



Ceylon Government Gazette

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PART II.—Legal and Judicial.

PART III.—Provincial Administration.

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Part II.—Legal and Judicial.

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DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to amend "The Interpretation Ordinance, 1901."

Preamble.

WHEREAS it is expedient to amend "The Interpretation Ordinance, 1901": Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Interpretation (Amendment) Ordinance, No. of 1916."

Substitution of a new paragraph for paragraph (d) in sub-section (1) of section 11.

2 The following paragraph shall be substituted for paragraph (d) in sub-section (1) of section 11 of the principal Ordinance:

(d) Power to make rules for regulation, supervision, protection, or control shall include power to make rules—

- (i.) For the issue of licenses for the purpose of such regulation, supervision, protection, or control;
- (ii.) For the cancellation of such licenses by a court on a second or subsequent conviction by such court for breach of any of the rules in connection with which such licenses were issued;
- (iii.) For the refusal of licenses in cases of non-compliance with the provisions of any rule so made, or in cases of persons whose previous licenses have been cancelled by a competent court.

By His Excellency's command,
Colonial Secretary's Office, R. E. STUBBS,
Colombo, November 26, 1915. Colonial Secretary.

Statement of Objects and Reasons.

THIS Ordinance is necessitated by a decision of the Supreme Court, which has declared that owing to defects in its drafting paragraph (d) of section 11, sub-section (1), does not secure the objects for which it is designed.

2. There has been a widespread practice in the Colony, in making rules for the regulation and control of various industries and occupations, to provide for the issue of licenses for the purpose of such regulation and control. The judgment of the Supreme Court above referred to has declared that this practice requires special legislative authorization, and that that authorization is not effectively given by the paragraph which it is now sought to replace.

3. Objection having been taken to the granting to local bodies of unlimited power to issue or refuse licenses, the present proposal does not give a general power of refusal of such licenses, but limits the power of refusal to cases of non-compliance with the provisions of the rules, and to cases in which a previous license of the applicant has been cancelled by a competent court for a breach of such rules. It also provides for such cancellation by a court.

Attorney-General's Chambers, ANTON BERTRAM,
Colombo, November 16, 1915. Attorney-General.

MINUTE.

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

An Ordinance further to amend "The Colombo Municipal Council Waterworks Ordinance, 1907."

Preamble.

WHEREAS it is expedient further to amend "The Colombo Municipal Council Waterworks Ordinance, 1907": Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Colombo Municipal Waterworks (Amendment) Ordinance, No. of 1916."

Addition of new section.

2 After section 14 of the principal Ordinance the following section shall be added, and shall be numbered 14 A:

14 A. (1) If any private street has been constructed to which one or more houses has access, the Council may, after having passed a resolution to that effect, lay, enlarge, or extend a water main along such private street of such dimensions as may be necessary, and may apportion the whole or part of the cost of the laying, enlarging, or extending such main among the owners of the premises fronting upon, adjoining, abutting, or having access to, or deriving any degree of benefit from, such main according to the areas of the respective premises which may derive, or be so situated as to derive, any such benefit from the laying, enlarging, or extending of the said main.

(2) The initial cost of laying, enlarging, or extending such main shall be borne by the Council, and the property in the said main shall remain in the Council.

(3) The sums apportioned for payment by the owners of the respective premises shall be made a charge upon such premises, and may be recovered as if the same were a rate upon a private water service being granted to such premises; and no private service shall be granted to such premises until the sum apportioned in respect thereof has been paid or an engagement to pay the same be made with the Council as hereinafter provided.

(4) When any premises in any such private street has an already existing supply of water from the Council's mains by private pipes, the Council may, whenever it shall become necessary to take up such private pipes for cleaning or renewal, call upon the owner to connect with the new main.

(5) The Council may, if it is thought fit, on the application of an owner of any such premises, take an engagement from the said owner for the payment by instalments of such sums as will be sufficient to defray the whole amount of the sum apportioned for payment by the said owner, with interest thereon not exceeding the rate of nine per cent. per annum, within a period not exceeding five years, and such sums when due may be recovered by the same process by which rates may be recovered under Ordinance No. 6 of 1910.

(6) (a) In any case where any existing main has been laid in any private street at the expense of any private person, it shall be lawful for such person to recover from the owner or owners of any property fronting upon, adjoining, abutting on, or having access to such private street, who shall apply to the Council for a private service of water, such an apportionment of the cost of the laying of the said main as may be determined by the Chairman in proportion to the frontage of the premises abutting on such street.

(b) No person shall be permitted to make a connection with any such main until he has paid or given a guarantee for the payment of such apportionment to the satisfaction of such private person.

(7) (i.) When any premises fronting upon, adjoining, abutting on, or having access to any such private street has an existing supply of water from the Council's mains by private pipes other than the main which has been laid at the cost of any private person aforesaid, the owner of such premises may be permitted to use such pipes until such time as it shall become necessary to take up such pipes for cleaning or renewal.

(ii.) When it shall become necessary to take up such pipes for cleaning or renewal, the owner of the said premises shall not be permitted to relay such pipes in their former position, but shall connect them with the main in the private street laid by the private person aforesaid, and shall, before any connection is made therewith, pay such apportionment of the cost of laying the aforesaid main as shall be determined by the Chairman in proportion to the frontage of the premises abutting on such street.

(8) All mains laid in any private street shall vest in the Council, and the cost of their maintenance, renewal, and repair shall be borne by the Council.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, November 26, 1915.

R. E. STUBBS,
Colonial Secretary.

Statement of Objects and Reasons.

THE object of this Ordinance is to increase the power of the Municipal Council of Colombo with reference to water mains in private streets.

2. The principal points with which it deals are the following :—

- (a) The provision of water mains in private streets, and the recovery of the cost as a rate from the premises benefited ;
- (b) The power of the owner of a water main privately laid to recover contributions towards its cost from the owners of premises from time to time connecting with it ;
- (c) The gradual substituting of water mains for private pipe connections ;
- (d) The vesting of private mains in the Council in return for the Council undertaking their maintenance, renewal, and repair.

Attorney-General's Chambers,
Colombo, November 1, 1915.

ANTON BERTRAM,
Attorney-General.

MINUTE.

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

An Ordinance to provide for Local Loans.

Preamble.

WHEREAS it is expedient to provide facilities for the granting of loans for local purposes of public utility: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Local Loans and Development Ordinance, No. of 1916."

Commissioners.
Cf. *Public Works Loans Act, 1875, section 4.*

2 (1) For the purposes of this Ordinance the Governor may appoint a Board of Commissioners to be called "The Local Loans and Development Commissioners" (hereinafter referred to as "the Commissioners").

(2) The Commissioners shall be of such number, and shall be appointed subject to such conditions, as the Governor may determine.

(3) The Treasurer of the Colony for the time being shall be appointed a Commissioner, and shall be Chairman of the Board.

(4) The Commissioners from time to time so appointed, including all persons appointed to fill temporary and casual vacancies, shall constitute a body corporate, and shall have perpetual succession and a common seal, and may sue and be sued in the name of the Local Loans and Development Commissioners.

Staff.

3 (1) The Commissioners may from time to time appoint or employ a Secretary, and such number of professional, clerical, or other officers as they may, with the consent of the Governor, deem necessary, and may from time to time assign to any persons so appointed or employed by them such salary or remuneration as they, with the sanction of the Governor, may think proper.

Public Works Loans Act, 1875, section 6.

(2) No Commissioner shall receive any remuneration in consideration of the discharge of his duties.

Provided that nothing in this sub-section contained shall preclude any Commissioner from receiving such travelling allowance or other expenses as may be sanctioned by regulations made under this Ordinance.

Duties of Commissioners.

4 It shall be the duty of the Commissioners out of the fund provided by this Ordinance from time to time, in accordance with the provisions of this Ordinance, to make loans for any of the purposes thereby authorized, on such terms as to security and repayment and otherwise as they may determine.

Assignment of existing loans.

5 (1) The Governor may by order notified in the "Government Gazette" assign to the Commissioners any loan already granted by the Government to any person, society, or body of persons, or to any local authority, including any loan converted under section 29 of this Ordinance, and thereupon all sums due in respect of the said loan shall become payable to the Commissioners on the same terms and conditions as prior to such assignment they were payable to the Government, and all securities for the payment of such sums shall be enforceable in the same manner as if they had been given in respect of a loan under this Ordinance.

(2) Every such loan shall for the purposes of this Ordinance be deemed to be a loan under this Ordinance.

Expenses of Ordinance.
Public Works Loans Act, 1875, section 6.

6 All expenses incurred by the Commissioners in execution of this Ordinance shall be paid out of moneys provided by the Legislative Council.

Constitution of fund.

7 (1) For the purpose of this Ordinance there shall be constituted a fund to be called "The Local Loans and Development Fund" (hereinafter referred to as "the fund").

(2) There shall be paid into the fund—

- (a) All such sums as may be appropriated to the fund by Ordinance or by resolution of the Legislative Council;
- (b) All sums from time to time falling due in respect of any loan under this Ordinance;
- (c) All other sums which may in any other manner become payable to the Commissioners in respect of any matter incidental to their powers and duties under this Ordinance.

(3) There shall be paid out of such fund—

- (a) All such loans as may be granted by the Commissioners;
- (b) All such sums in the way of contribution to the revenue of the Colony as may from time to time be ordered by the Governor.

Purposes
of loans.

8 (1) The Commissioners may out of the fund, from time to time as they think it expedient, make loans for the following purposes:—

*Public Works
Loans Act,
1875, section 41.*

- (a) To any local authority for the purpose of any work of public utility which such authority may be authorized by law to undertake.
- (b) To any co-operative credit agricultural or industrial society for any purpose of the society.
- (c) To any Government officer for the purpose of building a house for his own residence; and
- (d) To any person, body, or local authority, for any purpose of public utility that may be approved by the Governor in Executive Council.

(2) Notwithstanding anything contained in this section, the Governor in Executive Council may at any time before the same shall have been advanced disallow any loan proposed by the Commissioners to be made under this section.

Limits of
borrowing
powers.

9 Every loan to a local authority under this Ordinance shall be subject to the limits of the borrowing powers of such local authority under any general or other Ordinance regulating its powers and duties, and for the purpose of the application of the said limits a loan under this Ordinance shall be deemed to be raised under the authority of such Ordinance.

Regulations.

10 The Commissioners, subject to the approval of the Governor in Executive Council, may make regulations for the following purposes:—

- (a) The proceedings of the Board and the transaction of its business.
- (b) The custody and use of its common seal and the manner in which documents shall be executed on its behalf.
- (c) The duties of its staff.
- (d) The conditions as to interest, security, repayment or otherwise on which loans shall be granted.
- (e) Generally for the exercise of its powers and the discharge of its duties under this Ordinance.

Minutes and
proceedings.

11 (1) Any minute made of proceedings at meetings of the Commissioners, if signed by any person purporting to be the Chairman, either of the meeting of the Commissioners at which such proceedings took place, or of the next ensuing meeting of the Commissioners, shall be receivable in evidence in all legal proceedings, without further proof, and until the contrary is proved every meeting of the Commissioners, in respect of the proceedings of which minutes have been so made, shall be deemed to have been duly convened and held, and all the members thereof to have been duly qualified to act.

*Public Works
Loans Act,
1875, section 5
(4).*

Section 5 (5).

(2) An act or proceeding of the Commissioners shall not be questioned on account of any vacancy or vacancies in their body.

Report.

12 (1) The Commissioners shall annually cause to be made out of every financial year a report of their transactions under this Ordinance during the year.

(2) Every such report shall contain such particulars as the Governor may direct, and shall be published for general information in such manner as he may think fit.

- Audit.** **13** (1) The accounts of the Board shall once in every financial year be laid before Government and audited under its direction.
- (2) The report of the auditor upon the accounts of the Board, together with an abstract of the accounts, shall be published annually for public information in such manner as the Governor shall direct.
- Security for loans.**
Public Works Loans Act, 1875. **14** (1) Before advancing any money on account of a loan, the Commissioners shall take security for the repayment of the loan with the interest thereon, consisting of—
- (a) A mortgage of immoveable property; or
- (b) A mortgage of any rate or tax, together with (save as hereinafter provided) a personal security.
- (2) The Commissioners may, if they think fit, dispense with personal security in any case in which in their opinion the mortgaged property or rate is sufficient security for the payment of the principal and interest of the loan within the stipulated period.
- Power of local authority to mortgage rate or tax.** **15** (1) For the purpose of providing security for any loan under this Ordinance, a local authority may, with the approval of the Governor in Executive Council, mortgage to the Commissioners any rate or tax which the authority is by law authorized to make or impose, for such period as may be agreed upon.
- (2) Where a loan is granted by the Commissioners on the security of a mortgage of any rate or tax, whether with or without any other security, such rate or tax, from and after the date of the mortgage, shall be charged with the payment to the use of His Majesty of the loan with interest as in the mortgage mentioned.
- Public Works Loans Act, 1875, section 19.*
- Charge on property and priority of loan.** **16** Where a loan is granted by the Commissioners on the security of a mortgage of any property, whether with or without any other security, the property from and after the date of the mortgage shall be charged with the payment to the use of His Majesty of the loan with interest as in the mortgage mentioned, in priority, save so far as otherwise specified in the mortgage, over every other debt, mortgage, or charge whatsoever affecting the property, except any loan due to any creditor not assenting to such priority which has been advanced in good faith before the loan advanced by the Commissioners and secured by a duly registered mortgage of the property executed to a person who is entitled as a *bond fide* creditor to the repayment thereof with interest.
- Provided that if there is more than one such creditor, and not less than four-fifths in value of such creditors consent in writing that the said charge shall have priority over the loans and mortgages of such creditors, in such case the loans and mortgages of all such creditors, as well those who have not agreed as those who have agreed, shall be postponed to the loan granted by the Commissioners and to the said charge thereof, and to the security for the same.
- Power where rate or tax in default.**
Cf. Public Works Loans Act, 1875, section 23. **17** (1) Where any loan under this Ordinance is secured by the mortgage of any rate or tax, whether with or without any other security, and default is made in making payment according to the terms of mortgage, it shall be lawful to the Governor, without prejudice to any remedy, to appoint an officer with the powers following:—
- (a) To make any rate or impose any tax which the local authority may make or impose for the purpose of fulfilling its obligations under the mortgage.
- (b) To receive and collect the proceeds of any rate or tax so made or imposed, or made or imposed by the local authority, and to pay such proceeds, or so much thereof as the Commissioners may require, for the purpose of defraying the amount due under the mortgage.
- (2) Every officer so appointed shall have and may exercise the same powers, authorities, and duties as if he had been appointed by the local authority, and it shall be the duty of all officers of the local authority to give to such officer all such assistance as he may require for the purposes aforesaid.

(3) Every such officer in making an estimate of the rate or tax to be made or imposed under this section may add such sum as he may think sufficient for defraying all costs, charges, and expenses, including remuneration to any officer or other person employed, incurred by such officer in the execution of his powers under this section, or otherwise incurred by the Commissioners by reason of the default in payment.

Loans by Commissioners a Crown debt.
Cf. Public Works Loans Act, 1875, section 33.

18 Every sum payable to the Commissioners in pursuance of any loan under this Ordinance shall be deemed to be payable to the use of His Majesty, his heirs and successors, and may be recovered in the same manner as a debt to the Crown under Ordinance No. 14 of 1843.

Security for completion of works partly finished or not commenced.
Public Works Loans Act, 1875, section 35.

19 Where the Commissioners grant a loan in aid of any work which is either partly completed or not commenced, they may by a bond to His Majesty or otherwise take such security for the application of the loan to the work, and for the due completion of the work, including the raising of sufficient funds for that purpose, as they may think sufficient for securing the interest of the public.

Examination as to proper application of moneys lent.
Public Works Loans Act, 1875, section 36.

20 (1) Where a loan under this Ordinance has been advanced on the security of any rate or tax, it shall be the duty of the Commissioners to satisfy themselves that the loan is applied to such purpose, and they may from time to time make such examination as they may think necessary with a view to ascertain that such loan has been so applied.

(2) For the purpose aforesaid the Commissioners may appoint any officer to conduct on their behalf any examination under this section, and such officer shall have the same powers to require the attendance of persons and the production of accounts and other documents, so far as such attendance or production is required for the purpose of such examination, as a District Judge has in relation to matters within his jurisdiction.

Order of Commissioners upon examination.

Public Works Loans Act, 1875, section 4.

21 (1) Where upon any examination made in pursuance of the last preceding section it appears to the Commissioners that any sum being the whole or part of the money raised by the loan has not been applied for the said purpose, the Commissioners may order that sum to be, within the time named in the order, applied either for the said purpose or towards the repayment to the Commissioners of the principal of the loan, or partly in one of such ways and partly in the other; and further, if it appears to them that the sum or any part thereof has been applied for some purpose other than that for which it was advanced, may by the same or any other order direct a sum equal to the amount so misapplied to be raised within the time and out of the fund, rate, or tax named in the order, and to be applied as directed by the order.

(2) An order made by the Commissioners in pursuance of this section may be enforced by writ of mandamus.

Misapplication of loan.

22 (1) If any loan or any part of any loan advanced under this Ordinance shall be applied to any purpose other than that provided for in the mortgage, the Commissioners may, without prejudice to any other remedy provided by this Ordinance, by notice in writing addressed to the mortgagor, recall the said loan or any part thereof, and may require the same, or such part thereof, to be repaid on such date as may be specified in the notice, and any security given for the purpose of the loan shall be enforceable accordingly.

(2) If any mortgagor to whom any loan shall have been advanced under this Ordinance, or any person entrusted, or purporting to be entrusted, with the same or any part thereof, or with the application of the same or any part thereof, shall apply the same to any purpose other than that provided for in the mortgage, every such person—

(a) Unless he proves that he acted in good faith and without knowledge that he was not entitled so to apply the same, shall be guilty of an offence and shall be liable, in addition to any civil liability, to a fine not exceeding the amount so misapplied;

(b) If he shall have acted wilfully and knowingly, shall be guilty of the offence of criminal breach of trust, and shall be liable to the punishment prescribed therefor.

Enforcement
of securities.

23 Where any immovable property mortgaged as security for a loan granted under this Ordinance is sold for the purpose of the enforcement of the security, the Commissioners may buy any such property at the sale, and may manage the same in accordance with regulations made under this Ordinance, and may sell or otherwise dispose of the same in such manner as they may think fit.

Power to
administer
oaths.

*Public Works
Loans Act,
1875, section 5.*

24 (1) The Commissioners may examine any persons willing to be examined on any matters connected with the execution of this Ordinance, and may for that purpose or otherwise for the purpose of the execution of this Ordinance administer an oath and take any affidavit or declaration.

(2) Any person who, when examined by the Commissioners in pursuance of this Ordinance or any regulation made under this Ordinance, wilfully gives false evidence, or who, for the purpose of obtaining a loan under this Ordinance, wilfully gives information to the Commissioners which is false in any material particular, shall be guilty of an offence, and may be tried and punished in the same manner as if he had given false evidence in a judicial proceeding.

*Public Works
Loans Act,
1875, section 44.*

Suspension of
payment of
principal
and interest.

*Public Works
Loans Act,
1875, section 37.*

25 The Commissioners may postpone for any time not exceeding five years the payment of any sum in respect of principal and interest, or either, due or to become due, in respect of a loan under this Ordinance for the purpose of any work or enterprise, upon such terms and conditions, for the completion and carrying out of such work or enterprise, and the ultimate payment of such principal and interest as they may authorize.

Change of
security.

*Public Works
Loans Act,
1875, section 38.*

26 The Commissioners may, subject to the prescribed regulations, if under the circumstances they think fit, accept any security in lieu of any security previously given to them or any part of such security, subject to such terms and conditions as they direct, so however that the substituted security shall be of the character which the Commissioners might take if the loan were originally granted at the time of such substitution.

Power to
extend time,
compound,
or release.

27 The Commissioners, subject to the approval of the Governor in Executive Council, may from time to time extend the period for the repayment of any loan, or compound, or release any loan or any part thereof, subject to such terms and conditions as they may think fit.

Payment of
loan before due.

*Public Works
Loans Act,
1875, section 29.*

28 The Commissioners may, if they think fit, at any time accept payment of the whole or any part of the principal and interest of any loan or other money secured by any mortgage under this Ordinance before the time when the same is due, and may release or convey the mortgaged property to the person paying the same, or as he may direct, upon such terms and conditions and in such manner and form as the Commissioners may deem expedient.

Conversion of
existing loans.

29 (1) The Governor in Executive Council may direct that any loan advanced to any local authority before the commencement of this Ordinance, which is repayable by means of a sinking fund, shall be converted into a loan repayable by instalments of principal and interest, and such loan shall be converted accordingly, and thereupon the security given for the purpose of the repayment of the loan and the interest due in respect thereof before such conversion shall be deemed to have reference to such loan as converted, and shall be enforceable accordingly.

(2) Subject to any special agreement between the Government and the local authority, the terms of such conversion shall be as follows:—

(a) All investments made for the purpose of the sinking fund shall be transferred to the Government in reduction of the amount due under the loan at the market value of the respective securities at the date of the transfer.

(b) The annual amount payable in respect of principal and interest under the conversion shall not exceed the annual amount payable in respect of the sinking fund and interest under the original loan.

Service of notices.

Public Works Loans Act, 1875, section 47.

30 (1) Notices, directions, orders, and documents required by this Ordinance, or by any regulation made under this Ordinance, to be served or sent may, unless otherwise expressly provided, be served and sent by post, and until the contrary is proved shall be deemed to have been served and received respectively at the time when the letter containing the same would be delivered in the ordinary course of post, and in proving such service or sending it shall be sufficient to prove that the letter containing the notice, direction, order, or document was prepaid and properly addressed and put into the post.

(2) Notices and documents required by this Ordinance, or by any regulation made under this Ordinance, to be served on the Commissioners, may be so served by serving the same on their Secretary, or by sending the same addressed to or delivering the same at the office of the Commissioners.

Meaning of mortgagor.

Public Works Loans Act, 1875, section 51.

Local authority not to include Municipality of Colombo.

31 All references to a mortgagor shall, if need be, be deemed to include a reference to the successors, heirs, executors, administrators, and assigns of, or other persons claiming through or under such mortgagor.

32 The expression "local authority" in this Ordinance shall not include the Municipality of Colombo.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, December 2, 1915.

R. E. STUBBS,
Colonial Secretary.

Statement of Objects and Reasons.

THIS Ordinance has been prepared in accordance with the recommendations of a Committee appointed by His Excellency the Governor to report on the advisability of establishing a Local Loans Fund and on the scope of such fund, if established. See Sessional Paper No. XVII. of 1914.

2. The Ordinance follows the main lines of the report, and is modelled upon the provisions of the United Kingdom Public Works Loans Act, 1875, references to which Act are made in the margin of the draft. The draft departs from the scheme of the report in certain particulars, the most important of which is that the Board of Commissioners established under the Ordinance is not merely advisory, but has a direct executive responsibility. This has been thought possible in view of the experience gained by an Advisory Board which has for some time been in existence.

3. The Ordinance establishes a Board of Commissioners with powers analogous to those of the Public Works Loan Commissioners under the English Act. The Board makes loans out of a special fund created under the Ordinance (section 7). The expenses of the Board are met out of the funds provided by legislature (section 6), but provision is made for a transfer from time to time from the funds of the Board to general revenue of such sums as may be thought reasonable in view of the profits made by the Board in the discharge of its duties.

4. The purposes for which the Board may make loans are specified in section 8. They include amongst other things any purpose of any co-operative credit agricultural or industrial society (b), and the building of a house for his own residence by a Government officer.

5. In the case of loans to local authorities, special provision is made on the lines of the United Kingdom Act for the mortgaging of local rates or taxes, for the giving of special priority to such mortgages (section 16), and for the enforcement of the mortgages where the rate or tax is in default (section 17).

6. Special provision is also made in sections 19-22 for securing that any loan given by the Commissioners shall be used for the purpose for which it is advanced.

7. Section 29 provides for the conversion of existing local loans, which are at present repayable by means of a sinking fund, into loans repayable by instalments of principal and interest.

Attorney-General's Chambers,
Colombo, November 29, 1915.

ANTON BERTRAM,
Attorney-General.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Kalupahanaliyanage Don Bartholomeusz Dias Wickramasundara Goonewardana of Etul Kotte, in the Palle pattu of Salpiti korale, deceased.

Kalupahanaliyanage Don Demetrius Dias Wickramasundara Goonewardana of Etul Kotte aforesaid Petitioner.

And

(1) Kalupahanaliyanage Don Marthenis Dias Wickramasundara Goonewardana, (2) Kalupahanaliyanage Don Martinus Dias Wickramasundara Goonewardana, (3) Kalupahanaliyanage Dona Emeliana Dias Wickramasundara Goonewardana Respondents.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., Additional District Judge of Colombo, on December 13, 1915, in the presence of Mr. N. J. S. Cooray, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 10, 1915, having been read :

It is ordered that the petitioner be and he is hereby declared entitled, as the brother of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before January 20, 1916, show sufficient cause to the satisfaction of this court to the contrary.

December 13, 1915. L. MAARTENSZ,
Additional District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Archibald Hearne McNab of Lynton Dene, Liphook, Hampshire, England, Major (retired), 3rd Cameron Highlanders, deceased.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., Additional District Judge of Colombo, on December 13, 1915, in the presence of Messrs. F. J. and G. de Saram, Proctors, on the part of the petitioner Richard Whittow of Colombo; and (1) the affidavit of the said petitioner dated December 8, 1915, (2) the power of attorney dated October 5, 1915, and (3) the order of the Supreme Court dated December 2, 1915, having been read : It is ordered that the will of the said Archibald Hearne McNab, deceased, dated January 31, 1906, an exemplification of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court be and the same is hereby declared proved; and it is further declared that the said Richard Whittow is the attorney in Ceylon of the executor named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 13, 1916, show sufficient cause to the satisfaction of this court to the contrary.

December 13, 1915. L. MAARTENSZ,
Additional District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Thomas Brooke Benson of Harnage House, Shrewsbury, in the County of Salop, a Lieutenant in His Majesty's Royal Scots Fusiliers, deceased.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., Additional District Judge of Colombo, on December 18, 1915, in the presence of Messrs. F. J. and G. de Saram, Proctors, on the part of the petitioner William George Macvicar of Colombo; and (1) the affidavit of the said petitioner dated December 16, 1915, (2) the power of attorney dated October 20, 1915, and (3) the order of the Supreme Court dated December 7, 1915, having been read : It is ordered that the will of the said Thomas Brooke Benson, deceased, dated October 7, 1914, an exemplification of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court be and the same is hereby declared proved; and it is further declared that the said William George Macvicar is the attorney in Ceylon of the executor named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 13, 1916, show sufficient cause to the satisfaction of this court to the contrary.

December 18, 1915. L. MAARTENSZ,
Additional District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Galetambage Odiris Appu of Desastra Kalutara, deceased.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Kalutara, on November 24, 1915, in the presence of Mr. C. S. Orr, Proctor, on the part of the petitioner Henearachchige Kechchy Hamy of Desastra Kalutara; and the affidavit of the said petitioner dated November 17, 1915, having been read :

It is ordered that the petitioner Henearachchige Kechchy Hamy of Desastra Kalutara be and she is hereby declared entitled to administer the estate of the said deceased, and that letters of administration do issue to her accordingly, unless the respondents—(1) Galetambage Pedrick Appu, (2) ditto Davith Singho, both of Desastra Kalutara, (3) Liyanage Amaris Appu, (4) ditto Nona, (5) ditto Punchy Singho, all of Etanamada—shall, on or before January 11, 1916, show sufficient cause to the satisfaction of this court to the contrary.

November 24, 1915. ALLAN BEVEN,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Warnasuriya Patabendige Bastian de Silva, deceased, of Weliwatta in Galle.

THIS matter coming on for disposal before L. W. C. Schrader, Esq., District Judge of Galle, on December 10, 1915, in the presence of Mr. E. A. Wijesuriya, Proctor, on the part of the petitioner Naikaluge Sophia Goonawardene of Weliwatta in Galle; and the affidavit of the said petitioner dated October 12, 1915, having been read : It is

ordered and declared that the said Naikaluge Sophia Goonawardene is the widow of the said deceased, and that she is entitled to have letters of administration issued to her accordingly, unless the respondents—(1) Warnasuriya Patabendige William de Silva, Registrar of Marriages, of Kataluwa, (2) Warnasuriya Patabendige Georgina de Silva, wife of (3) Peter de Silva Wijeratne, (4) Warnasuriya Patabendige Charles de Silva, (5) Warnasuriya Patabendige Caroline de Silva, the 4th and 5th are minors, appearing by their guardian *ad litem* the 3rd, all of Welivatta, shall, on or before January 13, 1916, show sufficient cause to the satisfaction of this court to the contrary.

December 10, 1915. L. W. C. SCHRADER,
District Judge.

In the District Court of Jaffna.
Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Jeremiah Vairavanathar Sinniah of Kat-
No. 3,148. kovalam, deceased.

Philipachipillai, widow of Jeremiah Vairavanathar
Sinniah of Katkoyalam Petitioner.

Vs.

Margaret Rasammah Sinniah, a minor, by her
guardian *ad litem* Bastiampillai Visentipillai of
Katkoyalam Respondent.

THIS matter of the petition of Philipachipillai, widow of Jeremiah Vairavanathar Sinniah, praying for letters of administration to the estate of the above-named deceased, Jeremiah Vairavanathar Sinniah, coming on for disposal before P. E. Pieris, Esq., District Judge, on December 7, 1915, in the presence of Mr. K. Subramaniam, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated November 1, 1915, having been read: It is ordered that the petitioner be and she is hereby declared entitled, as the widow of the said deceased, to administer the estate of the said deceased, and that letters of administration do issue to her accordingly, unless the respondent above named or any other person shall, on or before January 13, 1916, show sufficient cause to the satisfaction of this court to the contrary.

December 14, 1915. P. E. PIERIS,
District Judge.

In the District Court of Jaffna.
Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Parupatha Ammah, wife of Regunatha
No. 3,156. Ayar Balakishna Ayar of Rameswaram,
deceased.

Jayarama Ayar Ramanatha Ayar of Vannarponnai
East Petitioner.

Vs.

(1) Regunatha Ayar Balakishna Ayar of Western
Courtyard, Rameswaram, and (2) Paskuva Ayar
Mahadeva Ayar of ditto, now of Vannarponnai
East Respondents.

THIS matter of the petition of Jayarama Ayar Ramanatha Ayar of Vannarponnai East, praying for letters of administration to the estate of the above-named deceased, Parupatha Ammah, wife of Regunatha Ayar Balakishna Ayar, coming on for disposal before M. S. Sreshta, Esq., District Judge, on November 17, 1915, in the presence of Messrs. Tambiah S. Cooke and P. S. J. Chrysostom, Proctors, on the part of the petitioner; and affidavit of the petitioner dated August 11, 1915, having been read: It is declared that the petitioner is the sole heir of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before January 11, 1916, show sufficient cause to the satisfaction of this court to the contrary.

November 17, 1915. M. S. SRESHTA,
District Judge.

In the District Court of Batticaloa.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Kalicutty P. H. Sinnnetamby of Eraur
No. 856.

Ananther Sethupillai, widow of Kalicutty P. H.
Sinnnetamby of Eraur Petitioner.

And

(1) Sinnnetamby Kungumapillai and husband (2)
Kandapper Kalicutty of Eraur, (3) Sinnnetamby
Tangamuttu and husband (4) Kungikaler Velu-
pillai of Eraur, (5) Sinnnetamby Subramaniam
of Eraur, (6) Ananther Asari Kanapathipillai
of Koddamunai, (7) Kanapathipillai Chella-
turai, and (8) Pitchaipillai Kanapathipillai
of Eraur Respondents.

THIS matter coming on for disposal before T. B. Russell, Esq., District Judge of Batticaloa, on October 28, 1915, in the presence of Mr. A. Sithamparapillai, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated October 14, 1915, having been read: It is ordered that the 6th respondent be appointed guardian *ad litem* of the 5th respondent and the 8th respondent be appointed guardian *ad litem* of the 7th respondent, unless the respondents above named shall, on or before November 30, 1915, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the petitioner Ananther Sethupillai of Eraur be and she is hereby declared entitled to administer the estate, as widow of the said deceased, and that letters of administration do issue to her accordingly, unless the respondents shall, on or before November 30, 1915, show sufficient cause to the satisfaction of this court to the contrary.

October 28, 1915. T. B. RUSSELL,
District Judge.

Extended to January 10, 1916.

In the District Court of Kegalla.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Sinhalage Ellis of Hewadiwela, deceased.
No. 476.

Kuna Mana Moona Arunachalam Chetty of
Kurunegala Petitioner.

Against

(1) Weragala Horambapedidurayalage Hapua in
Welikada Jail, (2) ditto Lydia Mable Rajapaksa,
(3) S. James Perera, (4) Weragala Horambapedi-
durayalage Juliet Esther, (5) ditto Porlentina,
(6) ditto William, (7) ditto Lily, the 4th, 5th, 6th,
and 7th being minors by their guardian, 2nd
respondent, all of Narammala Respondents.

THIS matter coming on for disposal before A. P. Boone, Esq., District Judge, Kegalla, on October 28, 1915, in the presence of Mr. A. A. Wickramasinghe, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner dated October 22 and 25, 1915, respectively, having been read:

It is ordered and declared that the above-named petitioner, as creditor of the deceased, is entitled to letters of administration to the estate of the deceased, and that letters of administration will be issued to him accordingly, unless the above-named respondents or any other person or persons interested shall, on or before December 2, 1915, show sufficient cause to the contrary to the satisfaction of this court.

October 28, 1915. A. P. BOONE,
District Judge.

This *Order Nisi* is extended to January 19, 1916.

December 17, 1915. A. P. BOONE,
District Judge.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,594. In the matter of the insolvency of Anthony Siluvai de Croos of No. 1, Brassfounder street, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 20, 1916, for the appointment of an auditor.

By order of court,

D. M. JANSZ,
Secretary.
Colombo, December 20, 1915.

In the District Court of Colombo.

No. 2,605. In the matter of the insolvency of Kartigesu Nadarajah of No. 18, Victoria Arcade, Colombo.

NOTICE is hereby given that the above-named insolvent has been refused a certificate of conformity.

By order of court,

D. M. JANSZ,
Secretary.
Colombo, December 15, 1915.

In the District Court of Colombo.

No. 2,637. In the matter of the insolvency of Ana Thana Ana Muna Ameer Lebbe of 3rd Cross street, Pettah, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 27, 1916, for consideration of the conditions of sale.

By order of court,

D. M. JANSZ,
Secretary.
Colombo, December 20, 1915.

In the District Court of Colombo.

No. 2,663. In the matter of the insolvency of Wappu Marikar Hadji Hamid of No. 88, Ferry street, New Bazaar, Colombo.

NOTICE is hereby given that the above-named insolvent has been allowed a certificate as of the third class, but its issue has been suspended for a period of 18 months.

By order of court,

D. M. JANSZ,
Secretary.
Colombo, December 20, 1915.

In the District Court of Colombo.

No. 2,670. In the matter of the insolvency of Meera Mohideen Abdul Cader of No. 27, Kew lane, Slave Island, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 17, 1916, for the grant of a certificate of conformity to the insolvent.

By order of court,

D. M. JANSZ,
Secretary.
Colombo, December 20, 1915.

In the District Court of Colombo.

No. 2,673. In the matter of the insolvency of I. L. M. Abdul Cader of Colpetty in Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 10, 1916, for the grant of a certificate of conformity to the insolvent.

By order of court,

D. M. JANSZ,
Secretary.
Colombo, December 20, 1915.

In the District Court of Colombo.

No. 2,675. In the matter of the insolvency of Iluksuriya Arachhige Hendrick Perera of Wattala.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 20, 1916, for the appointment of an assignee.

By order of court,

D. M. JANSZ,
Secretary.
Colombo, December 20, 1915.

In the District Court of Colombo.

No. 2,678. In the matter of the insolvency of Sam Cader saby of Rodney street, Borella, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 11, 1916, for the grant of a certificate of conformity to the insolvent.

By order of court,

D. M. JANSZ,
Secretary.
Colombo, December 20, 1915.

In the District Court of Colombo.

No. 2,695. In the matter of the insolvency of Candyah Pasupathayah of No. 5, Gintupitiya street, Colombo.

WHEREAS the above-named Candyah Pasupathayah has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by T. Muttu Caruppa Taver, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Candyah Pasupathayah insolvent accordingly, and that two public sittings of the court, to wit, on January 13, 1916, and on January 27, 1916, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

D. M. JANSZ,
Secretary.
Colombo, December 20, 1915.

In the District Court of Colombo.

No. 2,696. In the matter of the insolvency of Kena Kavenna Cader Saibo of No. 5, San Sebastian, Colombo.

WHEREAS the above-named Kena Kavenna Cader Saibo has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by W. M. M. Neina Lebbe, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Kena Kavenna Cader Saibo insolvent accordingly, and that two public sittings of the court, to wit, on January 13, 1916, and on January 27, 1916, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

D. M. JANSZ,
Secretary.
Colombo, December 20, 1915.

In the District Court of Colombo.

No. 2,697. In the matter of the insolvency of Suna Pana Seena Suppiah Chetty of Sea street, Colombo.

WHEREAS the above-named Suna Pana Seena Suppiah Chetty has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by K. R. S. Ramasamy Chetty, under the Ordinance No. 7 of

1853: Notice is hereby given that the said court has adjudged the said Seena Pana Suna Suppiah Chetty insolvent accordingly, and that two public sittings of the court, to wit, on January 20, 1916, and on February 4, 1916, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice

By order of court,
D. M. JANSZ,
Colombo, December 20, 1915. Secretary.

In the District Court of Colombo.

No. 2,698. In the matter of the insolvency of J. J. Costa of No. 74, Chekku street, Colombc.

WHEREAS the above-named J. J. Costa has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by M. J. M. Morais, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said J. J. Costa insolvent accordingly, and that two public sittings of the court, to wit, on January 20, 1916, and February 4, 1916, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,
D. M. JANSZ,
Colombo, December 20, 1915. Secretary.

In the District Court of Colombo.

No. 2,699. In the matter of the insolvency of N. M. K. Muthaya Pillai of Java lane, Slave Island, Colombo.

WHEREAS the above-named N. M. K. Muthaya Pillai has filed a declaration of insolvency, and a petition for the sequestration as insolvent of his own estate, under the Ordinance No. 7 of 1853, and it appears that he has been in actual custody within the walls of a prison for debt for more than 21 days: Notice is hereby given that the said court has adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on January 20 and February 4, 1916, will take place for the insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,
D. M. JANSZ,
Colombo, December 20, 1915. Secretary.

In the District Court of Colombo.

No. 2,700. In the matter of the insolvency of Sulaima Lebbe Hadjie Mohamed of 27, New Moor street, Colombo.

WHEREAS the above-named Sulaima Lebbe Hadjie Mohamed has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by A. C. Mohamed Ismail, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Sulaima Lebbe Hadjie Mohamed insolvent accordingly, and that two public sittings of the court, to wit, on January 20, 1916, and on February 4, 1916, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,
D. M. JANSZ,
Colombó, December 20, 1915. Secretary.

In the District Court of Negombo.

No. 111. In the matter of the insolvency of H. A. Jayatileka of Negombo.

NOTICE is hereby given that the sitting of this court in the above matter is adjourned to January 17, 1916, for the appointment of an assignee.

By order of court,
T. B. CLAASZ,
Negombo, December 15, 1915. Secretary.

In the District Court of Negombo.

No. 112. In the matter of the insolvency of Richard de Soysa Wijesinghe of Ja-ela, presently of Negombo.

NOTICE is hereby given that the sitting of this court in the above matter is adjourned to January 20, 1916, for the appointment of an assignee.

By order of court,
T. B. CLAASZ,
Negombo, December 17, 1915. Secretary.

In the District Court of Negombo.

No. 113. In the matter of the insolvency of Madanasinghage Don Pedro of Kurana Katunayaka.

NOTICE is hereby given that the sitting of this court, in the above matter is adjourned to January 20, 1916, for the appointment of an assignee.

By order of court,
T. B. CLAASZ,
Negombo, December 17, 1915. Secretary.

In the District Court of Kalutara.

No. 152. In the matter of the insolvency of Geekiyanage Charles de Silva Gunawardene of Pohad-daramulla.

NOTICE is hereby given that the sitting of this court in the above matter is adjourned to January 11, 1916, for the appointment of an assignee.

By order of court,
R. MALALGODA,
Kalutara, December 17, 1915. Secretary.

In the District Court of Kandy.

No. 1,603. In the matter of Ana Kuna Muna Mohamodo Ibram Saibo of Teldeniya, an insolvent.

WHEREAS Ana Kuna Muna Mohamodo Ibram Saibo has filed a declaration of insolvency, and a petition for the sequestration as insolvent of his own estate, under the Ordinance No. 7 of 1853, and it appears that he has been in actual custody within the walls of a prison for debt for more than 21 days: Notice is hereby given that the said court has adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on January 21, 1916, and February 25, 1916, will take place for the insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order,
C. E. FERDINAND,
Kandy, December 17, 1915. Secretary.

In the District Court of Galle.

No. 409. In the matter of the insolvency of Horagampita Gamage Theodoris of Horagampita.

NOTICE is hereby given that the above-named insolvent has been allowed a certificate as of the second class.

By order of court,
V. R. MOLDRICH,
December 18, 1915. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

George Martin Crozier of Colombo, presently of
Pannipitiya..... Plaintiff.

No. 35,712. Vs.

Honnantara Acharige Don Hendrick of Nam-
pamunuwa in the Palle pattu of Salpiti korale. Defendant.

NOTICE is hereby given that on Thursday, January 27, 1916, will be sold by public auction at the respective premises the following property decreed to be sold by the decree entered in the above action for the recovery of the sum of Rs. 579-80, with interest on Rs. 330 at 18 per cent. per annum from January 19, 1913, to February 24, 1913, and thereafter further interest on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit, less Rs. 550, viz.:—

At 3 P.M.

1. An allotment of land called Nampamunuwakanatta, with the buildings standing thereon, situated in the village Honnantara, in the Palle pattu of Salpiti korale, in the District of Colombo; and bounded on the north by the land said to belong to the Crown (now belonging to villagers), on the east by land claimed by natives, south by land claimed by H. Nona Nachire and others, and west by land claimed by S. Micho and others and land described in plan No. 108,146; containing in extent 1 acre 2 roods and 23 perches.

At 3.30 P.M.

2. An allotment of land called Nampamunuwakanatta, with the buildings thereon, situated in the village Nampamunuwa aforesaid; and bounded on the north by lot E700 in preliminary plan 10,921, on the east by lot H799 in preliminary plan 10,921, on the south by T. Ps. 108,147 and 108,146, and west by lots G799 and E799 in preliminary plan 10,921; containing in extent 1 acre 2 roods and 13 perches.

Fiscal's Office, W. DE LIVERA,
Colombo, December 20, 1915. Deputy Fiscal.

In the District Court of Colombo.

Geo. Chas. Welsh of "The Bower," Borella..... Plaintiff.
No. 38,103. Vs.Samarappulige Albert Perera of Welikada, Colombo,
at present of Matale..... Defendant.

NOTICE is hereby given that on Friday, January 28, 1916, will be sold by public auction at the respective premises the following property declared bound and executable under the decree entered in the above action for the recovery of the sum of Rs. 4,000, with interest thereon from February 13, 1915, at 9 per cent. per annum, till payment in full, and costs incurred by the plaintiff since February 13, 1915, viz.:—

At 1 P.M.

1. All that part of a garden called Kahatagahawatta, with the buildings and plantations thereon, situated at Welikada, in the Palle pattu of Salpiti korale, in the District of Colombo, Western Province; bounded on the north by the high road 60 links wide, on the east by the property belonging to the Model Farm, on the south by the garden of Galagedarage Susay Appu, and on the west by the other part of the same garden of Galagedarage Don Harmanis Appu; containing in extent according to the survey made on December 17, 1877, by Charles Schwallie, Land Surveyor, 2 roods 15 25/100 perches, and bearing assessment No. 6, Castle street, Colombo.

At 1.30 P.M.

2. All that part of the cinnamon garden situated at Welikada aforesaid; bounded on the north by the high road leading to Cotta, on the east by the property of Don Solomon Silva Vederala, on the south by the high road leading to Colpetty, and on the west by a portion of the same garden separated by a fence; containing in extent 2 roods and 34 perches according to the survey made on May 12, 1882, by H. M. Koehneyer, Surveyor, and bearing assessment No. 10, Cotta road.

Fiscal's Office, W. DE LIVERA,
Colombo, December 21, 1915. Deputy Fiscal.

In the District Court of Colombo.

R. M. M. R. Murugappa Chetty of Sea street,
Colombo..... Plaintiff.

No. 39,461. Vs.

(1) G. James de Silva of Bambalapitiya, (2) B.
Daniel Fernando, administrator of the estate
and effects of Bentotage Harmanis Fernando,
deceased, residing at Wellawatta..... Defendants.

NOTICE is hereby given that on Friday, January 28, 1916, at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said first defendant in the following property for the recovery of the sum of Rs. 680, with interest thereon at the rate of 9 per cent. per annum from September 23, 1914, till payment in full, and costs of suit, viz.:—

All that undivided half part or share of a portion of the land called Madangahawatta and of the plantations thereon, bearing assessment No. 82, situated at Bambalapitiya, within the Municipality and in the District of Colombo, Western Province; bounded on the north by the property of Don Carolis, east by the property of Joseph Anthonis Appu, south by the property of U. J. Soysa, and west by a part of the same land; containing in extent 17-16 square perches more or less.

Fiscal's Office, W. DE LIVERA,
Colombo, December 21, 1915. Deputy Fiscal.

In the District Court of Colombo.

Ranawakalekamage Edwin Dias Appuhamy of
Gangodawila..... Plaintiff.

No. 40,061. Vs.

Don Carolis Edirisuriya Appuhamy of Gangodawila
in the Palle pattu of Salpiti korale..... Defendant.

NOTICE is hereby given that on Tuesday, January 25, 1916, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 343-21, being balance amount of the decree, and costs due to the plaintiff in this case, with legal interest thereon from August 29, 1915, till payment in full, viz.:—

An undivided $\frac{1}{4}$ share of the land called Jambugahawatta, situated at Kalubowila in the Palle pattu of Salpiti korale; bounded on the north by the property of Bastian Rodrigo, east by property of Weeratunga Atchige Mathes de Costa, south by Yakdekandageowita, and on the west by garden of Wannige Harmanis Fonseka and Andris Perera; containing in extent about 2 acres more or less.

Fiscal's Office, W. DE LIVERA,
Colombo, December 20, 1915. Deputy Fiscal.

In the District Court of Colombo.

Helena Wijewardene of Sedawatta Plaintiff.
No. 40,503. Vs.

The Ceylonese Union Company, Limited, of
No. 1875, 2nd Division, Maradana, Colombo.. Defendants.

NOTICE is hereby given that on Saturday, January 29, 1916, at 1.30 o'clock in the afternoon, will be sold by public auction at the Ceylonese Union Company, Limited, No. 1875, 2nd Division, Maradana, Colombo, the following movable property decreed to be sold by the decree entered in the above action for the recovery of the sum of Rs. 11,041.10, with further interest on Rs. 10,000 at 10 per cent. per annum from January 16, 1915, till March 12, 1915, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit, Rs. 321.75, and poundage, viz. :—

All and singular the stock-in-trade, plant, and accessories of or belonging to the said defendant company now lying, stored, housed, and fitted up at their printing establishment offices, and stores, No. 1875, 2nd Division, Maradana, Colombo, including a No. 3 "Times" 50 x 37 improved fast news two-feeder Bremner machine complete, with all accessories, blankets, spare parts, &c., a double demy improved Bremner machine complete with accessories, blankets, spare parts, a crown folio improved Bremner platen machine complete with all accessories, and spare parts, an improved Albion hand press double crown with parchments and all accessories, an improved Albion hand press half sheet foolscap with parchment and all accessories, one Guillotine paper cutting machine, one stereotyping foundry complete, one treadle perforating machine, one grey embossing press, one Bates' automatic hand numbering machine, one wire stitching machine for steam power, one new style blocking press, one hand punching and eyeletting machine complete, one bookbinder's 24-inches finishing press, one iron standing press, one pair pressing boards, three sewing machines with supply of needles and cord, one cutting machine and all roller moulds, inking rollers, and table frames, rack chases, brass wire type cases, imposing tables, composing sticks, stands, rules, and all other accessories and appurtenances (nothing excepted), and also the full stock of paper, of all descriptions, gas engine, and its gear and fittings, furniture, fixtures, and all goods, effects, and chattels, and all and every the further and other stock-in-trade, plant, fittings, goods, chattels, effects, and things which from time to time shall be brought into, appertain, or accrue to the stock-in-trade, and plant of the defendant company and form additions to and renewals of the stock-in-trade and plant of the defendant company and of their business in all their branches (nothing excepted), and wheresoever the same might be or should be lying, housed, stored, and fitted up, and all the right, title, interest, claim, and demand whatsoever of the defendant company in, to, out of, or upon the same. All the said property above enumerated and referred to to be sold in one lot.

Fiscal's Office, W. DE LIVERA,
Colombo, December 20, 1915. Deputy Fiscal.

In the District Court of Colombo.

R. A. R. M. Cathamuttu Pillai of Sea street,
Colombo Plaintiff.
No. 41,117. Vs.

(1) T. C. Fernando and (2) Harry Dias, both of
Panadura Defendants.

NOTICE is hereby given that on Saturday, January 29, 1916, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said 2nd defendant in the following property for the recovery of Rs. 830, with interest thereon at 9 per cent. per annum from March 11, 1915, till payment in full, and costs, viz. :—

One-fourteenth share of the soil of two allotments of lands called Anamuna, situated at Patakada in Pelpola peruwa, in Munwattebage pattu of Rayigam korale, in the District of Kalutara, now known as Goodhope estate, comprising the following lots :—

(1) Lot No. 235813 in the Crown plan ; bounded on the north by the reservation lands *alias* the cart road leading to Kalutara, on the east by lots Nos. 173498 and 236203,

on the south and south-west by lot No. 208265 ; and containing in extent 62 acres 1 rood.

(2) Lot No. 236,203 in the Crown plan ; bounded on the north and north-west by lands described in plans Nos. 173,498 and 235,813, on the east by land described in plan No. 173,482, on the south by lands described in plans Nos. 210,238, 229,623, 220,200, and 14,649, and on the west by lands described in plans Nos. 208,098, 34,969 ; containing in extent 57 acres 2 roods and 20 perches more or less.

Deputy Fiscal's Office, H. SAMARASINHA,
Kalutara, December 21, 1915. Deputy Fiscal.

Central Province.

In the District Court of Kandy.

(1) Kana Nana Ramasamy Chetty of Trincomalee street, Matale, (2) Kana Nana Nawanna Nalla Caruppen Chetty of ditto Plaintiffs.
No. 23,973. Vs.

(1) Naina Mohamado's son Katchi Mohideen and his wife (2) Mohamado Mastan's daughter Isa Beebi, both of Matale Defendants.

NOTICE is hereby given that on January 22, 1916, at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property mortgaged upon bond No. 3,877, dated January 5, 1914, and attested by H. D. Weerasaka of Matale, Notary Public, for the recovery of the sum of Rs. 6,870.62½, with interest on Rs. 6,613.75 at the rate of 9 per cent. per annum from September 8, 1915, till payment in full, and poundage, to wit :—

1. Out of the 3 boutiques which bore assessment Nos. 534, 535, and 536, the boutique room which bore No. 536 or 574 and which now bearing assessment No. 553, situate at Trincomalee street, Matale, with the appurtenant land of ½ seer kurakkan sowing in extent ; bounded on the east by high road leading to Trincomalee, south by Ahmado Mohideen's land, west by Mr. Ferdinand's land, and on the north by the wall of the premises which bore assessment No. 535 or 573 now bearing assessment No. 552.

2. An extent of 112 feet long from east to west and 22 feet broad from north to south out of the land called Katu-imbulghahena of 10 perches in extent, with the house which bore assessment No. 97 and now bearing assessment Nos. 80 and 81, situate at Trincomalee street, Matale ; and bounded on the east by the imbul tree lying between this land and of Mr. Ferdinand's lands, south by the wall of the remaining houses of this land belonging to Mr. Ferdinand's estate, west by the high road leading to Trincomalee, and on the north by the land belonging to Mr. Ferdinand's estate ; with the buildings, plantations, and everything within the said boundaries.

Deputy Fiscal's Office, A. W. SEYMOUR,
Matale, December 15, 1915. Deputy Fiscal.

Southern Province.

In the District Court of Galle.

Awenna Muna Saminathan Chetty of Colombo.. Plaintiff.
No. 13,514. Vs.

Simon Mendis Wijesekara Seneviratne Rajakaruna, Registrar of Ratgama Defendant.

NOTICE is hereby given that on Saturday, January 22, 1916, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged, viz. :—

1. The planter's undivided ½ share of the plantation made by Abraham Mendis Wijesekara Seneviratne Rajakaruna, Vidane Arachchi Muhandiram, and all the remaining trees and soil of the defined lot marked D of the land Eramudugahawatta, in extent 26 8/100 perches, situate at Karawegoda, in Ratgama ; bounded on north by lots B and C of this land, east by high road, south by lot E of this land, west by Kadakkuttiwatta.

2. The planter's undivided $\frac{1}{2}$ share of the third plantation made by Abraham Mendis Wijesekara Seneviratne Rajakaruna, Vidane Muhandiram, and undivided $\frac{1}{12}$ and $\frac{1}{4}$ of the remaining trees and soil of the defined lot A of the land Eramudugahawatta, in extent 3 roods and 22.44 perches, situate at ditto; bounded by north by Rapiel Ralagewatta, east by high road, south by a portion of this land, west by Kadakkuttiwatta and Heemantiriyewatta.

3. An undivided $\frac{1}{10}$ part of the soil and soil share trees and $\frac{1}{2}$ coconut trees from the trees of the plantation made by Yaddahi Isan of the defined lot E of the land Eramudugahawatta, in extent 27.26 perches, situate at ditto; bounded on north by lot D of this land, east by high road, south by Rahadiyawatta and Heemantiriyewatta, west by Kadakkuttiwatta and Heemantiriyewatta.

4. An undivided $\frac{3}{12}$ part, exclusive of the planter's share of the first plantation of the remaining trees and soil of the land Kadakkuttiwatta, in extent about 1 acre, situate at Udugalpitiya, in Ratgama; bounded on north-east by high road, south-east by Eramudugahawatta, south-west by Patabendiwatta and Kadakkuttiwatta, north-west by Wadugeiwatta.

5. An undivided $\frac{3}{12}$ part of an undivided $\frac{1}{12}$ part of the soil and soil share trees and an undivided $\frac{3}{12}$ part from 12 coconut trees of the planter's share of the third plantation, together with an undivided $\frac{2}{6}$ and $\frac{1}{4}$ part of the soil and soil share trees, and the trees of the planter's share of the second plantation of the land Prevenikekiriwatta, in extent about $\frac{1}{2}$ an acre, situate at Udugalpitiya aforesaid; bounded on north by Bandarakekiriwatta, east by land acquired for the railway, south by Orutotabadawatta and road to the station, west by high road to Colombo.

6. An undivided $\frac{1}{2}$ part of all the trees and soil of the defined lot marked D of the land Wadiuwatta, in extent 16.77 perches, situated at Udugalpitiya; bounded on north by high road to Colombo, east by Rapiel Ralagewatta, south by lot H 1 of this land, and west by lot G of this land.

7. An undivided $\frac{1}{4}$ part of all the trees and soil of the defined lot No. 3 of the land Kadakkuttiwatta *alias* Palahandiawatta, in extent 1 rood 10 perches, situate at Krawegoda; bounded on north-east by lot No. 2 of this land, south-east by Samepadinchiwatta, south-west by seashore, north-west by Wadiuwatta.

8. An undivided $\frac{1}{4}$ part, exclusive of 30 jak trees of the old plantation of the remaining trees and soil of the land Kawaiyaelogadawatta, in extent 1 acre 2 roods 30 perches, situate at Imbulegoda, in Ratgama; bounded on north by Pashaulwela, east by Kawaiyaelogadawela, south by Ratmeherabedda, west by Heenteerawela.

9. The eastern room being $\frac{1}{2}$ part of the wattle-walled tiled boutique of 11 carpenter's cubits, standing towards the south of the land Kekiriwatta, in extent about $\frac{1}{2}$ an acre, situate at Udugalpitiya; bounded on north by Bandarakekiriwatta, east by Dodanduwa railway station, and Orutota Bandarawatta, west by Colombo high road.

Writ amount Rs. 1,791.22, with interest on Rs. 1,630.85 at 9 per cent. from July 19, 1915.

Fiscal's Office,
Galle, December 14, 1915.

J. A. LOURENSZ,
Deputy Fiscal.

In the District Court of Galle.

V. K. V. M. Meyappa Chetty, by his attorney A. R. P. Karuppen Chetty.....Plaintiff.

No. 13,550.

Vs.

W. D. S. Weerasekara of Dodanduwa and another.....Defendants.

NOTICE is hereby given that on Wednesday, January 19, 1916, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :-

Undivided $\frac{1}{2}$ share of all the soil and trees of the allotment of land called Andiyawela, in extent about $\frac{1}{2}$ an acre more or less, together with an undivided $\frac{1}{2}$ share of the tiled and whitewashed two houses of 13 cubits and two houses of 7 cubits, all built of stones, and standing thereon, situate at Dodanduwa; bounded on north and east by Andiyawela,

south by Goluwamarakkalage Karlo's land, west by lot No. 1 of Lindamulawatta.

Writ amount Rs. 1,132.77, with interest on Rs. 1,023.44 at 9 per cent. per annum from August 17, 1915.

Fiscal's Office,
Galle, December 14, 1915.

J. A. LOURENSZ,
Deputy Fiscal.

In the District Court of Matara.

Richard Bartholomew Gooneratne of Matara... Plaintiff.
No. 6,811.

Vs.

Don Cornelis Goonesekere, Registrar of Marriages of Walgama Defendant.

NOTICE is hereby given that on Saturday, January 22, 1916, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following mortgaged property for the recovery of Rs. 528.25, with legal interest on the aggregate amount from July 23, 1915, till payment in full and costs, and Fiscal's charges, viz. :-

All the soil and trees of the land called Paranawatta *alias* Kokawatta at Kamburugamuwa, in Weligam korale of Matara District; and bounded on the north by Lindamulakoratuwa, Kokawatta, and Manimendaragewatta, east by Juwanisegewatta, south by Wellehena and Gajaman Ralagekella, and on the west by Wellewatta; in extent about 1 acre and 2 roods, valued at Rs. 1,500.

Deputy Fiscal's Office,
Matara, December 18, 1915.

J. S. DE SARAM,
Deputy Fiscal.

Northern Province

In the Court of Requests of Jaffna.

(1) Veeragattiar Saravanamuttu and (2) wife Annappillai of Kokkuvil and (3) Tham Mari-muttu of Kokkuvil Plaintiffs.

No. 10,428/A.

Vs.

(1) Murugesar Sinnattampy and (2) wife Chellach-ohy of Kokkuvil east Defendants.

NOTICE is hereby given that on Friday, January 28, 1916, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said 2nd defendant in the following property for the recovery of Rs. 79.15, being damage at Rs. 50 per annum from February 1, 1914, till August 30, 1915, and costs of suit being Rs. 73.38, and charges and poundage, viz. :-

(1) An undivided $\frac{1}{2}$ share with its appurtenances of a piece of land, situated at Kokkuvil, called Valavattai, containing or reputed to contain in extent 6 $\frac{1}{2}$ lachchams of varagu culture, with house, portico, palmyras, and cultivated and spontaneous plantations, and share of water of well standing on the south-east, and the right of use of way and water-course; bounded or reputed to be bounded on the east by the property belonging to the heirs of the late Chellyah, north by the property of Nagappa and others, west by the property of Kartigesu and shareholder and others, and on the south by lane.

2. An undivided $\frac{1}{2}$ share with its appurtenances of a piece of land, situated at Kokkuvil, called Odai; containing or reputed to contain in extent 9 $\frac{1}{2}$ lachchams of varagu culture, with palmyras and margosa trees; bounded or reputed to be bounded on the east by lane, north by the property belonging to the heirs of the late Kartigesu, west by the property of Achchippillai and others, and on the south by lane.

3. An undivided $\frac{1}{2}$ of $\frac{1}{2}$ share with its appurtenances of a piece of land, situated at Kokkuvil, called Kampanchaddi, containing or reputed to contain in extent 13 lachchams of varagu culture, with cultivated plantations and share of well standing on the southern boundary; bounded or reputed to be bounded on the east by the property of Meanadchy, north by the property of Annappillai, west by the property of Rasamma and shareholder and others, and on the south by the property of Thanagamuttu and others.

Fiscal's Office,
Jaffna, December 21, 1915.

S. SABARATNAM,
Deputy Fiscal.

In the District Court of Jaffna.

Kanapathippillai Vallipuram of Vannarponnai East Plaintiff.

No. 10,568. Vs.

(1) Murugar Sellappah and wife (2) Achchimuttu of Vannarponnai East Defendants.

NOTICE is hereby given that on Tuesday, January 25, 1916, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said 2nd defendant in the following property for the recovery of Rs. 552·50, with interest on Rs. 500 at the rate of 9 per cent. per annum from June 18, 1915, until payment in full, interest not exceeding Rs. 447·50, and costs of suit being Rs. 84·56, and charges and poundage, viz. :—

An undivided 4 lachams of varagu culture, with the appurtenances belonging thereto, of a piece of land situated at Vannarponnai East, called Uvayady, containing or reputed to contain in extent 20 lachams of varagu culture, with well, stone built house, and cultivated plants; bounded or reputed to be bounded on the east by the property of M. Rasasooriar and others, north by the property of Chellappah Manickam and brothers and Sinnamma, widow of Elaiyatamby, and others and by road, west by road, and on the south by by-lane.

Fiscal's Office,
Jaffna, December 16, 1915.

S. SABARATNAM,
Deputy Fiscal.

North-Western Province.

In the Court of Requests of Colombo.

S. N. Naina Mohamradu, carrying on business under the name and style and firm of S. N. Neina Mohamradu and Brothers of Old Butcher street, Colombo Plaintiff.

No. 43,182. Vs.

M. K. M. Mohamado Assen Lebbe of Bankshall street, Colombo Defendant.

NOTICE is hereby given that on Saturday, January 29, 1916, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

Kadewatta of 5 lahas of kurakkan sowing extent, with the buildings and the plantations standing thereon, situate at Hidiyamulla, in Yatikaha Korale North; and bounded on the north by Crown forest, on the east by the road to Hettipola, on the south by the gardens belonging to Joronis Pulle and Bandirala, and on the west by the gardens belonging to Bandirala and others.

Amount to be levied Rs. 332·10, with legal interest on Rs. 300 thereon from March 22, 1915, till payment in full.

Fiscal's Office,
Kurunegala, December 20, 1915.

S. D. SAMARASINHE,
Deputy Fiscal.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Ratnapura will be holden at the Court-house at Colombo, on Monday, January 10, 1916, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Ratnapura, December 10, 1915.

B. CONSTANTINE,
Fiscal.