva, and the said Obadage Sophia de Silva Jayawardana, now deposited in this court, be and the same is hereby declared proved and the said petitioner is the executrix named in the said last will and that she is entitled to have probate of the same issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before July 28, 1948, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 5th respondent be and she is hereby appointed guardian *ad litem* over the minors, the said 10th, 11th, 12th, and 13th respondents, to represent them for all purposes of these proceedings.

June 19, 1948.

T. P. P. GOONETILLEKE,
District Judge.

In the District Court of Galle.

Order Nisi

Testamentary In the Matter of the Intestate Estate of William de Silva Wijeratne, late of Hathuwapiyadigama in Ahangama, deceased

No. 8.240
Caralina Gooneratne of Pettigalawatta in Galle Petitioner.

Vs.

(1) Gertrude Wijeratne, (2) Punnyawathie Wijeratne, (3) Dudley Wijeratne, (4) Jane Wijeratne, all of Pettigalawatta, (5) N. S. P. S. Hubert Wijeratne of Ahangama Respondents

THIS matter coming on for disposal before V. E. Rajakarier, Esq., District Judge of Galle, on June 25, 1948, in the presence of Messrs. C. L. & M. L. N. Wickremasinghe, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated June 25, 1948, having been read:

It is ordered that the 5th respondent be and is hereby appointed guardian *ad litem* over the 1st, 2nd, and 3rd respondents for the purpose of these proceedings, and the petitioner, as the mother of the 4th respondent who is the widow of the said deceased, be and is hereby declared entitled to administer the estate of the above-named deceased, and letters of administration be issued to her accordingly, unless the respondents or any other person or persons interested shall show cause to the satisfaction of this court to the contrary on July 30, 1948.

It is further ordered that the 1st, 2nd and 3rd respondents be present before this court on July 30, 1948.

June 25, 1948.

V. E. RAJAKARIER,
District Judge.

In the District Court of Galle

Order Nisi

Testamentary In the Matter of the Intestate Estate of Douglas de Silva Seneviratne, late of Hikkaduwa, deceased.

No. 8.282.
Loknawaduge Lewis de Silva of Hikkaduwa, Petitioner

Vs.

Mabel Violet de Alwis nee Seneviratne of Hikkaduwa Respondent

THIS matter coming on for disposal before V. E. Rajakarier, Esq., District Judge of Galle, on June 24, 1948, in the presence of Messrs. C. L. & M. L. N. Wickremasinghe, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated May 19, 1948, having been read:

It is ordered that the petitioner, as the husband of the respondent who is the sister and sole heir of the said deceased be and he is hereby declared entitled to administer the estate of the said deceased, and letters of administration be issued to him accordingly, unless the respondent or any other person or persons interested shall show cause to the satisfaction of this court to the contrary on July 30, 1948.

June 24, 1948

V. E. RAJAKARIER,
District Judge.

In the District Court of Galle.

Order Nisi

Testamentary In the Matter of the Intestate Estate of the late Frederick alias Freddy Jayasekera of 14, Templar's road, Kaluwella, Galle, deceased.

No. 8.287.
Francis Christopher Peiera of 14, Templar's road, Kaluwella, Galle Petitioner.

And

(1) Mary Beatrice Perera nee Wickramaratne, (2) Bennet Laurence Wickramaratne, both of 14, Templar's road, Kaluwella, Galle Respondents

THIS matter coming on for disposal before V. E. Rajakarier, Esq., District Judge of Galle, on June 23, 1948, in the presence of Messrs. Adhithetty & Abeyesundere, Proctors, on the part of the petitioner; and the petition and affidavit of the petitioner above named dated June 18 and 17, 1948, respectively, having been read:

It is ordered that the said petitioner, as the brother-in-law of the deceased be and he is hereby declared entitled 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 July 30, 1948, show sufficient cause to the satisfaction of this court to the contrary.

June 23, 1948.

V. E. RAJAKARIER,
District Judge.

In the District Court of Jaffna.

Order Nisi declaring Will proved and Appointment of Guardian ad Litem

Testamentary In the Matter of the Last Will and Testament Jurisdiction. of the late Velauthar Karthigesu of Karainagar East, deceased.
No. 866.

Velupillai Kanapathipillai of Karainagar East Petitioner.

Vs.

(1) Kandiah Paramanathan, (2) Thilagavathipillai, daughter of Kandiah, minors, (3) Kanapathipillai Subramaniam, all of Karaitivu East Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on May 31, 1948, in the presence of Messrs. Aboubucker & Sultan, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated May 25, 1948, and that of the witnesses and notary dated May 21, 1948, having been read:

It is ordered that the above-named 3rd respondent be and the same is hereby appointed guardian *ad litem* over the 1st and 2nd respondents who are minors, for the purpose of watching their interest in these proceedings, and that the last will and testament of the late Velauthar Karthigesu, bearing date, March 28, 1948, attested by P. Subaratnam, Notary Public, the original of which is deposited in this court be and the same is hereby declared proved, and the petitioner is the executor named therein, and as such he is entitled to have probate thereof, unless the respondents or any other person shall appear before this court on June 30, 1948, and show cause to the satisfaction of this court to the contrary.

And it is further ordered that the 3rd respondent do produce the minors in court on the said date.

May 31, 1948

R. R. SELVADURAI,
District Judge.

Time to show cause extended to July 28, 1948.

June 30, 1948.

R. R. SELVADURAI,
District Judge.

In the District Court of Jaffna.

Order Nisi

Testamentary In the Matter of the Intestate Estate of late Jurisdiction. Ponniah Tharumalingam of Suthumalai, No. 868 late of Alor Gajah, deceased.

Tharayalmuthu, widow of P. Tharumalingam of Suthumalai Petitioner.

Vs.

(1) Tharmaretnam, (2) Thangamalar, (3) Sivasubramaniam, all children of the said P. Tharumalingam, (4) Ponnambalam Kathravolu, all of Suthumalai Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on April 21, 1948, in the presence of Mr. V. Vinasithamby, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated March 16, 1948, having been read:

It is ordered that the above-named 4th respondent be appointed guardian *ad litem* over the minors, the 1st, 2nd, and 3rd respondents, and that letters of administration over the estate of the above-named deceased be issued to the petitioner, as the widow of the said deceased, unless the respondents or others shall, on or before May 21, 1948, appear before this court and show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the petitioner do produce the said minors in court on the said date

April 21, 1948.

R. R. SELVADURAI,
District Judge.

Extended for June 18, 1948.

R. R. SELVADURAI,
District Judge.

Extended for July 16, 1948

R. R. SELVADURAI,
District Judge.

In the District Court of Point Pedro.

Order Nisi

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Nagappan Ponniah of Puloly West, deceased.
No. 333/P.T.

Ponniah Thrunavukkarasu of Puloly West, Point Pedro Petitioner.

Vs.

Maheswary, daughter of Ponniah of Puloly West Respondent.

THIS matter coming on for disposal before G. C. T. A. de Silva, Esq., Additional District Judge, Jaffna, on May 27, 1947, in the presence of Mr. M. Esurapadham, Proctor, on the part of the petitioner; and the petition and affidavit of the petitioner having been read:

It is ordered that the petitioner, as heir of the deceased Nagappan Ponniah, be declared entitled to have letters of administration to the estate of the said deceased, and that letters of

administration be issued to him accordingly, unless the respondents appear before this court on or before June 20, 1947, and show sufficient cause to the satisfaction of this court to the contrary.

May 27, 1947.

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

Time to show cause extended to July 15, 1948

W. R. DE SILVA,
District Judge.

July 5, 1948.

In the District Court of Mannar.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Usansaibo Pichchai of Puthukudiyuruppu, No. 699. deceased.

Usansaibo Sahulhamid of Puthukudiyuruppu Petitioner.

Vs.

(1) Isuvathumma, widow of Pichchai, (2) Pichchai Kasamohideen, (3) Pichchai Akbar, all of Puthukudiyuruppu Respondents

THIS matter coming on for disposal before P. Malalgoda, Esq., District Judge, Mannar, on May 17, 1948, in the presence of Mr. M. M. Aboothahir, Proctor, on the part of the petitioner, and the petition and affidavit of the said petitioner having been read:

It is ordered that the petitioner be and he is hereby declared entitled to have letters of administration to the estate of the deceased above named, and the 1st respondent, mother of the 2nd and 3rd respondents, be appointed guardian *ad litem* of the 2nd and 3rd respondents, unless the respondents above named, or any other person shall, on or before June 23, 1948, show sufficient cause to the satisfaction of this court to the contrary.

May 17, 1948.

P. MALALGODA,
District Judge

Time for showing cause extended to July 26, 1948.

June 23, 1948.

P. MALALGODA,
District Judge

In the District Court of Anuradhapura.

Order Nisi.

No. 539. In the Matter of the Estate and Effects of Madar Kanny Mohamadu Mohideen Kader Saibo Mohideen Sathakku of Anuradhapura, deceased.

Madar Kanny Mohamadu Mohideen Kader Saibo Kachchi Mohideen of Anuradhapura Petitioner.

Vs.

(1) Mohideen Sathakku Abdul Cader, (2) Mohideen Sathakku Mohamadu Mohideen, minors, of South street, Keelakara, Ramnad District, South India, appearing by their guardian *ad litem* the 3rd Respondent, (3) Segu Packees Mohamadu Mari Amma of South street, Keelakara, Ramnad District, South India Respondents.

THIS matter coming on for disposal before A. W. Nadarajah, Esq., District Judge of Anuradhapura, on May 25, 1948, in the presence of Mr. S. Nata Raja, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated May 21, 1948, having been read:

It is ordered that the 3rd respondent be and she is hereby appointed guardian *ad litem* of the 1st and 2nd respondents and that letters of administration to the estate of the above-named deceased be issued to the petitioner, unless the respondents or some other person shall show sufficient cause to the contrary on or before July 16, 1948.

May 25, 1948.

A. W. NADARAJAH,
District Judge.

MISCELLANEOUS NOTICES.

In the District Court of Kurunegala.

No. 277 Special. In the Matter of the Green Line Omnibus Company, Ltd., of 46, Esplanade street, Kurunegala.

And

In the Matter of an Application under Part V. of the Companies Ordinance, No. 51 of 1938.

(1) G. D. E. Malawana of Potuhera, (2) C. B. Walgampaya, Advocate of Kandy, (3) Mrs. Rita Mary Pinto of Ferry street, Chilaw, (4) Mrs. T. H. M. Silva of Maho, presently of Angulgaha, Galle Petitioners.

NOTICE is hereby given that a petition for the winding up of the above-named company by the District Court of Kurunegala was on June 4, 1948, presented to the said court by us, Charles Lawrence Weerasekera Perera, Albert Clarence Amerasinghe, and Kalpege Ivor George Lawrence Weerasekera Perera, Proctors practising in partnership under the name, style, and firm of Perera & Perera, assisted by Sextus G. Pieris, Proctor, S.C., for and on behalf of the above-named petitioners, G. D. E. Malawana of Potuhera, C. B. Walgampaya, Advocate of Kandy, Mrs. Rita Mary Pinto of Ferry street, Chilaw, and Mrs. T. H. M. Silva of Maho, presently of Angulgaha, Galle: And that the said petition is directed to be heard before the court on August 12, 1948, and any creditor or contributory of the said company desirous to support or oppose the making of an order on the said petition may appear at the time of hearing in person or by his counsel or proctor for that purpose; and a copy of the petition will be furnished to any creditor or contributory of the said company requiring the same by the undersigned on payment of the prescribed charge for the same.

Perera & Perera,
Proctors,
The Ark,
Colombo road,
Kurunegala.

Note.—Any person who intends to appear on the hearing of the said petition either to oppose or support the same must serve on, or send by post to the above-named proctors, notice of his intention so to do at The Ark, Colombo road, Kurunegala. The notice must state the name and address of the person, or, if a firm, the name and address of the firm, and must be signed by the person or firm, or his or their proctor (if any), and must be served, or if posted, must be sent by post in sufficient time to reach the above-named firm of proctors not later than 6 P.M., on August 11, 1948.

The above advertisement is inserted in compliance with Rule 7 and Form 3 of the companies' winding up rules.

PASSED ACTS.

L.D.—O.53/46.

Commissioner of Prison and Probation Services (Amendment) Act, No. 10 of 1948.

AN ACT TO AMEND THE COMMISSIONER OF PRISON AND PROBATION SERVICES ORDINANCE, NO. 41 OF 1944, AND TO EFFECT CONSEQUENTIAL AMENDMENTS IN OTHER LAWS.

[Date of Assent: July 8, 1948.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the Commissioner of Prison and Probation Services (Amendment) Act, No. 10 of 1948.

Amendment of Ordinance No. 41 of 1944.

2. (1) The long title to the Commissioner of Prison and Probation Services Ordinance, No. 41 of 1944 (hereinafter referred to as "the principal enactment"), is hereby amended by the substitution, for the expression "Assistant Commissioner", of the expression "Deputy Commissioner".

(2) Section 2 of the principal enactment is hereby amended as follows:—

- (a) in paragraph (b) of that section by the substitution, for the expression “ Assistant Commissioner of Prison and Probation Services. ”, of the expression “ Deputy Commissioner of Prison and Probation Services. ”; and
- (b) in the marginal note to that section by the substitution, for the expression “ Assistant Commissioner ”, of the expression “ Deputy Commissioner ”.

3. Any person who, on the date on which this Act comes into operation, holds the office of Assistant Commissioner of Prison and Probation Services by virtue of appointment made before that date under section 2 of the principal enactment, shall be deemed to have been appointed as Deputy Commissioner of Prison and Probation Services under that section as amended by this Act.

Assistant
Commissioner to
be deemed to be
Deputy
Commissioner.

4. (1) Section 7 of the Prisons Ordinance is hereby amended in sub-section (2) thereof by the substitution, for the expression “ Assistant Commissioner of Prison and Probation Services ”, of the expression “ Deputy Commissioner of Prison and Probation Services ”.

Amendment of
Chapter 44 and
any rule or
document made
or issued under
or for the
purposes of that
Chapter.

(2) The expression “ Deputy Commissioner of Prison and Probation Services ” is hereby substituted for the expression “ Assistant Commissioner of Prison and Probation Services ” wherever the latter expression occurs in any rule or document made or issued under or for the purposes of the Prisons Ordinance.

5. The expression “ Deputy Commissioner of Prison and Probation Services ” is hereby substituted for the expression “ Assistant Commissioner of Prison and Probation Services ” wherever the latter expression occurs in any written law other than the Prisons Ordinance and the rules made under that Ordinance, or in any direction, notification or document issued or made under or for the purposes of any such written law.

Amendment of
other written
law.

L.D.—0.5/48.

Food Control (Amendment) Act, No. 11 of 1948.

AN ACT TO AMEND THE FOOD CONTROL ORDINANCE.

[Date of Assent: July 8, 1948.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Food Control (Amendment) Act, No. 11 of 1948.

Short title.

2. Section 4 of the Food Control Ordinance is hereby amended as follows:—

Amendment of
section 4 of
Chapter 132.

- (1) in sub-section (2) thereof, by the substitution, for the words “ shall continue in operation for a period of seven days ”, of the following:—

“ shall, subject to the provisions of sub-sections (6) and (7) (f), continue in operation for a period of six months ”;

and

(2) in sub-section (5) thereof, by the substitution, for all the words from "be approved;" to the end of that sub-section, of the following:—

"be approved."

L. D.—O.55/46.

Chanks (Amendment) Act, No. 12 of 1948.

AN ACT TO AMEND THE CHANKS ORDINANCE.

[Date of Assent: July 8, 1948.]

Chapter 168
(Vol. IV.,
Page 295).

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the Chanks (Amendment) Act, No. 12 of 1948.

Amendment of
Chapter 168.

2. The Chanks Ordinance (hereinafter referred to as "the principal Ordinance"); is hereby amended—

(1) by the substitution, for the words "boat, canoe, raft, or vessel" and "boat, canoe, raft, vessel", wherever those words occur collectively in the principal Ordinance, of the word "vessel"; and

(2) by the re-numbering of sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 as sections 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, respectively, of that Ordinance.

Insertion of
new sections
2 to 17 in the
principal
Ordinance.

3. The following new sections are hereby inserted immediately after section 1 of the principal Ordinance, and shall have effect respectively as sections 2 to 17 of that Ordinance:—

Chank
fishery
areas.

2. The Minister may, by notification published in the *Gazette*, declare any area within the coastal waters of the Island to be a chank fishery area.

Penalties
for unlawful
taking of
chanks.

3. (1) On and after such date as may be appointed by the Minister and notified in the *Gazette*, no person shall, within any chank fishery area—

(a) carry out any operations for taking chanks, or take any chanks, unless he is the holder, or the agent or servant of the holder, of a permit in force under this Ordinance authorising him to take chanks in that area; or

(b) use or employ any vessel for the purpose of taking chanks, unless that vessel has been registered under this Ordinance in his name and that area is specified in the registration card thereupon issued to him as a chank fishery area in which that vessel may be used, and unless the registration card is in the vessel at the time when the vessel is so used.

(2) If any person takes chanks, or uses or employs a vessel for the purpose of taking chanks, in contravention of this section, he shall be guilty of an offence punishable on conviction after summary trial by a Magistrate with imprisonment of either description for a term not exceeding six months, or with a fine not exceeding one hundred rupees, or with both such imprisonment and such fine; and every vessel so used or employed as aforesaid, together with all chanks unlawfully taken, may be declared by the Magistrate to be forfeited to the Crown.

4. Permits under this Ordinance shall be issued only in respect of such chank fishery areas and only at such times and for such seasons or periods as may from time to time be determined by the Minister and notified in the *Gazette* under the hand of the Director. In every such notification the Director shall also specify the date (hereinafter referred to as "the closing date") on or before which applications for permits should be made in the case of each chank fishery area to which the notification relates.

Notifications concerning chank fishery areas, permitted seasons and closing dates.

5. (1) Every application for a permit shall—

Applications for and issue of permits.

- (a) be in the prescribed form and be addressed to the Director;
- (b) specify the chank fishery area in respect of which a permit is desired;
- (c) be made on or before the closing date specified under section 4;
- (d) be accompanied by the prescribed application fee and a fee, hereinafter called the "tender fee", amounting to ten per centum of the prescribed deposit for the chank fishery area in respect of which a permit is desired; and
- (e) state the rent, not being less than the minimum prescribed in that behalf, which the applicant undertakes to pay for the privilege which will be granted by the permit.

(2) It shall be the duty of the Director, as soon as may be after the closing date, to forward each of the applications for permits together with his recommendations and comments thereon, to the Minister.

(3) The Minister may, after considering the applications forwarded under sub-section (2) in respect of each chank fishery area, select one of the applicants as the person to whom a permit shall be granted by the Director, regard being paid to the suitability of the applicant and to the rent which he has undertaken in his application to pay:

Provided that the Minister may, notwithstanding that applications have been invited by notification under section 4, decide that a permit shall not be granted in respect of any chank fishery area.

(4) Where the Minister selects a person under sub-section (3), the Director shall by written notice inform that person that he has been so selected, and require that person to pay, within such period as may be specified in the notice—

- (a) the rent which that person has undertaken in his application to pay for the privilege which will be granted by the permit; and
- (b) the prescribed deposit, deducting therefrom the tender fee already paid.

(5) Upon the payment of the rent and the deposit by the selected applicant, the Director shall issue a permit under his hand to that applicant in respect of the chank fishery area for which that applicant has been selected.

(6) If any selected applicant fails to pay the rent and the deposit within the period specified in the notice under sub-section (4), the Director shall declare the tender fee of that applicant to be forfeited to the Crown, and the Minister may consider the remaining applications and proceed to a fresh decision under sub-section (3).

(7) Every permit shall—

- (a) be in the prescribed form;
- (b) subject to the provisions as to suspension hereinafter contained, be in force for the period specified in that behalf in the permit and no longer;
- (c) confer upon the permit-holder the exclusive privilege of taking chanks in the chank fishery area specified in the permit; and
- (d) be subject to such conditions as may be prescribed, and generally to the provisions of this Ordinance and the regulations made thereunder.

(8) The Director shall refund the tender fees of the applicants who have not been selected.

Return
of
deposits.

6. Upon the expiration of the period for which the permit issued to any person is stated therein to be in force, the Director shall return to that person the amount of the deposit paid by him less the amount of any penalties that may be deducted therefrom in accordance with the provisions of this Ordinance.

Registration
of vessels
used under
permits.

7. (1) Upon application made in that behalf by a permit-holder, the Director shall register, in a book to be kept by him in the prescribed form, particulars of every vessel intended to be used by such permit-holder, and shall issue to the permit-holder a registration card in respect of each such vessel specifying the chank fishery area in which and the period during which that vessel may be used.

(2) The registration card issued in respect of each vessel shall be carried in that vessel at all times when that vessel is used for any purpose in any way connected with or incidental to the taking of chanks.

8. (1) Every permit-holder or agent or servant of a permit-holder who takes any immature chank shall—

The disposal of immature chanks.

(a) where such immature chank is alive, return it immediately to the sea, and

(b) where such immature chank is dead, deliver it forthwith to the nearest Fisheries Inspector.

(2) If any permit-holder or agent or servant of a permit-holder takes any immature chank and does not return or deliver it in accordance with the last preceding sub-section, such permit-holder or agent or servant shall be guilty of an offence punishable on conviction after summary trial by a Magistrate with imprisonment of either description for a term not exceeding six months, or with a fine not exceeding one hundred rupees, or with both such imprisonment and such fine; and all immature chanks taken and not returned to the sea or delivered to a Fisheries Inspector, may be declared by the Magistrate to be forfeited to the Crown.

9. (1) Where after inspection of any stock of chanks taken by a permit-holder, any Fisheries Inspector has reason to believe that the number of immature chanks exceeds one per centum of the total number of chanks in that stock, the Inspector may prohibit the removal of the stock for such time as may be necessary for taking a count thereof for the purpose of ascertaining the actual percentage of immature chanks in that stock.

Penalty for the taking of immature chanks in excess of one per centum.

(2) If immature chanks are found in the stock of chanks referred to in sub-section (1) in excess of one per centum of the total number of chanks, the permit-holder by or on whose behalf the chanks were taken, shall be liable to pay to the Director the prescribed penalty.

(3) If any permit-holder or agent or servant of a permit-holder removes the stock or any part of the stock in contravention of a prohibition under sub-section (1), such permit-holder or agent or servant shall be guilty of an offence punishable on conviction after summary trial by a Magistrate with imprisonment of either description for a term not exceeding six months, or with a fine not exceeding one hundred rupees, or with both such imprisonment and such fine.

10. The Minister may by notification in the *Gazette* establish a close season or close seasons in respect of chank fishery areas.

Establishment of close seasons.

11. (1) Every permit-holder shall, during every year or part thereof for which the permit issued to him is in force, take not less than such minimum and not more than such maximum quantity of chanks as may be prescribed for the chank fishery area in respect of which the permit has been issued.

Maximum quantity of chanks which may, and minimum quantity of chanks which must, be taken.

(2) If any permit-holder fails to take the prescribed minimum quantity of chanks referred to in sub-section (1), he shall be liable to pay to the Director a penalty equal to the loss to revenue due to the shortfall in royalties caused by the failure to take the prescribed minimum quantity of chanks.

(3) If any permit-holder by himself or by any agent or servant takes more than the prescribed maximum quantity of chanks referred to in sub-section (1), such permit-holder shall be guilty of an offence punishable on conviction after summary trial by a Magistrate with imprisonment of either description for a term not exceeding six months, or with a fine not exceeding one hundred rupees, or with both such imprisonment and such fine; and all chanks so taken may be declared by the Magistrate to be forfeited to the Crown.

Power to
make
regulations.

12. (1) The Minister may make regulations for or in respect of all or any of the following matters:—

- (a) all matters stated, required or authorised to be prescribed under the preceding provisions of this Ordinance; and
- (b) the supervision, control, protection, development and improvement of chank fisheries.

(2) No regulation made under this section shall have effect unless it has been approved by the Senate and the House of Representatives and notification of such approval is published in the *Gazette*.

Penalties
for contra-
vention of
regulations.

13. If any permit-holder or agent or servant of a permit-holder contravenes or fails to comply with any regulation made under the last preceding section, such permit-holder or agent or servant shall be guilty of an offence punishable on conviction after summary trial by a Magistrate with imprisonment of either description for a term not exceeding six months, or with a fine not exceeding one hundred rupees, or with both such imprisonment and such fine; and every vessel used or employed and all chanks collected, in the course of such contravention or non-compliance, may be declared by the Magistrate to be forfeited to the Crown.

Appeal to
Minister.

14. The Minister may, upon appeal to him—

- (1) where any permit-holder is liable to pay the Director any penalty under this Ordinance, remit the whole or any portion of such penalty, and
- (2) where the Director suspends any permit, cancel such suspension.

Recovery
of penalties.

15. Where any permit-holder is liable to pay to the Director any sum of money by way of penalty, and that sum of money is not paid within such time as the Director may specify in writing addressed to the permit-holder, the Director may take any one or more of the following steps:—

- (1) the Director may suspend any permit issued to the permit-holder till that sum of money is fully paid or otherwise recovered;
- (2) the Director may deduct that sum of money or any part thereof from any deposit made by the permit-holder;

(3) the Director may certify particulars of that penalty and the name and last known place of business or residence of the permit-holder to a Magistrate having jurisdiction in the division in which such place is situate; and the Magistrate shall thereupon summon that permit-holder before him to show cause why further proceedings for the recovery of the penalty should not be taken against him, and in default of sufficient cause being shown, the penalty shall be deemed to be a fine imposed by a sentence of the Magistrate on such permit-holder for an offence punishable with a fine only or not punishable with imprisonment, and the provisions of sub-section (1) of section 312 (except paragraphs (a), (c) and (h) thereof) of the Criminal Procedure Code, relating to default of payment of a fine imposed for such an offence shall thereupon apply, and the Magistrate may make any direction which, by the provisions of that sub-section, he could have made at the time of imposing such sentence:

Cap. 16.

Provided that nothing in this section shall authorise or require the Magistrate, in any proceeding thereunder to consider, examine, or decide the correctness of any statement in the certificate of the Director.

16. (1) A permit shall be deemed to be suspended during all close seasons established under section 10.

Suspension of permits.

(2) Where the prescribed maximum quantity of chanks for any year has been taken under a permit, the Director shall, by notice in writing, suspend that permit till the close of that year.

17. (1) Every notice given by virtue of this Ordinance may be served on a person either personally or by being delivered at, or sent by post to, his last known place of abode or of business.

Service of notices.

(2) Any notice sent by post shall be deemed to have been served on the day succeeding the day on which it would have been received in the ordinary course of post.

(3) In proving service by post it shall be sufficient to prove that the letter containing the notice was duly addressed and posted.

4. The re-numbered section 24 of the principal Ordinance is hereby amended as follows:—

Amendment of section 24 of the principal Ordinance.

- (1) in sub-section (1), by the substitution, for the words "chanks, bêche-de-mer, coral," wherever those words occur collectively therein, of the words "bêche-de-mer, coral,"; and
- (2) in the marginal note thereto, by the substitution, for the words "Collection of chanks, bêche-de-mer, coral," of the words "Collection of bêche-de-mer, coral,".

Amendment
of section
25 of the
principal
Ordinance.

5. The re-numbered section 25 of the principal Ordinance is hereby amended—

- (1) in sub-section (1), by the substitution, for the words “by any officer of the Customs”, of the words “by any Fisheries Inspector, or by any officer of the Customs”; and
- (2) in sub-section (2), by the substitution, for the words “any such officer”, of the words “any such Inspector, officer”.

Amendment of
section 28
of the
principal
Ordinance.

6. The re-numbered section 28 of the principal Ordinance is hereby amended as follows:—

- (1) by the insertion, immediately before the definition of “chanks”, of the following:—

“applicant” means a person who has applied for a permit under this Ordinance;

- (2) by the insertion, immediately after the definition of “chanks”, of the following:—

“chank fishery area” means any area declared under this Ordinance to be a chank fishery area;

“coastal waters” means the part of the sea within a distance of three nautical miles from any point on the coast of the Island measured from low water mark of ordinary spring tides;

“Director” means the Director of Fisheries appointed under any law for the time being in force relating to fisheries;

“immature chank” means any chank of a size capable of being passed through a metal ring two and three-eighth inches in diameter;

“Inspector of Fisheries” means any person appointed an Inspector of Fisheries under any law for the time being in force relating to fisheries;

“permit”, in relation to a chank fishery area, means a permit issued under this Ordinance conferring upon the permit-holder the exclusive right of taking chanks in that chank fishery area;

“permit-holder” means any person to whom a permit has been issued under this Ordinance; and

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

“prescribed” means prescribed by this Ordinance or by regulations made thereunder;

“take”, with its grammatical variations and cognate expressions, when used with reference to chanks, includes the fishing for or diving for or collection of chanks;

“vessel” includes boats, canoes, rafts and craft of every description.

L.D.—O.15/48.

Minutes on Pensions (Amendment) Act, No. 13 of 1948.

AN ACT TO EMPOWER THE MINISTER OF FINANCE TO
AMEND THE MINUTES ON PENSIONS.

[Date of Assent: July 8, 1948.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same as follows:—

1. This Act may be cited as the Minutes on Pensions (Amendment) Act, No. 13 of 1948.

Short title.

2. The Minutes on Pensions made by the Governor and dated February 5, 1934, as amended from time to time by Minutes notified in the *Gazette*, are hereby further amended by the addition, at the end thereof, of the following new section:—

Addition of new section 51 to Minutes on Pensions.

“ 51. These Minutes may from time to time be altered, added to or otherwise amended by the Minister of Finance by Notification published in the *Gazette*; and any amendment effected by any such Notification shall, if so expressed, be deemed to have had effect from such date, prior to the date of the publication in the *Gazette* of the Notification, as may be specified therein.”

Contingencies Fund Act, No. 14 of 1948.

AN ACT TO CREATE A CONTINGENCIES FUND AND TO
PROVIDE FOR MATTERS CONNECTED THEREWITH.

[Date of Assent: July 8, 1948.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Contingencies Fund Act, No. 14 of 1948.

Short title.

2. (1) The sum of Rs. 250,000 specified in the item “Head 36, Miscellaneous Services Vote 4” in the Schedule to the Appropriation Act, No. 1 of 1948, shall be deemed to be part of a Contingencies Fund, which is hereby created for use in the circumstances and in the manner set out in section 68 of the Ceylon (Constitution) Order in Council, 1946. The Contingencies Fund so created is hereinafter referred to as “the Fund”.

Contingencies Fund.

(2) There shall be credited to the Fund all such moneys as may from time to time be voted by Parliament as allocations to the Fund.

(3) Any payment heretofore made out of the sum of Rs. 250,000 referred to in sub-section (1) shall be deemed to be an advance made from the Fund.

3. The Deputy Secretary to the Treasury shall have the custody of the Fund and shall keep the accounts relating thereto.

Custody and accounts of the Fund.