

Government Gaze

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General: Minutes, Proclamations, Appointments, and General Government Notifications. Legal and Judicial.

Part III.—Provincial Administration.
Part IV.—Land Settlement.
Part V.—Mercantile, Marine, Municipal, Local, &c.

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

Part V.—Mercantile, Marine, Municipal, Local, and Miscellaneous.

	PAG	PAGI	£
Proceedings of Municipal Councils, &c. Notices to Mariners Notifications of Quarantine Returns of Imports and Exports Railway Traffic Returns Patents Notifications		Trade Marks Notifications	1
		·	

UNOFFICIAL ANNOUNCEMENTS.

MEMORANDUM OF ASSOCIATION OF G. F. NELL & COMPANY, LIMITED.

- 1. The name of the Company is "G. F. NELL & COMPANY, LIMITED."
- 2. The registered office of the Company is to be established in Colombo.
- The objects for which the Company is established are-
 - (1) To acquire from Mr. G. F. Nell (Motor and General Engineer) as a going concern, as from August 1, 1909, his business known as The Union Cycle and Engineering Works, carried on at Nos. 3 and 4, Union place, Colombo, with the good-will thereof, leasehold of buildings and premises, machinery, plant, motor cars, furniture and office fittings, tools, implements, and stock-in-trade and effects, &c., belonging thereto.

and stock-in-trade and effects, &c., belonging thereto.

(2) To purchase, take on lease or in exchange, hire, or otherwise acquire any real or personal, movable or immovable property, privileges, and easements and concessions, and any workshops, machinery, plant, motor cars, tools, implements, stock-in-trade, stores, effects, and other property of any kind.

(3) To carry on the business of motor and general engineers, mechanical engineers, manufacturers of agricultural implements and other machinery, machine and engineering tool makers, brassfounders, machinists, metal workers, iron and steel converters, wood workers, carpenters and electrical engineers, and to have sell exact, take down manufacture, repair, convert. ters and electrical engineers, and to buy, sell, erect, take down, manufacture, repair, convert, let on hire and deal in engines, motor cars, motors, machinery, plant, implements, tools, utensils, patterns, conveniences, and hardware of all kinds.

(4) To carry on, and transact the business of carriers of passengers, mails, and goods by land or by water, by means of vehicles and vessels mechanically or otherwise propelled, on roads and rivers, canals, lakes, or other waters; and of forwarding agents, proprietors, manufacturers, importers, and repairers of engines, motor cars, motors, whether propelled by steam, electricity, oil, petroleum, or otherwise, tricars, motor cycles, bicycles, tricycles, lorries, vans, drags, chars-a-banc, omnibuses, carts, carriages, and vehicles of any description whatsoever; and of boats, barges, tugs, launches, and vessels of any description, whatsoever; and to purchase, take in exchange, hire, or otherwise acquire, hold, and let on hire, motor cars, tricars, motor cycles, bicycles, tricycles, lorries, vans, drags, chars-a-banc, omnibuses, carts, carriages, vehicles of any description whatsoever, boats, barges, tugs, launches, and vessels of any description whatsoever, and stock-in-trade, chattels, and effects required for the maintenance and working of the business of carriers, of passengers, mails and goods by land or by water or of any other business which can or may be carried on in connection with the above respectively.

(5) To construct, maintain, lay down, carry out, work, sell, let on hire, and deal in telephones and telegraphs and all kinds of work, machinery, apparatus, conveniences, and things capable of being used in connection with telephones and telegraphs and the transmission of telephone and telegraphic communications and messages and in particular any cables,

wires, lines, stations, exchange accumulators, lamps, metres, and engines.

(6) To acquire or establish and carry on any other business or operations, manufacturing, commercial or otherwise, which the Company may think directly or indirectly conducive to any of its objects or capable of being conveniently carried on in connection with the abovementioned businesses or any of them; and to apply for purchase, or otherwise acquire, any patents, brevets d'invention, concessions, and the like conferring an exclusive or nonexclusive or limited right to use, or any information as to any invention which may seem capable of being used for any of the purposes of the Company, or the acquisition of which may seem calculated directly or indirectly to benefit this Company; and to use, exercise, develop, grant licenses in respect of, or otherwise turn to account the property, rights, a d information so acquired.

(7) To purchase or otherwise acquire and undertake all or any part of the business, property, and liabilities of any corporation or company, person or persons carrying on any business which this Company is authorized to carry on or possessed of property suitable for the purposes of the Company. And to pay for any such property or business or for any services rendered or to be rendered to the Company in shares (to be treated as either wholly or partly paid up) or debentures or debenture stock of the Company or entirely in money or partly in shares or debentures or debenture stock and partly in money. And for any such purpose to make and enter into any contract, agreement, or arrangements, and to undertake any liabilities

(8) To amalgamate, unite, or co-operate or enter into partnership, or into any arrangement for sharing profits, for union of interests, or for reciprocal concession or co-operation, either generally or to or for any limited extent or for a period determinable, continuous, or otherwise with any corporation, company, person or persons already or hereinafter to be established for or engaged in objects which are or shall be within the scope of or connected with any of the objects of this Company, and to take or otherwise acquire and hold shares or stock in or securities of and to subsidize or otherwise assist any such company, and to sell, hold, re-issue with or without guarantee, or otherwise deal with such share or securities.

(9) To promote any other company for the purpose of acquiring all or any of the property, rights, and liabilities of the Company or of advancing directly or indirectly the objects or interest thereof or for any other purpose which may seem directly or indirectly calculated to benefit this Company, and to take or otherwise acquire and hold shares, stocks, or obligations of any such company or any other company having objects altogether or in part similar to those of this Company, and also to purchase, acquire, and hold any interest in or shares or stocks of any companies in the United Kingdom, Ceylon, or elsewhere, carrying on any business capable of being conducted so as directly or indirectly to benefit this Company, and to guarantee the payment of any debentures or other securities issued by any such companies, and upon a distribution of assets or division of profits to distribute any such shares, stock, or obligations amongst the members of this Company in specie.

(10) To invest, lend, or otherwise deal with the moneys of the Company not immediately required upon such security or without security and in such manner as may from time to time be determined, and in particular to lend money to customers and to other parties dealing with the Company, and to guarantee the performance of contracts by any such persons and generally to transact financial business of all kinds.

(11) To borrow or raise money for the purposes of the Company, or receive money on deposit at o borrow or raise money for the purposes of the Company, or receive money on deposit at interest or otherwise, and for the purpose of raising or securing money, for the performance or discharge of any obligation or liability of the Company, or for any other purpose to create, execute, grant, or issue any mortgages, mortgage debentures, debenture stock, bonds, or obligations of the Company either at par, premium, or discount, and either redeemable or irredeemable or perpetual, secured upon all or any part of the undertaking, revenue, rights, and properties of the Company, present and future, including uncalled capital or the unpaid calls of the Company.

calls of the Company.

(12) To cause or permit any debenture stock, bonds, debentures, mortgages, charges, incumbrances, liens, or securities of or belonging to or made or issued by the Company or affecting its property or rights or any of the terms thereof to be renewed, extended, varied, redeemed. exchanged, transferred, or satisfied, as shall be thought fit, also to pay off and re-borrow

the moneys secured thereby or any part or parts thereof.

(13) Generally to purchase, take on lease or in exchange, hire, or otherwise acquire any real or personal property, and any rights, privileges, licenses, or easements which the Company may think necessary or convenient with reference to any of these objects, and capable of being profitably dealt with in connection with any of the Company's property or rights for (14) To sell the undertaking of the Company or any part thereof for such consideration as the Company may think fit, and in particular shares, debentures, or securities of any other company having objects altogether or in part similar to those of this Company.

(15) To make, accept, endorse, issue, and execute promissory notes, bills of exchange, warrants, debentures, bills of lading, and other negotiable or transferable instruments.

(16) To remunerate any parties for services rendered, or to be rendered, in placing or assisting to place any shares in the Company's capital, or any debentures, debenture stock or other securities of the Company, or in or about the formation or promotion of the Company or the conduct of its business.

(17) To provide for the welfare of persons in the employment of the Company or formerly in their employment, and the widows and children of such persons and others dependent upon them, by granting money or pensions, subscribing to sick or benefit clubs or societies, or otherwise as the Company shall think fit, and to subscribe or guarantee money for charitable or benevolent objects or for any exhibition or any public, general, or useful object.

(18) To procure the Company to be registered in the Island of Ceylon and if and when desired

elsewhere, or to establish and regulate in the United Kingdom, Ceylon, or in the Colonies,

or elsewhere abroad agencies for any of the purposes of the Company.

(19) To sell, let, underlet, exchange, surrender, transfer, deliver, charge, mortgage, dispose of, turn to account, or otherwise deal with all or any part of the property, and rights of the Company whether in consideration of rents, moneys, or securities for money, shares, deben-

tures, or securities in any other company, or for any other consideration.

(20) To pay for any lands, real or personal, immovable or movable, estate or property or assets of any kind, acquired or to be acquired by the Company, or for any services rendered or to be rendered to the Company, and generally to pay or discharge any consideration to be paid or given by the Company, in money or in shares (whether partly paid up, or fully paid up) or debentures or debenture stock or obligations of the Company, or partly in one way and partly in another, or otherwise howsoever, with power to issue any shares either as fully paid up, or partly paid up, for such purpose.

(21) To accept as consideration for the sale or disposal of any lands and real or personal, immovable or movable estate or property or assets of the Company, of any kind sold or otherwise disposed of by the Company, or in discharge of any other consideration to be received by the Company, money or shares (whether partly paid up or fully paid up) of any company or the debentures or debenture stock or obligations of any company or person or partly

one or partly any other.

(22) To distribute among the Shareholders in specie any property of the Company, but so that no distribution amounting to a reduction of capital be made, except with the sanction for the time being required by law.

(23) To do all or any of the above things in any part of the world and as principals, agents, contractors, or otherwise, and either alone or in conjunction with others either by or through

agents, sub-contractors, trustees, corporations, or otherwise.

(24) To do all such other things as may be necessary, incidental, conducive, or convenient to the attainment of the above objects or any of them. It being hereby declared that in the foregoing clause (unless a contrary intention appears) the word "person" includes any number of persons and a corporation, and the "other objects" specified in any one paragraph are not to be limited or restricted by reference to or inference from any other paragraph.

The liability of the Shareholders is limited.

The authorized capital of the Company is Two hundred and Fifty thousand Rupees divided into Ten thousand shares of Twenty-five Rupees each, with power to increase or reduce the capital. The shares forming the capital of the Company may be divided into such classes with any preferential, deferred, qualified. special, or other rights, privileges, or conditions attached thereto, and be held upon such terms as may be prescribed by the Articles of Association and Regulations of the Company for the time being or otherwise.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a Company in pursuance of this Memorandum of Association, and we respectively agree to take the number of shares in the capital of the Company set opposite our respective names :-

Names and Addresses of Subscribers.		by ea	ch Subscriber.
DAVID ROCKWOOD, "Fountain House," Colombo			One ·
GEO. FRED. NELL, "Union Lodge," Colombo .		• •	One
PERCY H. FRADD, "Fountain House," Colombo	٠.		One

Witness to the signatures of DAVID ROCKWOOD, GEO. FRED. NELL, and PERCY H. FRADD, at Colombo, this Thirty-first day of May, 1909:

W. A. S. DE Vos. Proctor, Supreme Court, Colombo. W. B. Kelaart, 14, Regent street, Colombo One

S. C. PAUL, Ward place, Colombo One T. W. Collette, Bambalapitiya, Colombo

Witness to the signatures of W. B. KELAART, S. C. PAUL, and T. W. COLLETTE, at Colombo, this First day of June, 1909:

> W. A. S. DE Vos. Proctor, Supreme Court, Colombo.

Vumber of Shares tol-

J. R. Greve, "Maradana Villa," Colombo. One Witness to the signature of J. R. GREVE, at Colombo, this Third day of June, 1909:

W. A. S. DE Vos, Proctor, Supreme Court, Colombo.

ARTICLES OF ASSOCIATION OF G. F. NELL & COMPANY, LIMITED.

REGULATIONS.

1. Table C not to apply; Company to be governed by these Articles.—The regulations contained in the Table C in the schedule annexed to "The Joint Stock Companies' Ordinance, 1861," shall not apply to this Company, which shall be governed by the Regulations contained in these Articles, but subject to repeal, addition, or alteration by special resolution.

Power to alter the regulations.—The Company may, by special resolution, alter and make provisions instead of, or in addition to, any of the regulations of the Company, whether contained and comprised in these

Articles or not.

PRELIMINARY.

3. Interpretation clause.—In the interpretation of these presents the following words and expressions shall have the following meanings, unless such meanings be inconsistent with, or repugnant to, the subject

Company.—The word "Company" means "G. F. Nell & Company, Limited," incorporated or estab-

lished by or under the Memorandum of Association to which these Articles are attached.

The Ordinance.—"The Ordinance" means and includes "The Joint Stock Companies' Ordinances, 1861 to 1907," and every other Ordinance from time to time in force concerning Joint Stock Companies which may apply to the Company.

These presents.—"These presents" means and includes the Memorandum of Association and the Articles

of Association of the Company from time to time in force.

**Capital.—"Capital" means the capital for the time being raised or authorized to be raised for the purposes of the Company.

Shares.—"Shares" means the shares from time to time into which the capital of the Company may

and otherwise.

Shareholder.—"Shareholder" means a Shareholder of the Company.

Presence or present.—"Presence or present" at a meeting means presence or present personally or by proxy or attorney.

Directors " means the Directors for the time being of the Company or (as the case may be)

the Directors assembled at a Board.

Board.—"Board" means a meeting of the Directors or (as the context may require) the Directors or (as the context may require) the Directors or (as the context may require). assembled at a Board meeting, acting through at least a quorum of their body in the exercise of authority duly given to them.

Persons.—"Persons" means partnerships, associations, corporations, companies, unincorporated or incorporated by Ordinance and registration, as well as individuals.

Office.—"Office" means the registered office for the time being of the Company.

Office.—"Office" means the registered office for the time being of the Comp. Seal.—"Seal" means the common seal for the time being of the Company. Month.—"Month" means a calendar month.

Writing.—"Writing" means printed matter or print as well as writing.

Singular and plural number.—Words importing the singular number only include the plural, and vice

versa. Masculine and Feminine gender.—Words importing the masculine gender only include the feminine, and vice versa.

BUSINESS

- 4. Commencement of business.—The Company shall purchase and acquire from George Frederick Nell the business now carried on by him at Colombo under the name and style of G. F. Nell, The Union Cycle and Engineering Works; and shall proceed to carry on and develop such business and to employ and apply its capital Engineering works; and shall proceed to carry on and develop such business and to employ and apply its capital as soon after the registration of the Company as the Directors in their discretion shall deem fit; and notwith-standing that the whole of the shares shall not have been subscribed or applied for or allotted they shall do so as soon as in the judgment of Directors a sufficient number of shares shall have been subscribed or applied for. And shall pay out of the funds of the Company all costs and expenses, as well preliminary as otherwise, paid or incurred in and about the formation and representation of the Company and the purchase above referred to.
- Conduct of business.—The business of the Company shall be carried on by or under the management or direction of the Directors, and subject only to the control of the General meetings in accordance with these

CAPITAL.

Nature and amount.—The authorized capital of the Company is Two hundred and Fifty thousand Rupees divided into Ten thousand shares of Twenty-five Rupees each, and the original issue of shares One hundred Thousand rupees.

INCREASE OF CAPITAL.

7. Nature and amount.—The Company in General Meeting may, from time to time, increase its capital by the creation of new shares of such amount per share and in the aggregate as may be deemed expedient.

8. Same as original capital.—Any capital raised by the creation of new shares shall, subject as aforesaid, be considered part of the original capital, and shall accordingly be subject to the provisions herein contained with reference to the payment of calls and instalments, transfer and transmission, forfeiture, lien, surrender,

REDUCTION OF CAPITAL.

9. Reduction of capital.—The Company may from time to time, by special resolution and as provided by law, reduce its capital, and may consolidate or subdivide any of its shares which have not been taken or agreed to be taken by any person.

Paid up capital may be returned upon the footing that the amount may be called up again or otherwise.

ORIGINAL SHARES.

10. Control.—After allotment to the said George Frederick Nell or his nominee of fully paid shares of the Company in payment or part payment of the purchase price of the said business of G. F. Nell, The Union Cycle and Engineering Works, the remaining shares shall be under the control of Directors, who may allot or otherwise dispose of the same to such persons on such terms and conditions as the Directors think fit.

11. Acceptance.—Every person taking any share in the Company shall testify his acceptance thereof by writing under his hand in such form as the Company from time to time directs.

12. Payment.-If by the conditions of allotment of any share the whole or part of the amount thereof shall be payable by instalments, every such instalment shall, when due, be paid to the Company by the holder of the shares.

13. Interest on unpaid amounts.—If before, or on, the day appointed for payment any Shareholder does not pay the amount for which he is liable, then such Shareholder shall be liable to pay interest for the same at the rate of 9 per cent. per annum from the day appointed for the payment thereof to the time of the

actual payment.

14. Unissued shares.—The Directors may from time to time issue any unissued shares, and may add to such shares such an amount of premium as they may consider proper. Provided that such unissued shares shall first be offered by the Directors to the registered Shareholders for the time being of the Company, as nearly as possible in proportion to the shares already held by them, and such shares as shall not be accepted by the Shareholder or Shareholders to whom the shares shall have been offered, within the time specified in that behalf by the Directors, may be disposed of by the Directors in such manner as they think most beneficial to the Company. Provided also that the Directors may at their discretion allot any unissued shares in payment of any movable or immovable property acquired by the Company, without first offering such shares to the registered Shareholders for the time being of the Company.

NEW SHARES.

15. Terms and conditions.—New shares shall be issued upon such terms and conditions, and with such rights and privileges, annexed thereto, as the General Meeting resolving on the creation thereof or any other General Meeting of the Company shall direct, and if no direction shall be given, as the Directors shall determine, and in particular such shares may be issued with a preferential or qualified right to dividends and to ranking

in the distribution of the assets of the Company, and with a special or without any right of voting.

16. Issue.—All new shares shall be offered by the Directors to the registered Shareholders for the time being of the Company as nearly as possible in proportion to the amount of the existing shares held by them, and such shares as shall not be accepted by the Shareholder or Shareholders to whom the same shall have been offered within the time specified in that behalf by the Directors may be disposed of by the Directors in such manner as they think most beneficial to the Company. Provided that the Directors may, at their discretion, allot any new shares in payment for any movable or immovable property acquired by the Company, without first offering such shares to the registered Shareholders for the time being of the Company.

17. Premium.—The Directors shall have power to add to such new shares such an amount of premium

as they may consider proper.

PREFERENCE AND DEFERRED SHARES.

18. Preference and deferred shares.—Any shares from time to time to be issued or created may from time to time be issued with any such guarantee, or any such right of preference, whether in respect of dividend or of repayment of capital, or both, or any such other special privilege or advantage over any shares previously issued, or then about to be issued (other than shares issued with a preference), or at such a premium, or with such deferred rights as compared with any shares previously issued, or then about to be issued, or subject to any such conditions or provisions, and with any such right, or without any right of voting, and generally

on such terms as the Company may from time to time by special resolution determine.

19. Resolutions affecting a particular class of shares.—If at any time by the issue of preference shares or otherwise the control of the control o otherwise the capital is divided into shares of different classes, then the holders of any class of shares may, by an extraordinary resolution passed at a meeting of such holders, consent, on behalf of all the holders of shares of that class, to the issue or creation of any shares, ranking equally therewith, or having any priority thereto, or to the abandonment of any preference or priority, or of any accrued dividend, or the reduction for any time, or permanently of the dividends payable thereon, or to any scheme for the reduction of the Company's capital affecting that class of shares, and such resolution shall be binding upon all the holders of shares of that class, provided that this Articles. provided that this Article shall not be read as implying the necessity for such consent in any case, in which, but for this Article, the object of the resolution could have been effected without it.

20. Meeting affecting a particular class of shares.—Any meeting for the purpose of the last preceding clause shall be covnened and conducted in all respects as nearly as possible in the same way as an extraordinary General Meeting of the Company, provided that no Member, not being a Director, shall be entitled to notice thereof, or to attend thereat, unless he be a holder of shares of the class intended to be affected by the resolution, and that no vote shall be given except in respect of a share of that class, and that at any such meeting a poll may be demanded in writing by any five Members personally present and entitled to vote at

the meeting.

SHARE CERTIFICATES.

21. Certificates.—The certificates of title to shares shall be issued under the seal of the Company, and signed by two or more Directors or by one Director and the Secretary or Secretaries for the time being, or in such other manner as the Directors shall prescribe.

22. How issued.—Every Member shall be entitled to one certificate for all the shares registered in his name or to several certificates, each for a part of such shares; and every certificate of shares shall specify the number of shares in respect of which it is issued, the class, and the amount paid up thereon or credited thereto.

Renewal of certificate.—If any certificate be worn out or defaced, then upon production thereof to the Directors they may order the same to be cancelled and may issue a new certificate in lieu thereof; and if any certificate be lost or destroyed, then, upon proof thereof to the satisfaction of the Directors and on such indemnity as the Directors deem adequate being given, a new certificate in lieu thereof shall be given to the person entitled to such lost or destroyed certificate.

Fee for same.—Such sum (if any) not exceeding Fifty cents as the Directors may determine shall

be paid to the Company for every certificate so issued in the place of a certificate lost or destroyed.

25. Company not bound to recognize any interest in share other than that of registered holder or of any person under clause 40.—The Company shall not be bound to recognize (even though having notice of) any contingent, future, partial, or equitable interest in the nature of a trust or otherwise in any share, or any other right in respect of any share, except any absolute right thereto in the person from time to time registered as the holder thereof, and except also the right of any person under clause 40 to become a Shareholder in respect of any share.

JOINT-HOLDERS.

Certificate to the first named.—The certificate of shares registered in the names of two or more

persons shall be delivered to the person first-named in the register in respect thereof.

27. Receipts and votes.—Any one of the joint-holders of a share may give effectual receipts for any dividends payable in respect of such share; but the Shareholder whose name stands first on the register, and no other, shall be entitled to the right of voting, and of giving proxies and all other advantages conferred on a sole Shareholder.

28. Survivor only recognized.—In case of the deaths of any one or more of the joint-holders of any shares, the survivor or survivors shall be the only person or persons recognized by the Company as having any title to, or interest in, such shares.

29. Liability of joint-holders.—Joint-holders shall be severally as well as jointly liable for all instal-

ments and calls in respect thereof.

CALLS.

Directors may make calls.—The Directors may from time to time make such calls as they think fit upon the Members in respect of all moneys unpaid on the shares held by them, and not by the conditions of allotment thereof made payable at fixed times, and each Member shall pay the amount of every call so made upon him to the person and at the time and at the place appointed by the Directors. A call may be made either in one sum or by two or more instalments.

31. Time when made.—A call shall be deemed to have been made at the time when the resolution of the Directors authorizing such call was passed.

32. Notice of call.—One month's notice at the least of any call shall be given specifying the time and place of payment and to whom such call shall be paid.

- 33. Interest on unpaid call.—If the sum payable in respect of any call or instalment is not paid on or before the day appointed for the payment thereof, the holder for the time being of the share in respect of which the call shall have been made, or the instalments shall be due, shall pay interest for the same at the rate of 9 per cent. per annum from the day appointed for payment thereof to the time of the actual payment, but the Directors may, when they think fit, remit altogether or in part any sum becoming payable for interest under this clause.
- 34. Payments in anticipation of calls.—The Directors may, at their discretion, receive from any Member willing to advance the same, and upon such terms as they think fit, including a condition that the same may be applied in extinction of future calls although not then made, all or any part of the moneys due upon the shares held by such Member beyond the sums paid up or payable thereon, and in particular such moneys may be received upon the terms that interest shall be paid thereon, or on so much thereof, as for the time being exceeds the amount called up.

TRANSFER OF SHARES.

35. Exercise of rights.—No person shall exercise any rights of a Member until his name shall have been entered in the register of Members and he shall have paid all calls and other moneys for the time being payable on every share in the Company held by him.

36. Transfer of shares.—Subject to the restrictions of these Articles, any Member may transfer all or any of his shares. The instrument of transfer of any share shall be in writing, signed both by the transferor and the transferee, and the transferor shall be deemed to remain the holder of the share until the name of the

- and the transferee, and the transferor shall be deemed to remain the holder of the share until the name of the transferee is entered in the register in respect thereof.

 37. Refusal to register.—The Directors may decline to register any transfer of shares by a Shareholder who is indebted to the Company, or of any share on which the Company has a lien, or any transfer of shares made by any person in any case where they shall consider the proposed transferee to be an irresponsible person, or that the transfer will not be conducive to the interest of the Company, or in case of shares not fully paid up to any person not approved by them. The Directors shall not be required to assign any reason for so declining. In the event of the Directors declining to register a transfer, they shall, upon the request of the Shareholder desirous of executing the same, convene an Extraordinary General Meeting of the Company, to resolve whether the said transfer shall be registered or not, and the resolution of such General Meeting shall be absolute. be absolute.
- Registration of transfer.—Every instrument of transfer must be left at the office of the Company to be registered, accompanied by such evidence as the Directors may reasonably require to prove the title to be registered, accompanied by such evidence as the Directors may reasonably require to prove the title of the transferor or his right to transfer his shares, and a fee of Two rupees and Fifty cents, or such other sum as the Directors shall from time to time determine, must be paid, and thereupon the Directors, subject to the powers vested in them by Article 37, shall register the transferee as a Shareholder and retain the instrument of transfer; but any instrument of transfer which the Directors may decline to register shall on demand be returned to the person depositing the same.

 39. Close of books.—The Transfer Books may be closed during the fourteen days immediately preceding

TRANSMISSION OF SHARES.

Death of Shareholders.—The executors, or administrators, or heirs of a deceased Shareholder shall

40. Death of Shareholders.—Ine executors, or administrators, or heirs of a deceased Shareholder shall be the only persons recognized by the Company as having any title to his share.

41. Registration of new interest.—Any person becoming entitled to a share in consequence of the death, bankruptcy, or liquidation of any Shareholder, or in consequence of the marriage of any female Shareholder, or in any other way than by transfer, may be registered as a Shareholder, upon such evidence being produced

42. Transfer of new interest.—Any person who has become entitled to a share in any way other than by transfer may, instead of being registered himself, elect to have some person to be named by him registered as a holder of such share. The person so becoming entitled shall testify such election by executing to his nominee a transfer of such share. The instrument of transfer shall be presented to the Company, accompanied with such evidence as the Directors may require to prove the title of the transferor, and thereupon the Company shall, subject to the power vested in them by Article 37, register the transferee as a Shareholder.

SURRENDER OF SHARES.

43. Terms of .- The Directors may accept, in the name and for the benefit of the Company, upon such terms and conditions as may be agreed, the surrender of any shares in the capital of the Company, and any shares so surrendered shall be dealt with in the same manner as is provided in these Articles with regard to forfeited shares.

FORFEITURE OF SHARES.

44. Preliminary notice.-If any Shareholder fails to pay any allotment money, or call, or instalment on the appointed day, the Company may at any time thereafter, during such time as the same remains unpaid, serve a notice on him requiring him to pay the same together with any interest that may have accrued thereon, and all expenses that may have been incurred by the Company by reason of such non-payment.

45. Terms of notice.—The notice shall name a day (not being less than twenty-eight days from the

date of the notice), and a place or places on, and at which such allotment money, or call, or instalment and such interest and expenses as aforesaid are to be paid. The notice shall also state that in the event of nonpayment at or before the time and at the place appointed, the shares in respect of which the allotment money, or call, or instalment is payable will be liable to be forfeited.

46. Forfeiture.—If the requisition of such notice as aforesaid be not complied with any shares in respect

of which such notice has been given may, at any time thereafter, before payment of the allotment money, or call, or instalment, interest, and expenses due in respect thereof, be forfeited by a resolution of the Directors to that effect.

47. Disposal of shares forfeited.—Any shares so forfeited shall be deemed to be the property of the Company, and the Directors may sell, re-allot, or otherwise dispose of the same in such manner as they think fit.

48. Continuing liability.—Any Member whose shares have been forfeited shall, notwithstanding, be liable to pay, and shall forthwith pay, to the Company all moneys, calls, instalments, interest, and expenses owing upon or in respect of such shares at the time of the forfeiture, together with legal interest thereon from the time of forfeiture until payment; and the Directors may enforce the payment thereof, or of any part thereof. if they think fit.

49. Annulment.—The Directors may at any time before any shares so forfeited shall have been sold, re-allotted, or otherwise disposed of, annul the forfeiture thereof upon such conditions as they think fit.

LIEN OF COMPANY ON SHARES.

50. First charge.—The Company shall have a first and paramount lien upon all the shares not fully paid up, registered in the name of any Member (whether solely or jointly with others), for his debts, liabilities, and engagements, solely or jointly with any other person, to or with the Company, whether the period for the payment or discharge thereof shall have actually arrived or not, and such lien shall extend to all dividends declared on such shares.

51. Enforcement.—For the purpose of enforcing such lien the Directors may sell the shares subject thereto in such manner as they think fit, but no sale shall be made until such period as aforesaid shall have arrived, and until notice in writing of the intention to sell shall have been served on such Member, his executors, or administrators, and default shall have been made by him or them in the payment, fulfilment, or discharge of such debts, liabilities, or engagements for seven days after service of such notice

52. Application of proceeds.—The net proceeds of any such sale shall be applied in or towards satisfaction of the debts, liabilities, or engagements of such Member, and the residue (if any) paid to such Member

or his executors, administrators, or assigns.

53. Transfer.—Upon any sale in purported exercise of the powers given by these Articles, the Directors may cause the purchaser's name to be entered in the register in respect of the shares sold, and the purchaser shall not be bound to see to the regularity of the proceedings or the application of the purchase money, and after his name has been entered in the register in respect of such shares, the sale shall not, as against him, be impeached by the former holder of the shares or any other person, and the remedy of any Member or person aggrieved by such sale shall be in damages only, and against the Company exclusively.

Borrowing Powers.

54. Power to borrow.—The Directors may from time to time, at their discretion, borrow or raise any sum or sums of money for the purpose of the Company, at such rate of interest and upon such terms as the Directors may determine, provided that the moneys so borrowed, or raised, and owing at any one time shall not, without the sanction of a General Meeting of the Company, exceed Ten thousand Rupees.

55. The Directors shall be entitled, with the sanction of a General Meeting of the Company, to borrow that the sanction of a General Meeting of the Company, to borrow that the sanction of a General Meeting of the Company, to borrow that the same of sanction of a General Meeting of the Company, to borrow that the same of sanction of a General Meeting of the Company, to borrow that the sanction of a General Meeting of the Company to borrow.

such further sum or sums of money, and at such rate of interest as such meeting shall determine.

56. Proof of power to borrow.—A declaration under the Company's seal, and subscribed by two or more of the Directors or by one Director and the Secretary, to the effect that the Directors in taking any loan are not exceeding their borrowing powers, shall be conclusive evidence thereof in all questions between the Company and its creditors; and no document containing such declaration shall, as regards the creditor, be void on the ground of its being granted in excess of the aforesaid borrowing power, unless it is to be proved that such creditor was aware that it was so granted.

57. Security of repayment.—For the purpose of securing the repayment of any such moneys so borrowed or raised, or for any other purposes sanctioned by a General Meeting of the Company, the Directors may create and issue any mortgages, debentures, debenture stock, bonds, or obligations of the Company charged upon all or any part of the undertaking, revenue, property, and right of the Company (both present and future), including uncalled capital or unpaid calls, or by giving, accepting, or endorsing, on behalf of the Company, any promissory notes or bills of exchange. Any such securities may be issued either at par or at a

premium or discount, and may from time to time be varied or exchanged as the Directors may think fit, and may contain any special privileges as to redemption, surrender, drawings, allotment of shares, or otherwise.

58. Assignment of security.—Every mortgage debenture or other instrument issued by the company for securing the payment of money may be so framed that the moneys thereby secured shall be assignable free from any equities between Company and the person to whom the same may be issued.

GENERAL MEETINGS.

59. First General Meeting.—The First General Meeting shall be held at such time, not being more than twelve months after the incorporation of the Company, and at such place, as the Directors may determine.

60. Subsequent General Meetings.—Subsequent General Meetings may be held at such time and place as

may be prescribed by the Company in General Meeting, and if not so prescribed, then at such place and at such time as soon after the first day of January in each year as the Directors shall determine.

61. Ordinary and Extraordinary General Meetings.—The General Meetings referred to in Article 59 and

60 shall be called Ordinary General Meetings; all other General Meetings shall be called Extraordinary.

62. Convening Extraordinary.—The Directors may, whenever they think fit, and they shall, upon a requisition made in writing by not less than one-fifth in number of the Shareholders of the Company for the time being, or by any Shareholder or Shareholders holding not less than one-fifth part of the shares of the

Company for the time being subscribed for, convene an Extraordinary General Meeting.

63. Requisition for Extraordinary Meeting.—Any requisition so made by the Shareholder or Shareholders shall express the object of the meeting proposed to be called, and shall be left at the registered office of

- the Company.
 64. Time and place for Extraordinary Meetings.—Upon the receipt of such requisition the Directors shall forthwith proceed to convene an Extraordinary General Meeting, to be held at such time and place as they shall think fit, not being more than twenty-one days after the leaving of the requisition; and if they do not proceed to convene the said meeting within twenty-one days after the leaving of the requisition, the requisitionists or requisitionists or any other Shareholders amounting to the required number may himself or themselves convene an Extraordinary General Meeting to be held at such time or place as he or they shall think fit.
- Advertisement of General Meeting .- Seven days' notice at least of every General Meeting, Ordinary 65. or Extraordinary, specifying the place and the hour of meeting, and purpose for which such meeting is to be held, shall be given by advertisement in the Ceylon Government Gazette, or in such other manner, if any, as may be prescribed by the Company in General Meeting.

PROCEEDINGS AT GENERAL MEETINGS.

66. Resolution.—Any Shareholder may, on giving not less than fourteen days' previous notice of any resolution, submit the same to a meeting.

Notice of Resolution.—Such notice shall be given by leaving a copy of the resolution at the registered

office of the Company.

68. Business requiring and not requiring notification.—Every Ordinary General Meeting shall be competent, without special notice having been given of the purposes for which it is convened, or of the business to be transacted thereat, to receive and discuss any report and any accounts presented thereto by the Directors, and to pass resolutions in approval or disapproval thereof, and to declare dividends, and to elect Directors and Auditors retiring in rotation, and to fix the remuneration of the Auditors; and shall also be competent to enter upon, discuss, and tranact any business whatsoever, of which special mention shall have been given in the notice or notices upon which the meeting was convened.

69. Notice of other business to be given.—With the exceptions mentioned in the foregoing Articles as to the business which may be transacted at Ordinary General Meetings without notice, no General Meeting,

Ordinary or Extraordinary, shall be competent to enter upon, discuss, or transact any business which has not been specially mentioned in the notice or notices upon which it was convened.

70. Quorum.—No business shall be transacted at any General Meeting except the declaration of a dividend recommended by a report of the Directors, or the election of a Chairman, unless there shall be present

in person at the commencement of the business three or more Shareholders entitled to vote.

If quorum not present.—If at the expiration of half an hour from the time appointed for the meeting the required number of Shareholders shall not be present at the meeting, the meeting, if convened by or upon the requisition of Shareholders, shall be dissolved, but in any other case it shall stand adjourned to the same day in the next week at the same time and place; and if at such adjourned meeting a quorum is not present those Shareholders who are present shall be a quorum, and may transact the business for which the meeting was called.

72.

12. Quorum for sale of property.—In the event of a resolution being brought before a General Meeting involving the sale of the Company's property or any portion thereof, a majority of three-fourths of the Shareholders present and (or) represented by proxy shall be necessary to carry such resolution.

73. Chairman.—The Chairman (if any) of the Directors shall be entitled to take the Chair at every meeting of the Company. If there be no such Chairman, or if at any meeting he shall not be present within fifteen minutes after the time appointed for holding such meeting, or if he shall refuse to take the Chair, the Shareholders shall choose another Director as Chairman; and if no Directors be present, or if all the Directors present decline to take the Chair, then the Shareholders present shall choose one of their number to be a Chairman.

74. Resinces confined to election of Clair.

Chairman.

74. Business confined to election of Chairman while Chair vacant.—No business shall be discussed at any General Meeting except the election of a Chairman whilst the Chair is vacant.

75. Adjourning meeting.—The Chairman, with the consent of the meeting, may adjourn any meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place, unless due notice shall be given.

76. Minutes of General Meeting.—Minutes of the proceedings of every General Meeting, whether Ordinary or Extraordinary, shall be entered in a book to be kept for that purpose, and shall when so entered be signed as soon as practicable by the Chairman of the same meeting, or by the Chairman of the succeeding meeting, and the same when so entered and signed shall be evidence of all such proceedings, and of the proper

VOTING AT MEETINGS.

VOTING AT MEETINGS.

77. Votes.—At any meeting every resolution shall be decided by the votes of the Shareholders present thereat, and in case there shall be an equality of votes, the Chairman at such meeting shall be entitled to give a casting vote in addition to the vote to which he may be entitled as a Shareholder, and unless a poll be immediately demanded by some Member present and entitled to vote, a declaration by the Chairman that a resolution has been carried, and an entry to that effect in the Minute Book of the Company, shall be sufficient evidence of the fact without proof of the number of votes recorded in favour of or against such resolution.

78. Poll.—If a poll be duly demanded, the same shall be taken in such manner and at such time and place as the Chairman shall direct, and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded. The demand of a poll shall not prevent the continuance of a meeting for the

transaction of business other than the question on which a poll has been demanded.

79. Poll how taken.—If at any meeting a poll be demanded by some Shareholder present at the meeting and entitled to vote, the meeting shall, if necessary, be adjourned, and the poll shall be taken at such time and in such manner as the Chairman shall direct, and in such case every Shareholder shall have the number of votes to which he may be entitled as hereinafter provided; and in case at any such poll there shall be an equality of votes, the Chairman of the meeting at which such poll shall have been demanded shall be entitled to a casting vote in addition to any votes to which he may be entitled as a Shareholder. The result of such poll shall be deemed to be the resolution of the Company in General Meeting.

80. No poll on election of Chairman or on question of adjournment. -No poll shall be demanded on the

election of a Chairman of the meeting, or on any question of adjournment.

81. Number of votes to which Shareholder entitled.—On a show of hands every Shareholder shall have one vote only. In case of a poll every Shareholder shall have one vote for every share up to twenty, and an additional vote for every five shares beyond the first twenty up to one hundred, and an additional vote for every ten shares held by him beyond the first hundred.

82. Joint Shareholders.—If two or more persons are jointly entitled to a share or shares, the person whose name stands first in the register of Shareholders as one of the holders of such share or shares, and no

other, shall be entitled to vote in respect of the same, as hereinbefore provided.

83. Guardian of infant, &c., when not entitled to vote.—The parent or guardian of an infant Shareholder, the committee or other legal guardian of any lunatic Shareholder, the husband of any female Shareholder not entitled to her shares as separate estate, and the executor or administrator of any deceased Shareholder, shall be entitled to vote in the place of such infant, lunatic, female, or deceased person, if such person shall have been registered as a Shareholder.

84. Voting in person or by proxy.—Votes may be given either personally or by proxy.

85. Non-Shareholder not to be appointed proxy.—No person shall be entitled to hold a proxy who is not

a Shareholder of the Company.

86. Disqualification to vote.—No Shareholder shall be entitled to vote at any meeting unless a'l calls due from him have been paid; and no Shareholder other than the trustee or assignee of a bankrupt, or representative of a deceased Shareholder, or person acquiring by marriage, shall be entitled to vote at any meeting held after the expiration of three months from the registration of the Company in respect of any share which he has acquired by transfer, unless he has been possessed of the share in respect of which he claims to vote at least three months previously to the time of holding the meeting at which he proposes to vote.

87. Proxy.—A proxy shall be appointed in writing under the hand of the appointer, or if such appointer is a corporation under their common seal, and shall have affixed thereto a stamp of such value as shall in law

be requisite. Any instrument appointing a proxy may be in the following form:-

G. F. Nell & Company, Limited.

- (a Shareholder in G. F. Nell & Company, Limited), -, of --, of ----- (a Shareholder in the Company), as my proxy to represent me and to vote for me and on my behalf at the Ordinary (or Extraordinary as the case may be) General Meeting of the Company to be held on the day of _____, and at any adjournment thereof and at every poll which may be taken in consequence thereof. Dated this -, One thousand Nine hundred and -- day of -

88. Proxy.-No person shall be appointed a proxy who is not a Shareholder, and the instrument or mandate appointing him shall be deposited at the registered office of the Company not less than forty-eight hours before the time of holding the meeting at which he proposes to vote, but no instrument or mandate

appointing a proxy shall be valid after the expiration of three months from the date of its execution.

89. Objection to validity of vote to be made at the meeting or poll.—No objection shall be made to the validity of any vote, whether given personally or poly, except at the meeting or poll at which such vote shall be tendered, and every vote (whether given personally or by proxy) to which no objection shall be made at such meeting or poll shall be deemed valid for all purposes of such meeting or poll whatsoever.

90. No Shareholder to be prevented from voting by being personally interested in result.—No Shareholder

shall be prevented from voting by reason of his being personally interested in the result of the voting.

91. Shareholder registered for three months can vote. - Every Shareholder not disqualified by the preceding Articles, who has been duly registered for three months previous to the General Meeting, shall be entitled to be present and to speak and vote at all meetings.

DIRECTORS.

92. Number of Directors.—Until otherwise determined by a General Meeting, the number of Directors shall not be less than two nor exceed five.

93. Qualification of Directors.—The qualification of a Director shall be the holding of shares or stock of the nominal amount of One thousand Two hundred and Fifty Rupees. A first Director may act before acquiring this qualification, but shall in any case acquire the same within one month from his appointment; and unless he shall do so he shall be deemed to have agreed to take the said shares or stock from the Company, and the same shall be forthwith allotted to him accordingly.

94. First Directors.—The first Directors shall be Dr. David Rockwood, John Ryland Greve, J.P., and George Frederick Nell, all of Colombo, and they shall respectively hold office, except in the event of becoming.

disqualified, until the first Ordinary General Meeting of the Company.

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Vacancy in the Board.—Any casual vacancy in the Board may be filled up by the Board, but any person so chosen shall hold his office so long only as the vacating Director would have held the same had no

96. If Directors suffice to form a quorum.—The powers or functions of a Board shall not cease or be suspended so long as the Board consists of a sufficient number of Directors to form a quorum, although the number of Directors should, from any cause whatsoever, have fallen below the prescribed lowest number of Directors.

97. Remuneration of Directors.—As remuneration for their services, the Directors shall be entitled to receive out of the funds of the Company an annual sum not exceeding One thousand Rupees, or such other sum as may be voted by the Shareholders in General Meeting. Such remuneration shall be divided among the as may be voted by the Shareholders in General Meeting.

Directors as they may determine.

Remuncration for extra services.—If any Director shall be called upon to go or reside abroad on the Company's business, or otherwise perform extra services at home or abroad, the Board may arrange with such Director for such special remuneration for such services, either by way of salary, commission, or the payment of a stated sum of money, as they shall think fit.

DISQUALIFICATION OF DIRECTORS.

99. Resignation of Directors.—A Director may at any time give notice in writing of his wish to retire by delivering such notice at the office of the Company, and on the acceptance by the Board of his resignation, but not before his office shall be vacant.

When office of Director to be vacated.—The office of a Director shall be vacated:-

(a) If he ceases to hold the required number of shares to qualify him for the office.

(b) If by notice in writing to the Company he resigns his office, and his resignation is accepted.
(c) If he becomes bankrupt or insolvent, or files a petition for the liquidation of his affairs, or

compounds with his creditors.

(d) If he is found lunatic, or become of unsound mind.

101. Removal of Director.—The Company may, by an extraordinary resolution, remove any Director, including a Managing Director the expiration of his period of office, and on such removal may, by an extraordinary resolution, appoint a qualified member in his stead, and the Director so appointed shall in all

respects stand in the place of his predecessor.

respects stand in the place of his predecessor.

102. Director interested in a contract.—No Director shall be disqualified by his office from contracting with the Company, either as yendor, purchaser, or otherwise; nor shall any such contract or arrangement entered into by or on behalf of the Company with any Company or partnership of or in which any Director shall be a member or otherwise interested be avoided; nor shall any Director so contracting, or being such a member or so interested, be liable to account to the Company for any profit realized by any such contract or arrangement by reason only of such Director holding that office or of the fiduciary relation thereby established; but no Director shall vote in respect of any such contract or arrangement; and the nature of his interest where it does not appear on the face of the contract shall be disclosed by him at the meeting of the Directors at which the contract or arrangement is determined on, if his interest then exists, or in any other case at the first meeting of contract or arrangement is determined on, if his interest then exists, or in any other case at the first meeting of the Directors after the acquisition of his interest.

ROTATION OF DIRECTORS.

103. Number to retire.—At the F rst Ordinary Meeting of the Company all the Directors shall retire, and at the First Ordinary Meeting in every subsequent year one of the Directors for the time being shall retire from

office, but if qualified shall be eligible for re-election.

104. Retirement by seniority.—The Directors to retire in any year shall always be those who have been longest in office, and in case of Directors equal in length of office shall, unless such Directors agree among

themselves, be determined by ballot.

themselves, be determined by ballot.

105. Decision of question as to retirement.—When any question arises as to retirement of any Director or Directors, it shall be decided by the Board, whose decision shall be final and binding on all concerned.

106. Appointment of successors to Directors.—The General Meeting at which Directors retire or ought to retire by rotation shall appoint successors to them.

107. Old Directors when continued.—If at any meeting at which an election of Directors ought to take

place no such election is made, the meeting shall stand adjourned till the next day, at the same time and place; and if at such adjourned meeting no election takes place, the former Directors shall continue to act until new Directors are appointed at the First Ordinary Meeting of the following year.

Directors are appointed at the First Ordinary Meeting of the following year.

108. Increase or reduction of number of Directors.—The Company in General Meeting may from time to time increase or reduce the number of Directors and alter their qualifications.

109. Additional Directors.—Upon the passing of a resolution for an increase in the number of Directors the Company in General Meeting may forthwith elect such additional Director or Directors, and may also determine in what manner or rotation such increased or reduced number is to go out of office.

MANAGING DIRECTOR.

MANAGING DIRECTOR.

110. Appointment, remuneration, and powers.—The Directors may from time to time appoint one or more of their body to be Managing Director or Directors of the Company, either for a fixed term or without any limitation as to the period for which he is to hold such office, and may, subject to any contract between him and the Company from time to time, remove or dismiss him from office and appoint another in his place. The remuneration of a Managing Director shall, subject to any contract between him and the Company from time to time, be fixed by the Directors, and may be by way of salary, commission, percentage, or participation in profits, or by any or all of those modes. The Directors may from time to time entrust to, and confer upon, a Managing Director for the time being such of the powers exercisable under these presents by the Directors as they may think fit, and may confer such powers for such time, and to be exercised for such objects and purposes, Managing Director for the time being sten of the powers of such time, and to be exercised for such objects and purposes, and upon such terms and conditions, and with such restrictions as they think expedient, and may from time to time revoke, withdraw, alter, or vary all or any of such powers,

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111. Retirement of Managing Director.—A Managing Director shall not, while he continues to hold that office, be subject to retire by rotation, but (subject to the provisions of any contract between him and the Company) he shall be subject to the same provision as to resignation and removal as the other Directors of the Company, and if he ceases to hold the office of Director from any cause he shall ipso facto and immediately

cease to be a Managing Director.

112. Vacancy in office.—In the case of any vacancy in the office of Managing Director, the Directors may either fill up the office by the appointment of some other of the Directors, or may discontinue such office

as they may think fit.

PROCEEDING OF DIRECTORS.

113. Meetings of Directors.—The Directors may meet together for the despatch of business, adjourn, and otherwise regulate their meetings as they think fit, and may determine the quorum necessary for the transaction of business. And until otherwise determined two Directors shall be a quorum.

114. Summoning meetings; questions how decided.—A Director may, and the Secretary at the request of any Director shall, at any time summon a meeting of the Directors. Questions arising at any meeting of Directors shall be decided by a majority of votes of the Directors present, and in case of equality of votes the Chairman shall have a casting vote.

115. Chairman at meetings.—The Directors may elect a Chairman and Deputy Chairman of their meetings, and may determine the period for which such officers shall respectively hold office. In the absence of the Chairman (if any) the Deputy Chairman (if any) shall preside. If such officers have not been appointed, or if neither be present at the time appointed for a meeting, the Directors present shall choose some one of their number to be Chairman of such meeting.

116. Powers of a meeting of Directors.—A meeting of Directors at which a quorum is present shall be competent to exercise all or any of the authorities, powers, and discretions by or under these presents vested in,

or exercisable by the Directors generally.

Unanimous resolution in writing.—A resolution in writing by all the Directors shall be as valid and

effectual as if it had been passed at a meeting of the Directors duly called and constituted.

118. Delegation of Directors' powers.—The Directors may delegate any of their powers to committees consisting of such Member or Members of their body as they think fit, and may revoke the appointment of any such committee. Any committee so formed shall, in the exercise of the powers so delegated, conform to any regulations that may from time to time be imposed on it by the Directors.

119. Regulations for proceedings of committee.—The meetings and proceedings of any such committee consisting of two or more Members shall be governed by the provisions herein contained for regulating the meetings and proceedings of Directors so far as the same are applicable thereto, and are not superseded by the

express terms of the appointment of the committee or by any such regulations as aforesaid.

120. Minutes of proceedings of the Company and the Directors to be recorded.—The Directors shall cause minutes to be made in books to be provided for the purpose of the following matters, videlicet:

(a) Of all appointments of officers and committees made by the Directors.

(b) Of the names of the Directors present at each meeting of the Directors, and of the members of the committee appointed by the Board present at each meeting of the committee.

(c) Of the proceedings of all General Meetings.

- (d) Of the proceedings of all meetings of the Directors; and of the committees appointed by the
- 121. Signature of minutes of proceedings and effect thereof.—All such minutes shall be signed by the person or one of the persons who shall have presided as Chairman at the General Meeting, the Board Meeting, or Committee Meeting at which the business minuted shall have been transacted, or by the person or one of the persons who shall preside as Chairman at the next ensuing General Meeting, or Board Meeting, or Committee Meeting, respectively; and all minutes purporting to have been signed by any Chairman of any General Meeting, Board Meeting, or Committee Meeting, and the committee of the committee Board Meeting, or Committee Meeting, as the case may be, shall, for all purposes whatsoever, be prima facie evidence of the actual and regular passing of the resolutions, and the actual and regular transaction or occurrence of the proceedings and other matters purporting to be so recorded, and of the regularity of the meeting at which the same shall appear to have taken place, and of the Chairmanship and signature of the person appearing to have signed as Chairman.

Powers of Directors.

122. Powers of Directors.—The business of the Company shall be managed by the Directors either by themselves or through the Managing Director, or by an agent or agents, secretary or secretaries:

(a) The Directors shall carry on the business of the Company in such manner as they may think most expedient, and in addition to the powers and authorities by any Ordinance or by these presents expressly conferred on them they may exercise all such powers, give all such consents. make all such arrangements, and generally do all such acts and things as are by any Ordinance or by these presents directed and authorized to be exercised, given, made, or done by the Company, and are not by any Ordinance or by these presents required to be exercised or done by the Company in General Meeting, subject, nevertheless, to the provisions of any such Ordinance or of these presents and to such regulations and provisions (if any) as may from time to time be prescribed by the Company in General Meeting, but no regulations made by the Company in General Meeting shall invalidate any prior act of the Board which would have been valid if such regulations had not been made. The generality of the powers conferred by any clause in these presents on the Directors shall not be taken to be limited by any clause conferring any special or expressed power.

(b) The Directors shall have power to make and may make such regulations for the management of the business and property of the Company as they may from time to time think proper, and may appoint such managers, agents, secretaries, treasurers, accountants, assistants, officers, clerks, artisans, and other servants for such period or periods, and with such remuneration, and at such salaries, and upon such terms and conditions as they may consider advisable, and may pay the expenses occasioned thereby out of the funds of the Company; and may from time to time remove, or suspend, all or any of the persons so appointed for such reasons as they may think proper and advisable, and without assigning any cause for so

doing.

- (c) It shall be lawful for the Directors, if authorized so to do by the Shareholders in General Meeting, to arrange terms for the amalgamation of the Company with any other Company or any individual, or for the sale or disposal of the business, estates, and effects of the Company or any part thereof respectively, to any company or person, upon such terms and in such manner as the Directors shall think fit, and the Directors shall have power to do all such things as may be necessary for carrying such amalgamation, sale, or other disposition into effect so far as a resolution or special resolution of the Company is not by law necessary for such purpose, and in case any terms so arranged by the Directors include or make necessary the dissolution of the Company, the Company shall thereupon be dissolved.
- 123. Special powers.—Without prejudice to the general powers conferred by the last preceding clause and to other powers and authorities conferred by these Articles, it is hereby expressly declared that the Directors shall be entrusted with the following powers, viz. :-

(1) To open from time to time on behalf of the Company any account or accounts with such bank or

banks as the Directors may from time to time select or appoint.

(2) By such signatures as they may appoint to sign, draw, accept, make, and endorse cheques, bills of exchange and promissory notes, bills of lading, receipts, contracts, and agreements, letter or letters of appointment to any proctor or proctors, and other documents on behalf and for the purpose of the Company.

(3) To institute, conduct, defend, compound, or abandon any legal proceedings by or against the Company or its officers or otherwise concerning the affairs of the Company, and also to compound, and allow time for payment or satisfaction of any debts due, and of any claims or demands by or against the Company.

(4) To appoint a proctor or proctors to appear and act for the Company in any court or courts, and from time to time if they shall think fit such appointments to revoke.
(5) To refer any claims or demands by or against the Company to arbitration, and to perform,

observe, and carry out the wards thereon.

To act on behalf of the Company in all matters in relation to bankrupts and insolvents

(7) To make and give receipts, releases, and other discharges for money payable to the Company, and for the claims and demands of the Company.
(8) To give any officer or other person employed by the Company a commission on the profits of any particular business or transaction (which interest or commission shall be treated as part of the working expenses of the Company), and to pay commissions and make allowances to any person introducing business to the Company, or otherwise assisting or promoting the interest thereof.

DELEGATION OF POWERS TO PERSONS IN OTHER COUNTRIES.

Local administration.—The Directors may from time to time provide for the administration and management of the affairs of the Company in the United Kingdom, India, or elsewhere abroad, in such manner as they shall think fit, and in particular may appoint any local managers and establish any committees of administration, or advice, or agencies for managing the same, and may appoint any persons to be members of administration, or advice, and may delegate to them such of the powers, authorities, and discretions for the time being any such committee, and may delegate to them such of the powers, authorities, and discretions for the time being any such committee, and that the property and the property and authorize them to fill up vested in the Directors as they may think fit, and may fix their remuneration, and authorize them to fill up vacancies, and to act notwithstanding vacancies any such appointment being made on such terms, and subject to such conditions, as the Directors may think fit, and the Directors may at any time remove any person so appointed.

ATTORNEYS.

ATTORNEYS.

125. Appointment of Attorney.—The Directors may at any time and from time to time, by deed under the seal of the Company, appoint any person or persons to be the attorney or attorneys of the Company for such purposes and with such powers, authorities, and discretions (not exceeding those vested in or exercisable by the Directors under these presents, but including power to sub-delegate), and for such period and subject to such conditions as the Directors may from time to time think fit.

126. Who may be made attorney.—Any such appointment as referred to in the previous clause, if the Directors think fit, may be made in favour of the Members or any of the Members of any committee established by virtue of these presents, or in favour of any company or of the members or managers of any company or firm or otherwise in favour of any fluctuating body of persons, whether nominated directly or indirectly by the Directors. Any such powers of attorney may contain such provisions for the protection or convemence of persons dealing with such attorney or attorneys as the Directors think fit, and any such delegates or attorneys may be authorized by the Directors to sub-delegate all or any of the powers, authorities, or discretions for the time being vested in them. time being vested in them.

TRUSTEES.

127. Trustees.—The Directors may, if they think fit, at any time appoint any corporation or any person or persons to act as trustee or trustees for any of the purposes of the Company, and in particular to accept and hold in trust for the Company any property belonging to the Company or in which it is interested, and may execute and do all such acts, deeds, and things as may be necessary to vest the same in any such corporation, person, or persons. Any trustee so appointed may be removed by the Directors, and shall have such remuneration, powers, and indemnities, and perform such duties, and be subject to such regulations as the Directors may determine determine.

COMMON SEAL,

128. Common seal.—The Directors shall provide a common seal of the Company, and for the safe custody of the same, and the common seal of the Company shall not be affixed to any instrument, document, or writing, except in the presence of two or more of the Directors or of one Director and the Secretary or Secretaries for the time being, who shall attest the sealing thereof, such attestation on the part of the Secretaries, in the event of a firm being the Secretaries, being signified by a partner of the said firm as such Secretaries. of the said firm as such Secretaries.

GENERAL PROVISIONS AS TO DIRECTORS AND OTHER OFFICERS.

Indemnity.—The Directors and other officers shall be indemnified by the Company against all costs, losses, and expenses incurred by them in or about the discharge of their respective duties, except such as

may happen from any wilful or wrongful act or default.

Acts valid notwithstanding informal appointment.—All acts bona fide done by any meeting of Directors or by a committee of Directors, or by any person acting as a Director, shall, notwithstanding it, be afterwards discovered that there was some defect in the appointment of any such Director or person acting as aforesaid, or that they or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be and act as a Director.

131. Not liable as to acts of others.—No Director, trustee, or officer, his heirs, executors, administrators, or assigns, shall be liable for any other Director, trustee, or officer, or for joining in any receipt or other acts for conformity, or for any loss or expense happening to the Company through the insufficiency or deficiency of title to any property acquired or on behalf of the Company, or for the insufficiency or deficiency of any security in or upon which any of the Company's property or fund shall be invested, or for any loss or damage arising from the bankruptcy, insolvency, or tortious act of any person with whom any moneys, securities, or effects shall be deposited, or for any loss, damage, or misfortune whatsoever which shall happen in the execution of the duties of his respective office or in relation thereto, unless the same shall happen through his own wilful neglect or default.

DIVIDENDS.

132. Profits belong to Shareholders.—Subject to the provisions with reference to the dividends on the preference shares or stock which may from time to time be issued, and also to the other provisions of these presents, the profits of the Company shall belong to the holders of ordinary shares or stock in the capital of the Company in proportion to the amount of capital for the time being paid up, or credited as having been paid up, in respect of such ordinary shares or stock. Provided, nevertheless, that where money is paid up in advance of calls upon the footing that the same shall carry interest, such money shall carry interest accordingly, and

shall not (whilst carrying interest) confer a right to participate in profits.

133. Declaration of dividend.—The Company in General Meeting may declare a dividend to be paid to the members according to their rights and interests in the profits, but no larger dividend shall be declared than is recommended by the Directors. The Company in General Meeting may, however, declare a smaller dividend.

Dividend from profits.—No dividend shall be payable except out of the profits arising from the business of the Company, but whenever a profit shall have been derived from the Company's undertaking for and during the period covered by any balance sheet, then such profit or any part thereof may be distributed by way of dividend, notwithstanding that the undertaking may have theretofore been carried on at a loss, or that the Company's assets may not be estimated and considered equal in value to the amount of the paid-up capital, and notwithstanding that any part of the paid-up capital may previously to such period have been wholly or

partially lost or unprofitably expended.

135. Interim dividend.—The Directors may also at any time and from time to time, without the sanction of a General Meeting, distribute amongst the Members out of the estimated earnings or profits of the Company, having regard to their rights and interests therein, such sum or sums of money by way or in the name of interim dividend, bonus, or interest on capital as in their judgment the position of the Company may justify.

136. Lien on dividends.—The Directors may retain dividends payable on any shares upon which the Company has a lien, and may apply the same in or towards satisfaction of the debts, liabilities, or engagements in respect of which the lien exists, including all such sums of money as may be due and payable on account of calls or instalments unpaid.

137. Joint-holders.--In case several persons are registered as the joint-holders of any share or shares, any one of such persons may give effectual receipts for all dividends and payments on account of dividends in respect of such share or shares.

138. Loss of dividend warrant, &c.—The Company shall not be responsible for the loss of any cheque, dividend warrant, or post office order which shall be sent by post in respect of dividends, whether sent by request or otherwise.

139. Unpaid dividend not to bear interest.—No unpaid interests or dividends shall bear interest as against the Company.

RESERVE FUND.

140. Reserve fund.—The Directors may, but shall not be obliged, before recommending or declaring any dividend or bonus, or interest on capital in respect of any class of shares, out of or in respect of the earnings or profits of the Company for any yearly or other period, cause to be reserved and retained, and set aside out of such profits such sum as they may think proper to form a reserve fund to meet contingencies or depreciations in the value of the property of the Company, or for equalizing dividends, or for repairing, improving, and maintaining any of the property of the Company, providing against losses, meeting claims on, or liabilities of the Company, or for such other purposes as the Directors shall, in their absolute discretion, think conducive to

the interests of the Company.

141. Investment of the reserve fund.—All moneys carried to the reserve fund, and all other moneys of the Company not immediately applicable or required for any payment to be made by the Company, may be either employed in the business of the Company or be invested by the Directors upon such securities (other than the purchase of a loan upon shares of the Company) as the Directors may from time to time think proper, with power for them from tim to time to deal with and vary such investment, and to dispose of all or any part thereof for the benefit of the Company, and to divide the reserve fund into such special funds as they may think fit.

ACCOUNTS.

142. What accounts to be kept.—The Directors shall cause true accounts to be kept of the paid up capital for the time being of the Company, and of all sums of money received and expended by the Company, and of the matters in respect of which such receipts and expenditure take place, and of the assets, credits, and liabilities of the Company, and generally of all its commercial, financial, and other affairs, transactions, and engagements, and of all other matters necessary for showing the true financial state and condition of the Company, and the accounts shall be kept in such books and in such a manner at the registered office of the Company as the Directors think fit.

Inspection of accounts by Members.—The Directors shall from time to time determine whether and to what extent, and at what time and places, and under what conditions or regulations the accounts and books of the Company, or any of them, shall be open to the inspection of the Members; and no Members shall have any right of inspecting any account, or book, or document of the Company, except as conferred by Ordinance

or authorized by the Directors, or by a resolution of the Company in General Meeting.

144. Balance sheet.—At the first Ordinary General Meeting in every year the Directors shall lay before the Company a balance sheet containing a summary of the property and liabilities of the Company, and if the Directors shall deem expedient a profit and loss account made up to a date to be therein mentioned, which shall

be as near the day of meeting as can be conveniently fixed.

145. To be accompanied by report of Directors.—Every such statement shall be accompanied by a report of the Directors as to the state and condition of the Company, and as to the amount which they recommend to be paid out of the profits by way of dividend or bonus to the Members, and the amount (if any) which they

propose to carry to the reserve fund according to the provisions in that behalf hereinbefore contained.

146. May be spread over a series of years.—Any costs attending the formation of the Company, or in connection with the purchase of any business or contract, or the establishing of any new branch of business, or any extraordinary expenditure, may be spread over any series of years, and for the purpose of calculating profits, such costs or expenditure, or any part thereof for the time being not written off may be reckoned as an asset.

AUDIT AND INSPECTION OF ACCOUNTS.

147. Accounts to be audited.—The accounts of the Company shall from time to time be examined, and the correctness of the balance sheet ascertained by one or mote Auditor or Auditors.

148. Audit rs.—The number of Auditors, the person or persons to fill the office of Auditor or Auditors, and the remuneration of the Auditor or Auditors, and his or their term of office, may from time to time be determined and varied by the Company in General Meeting, except as hereinafter mentioned.

149. Appointment of first Auditors.—The Directors may appoint the first Auditor or Auditors to audit the accounts of the Company until the first Ordinary General Meeting, when he or they shall retire, and may

fix his or their remuneration.

150. Appointment and retirement of Auditors.—Subsequent Auditors, except as is herein mentioned, shall be appointed at the first Ordinary General Meeting of the Company in each year by the Shareholders present thereat, and shall hold their office only until the first Ordinary Annual General Meeting after their

present thereat, and shall hold their office only until the first Ordinary Annual General Meeting after their respective appointments, or until otherwise ordered by a General Meeting.

151. Retiring Auditors eligible for re-election.—Retiring Auditors shall be eligible for re-election.

152. Causal vacancy in office of Auditors how filled up.—If any vacancy that may occur in the office of Auditors shall not be supplied at any Ordinary General Meeting, or if any casual vacancy shall occur, the Director shall (subject to the approval of the next Ordinary General Meeting) fill up the vacancy by the appointment of a person who shall hold the office until such meeting.

153. Qualification of Auditors.—No person shall be eligible as an Auditor who is interested otherwise than as a Shareholder in any transaction of the Company, but it shall not be a necessary qualification for an

than as a Shareholder in any transaction of the Company, but it shall not be a necessary qualification for an Auditor that he be a Shareholder of the Company, and no Director or officer of the Company shall during his

continuance in office be eligible as an Auditor.

154. Accounts and books to be open to Auditor.—All accounts of the Company shall at all times be open to the Auditor or Auditors for the purpose of audit. And every Auditor shall have a list delivered to him of all books kept by the Company, and he shall at all reasonable times have access to the books and accounts of the Company. He may, if necessary, at the expense of the Company, employ accountants or other persons to assist him in investigating such accounts, and he may in relation to such accounts examine the Directors or any

other officer of the Company.

155. Balance sheet.—Every Auditor shall be supplied with copy of the statement of accounts and balance sheet intended to be laid before the Company in General Meeting, and it shall be his duty to examine the same with the accounts and vouchers relating thereto, and to report to the Company in General Meeting

thereon

156. Report.—The Auditors, in making such report to the Company, shall state whether in their opinion, the balance sheet is a full and fair balance sheet, containing the particulars required by these regulations, and properly drawn up so as to exhibit a true and correct view of the state of the Company's affairs, and in case they have called for explanations or information from the Directors, whether such explanations or information they have called for explanations or information from the Directors, whether such explanations or information have been given by the Directors, and whether they have been satisfactory; and such report shall be read, together with the report of the Directors, at the General Meeting.

1572 Accounts when conclusive.—Every account of the Directors when audited and approved by a General Meeting shall be conclusive, except as regards any error discovered therein within three months next after approval thereof. Whenever any such error shall be discovered within that period, it shall forthwith be corrected, and thenceforth the account as corrected shall be conclusive.

NOTICES.

158. Notice how authenticated.—Notices from the Company may be authenticated by the signature (printed or written) of the agent or secretary, agents or secretaries, or other persons appointed by the Board to

Shareholders to register address.—Every shareholder shall give an address in Ceylon, which shall be

159. Shareholders to register address.—Every shareholder shall give an address in Ceylon, which shall be deemed to be his place of abode, and shall be registered as such in the books of the Company.

160. Non-resident Shareholders must register address in Ceylon.—Every Shareholder residing out of Ceylon shall name and register in the books of the Company an address within Ceylon at which all notices shall be served upon him, and all notices served at such address shall be deemed to be well served. If he shall not have named and registered such an address he shall not be entitled to any notices.

161. Services of notices.—A notice may be served by the Company upon any Shareholder, either personally or by being sent through the post in a prepaid letter addressed to such Shareholder at his registered address or place of abode; and any notice so sent shall be deemed to be well served for all purposes, notwithetending ally or by being sent through the post in a prepara letter addressed to such Shareholder at his registered address or place of abode; and any notice so sent shall be deemed to be well served for all purposes, notwithstanding that the Shareholders to whom such notice is addressed be out of the Island or be dead (unless and until his executors or administrators shall have given of the Directors or to the agent or secretary or agents, or secretaries of the Company their own or some other address).

Date and proof of services.—Any notice if sent by post shall be deemed to have been served on the day on which the letter containing the same would in ordinary course of post have been delivered at its address, and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and put into a post office or post box; and the entry in the Company's books of the leaving or sending by post of any notice at or to such address shall be prima facie evidence thereof.

163. Period for notices.—Where a given number of day's notice, or notice extending over any other period is required to be given the day of service shall but the day upon which such notice will expire shall not

period is required to be given, the day of service shall, but the day upon which such notice will expire shall not,

be included in such number of days or other period.

164. Notice to joint-holders of shares other than a firm.—All notices directed to be given to Shareholders shall, with respect to any share to which persons are jointly entitled other than a firm, be given to whichever of such persons is named first in the Register of Shareholders, and notice so given shall be deemed sufficient notice to all the holders of such share.

165. Notice by advertisement.—Any notice required to be given by the Company to the Shareholders or any of them, and as regards the mode of giving whereof no express provision is made by these presents, shall be

sufficiently given if given by advertisement.

166. Advertisement in "Gazette".—Any notice required to be or which may be given by advertisement shall be advertised once in the Ceylon Government Gazette.

ARBITRATION.

167. Directors may refer disputes to arbitration.—Whenever any question or other matter whatsoever 167. Directors may refer disputes to aroundation.—Whenever any questions and any other company or persons, the same may be referred by the carries in dispute between the Company and any other company or persons, the same may be referred by the Directors to arbitration. EVIDENCE.

Evidence in action by Company against Shareholders .- On the trial or hearing of any action or suit brought or instituted by the Company against any Shareholder or his representatives to recover any debt or money claimed to be due to the Company in respect of his shares, it shall be sufficient to prove that the name of the defendant is or was when the claim arose on the Register of Shareholders of the Company as a holder of the number of shares in respect of which such claim is made, and that the amount claimed is not entered as paid in the books of the Company; and it shall not be necessary to prove the registration of the Company, nor the appointment of the Directors who made any call, nor that a quorum of Directors was present at the Board at which any call was made, nor that the meeting at which any call was made was duly convened or constituted, nor any other matter whatsoever, but the proof of the matters aforesaid shall be conclusive evidence of the

Provision relative to Winding up or Dissolution of the Company. Purchase of Company's property by Shareholders.—Any shareholder, whether a Director or not, or whether alone or jointly with any other Shareholder or Director, and any person not a Shareholder, may become

whether alone or jointly with any other Shareholder or Director, and any person not a Shareholder, may become the purchaser of the property of the Company or any part thereof, in the event of a winding up or a dissolution, or at any other time when a sale of the Company's property or effects, or any part thereof, shall be made by the Directors under the powers hereby or under the Ordinance conferred upon them.

170. Distribution.—If the Company shall be wound up, and there shall be any surplus assets after payment of all debts and satisfaction of all liabilities of the Company, such surplus assets shall be applied, first in repaying to the holders of the preference shares (if any) the amounts paid up or reckoned as paid up and the halonce in repaying to the holders of the ordinary shares, the amounts paid up or reckoned as paid up

and the balance in repaying to the holders of the ordinary shares, the amounts paid up or reckoned as paid up on such ordinary shares. If there shall remain any surplus assets after repayment of the whole of the paid up capital, such surplus assets shall be divided among the members in proportion to the capital paid up, or reckoned as paid up, on the shares which are held by them respectively at the commencement of the winding up.

171. Payment in specie, and vesting in trustees.—If the Company shall be wound up, the liquidator, whether voluntary or official, may, with the sanction of an extraordinay resolution, divide among the contributories in specie any part of the essets of the Company and may with their contributories in specie.

tributories in specie any part of the assets of the Company, and may, with their sanction, vest any part of the assets of the Company in trustees upon such trusts for the benefit of the contributories as the liquidator with like sanction shall think fit.

In witness whereof the subscribers to the Memorandum of Association have hereto set and subscribed their names this Thirty-first day of May, One thousand Nine hundred and Nine, and First and Third days of June, One thousand Nine hundred and Nine.

DAVID ROCKWOOD. GEO. FRED. NELL. PERCY H. FRADD.

Witness to the signatures of DAVID ROCKWOOD, GEO. FRED. NELL, and PERCY H. FRADD, at Colombo, this Thirty-first day of May, 1909:

W. A. S. DE Vos, Proctor, Supreme Court, Colombo.

> W. B. KELAART, S. C. PAUL.

T. W. COLLETTE.

Witness to the signatures of W. B. KELAART, S. C. PAUL, and T. W. COLLETTE, at Colombo, this First day of June, 1909:

W. A. S. DE Vos, Proctor, Supreme Court, Colombo.

J. R. GREVE.

Witness to the signature of J. R. Greve, at Colombo, this Third day of June, 1909 :

W. A. S. DE Vos. Proctor, Supreme Court, Colombo.

The Shencottah Rubber Company, Limited.

General Meeting of the Company will be held at the registered office of the Company, No. 2, Queen street, Fort. Colombo, on Friday, July 23, 1909. at 12 noon.

Business.

To consider an offer that has been made for the Company's property, and to authorize the Directors to take such steps as may be decided on at the Meeting.

By order of the Directors,

WHITTALL & Co., Agents and Secretaries.

Colombo, July 1, 1909.

The Ankande Estate Company of Ceylon, Limited.

OTICE is hereby given that the Thirteenth Ordinary General Meeting of Shareholders will be held at the registered office of the Company, No. 22, Baillie street, Fort, Colombo. on Saturday, July 10, 1909, at 12 noon.

Business.

- 1. To receive the Report of the Directors and Accounts for season ended March 31, 1909.
 - 2. To elect a Director:
 - 3. To appoint an Auditor for season 1909-1910.
- 4. To transact such other business as may properly come before the Meeting.

The Share Transfer books of the Company will be closed from June 27 to July 10, inclusive.

By order of the Directors,

Lewis Brown & Co.,

Agents and Secretaries.

Colombo, June 27, 1909.

L, WAHALA TANTRIMUDALIGE DON JOHN CORNELIUS, Proctor of the District Court of Colombo, do hereby give notice that; six weeks hence, I shall apply to the Hon. the Chief Justice and the other Justices of the Supreme Court of the Island of Ceylon to be admitted and enrolled a Proctor of the said Honourable Court.

T. D. J. CORNELIUS.

Colombo, July 1, 1909.

GINIGE THOMAS EDMUND DE SILVA,
Proctor of the District Court of Colombo, do
hereby give notice that, six weeks hence, I shall apply
to the Hon. the Chief Justice and the other Justices of

the Supreme Court of the Island of Ceylon to be admitted and enrolled a Proctor of the said Honourable Court.

G. T. E. DE SILVA.

Colombo, July 1, 1909.

T. VETTIVELU MUDALIYAR SARAVANAMUTTU, Proctor of the District Court of
Kandy, do hereby give notice that I shall, six weeks
hence, apply to the Hon. the Chief Justice and other
Judges of the Supreme Court to be admitted and
enrolled a Proctor of the said Court.

V. M. SARAVANAMUTTU.

Kandy, June 30, 1909.

THOMAS MATTHEW FERNANDO, Proctor of the District Court of Chilaw, now residing at Fairlight. Chilaw, do hereby give notice that, six weeks hence, I shall apply to the Hon. the Chief Justice and the other Justices of the Supreme Court of the Island of Ceylon to be admitted and enrolled as a Proctor of the said Supreme Court.

T. M. FERNANDO.

Chilaw, June 30, 1909.

GEORGE VINCENT EDWARD PERERA,
Proctor of the District Court of Chilaw, do
hereby give notice that, six weeks hence, I shall apply
to the Hon. the Chief Justice and the other Justices of
the Hon. the Supreme Court of Ceylon to be admitted
and enrolled a Proctor of the said Honourable Court

G. V. E. PERERA.

Chilaw, June 26, 1909.

JOSEPH GREGORY FERNANDO of Moratuwa, do hereby give notice that I shall, six weeks hence, apply to the Hon. the Chief Justice and the other Judges of the Supreme Court of the Island of Ceylon to be admitted and enrolled a Proctor of the said Court.

JOSEPH G. FERNANDO.

Moratuwa, June 30, 1909.

OIX weeks hence I, Malcolm Cyril Francis Potger of Rose Bank, Badulla, Proctor of the District Court of Badulla, shall apply to the Hon. the Chief Justice and the other Justices of the Supreme Court of the Island of Ceylon to be admitted and enrolled a Proctor of the said Court.

MALCOLM POTGER.

Badulla, June 26, 1909.

Mathurazathul Zahira Maradana Muhammadan Boys' School Account (Muslim Educational Society).

Statement showing Receipt and Disbursements for the Year 1908.

RECEIPTS. Amount. Total. Total. Amount. Rs. Rs. c. c. Rs. c. Rs. c. Mr. Carimjee Jefferjee's A/c.: National Bank-balance Sutherland road house rent 257 52 1.970 49 December 31, 1907 Wellawatta, house rent Rs. $80\cdot00$ Mr. A. M. Wapchi Marikar 937 0 Do. land rent , 15.7595 75 Mr. A. M. Wapchi Marikar's A/c. 353 27 Government grant (1907 and Sutherland road house 1908) Books account School fees—Tamil boys School fees—English boys 1.004 0 1,030 rent 33 64 Wawatta, house rent, Rs. 320 12 90 land rent Do. " _ 383 0 273 82 286 72 1,413 9 Total 5,998 21

	Amount.	Disbura Total.	SEMENTS.	Amount.	Total. Rs. c.
	Rs. o.	Rs. c.	A	Rs. c.	100.
Materials for new school build- ing (west wing) School furniture Sundry debtors	<u>-</u> 268 20	200 0 130 23	Sundry expenses: Teachers' bonus account Conservancy fees Secretary's allowance Teachers' salaries	$egin{array}{cccc} 30 & 0 & \\ 26 & 0 & \\ 150 & 0 & \\ 2,531 & 75 & \\ 130 & 0 & \\ \end{array}$	•
Mr. C. M. Meera Lebbe Mari- kar	203 47	471 67	Watcher General expenses (stationery advertising, &c.)	01# 74	3,085 49
Messrs. A. M. Wapchi Marikar and Carimjee Jafferjee's A/c.: Wellawatta house, build-	2,095 80		Balance, cash at Bank Balance, cash in hand	0.04	12,77
ing Wellawatta house, one bucket	2 25	2.098 5		Total	5,998 21
Colombo, June 26, 1909.		- ,		APCHI MARIK nager and Tr	

NOTICES. COMMITTEE ROAD

Kandenewera-Wariapola Road.

HE report of the local Committee of the Kandenewera-Wariapola road having been received, notice is hereby given that, in accordance with the provisions of section 19 of the Estate RoadsOrdinance, No. 12 of 1902, the Provincial Road Committee will on Saturday, July 24, 1909, at 1.30 P.M., at their office in Kandy, after hearing objections, if any, proceed to assess, in the manner prescribed by the said section, the proportion due by each estate on account of the cost of maintenance during 1909 of the said road, viz., Rs. 3,272.

The Local Committee have recommended that the following estates should be assessed for the sections and on the acreage stated opposite to each :7

1st and 2nd sections, 1 66/80 mile-Cost of section, Rs. 715. Acreage. Proprietors or Agents. Estates. Wariapola Estates Co., Ltd. ..960 (George Steuart & Co.) .. Wariapola 1st to 5th section, 4 miles 32 chains Cost of section, Rs. 2,829 80. . . 344 P. Colquhoun Adams .. Wattegodde Ceylon Land and Produce ..436 Co., Ltd. (R. Anderson).. Strathisla 4th and 5th sections, 2 miles—Cost of section, Rs. 1,688 80. Bandarapola Ceylon Co., Ltd. (Jas. Anderson) ..460 .. Godapola 4th, 5th, and 6th sections, 2 miles 28,80 chains-Cost of section, Rs. 2.311. Bandarapola Ceylon Co. .. Karagahalanda ..106 Ltd. (5as. Anderson) 1st to 6th section, 43 miles-Cost of section, Rs. 3,272. Wariapola Estates Co.

> J. P. LEWIS, Chairman.

1,000

Provincial Road Committee's Office Kandy, June 29, 1909.

(George Steuart & Co.) . . Kandenewera

Branch Road from Kegalla-Polgahawela Road to Lowlands Estate.

OTICE is hereby given that the Governor, with the advice and consent of the Legislative Council, having granted the under-mentioned sum for the maintenance of the road from Kegalla-Polgahawela road to Lowlands estate during 1909, the Provincial Road Committee, North-Western Province, acting under the provisions of "The Branch Roads Ordinance, 1896," have assessed the proportion due by each estate in the district interested as follows:

Branch Road from Kegalla-Polgahawela ROAD TO LOWLANDS ESTATE.

Rs 381 00 Government moiety .. Rs. 384 81 Private contributions

1st and 2nd sections, I mile.

Total acreage, 829-Moiety of cost, Rs. 329 24-Sectional rate, 39715.—Total rate, 39715.

Amount. Proprietors or Acreage. Agents. Estate. Rs. c. 60 .. Charles Perees .. Serapis estate . 23 82

1st to 3rd sections, 1 mile 17 chains.

Total acreage, 769—Moiety of cost, Rs. 55 57—Sectional rate, 7226.—Total rate 46941.

Lipton Limited	 Cairnhill .	132	 61	97
Do.	 Lower Eadella	20	 ġ	39
Do.	Lowlands .	65	30	51
Do.	 Upper Eadella	438	 205	60
Do.	 Lesmoir .	114	 53	52

Which sums the proprietors, managers, or agents of the several estates are hereby required to pay into the Colonial Treasury, Colombo, on or before July 10, 1909.

> T. G. WILLETT, Secretary.

Provincial Road Committee's Office, Kurunegala, June 21, 1909.

Glenalla-Havilland Branch Road.

NOTICE is hereby given that the Governor, with the advice and consent of the Legislative Council, having agreed to grant the under-mentioned sum for the maintenance of the under-mentioned road during 1909, the Provincial Road Committee of the Province of Sabaragamuwa, acting under the provisions of section 23 of the Branch Roads Ordinance, No. 14 of 1896, have assessed the proportion due by each estate in the district interested in the maintenance of the under-mentioned road as follows:—

GLENALLA-HAVILLAND BRANCH ROAD.

(Estimate No. 369 of February 24, 1909.) Government moiety Rs. 1,463 00 Private contributions Rs. 1,492 26

1st section.

Total acreage, 3,598—Moiety of cost, Rs. 419.67—Sectional rate, 11.6584c.—Total rate, 11.6584c.

Proprietors or Agents. Estates. Acreage. Rs. c.

Gangwarily Estates Co., Ltd... Glenalla ... 246 ... 28 68

1st to 3rd section,

Total acreage, 3,352—Moiety of cost, Rs. 867·44—Sectional rate, 25·8782c.—Total rate, 37·5366c.

Edgar Smith for George Steuart & Co. . . Waharaka . . 565 . . 212 8

1st to 4th section.

Total acreage, 2,787—Moiety of cost, Rs. 205.35—Sectional rate, 7.3681c.—Total rate, 44.9047c.

al ra	te, 4	4 . 9	0 47c .	
	525		235	75
	44		19	76
	382		171	54
	155		69	60
	434		194	89
		•		
				į
٠.	944		423	90
	153		68	70
	50		22	45
• •	100	• •	44	91
		525 44 382 155 434 944 153 50	525 44 382 155 434	al rate, 44 9047c. 525 235 44 19 382 171 155 69 434 194 944 423 153 68 50 22

1,492 26

Which sums the proprietors, managers, or agents of the several estates are hereby required to pay into the Colonial Treasury, on or before July 31, 1909.

R. B. HELLINGS,

Chairman.

Provincial Road Committee's Office Ratnapura, June 16, 1909.

Parakaduwa-Hemmingford Branch Road.

NOTICE is hereby given that the Governor, with the advice and consent of the Legislative Council, having agreed to grant the under-mentioned sum for the maintenance of the under-mentioned road during 1909, the Provincial Road Committee of the Province of Sabaragamuwa, acting under the provisions of section 23 of the Branch Roads Ordinance. No. 14 of 1896, have assessed the proportion due by each estate in the district interested in the maintenance of the under-mentioned road as follows:—

PARAKADUWA-HEMMINGFORD BRANCH ROAD.

(Estimate No. 359 of February 24, 1909.) Government moiety . Rs. 421 00 Private contributions . Rs. 429 42

1st section.

Total acreage, 1,668—Moiety of cost, Rs. 53.68—Sectional rate, 3.2180c.

Proprietors or Agents. Estates. Acreage. Rs. c. The General Tea Estates, Ltd. .. Hemmingford ... 1,062 ... Group Durampitiya Rubber Co., Ltd. .. Kotunugalla... 369 .. 11 88 Do. Pathberiya .. 107 ... Do. .. Meegastenna.. 4 18 130 ... 53 68

2nd section.

Total acreage, 1,561—Moiety of cost, Rs. 53.68—Sectional rate, 3.4386c.

3rd, 4th, 5th, and 6th sections.

Total acreage, 1,192—Moiety of cost, Rs. 214·71—Sectional rate, 18·0125c.

The General Tea

Estates Co., Ltd. Hemmingford

Group . 1,062 . . 191 30

Durampitiya Rubber Co., Ltd. . . Meegastenna . . 130 . . 23 41

214 71

7th and 8th sections.

Total acreage, 1,062—Moiety of cost, Rs. 107·35—Sectional rate, 10·1087c.

The Genera Tea

• Estate Co., Ltd. Hemmingford Group :.

Group .. 1,062 .. 107 35

Which sums the proprietors, managers, or agents of the several estates are hereby requested to pay into the Colonial Treasury, Colombo, on or before July 31, 1909.

> R. B. Hellings, Chairman.

Provincial Road Committee's Office, Ratnapura, June 16, 1909.

Dehiowita-Algoda Branch Road.

OTICE is hereby given that the Governor, with the advice and consent of the Legislative Council, having agreed to grant the under-mentioned sum for the maintenance of the under-mentioned road during 1909, the Provincial Road Committee of the Province of Sabaragamuwa, acting under the provisions of section 23 of the Branch Roads Ordinance, No. 14 of 1896, have assessed the proportion due by each estate in the district interested in the maintenance of the under-mentioned road as follows:-

DEHIOWITA-ALGODA BRANCH ROAD.

(Estimate No. 358 of February 24, 1909.)

Rs. 445.00 Government moiety Private contributions Rs. 453.90

Total acreage, 6,781—Moiety of cost, Rs. 453.90 Rate per acre, 6.6937c.

	Assessme	
Proprietors or Agen	its. Estates. Acreage. Rs.	c.
	Densworth 547 36	61
	Pambegama 1,444 96	66
The Panawala Tea Co., Ltd		
O., Du	Glassel 1,111 74	37
The Nahalma Tea Estates Co., Ltd. C. Blair and A. M.	Nahalma 692 46	
Blair	Wordend and	
	Rangegama 992 66	40
H. A. Hayes and J P. Anderson W. Forsythe and S.	Maldeniya 618 41	37
L. Harries	Yogama1,377 92	17
	453	90

Which sums the proprietors, managers, or agents of the several estates are hereby required to pay into the Colonial Treasury, Colombo, on or before July 31,

> R. B. HELLINGS, Chairman.

Provincial Road Committee's Office, Ratnapura, June 16, 1909.

Gewilipitiya-Hatgampola Road.

NOTICE is hereby given that the Governor, with the advice and consent of the Legislative Council, having agreed to grant the under-mentioned sum for the maintenance of the under-mentioned road during 1909, the Provincial Road Committee of the Province of Sabaragamuwa, acting under the provisions of section 23 of the Branch Roads Ordinance, No. 14 of 1896, have assessed the proportion due by each estate in the district interested in the maintenance of the under-mentioned road as follows:

GEWILIPITIYA-HATGAMPOLA ROAD.

(Estimate No. 368 of February 24, 1909.)

Government moiety Rs. 396:00 Private contributions Rs. 403 · 92

Total acreage, 980-Moiety of cost, Rs. 403.92-Rate per acre, 41 2163c.

Assessment.

Proprietors or Agents. Estates. Acreage.	$\mathbf{Rs.}$	c.
J. R. Collinson and H. Whittam . Yellangonwrie 440 W. L. Strachan . Debatgama . 437 W. C. Whitham . Kalugalla 103	180	12
·	403	92

Which sums the proprietors, managers, or agents of the several estates are hereby required to pay into the Colonial Treasury, Colombo, on or before July 31,

> R. B. HELLINGS, Chairman.

Provincial Road Committee's Office Ratnapura, June 16, 1909.

Ratnapura-Malwala Ferry Grant-in-aid Road.

NOTICE is hereby given that the Governor, with the advice and consent of the Legislative Council, having agreed to grant the under-mentioned sum for the maintenance of the under-mentioned road during 1909, the Provincial Road Committee of the Province of Sabaragamuwa, acting under the provisions of section 23 of the Branch Roads Ordinance, No. 14 of 1896, have assessed the proportion due by each estate in the district interested in the maintenance of the under-mentioned road as follows:

RATNAPURA-MALWALA FERRY GRANT-IN-AID ROAD.

(Estimate No. 348 of February 11, 1909.)

Government moiety Rs. 1,926:00 Private contributions Rs. 1,964.52

1st section.

Total acreage, 7,318-Moiety of cost, Rs. 392.90-Sectional rate, 5.3689c.—Total rate, 5.3689c.

Assessment. Proprietors or Agents. Estates. Acreage. Rs. c. The Mahawala Tea Estates Co., Ltd. Mahawala 940 ..

1st to 5th section.

Total acreage, 6,378—Moiety of cost, Rs. 1,571 · 62— Sectional rate, 24.6412c.—Total rate, 30.0101c.

N. D. P. Silva & Co. Silvaland .. 1,017.. 305 20 The Consolidated Tea and Lands Company .. Hapugastenne Group .. 3,732 .. 1,119 98 Do. Hopewell 325 ... 97 53 Do. Alupolla 230 69 Do. .. Balakotenna and Wewe watta 250 .. 75 Welawala-**352** ... mukalana ... 105 64 A. H. Fernando and J. P. A. Ranawaka (lessees) . . Agarsland . . 307 .. 92 13 W. D. Holland and A. H. Allenby . . Dikmukalana . 165 . .

1,964 52

49 52

Which sums the proprietors, managers, or agents of the several estates are hereby required to pay into the Colonial Treasury, Colombo, on or before July 31, 1909.

> R. B. HELLINGS, Chairman.

Provincial Road Committee's Office, Ratnapura, June 16, 1909.

· Balangoda-Chetnole Grant-in-aid Road.

OTICE is hereby given that the Governor, with the advice and consent of the Legislative Council, having agreed to grant the under-mentioned sum for the maintenance of the under-mentioned road during 1909, the Provincial Road Committee of the Province of Sabaragamuwa, acting under the provisions of section 23 of the Branch Roads Ordinance, No. 14 of 1896, have assessed the proportion due by each estate in the district interested in the maintenance of the under-mentioned road as follows:—

BALANGODA-CHETNOLE GRANT-IN-AID-ROAD. (Estimate No. 349 of February 11, 1909.)

Government moiety .. Rs. 1,070:00 Private contributions .. Rs. 1,091:40

1st to 4th section.

Total acreage, 3,830—Moiety of cost, Rs 640.28 Sectional rate, 16.7174c.—Total rate, 16.7174c.

Assessment:
Proprietors or Agents. Estates. Acreage, Rs. c.
H. and N. Worship Morahela . 383 . 64 3
E. M. Leaf . Walawe . 578 . 96 64

1st to 7th section.

Total acreage, 2,869—Moiety of cost, Rs. 451·12—Sectional rate, 15·7239c.—Total rate 32·4413c.

Anglo-American

Direct Tea Trading Company Chetnole 414" 134 31 Do. Maddekanda 735238 44 Do. 538 52 Rassagala ..1,660 19 46 Palavasan Kankani Selvawatta 1,091 40

Which sums the proprietors, managers, or agents of the several estates are hereby required to pay into the Colonial Treasury, Colombo, on or before July 31, 1909.

R. B. HELLINGS, Chairman.

Provincial Road Committee's Office, Ratnapura, June 16, 1909.

LOCAL BOARD NOTICES.

NOTICE is hereby given that in the absence of movable property liable to seizure (1) rents and profits from one to ten years, (2) timber and produce, (3) materials of house, and (4) the under-mentioned properties themselves, seized in virtue of an authority issued by the Government Agent of the Province of Uva, in terms of sections 34 and 34a of "The Local Board Ordinances, 1898 to 1905," and section 41 of Ordinance No. 16 of 1865, for arrears of Local Board water-rates and Police rates due on the premises, and for the period mentioned in the subjoined schedule, will be sold for by public auction at Badulla Kachcheri, at the time mentioned, unless in the meantime the amounts of the Local Board water-rates and Police rates and cost be duly paid.

Local Board Office, Badulla, June 25, 1909.

14 ..

J. C. JAYATILLEKE, Local Board Inspector.

The sale commences on Thursday, July 15, 1909, at 9 A.M., at Badulla Kachcheri, and will proceed in the order of this schedule:—

Schedule referred to.

List of Properties seized for Non-payment of First Quarter's Assessment Tax for 1909, in the Town of Badulla.

Property No. 25 76 181 196 667 669 673 1150 1192 1287 1382 1426 & 1519 1484 1493 & 1508 1564 & 1566	Name of Owner. Samsi Lebbe Estate of Selohamy A. Punchirala Y. Dingirihamy and anothe Menchinona Shekali Dingiri Menika A. Banda W. Ossen and Dantu Estate of P. Hudu Etana Sinno Naide A. Rammenika Estate of Rambuppota Do. P. H. Gunasekera	A coconut tree standing the property Garden, Boralugastenna Timber of one room Dehikotuwa Kolongakotuwa	· do.
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To	Date of Clearing.	1909.	21-6	21-6	21-6	21-6	21-6	21-6	21-6	21-6	21-6	21-0	9-15	21-0	21-6	21-6	21-6	21-6	21-6	21-6	21-6	21-6	21-6	21-6	21-6	21-6				.!	
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OMBO:— From Tuticorin	, 7,816	False Point 6	Bags. 6,175	TO GALLE:		Вадя		,
Calcutta	50,683	Coconada 7 Bangkok 2	,017 ,712	From Calcutta Southern India	India	2,311 10,928		
Velangany Negapatam	2,528	Penang Karachi	1,631 1,809		Total	13,239		
Rangoon	15,248	Total 131	131,554					
Tirumelavasal.	896		_	•			***	
H. M. Customs, mbo. June 29. 1909							F. J. SMITH,	stor.

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MUNICIPAL COUNCIL NOTICES.

MUNICIPALITY OF KANDY.

TACH of the properties, of which particulars are given in the under-mentioned lists, seized in virtue of warrants issued by the Chairman will be sold on the creation of the continuous seized in virtue of warrants issued by the Chairman, will be sold on the spot in the order stated, under authority of section 21 of the Municipal Council's Amendment Ordinance, No. 1 of 1896:-

List A/2, properties in Gregory road, Uda Talwatta, and Udawattakelle, on Wednesday, July 28, 1909, commencing at the first-named premises, at 8 A.M.;
List B/2, properties in Mapanawatura, on Thursday, July 29, 1909, commencing at the first-named

premises, at 8 A.M.-

unless in the meantime the amount of rates and taxes and of costs due on each property respectively be paid. The order and course prescribed by Ordinance No. 6 of 1873 will be followed.

LIST A/2.

By order,

The Municipal Office, Kandy, June 30, 1909. JAS. JAYATILEKE, Secretary.

			•	
•			ry road.	
No.	•	Description of Proper	ty.	Reputed Owner.
la		Land		Harmanis Fernando
2		House and land	***	Louisa Fernando
4		Do.		Philip Fernando
		Uda 7	Palwatta.	•
6		Field		K. J. Fernando
•	. ••		attakelle.	· ·
	•		anancie.	Don Bostion Appularmy
5	• > •	$\mathbf{Field} \underline{}$	• * •	Don Bastian Appuhamy
6	***	Do.	• #•	Byah
		Lr	sr B/2.	•
		Mapa	nawatura	•
1		House and land		Abdul Rahiman
19		Land		G. Ukku
24		Do.		Carolis Appu
27		House and land		C. L. Smith
61		Land		Sinne Lebbe
69		Do.		Sinne Lebbe and brothers
70		Do.		A. Sinna Tamby Muhandiram
91		Field '		P. M. Lebbe
9 <u>1</u> 93		Do.		A. Sinna Tamby Muhandiram
94		Do.	٠,	do.
113		House and land		Assen Pathu Umma
114	•	Do.		A. Sinna Tamby Muhandiram
117		Field		M. L. Savul Hamidu Lebbe
122		Do.		Appuwa
126		Land		T. M. Zaindeen

NOTICES. TRADE MARK

Application No. 370.

N compliance with the provisions of "The Trade Marks Ordinances, 1888 to 1904," as amended by the Ordinance No. 9 of 1906, and the Regulations made on June 1, 1906, notice is hereby given that Messrs. Miller & Co. of Colombo have applied for the registration of the following Trade Mark in the name of Messrs. Lever Brothers, Limited, of Port Sunlight, in the County of Chester, England, Soap Manufacturers, in respect of both laundry and toilet soap in Classes 47 and 48 in the Classification of Goods in the abovementioned Regulations:



*The essential particulars of the Trade Mark are the word "Rivikirana" in Sinhalese characters, Rivikirana" in Latin characters, and the word "Sunlight.

Registrar-General's Office, Colombo, July 1, 1909.

ARUNACHALAM, Registrar-General.