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Part II.—Legal.

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DRAFT ORDINANCES.

MINUTE.

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

An Ordinance further to amend "The Small Towns Sanitary Ordinance, 1892."

Preamble.

WHEREAS it is expedient further to amend "The Small Towns Sanitary Ordinance, 1892": 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 Small Towns Sanitary (Amendment) Ordinance, No. of 1921."

Addition of new paragraph to sub-section (2) of section 9 E of the principal Ordinance.

2 After paragraph (s) of sub-section (2) of section 9 E of the principal Ordinance, the following paragraph shall be added :

- (s) (a) For the prohibition of cesspools and the establishment and regulation of closets on the dry-earth system.
- (b) For the removal and disposal of night soil.
- (c) For the charging and recovering fees from owners or occupiers for such removal and disposal when carried out by the Board or by any contractor on behalf of the Board.

By His Excellency's command,

Colonial Secretary's Office.
Colombo, March 24, 1921.

GRAEME THOMSON,
Colonial Secretary.

Statement of Objects and Reasons.

By section 4 of "The Local Boards (Amendment) Ordinance, No. 29 of 1914," a provision was inserted in "The Local Boards Ordinance, 1898," in the same terms as those which appear in section 2 of this Bill. Representations have been made that similar powers are required in Sanitary Board towns; and this Bill seeks to give effect to such representations.

Attorney-General's Chambers,
Colombo, March 14, 1921.

H. C. GOLLAN,
Attorney-General.

MINUTE.

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

An Ordinance to consolidate and amend the Law relating to the Constitution and Control of Co-operative Societies.

Preamble.

WHEREAS it is expedient to encourage thrift, self-help, and co-operation among agriculturists, artisans, and persons of limited means, and for that purpose to provide for the constitution and control of co-operative societies : Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Preliminary.

Short title.

1 This Ordinance may be cited as "The Co-operative Societies Ordinance, No. of 1921."

Definitions.

2 In this Ordinance, unless there is anything repugnant in the subject or context—

"By-laws" mean the registered by-laws made by a society in the exercise of any power conferred by this Ordinance, and include a registered amendment of the by-laws ;

"Rules" mean rules made by the Governor in Executive Council under this Ordinance.

"Committee" means the governing body of a registered society to whom the management of its affairs is entrusted ;

"Member" includes a person or registered society joining in the application for the registration of a society, and a person or registered society admitted to membership after registration in accordance with the by-laws and rules ;

"Officer" includes a chairman, secretary, treasurer, member of committee, or other person empowered under the rules or by-laws to give directions in regard to the business of a registered society ;

"Registrar" means a person appointed to perform the duties of a registrar of co-operative societies under this Ordinance ; and

"Registered Society" means a co-operative society registered under this Ordinance.

Registration.

Power to Governor to appoint registrar and assistant registrars.

3 The Governor may appoint a person to be Registrar of Co-operative Societies for the Colony or any portion of it, and may appoint persons to assist such Registrar, and may, by general or special order published in the "Government Gazette," confer on any such persons all or any of the powers of a Registrar under this Ordinance.

Societies which may be registered.

4 (1) Subject to the provisions hereinafter contained, a society which has as its object the promotion of the economic interests of its members in accordance with co-operative principles, or a society established for the purpose of facilitating the operations of such societies, may be registered under this Ordinance with or without limited liability.

(2) Where the liability of the members of a society is limited by shares, no member other than a registered society shall—

(a) Hold more than such portion of the share capital of the society, subject to a maximum of one-fifth, as may be prescribed by the rules ; or

(b) Have or claim any interest in the shares of the society exceeding one thousand rupees.

Conditions of registration.

5 (1) No society, other than a society composed of at least two registered societies, shall be registered under this Ordinance which does not consist of at least ten persons above the age of eighteen years, and who, save where the Registrar otherwise directs, reside or own landed property in the same town or village or group of villages.

(2) When any question arises as to the age or residence of any person, or as to the ownership of landed property, or as to whether two or more villages shall be considered to form a group for the purposes of this Ordinance, the same shall be decided by the Registrar, whose decision shall be final.

(3) The word "limited" shall be the last word in the name of every society with limited liability registered under this Ordinance.

Application for registration.

6 (1) For the purposes of registration an application shall be made to the Registrar.

(2) The application shall be signed—

(a) In the case of a society of which the members are not registered societies, by at least ten persons qualified in accordance with the requirements of section 5 (1) of this Ordinance; and

(b) In the case of a society of which the members are registered societies, by a duly authorized person on behalf of each of at least two such registered societies.

(3) The application shall be accompanied by a copy of the proposed by-laws of the society, and the persons by whom or on whose behalf such application is made shall furnish such information in regard to the society as the Registrar may require.

Registration.

7 If the Registrar is satisfied that a society has complied with the provisions of this Ordinance and the rules, and that its proposed by-laws are not contrary to this Ordinance or the rules, may, if he thinks fit, register the society and its by-laws.

Evidence of registration.

8 A certificate of registration signed by the Registrar shall be conclusive evidence that the society therein mentioned is duly registered, unless it is proved that the registration of the society has been cancelled.

Amendment of the by-laws of a registered society.

9 (1) No amendment of the by-laws of a registered society shall be valid until the same has been registered under this Ordinance, for which purpose a copy of the amendment shall be forwarded to the Registrar.

(2) If the Registrar is satisfied that any amendment of the by-laws is not contrary to this Ordinance or to the rules, he may, if he thinks fit, register the amendment.

(3) When the Registrar registers an amendment of the by-laws of a registered society, he shall issue to the society a copy of the amendment certified by him, which shall be conclusive evidence that the same is duly registered.

Rights and Liabilities of Members.

Member not to exercise rights till due payment made.

10 No member of a registered society shall exercise the rights of a member unless or until he has made such payment to the society in respect of membership or acquired such interest in the society, as may be prescribed by the rules or by-laws.

Restriction on membership in society.

11 No person other than a registered society shall be a member of more than one registered society, except with the sanction of the Registrar first had and obtained.

Votes of members.

12 (1) Where the liability of the members of a registered society is not limited by shares, each member shall, notwithstanding the amount of his interest in the capital, have one vote only as a member in the affairs of the society.

(2) Where the liability of the members of a registered society is limited by shares, each member shall have as many votes as may be prescribed by the by-laws.

(3) A registered society which is a member of any other registered society may appoint as its proxy, for the purpose of voting in the affairs of such other registered society, any one of its members.

Restrictions on transfer of share or interest.

13 (1) The transfer or charge of the share or interest of a member in the capital of a registered society shall be subject to such conditions as to maximum holding as may be prescribed by this Ordinance or by the rules.

(2) In case of a society registered with unlimited liability, a member shall not transfer any share held by him or his interest in the capital of the society or any part thereof, unless—

- (a) He has held such share or interest for not less than one year; and
- (b) The transfer or charge is made to the society or to a member of the society.

Duties of Registered Societies.

Address of societies.

14 Every registered society shall have an address, registered in accordance with the rules, to which all notices and communications may be sent, and shall send to the Registrar notice of every change thereof.

Copy of Ordinance, rules, and by-laws to be open to inspection.

15 Every registered society shall keep a copy of this Ordinance and of the rules and of its by-laws, open to inspection, free of charge, at all reasonable times at the registered address of the society.

Audit.

16 (1) The Registrar shall audit or cause to be audited by some person authorized by him by general or special order in writing in this behalf the accounts of every registered society once at least in every year.

(2) The audit under sub-section (1) shall include an examination of overdue debts, if any, and a valuation of the assets and liabilities of the registered society.

(3) The Registrar, the Government Agent, or any person authorized by general or special order in writing in this behalf by the Registrar shall at all times have access to all the books, accounts, papers, and securities of a registered society, and every officer of the society shall furnish such information in regard to the transactions and working of the society as the person making such inspection may require.

Privileges of Registered Societies.

Societies to be bodies corporate.

17 The registration of a society shall render it a body corporate by the name under which it is registered, with perpetual succession and a common seal, and with power to hold property, to enter into contracts, to institute and defend suits and other legal proceedings, and to do all things necessary for the purposes of its constitution.

Priority of claim of registered society as against crops, agricultural produce, cattle, implements, raw material, and manufactured articles.

18 Subject to the prior claims of the Government on the property of its debtors and of landlords in respect of rent, or any money recoverable as rent, a registered society shall be entitled, in priority to other creditors, to enforce its claim—

(a) Upon the crops or other agricultural produce of a member or past member, at any time within two years from the date when seed or manure was advanced, or money for the purchase of seed or manure was lent to such member or past member in respect of the unpaid portion of such advance or loan;

(b) Upon any cattle, agricultural or industrial implements, or raw material for manufactures supplied by the society or purchased in whole or in part with money lent by the society or upon any articles manufactured from raw material so supplied or purchased in respect of the outstanding liability on account of such supply or loan.

Charge and set off in respect of shares or interest of members.

19 A registered society shall have a charge upon the shares or interest in the capital and on the deposits of a member or past member and upon any dividend, bonus, or profits payable to a member or past member in respect of any debt due from such member or past member to the society, and may set off any sum credited or payable to a member or past member in or towards payment of any such debt.

Shares or interest not liable to attachment or sale.

20 Subject to the provisions of section 19 of this Ordinance, the share or interest of a member in the capital of a registered society shall not be liable to attachment or sale under any decree or order of a court in respect of any debt or liability incurred by such member, and neither his assignee in insolvency nor a receiver appointed under chapter L. of the Civil Procedure Code shall be entitled to, or have any claim on, such share or interest.

Transfer of interest on death of member.

21 (1) On the death of a member the registered society may pay to, or transfer to, the credit of the person nominated in accordance with the rules made in this behalf, or, if there is no person so nominated, such person as may appear to the committee to be entitled to receive the same as heir or legal representative of the deceased member, a sum representing the value of such member's share or interest, as ascertained in accordance with the rules or by-laws :

Provided that—

(i.) In the case of a society with unlimited liability, such nominee, heir, or legal representative, as the case may be, may require payment by the society of the value of the share or interest of the deceased member ascertained as aforesaid ;

(ii.) In the case of a society with limited liability, the society shall transfer the share or interest of the deceased member to such nominee, heir, or legal representative, as the case may be, being qualified in accordance with the rules and by-laws for membership of the society, or on his application within one month of the death of the deceased member to any person specified in the application who is qualified.

(2) A registered society may pay all other moneys due to the deceased member from the society to such nominee, heir, or legal representative, as the case may be.

(3) All transfers and payments made by a registered society in accordance with the provisions of this section shall be valid and effectual against any demand made upon the society by any other person.

Liability of past member.

22 The liability of a past member for the debts of a registered society, as they existed at the time when he ceased to be a member, shall continue for a period of two years from the date of his ceasing to be a member.

Liability of the estates of deceased members.

23 The estate of a deceased member shall be liable for a period of two years from the time of his decease for the debts of the society, as they existed at the time of his decease.

Register of members *prima facie* evidence.

24 Any register or list of members kept by any registered society shall be *prima facie* evidence of any of the following particulars entered therein—

(a) The date at which the name of any person was entered in such register or list as a member ;

(b) The date at which any such person ceased to be a member.

Mode of proof of entries in societies' books.

25 A copy of any entry in a book of a registered society regularly kept in the course of business shall, if certified in such manner as may be prescribed by the rules, be received in any legal proceeding, civil or criminal, as *prima facie* evidence of the existence of such entry, and shall be admitted as evidence of the matters, transactions, and accounts therein recorded in every case where, and to the same extent as, the original entry itself is now by law admissible, but not further or otherwise.

Exemptions from Taxation.

Power to exempt from stamp duty and registration fees.

26 (1) The Governor in Executive Council by Proclamation in the "Government Gazette" may, in the case of any registered society or class of society, remit—

(a) The stamp duty with which, under any law for the time being in force, instruments executed by or on behalf of a registered society, or by an officer or member, and relating to the business of such society, or any class of such instruments are respectively chargeable ;

(b) Any fee payable under the law of registration for the time being in force.

(2) A notification exempting any registered society from the fees referred to in sub-section (1), clause (b), may provide for the withdrawal of such exemption.

Property and Funds of Registered Societies.

Restrictions on loans.

27 (1) A registered society shall make no loan to any person other than a member. Provided that, with the consent of the Registrar, a registered society may make loans to another registered society.

(2) Save with the permission of the Registrar, to be given by general order in the case of each society, a registered society shall not lend money on the security of movable property.

(3) The Governor in Executive Council may, by general or special order, prohibit or restrict the lending of money on mortgage of immovable property or any kind thereof by any registered society.

Restrictions on borrowing.

28 A registered society may receive deposits from members without restrictions, but it may borrow from persons who are not members only to such extent and under such conditions as may be provided by the by-laws or rules.

Restrictions on other transactions with non-members.

29 Save as provided in sections 27 and 28 of this Ordinance, the transactions of a registered society with persons other than members shall be subject to such prohibitions and restrictions, if any, as the Governor in Executive Council may by rules prescribe.

Investment of society's funds.

30 (1) A registered society may deposit or invest its funds in the Ceylon Savings Bank, or in a Savings Bank established in connection with the General Post Office under "The Ceylon Postal and Telegraph Ordinance, 1892," or with any banker or person acting as a banker approved for this purpose by the Registrar, or in the shares of any other registered society, or in any other mode permitted by the rules.

(2) Any deposits or investments made before the commencement of this Ordinance which would have been valid if this Ordinance had been in force are hereby ratified and confirmed.

Disposal of profits.

31 (1) No dividend or payment on account of profits shall be paid to a member of a registered society, but all profits made by the society shall be carried to a fund (to be called the reserve fund). Provided that when such reserve fund has attained such proportion to the total of the liabilities of the society, and when the interest on loans to members has been reduced to such rates, as may be determined by the rules or by-laws, any further profit of the society, not exceeding three-fourths of the total annual profit, may be distributed to members by way of bonus.

(2) Provided also that in the case of a registered society with unlimited liability no distribution shall be made without the written sanction of the Registrar.

Inspection and Inquiry.

Inspection and inquiry.

32 (1) The Registrar may of his own motion, and shall on the request of the Government Agent or on the application of a majority of the committee, or of not less than one-third of the members, hold an inquiry into the constitution, working, and financial condition of a registered society, and all officers and members of the society shall furnish such information in regard to the affairs of the society as the Registrar may require.

(2) The Registrar shall, on the application of a creditor of a registered society, inspect or direct some person authorized by him by order in writing in this behalf to inspect the books of the society :

Provided that—

(a) The applicant satisfies the Registrar that the debt is a sum then due, and that he has demanded payment thereof and has not received satisfaction within a reasonable time ; and

(b) The applicant deposits with the Registrar such sum as security for the costs of the proposed inspection as the Registrar may require.

(3) The Registrar shall communicate the results of any such inspection to the creditor.

(4) Where an inquiry is held under sub-section (1) or an inspection is made under sub-section (2), the Registrar may apportion the costs, or such part of the costs, as he may think right, between the registered society, the members demanding an inquiry, and the officers or former officers of the society.

(5) Any sum awarded by way of costs under this section may be recovered, on application to a Magistrate having jurisdiction in the place where the person from whom the money is claimable resides for the time being; by the distress and sale of any movable property, within the limits of the jurisdiction of such Magistrate, belonging to such person.

Dissolution of a Registered Society.

Dissolution.

33 (1) If the Registrar, after holding an inquiry or making an inspection under section 32, or on receipt of an application made by three-fourths of the members of a registered society, is of opinion that the society ought to be dissolved, he may cancel the registration of the society.

(2) Any member of a registered society may, within two months from the date of an order under sub-section (1), appeal from such order to the Governor in Executive Council.

(3) Where no appeal is presented within two months from the making of an order cancelling the registration of a society, the order shall take effect on the expiry of that period. Where an appeal is presented within two months, the order shall not take effect until it is confirmed by the Governor in Executive Council.

Cancellation of registration of society.

34 Where it is a condition of the registration of a society that it should consist of at least ten members, the Registrar may, by order in writing, cancel the registration of the society if at any time it is proved to his satisfaction that the number of the members has been reduced to less than ten.

Effect of cancellation of registration.

35 Where the registration of a society is cancelled, the society shall cease to exist as a corporate body—

(a) In the case of cancellation in accordance with the provisions of section 33, from the date the order of cancellation takes effect;

(b) In the case of cancellation in accordance with the provisions of section 34, from the date of the order.

Liquidation after cancellation of registration of society.

36 (1) Where the registration of a society is cancelled under section 33 or section 34, the Registrar may appoint a competent person to be a liquidator of the society.

(2) A liquidator appointed under sub-section (1) shall have power to institute and defend suits and other legal proceedings, on behalf of the society by his name of office, and shall also have power—

(a) To determine the contribution to be made by the members and past members of the society respectively to the assets of the society;

(b) To investigate all claims against the society, and, subject to the provisions of this Ordinance, to decide questions of priority arising between claimants;

(c) To determine by what persons and in what proportions the costs of the liquidation are to be borne; and

(d) To give such directions in regard to the collection and distribution of the assets of the society as may appear to him to be necessary for winding up the affairs of the society.

(3) Subject to any rules, a liquidator appointed under this section shall, in so far as such powers are necessary for carrying out the purposes of this section, have power to summon and enforce the attendance of witnesses, and to compel the production of documents by the same means, and (so far as may be) in the same manner as is provided in the case of a District Court under the Civil Procedure Code.

(4) The rules may provide for an appeal to a District Court from any order made by a liquidator under this section.

(5) Orders made under this section may be enforced as follows:

(a) When made by a liquidator, by any civil court having local jurisdiction, in the same manner as the decree of such court;

(b) When made by a District Court, in the matter of any such appeal as aforesaid, in the same manner as a decree of such court made in any suit pending therein.

(6) Save in so far as is hereinbefore expressly provided, no civil court shall have any jurisdiction in respect of any matter connected with the dissolution of a registered society.

Rules.

Rules.

37 (1) The Governor in Executive Council may, for the whole or any part of a province, and for any registered society, make rules to carry out the purposes of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may—

- (a) Prescribe the forms to be used and the conditions to be complied with in applying for the registration of a society and the procedure in the matter of such applications ;
- (b) Prescribe the conditions to be complied with by persons applying for registration and by persons applying for admission or admitted as members, and provide for the election and admission of members from time to time, and the amount of payment to be made and interests to be acquired before exercising rights of membership ;
- (c) Provide for the withdrawal and expulsion of members, and for the payments to be made to members who withdraw or are expelled, and for the liabilities of past members ;
- (d) Prescribe the extent to which a registered society may limit the number of its members ;
- (e) Provide for the mode in which the value of a deceased member's interest shall be ascertained, and for the nomination of a person to whom such interest may be paid or transferred ;
- (f) Subject to the provisions of section 4, prescribe the maximum number of shares or portion of the capital of a registered society which may be held by a member ;
- (g) Prescribe the payments to be made and the conditions to be complied with by members applying for loans, the period for which loans may be made, and the amount which may be lent to an individual member ;
- (h) Prescribe the proportion to the total liabilities to be attained by the reserve fund, and the rate to which interest on loans to members is to be reduced before profits may be distributed to the members ;
- (i) Regulate the manner in which capital may be raised by means of shares or debentures or otherwise ;
- (j) Provide for general meetings of the members, and for the procedure at such meetings and the powers to be exercised by such meetings ;
- (k) Provide for the appointment, suspension, and removal of the members of the committee and other officers, and for the procedure at meetings of the committee, and for the powers to be exercised and the duties to be performed by the committee and other officers ;
- (l) Prescribe the matters in respect of which a society may or shall make by-laws, and for the procedure to be followed in making, altering, and abrogating by-laws, and the conditions to be satisfied prior to such making, alteration, or abrogation ;
- (m) Prescribe the accounts and books to be kept by a registered society, and provide for the audit of such accounts, and the charges, if any, to be made for such audit, and for the periodical publication of a balance sheet showing the assets and liabilities of a registered society ;
- (n) Prescribe the returns to be submitted by registered societies to the Registrar, and the persons by whom and the form in which the same are to be made ;
- (o) Provide for the persons by whom, and the form in which, copies of entries in books of registered societies may be certified ;
- (p) Provide for the formation and the maintenance of a register of members, and, where the liability of the members is limited by shares, of a register of shares ;
- (q) Provide for the rate at which interest may be paid on deposits, for the formation and the maintenance of reserve funds, and the objects to which such funds may be applied, and for the investment of any funds under the control of the registered society ;

- (r) Prescribe the conditions under which profits may be distributed to the members of a registered society with unlimited liability, and the maximum rate of dividend which may be paid by registered societies ;
- (s) Provide that any dispute touching the business of a registered society between members or past members of the society or persons claiming through a member or past member, or between a member or past member or persons so claiming and the committee or any officer, shall be referred to the Registrar for decision, or, if he so directs, to arbitration, and prescribe the mode of appointing an arbitrator or arbitrators, and the procedure to be followed in proceedings before the Registrar or such arbitrator or arbitrators and the enforcement of the decisions of the Registrar or the awards of arbitrators ;
- (t) Prescribe the conditions to be complied with by a registered society applying for the financial assistance of Government ;
- (u) Determine in what cases an appeal shall lie from the orders of the Registrar, and prescribe the procedure to be followed in presenting and disposing of such appeals ; and
- (v) Prescribe the procedure to be followed by a liquidator appointed under section 36, and the cases in which an appeal shall lie from the order of such liquidator.
- (3) All rules made under this section shall be published in the "Government Gazette," and on such publication shall have effect as if enacted in this Ordinance. Provided that unless and until other rules are made the general rules in the schedule to this Ordinance shall apply and have effect.

Debts due to Government.

Recovery of sums due to Government.

38 (1) All sums due from a registered society, or from an officer or member or past member of a registered society as such, to the Government, including any costs awarded to the Government under section 32, may be recovered in manner provided for the recovery of Crown debts by Ordinance No. 14 of 1843, intituled "An Ordinance for providing for the better security and recovery of Crown Debts."

(2) Sums due from a registered society to Government and recoverable under sub-section (1) may be recovered, firstly, from the property of the society ; secondly, in the case of a registered society of which the liability of the members is limited, from the members, subject to the limit of their liability ; and thirdly, in the case of other societies, from the members.

Miscellaneous.

Special power to Governor in Executive Council to register any associations under this Ordinance.

39 (1) Notwithstanding anything contained in this Ordinance, the Governor in Executive Council may by special order in each case, and subject to such conditions as it may impose, permit any association of not less than ten persons above the age of eighteen years to be registered as a society under this Ordinance.

(2) A society so registered shall be subject to the provisions of this Ordinance to the same extent as any other registered society. Provided that the Governor in Executive Council may at any time by order exempt such society from any of such provisions, or may direct that they shall apply to such society with such modifications as may be specified in the order.

Restriction of use of word "co-operative."

40 (1) No person other than a registered society shall trade or carry on business under any name or title of which the word "co-operative" is part without the sanction of the Governor in Executive Council.

Provided that nothing in this section shall apply to the use by any person or his successor in interest of any name or title under which he traded or carried on business at the date on which this Ordinance comes into operation.

(2) Whoever contravenes the provisions of this section shall be punishable on summary conviction before a Police Magistrate with fine, which may extend to fifty rupees, and in the case of a continuing offence, with further fine of five rupees for each day on which the offence is continued after conviction therefor.

"Joint Stock Companies Ordinance, 1861," not to apply.

Saving of existing societies.

Repeal.

41 The provisions of "The Joint Stock Companies Ordinance, 1861," and of any Ordinances amending the same, shall not apply to societies registered under this Ordinance.

42 Every society now existing, which has been registered under "The Co-operative Credit Societies Ordinance, 1911," shall be deemed to be registered under this Ordinance, and its by-laws shall, so far as the same are not inconsistent with the express provisions of this Ordinance, continue in force until altered or rescinded.

43 "The Co-operative Credit Societies Ordinance, 1911," is hereby repealed.

SCHEDULE.

Rules.

[Sec. 37 (2).]

Heads (a) and (b).

Application for membership.

1. Any ten or more persons who are qualified in accordance with the requirements of section 4 of the Ordinance, or any two or more registered societies, and each of whom agrees—

(a) Where the capital is not to be raised by the issue of shares, to make to the society a payment in respect of membership of not less than Re. 1;

(b) Where the capital is to be raised by the issue of shares, to acquire an interest in such society to the extent of not less than one share—

may apply in Form A to the Government Agent of the Province or Assistant Government Agent of the District in which they reside, or, in the case of an application by registered societies, to the Registrar to be registered under section 7 as a co-operative society.

Scrutiny by Government Agent.

2. The Government Agent or Assistant Government Agent shall examine the application, and, if necessary return it for correction, and when it complies with the provisions of the Ordinance and any rules made thereunder, shall forward it to the Registrar.

Duty of Registrar on registration.

3. When the Registrar has registered any society under section 7, he shall send to the secretary of the society or other officer appointed to perform the duties of a secretary of the society at the address registered under section 14—

(a) A certificate of registration in Form B; and

(b) A copy of the Ordinance and of the rules made under the Ordinance in the language and character in which the books and accounts of the society are to be kept.

A.—Form of Application for Registration of a Co-operative Society.

1. Name of proposed society : —.
2. Area of operations : —.
3. Objects of society : —.
4. If capital is to be raised by issue of shares, number and amount of shares which it is proposed to issue : —.
5. In other cases, amount of capital which it is intended to raise by loan of deposit : —.
6. Whether limited or unlimited liability is desired : —.
7. Qualifications proposed for membership of society : —.
8. Language and character in which the books and accounts will be kept : —.
9. Name of secretary or other officer appointed to perform the duties of secretary of proposed society : —.
10. Address of the society for purposes of registration : —.

We, the undersigned,*—, apply that the above society may be registered as a Co-operative Society under section 7 of "The Co-operative Societies Ordinance, No. — of 1921."

Signatures :

Name.	Age.	Residence.	
		Village or Town.	Province.

* Where the application is on behalf of registered societies, add "being duly authorized on behalf of the — Co-operative Society, and of the — Co-operative Society to make this application."

B.—Certificate of Registration.

Certified that the application dated — made by (names, &c.), to be registered under section 7 of "The Co-operative Societies Ordinance, No. — of 1921," as The — has been accepted, and that the said society has been registered accordingly as No. — of 192 —, subject to the provisions of the said Ordinance and the rules made thereunder.

Dated at —, 192—.

Registrar, Co-operative Societies.

Head (c).

Punishment of offending member.

4. (1) Every member who is guilty of wrongful application of loans or other conduct prejudicial to the interest of a society may after inquiry be suspended by the committee, and is liable to be expelled at a general meeting.

(2) To any member who ceases to be a member by death, withdrawal, or expulsion shall be paid those sums which at the time when he ceased to be a member stood to his credit in the books of the society, and in the case of other than expelled members, such a proportion of bonuses declared for distribution at the next following annual general meeting as is in accordance with the length of period of membership during the year for which the bonuses are declared.

(3) No member who ceases to be a member by death, withdrawal, removal, or expulsion shall have any claim to any portion of the reserve fund.

Head (e).

Nominee of member.

5. (1) Every member of a registered society shall, at the time of his becoming a member, nominate in writing the person who, in the event of his death, will succeed to his share and interest in the society, and the name of such nominee shall be entered in a column of the register of members of the society.

(2) In the event of any person so nominated dying, or of the member desiring to cancel any such nomination, the member may from time to time nominate in writing another person as aforesaid, and the necessary alterations shall be made in the above-mentioned column of the register of members.

Determination of deceased member's interest.

6. The value of the share and interest of a deceased member shall be determined by the committee, who shall for this purpose determine the respective amounts due from and to such member on the date of his death, and deduct the latter from the former.

Head (h).

Dividend or profits.

7. A dividend or payment on account of profits shall not be made until the reserve fund has reached a proportion of not less than one-tenth of the total liabilities of a society registered with unlimited liability and one twenty-fifth of the liabilities of a society registered with limited liability, and until the rate of interest on loans to members has been reduced to 12 per cent. per annum.

Head (i).

Limit of capital by loans or deposits from non-members.

8. Capital raised by loans or deposits from other than members shall not exceed, in the case of societies registered with unlimited liability, three times the paid-up share capital and deposits of members, and in the case of societies registered with limited liability an amount equal to the paid-up share capital and deposits of members.

Head (l).

By-law-making powers.

9. Every registered society shall, subject to the provisions of the Ordinance and of the rules made thereunder, make, alter, or rescind by-laws in respect of the following matters, namely:

- (a) The name and address of the registered society.
- (b) The area of its operations.
- (c) The objects of the registered society.
- (d) The qualifications requisite for membership.
- (e) The liabilities of members, and their election, withdrawal, removal, and expulsion.
- (f) The appointment, powers, duties, and liabilities of the committee, and the removal of members of the committee.
- (g) The appointment and duties of the officers of the registered society.
- (h) The calling of, and procedure at the meetings of the registered society, and the duties and powers of the general meeting.
- (i) The purposes for which loans may be issued, and the conditions on which such loans may be granted to members.
- (j) The application of gross earnings and profits.
- (k) The formation, maintenance, employment, and investment of a reserve fund.

- (l) The distribution of duties among the members of the committee.
- (m) The reports and statements to be submitted and accounts kept by officers and servants.
- (n) The forms to be used in accounts and registers and other documents, and kept at the registered office and elsewhere.
- (o) Under what conditions, if any, the transfer of the share or interest of a member shall be permitted.
- (p) The nature and amount of the share capital, if any, of the registered society, and where there is a share capital, the maximum share capital which a single member can hold.
- (q) The circumstances under which the registered society may borrow funds and the procedure to be followed in so borrowing.
- (r) The entrance and miscellaneous fees and fines, if any, to be collected from members.
- (s) The maximum loans admissible to a member and the procedure to be followed in granting loans and extensions or renewals and in recovering loans from members.
- (t) The conditions on which loans may be granted to members.
- (u) The consequences of default in payment of any sum due by a member.
- (v) The maximum dividend payable on subscribed share capital to members.
- (w) The rates of interest payable by the registered society on borrowed funds and by members on loans granted to them.
- (x) In the case of productive and distributive registered societies, the procedure to be followed in purchasing and selling stores, raw material, and finished products.
- (y) The mode of custody and investment of funds.
- (z) Matters considered prejudicial to the credit of the registered society.

10. (1) A by-law made under rule 9 shall not take effect or be altered or rescinded otherwise than—

- (a) By the vote of a majority of three-fourths of the members assembled in special meeting; and
- (b) With the written sanction of the Registrar.

(2) The quorum for a special meeting of the kind referred to in sub-rule (1) (a) shall not be less than one-half of the members of the registered society.

* Notification of by-laws and amendments to Registrar.

11. All by-laws and amendments thereto shall reach the Registrar within fourteen days of their having been passed by the registered society.

Head (m).

Publication of accounts.

12. Every registered society shall on or before May 31 in each year publish—

- (a) A balance sheet showing the income, expenditure, and profits of the society for the year ending on the previous April 30; and
- (b) A statement of the assets and liabilities of the society as they stood on April 30; and a copy of each of these statements shall be despatched to the Registrar on or before July 1.

Accounts and books prescribed.

13. Registered societies shall keep the following accounts and books for the purpose of recording the business transacted by them:

(a) Credit Societies.

- (1) Minute book recording the proceedings of the committee and of the general body of members.
- (2) Members' register, showing name and address of each member and of his nominee, the date of his admission, and share taken by him.
- (3) Cash book, showing daily receipts and expenditure and monthly balance.
- (4) Loan register, showing number and date of disbursement of each loan issued to members, the amount of loan, and the date or dates of repayment, distinguishing principal and interest.
- (5) Loan bonds, showing date and amount of loan, rate of interest, periods of repayment, and signatures of sureties.
- (6) Deposit register, showing deposits and other borrowings of all kinds.
- (7) Pass books for members, in which shall be entered all transactions in respect of share payments, deposits, withdrawals, loans, and dividends or bonuses.
- (8) Prescribed forms of application for membership, application for withdrawal of deposits, and application for loans.
- (9) Such other accounts and books as may be required or prescribed by the Registrar.

(b) Central Banks.

In addition to the books to be maintained as above by credit societies, all central banks, that is, societies which lend money to other societies, shall keep the following accounts :

- (1) Share register, in which shall be entered number of shares taken, amount of share payments, withdrawals, and repayments, and date or dates of same.
- (2) Cash book, showing daily balance instead of monthly balances as above prescribed.
- (3) Reserve fund register, showing reserve funds of societies invested in the central bank.
- (4) Ledger, showing all transactions with members, borrowings of all kinds, profit and loss accounts, and reserve funds.

(c) Distributive and Productive Societies.

The books for the credit branch of such societies shall be the same as for credit societies other than central banks, and in addition shall be kept—

- (1) Goods ledger containing a classification of goods stocked and sold.
- (2) Stock purchase book, showing the daily purchase of articles.

Head (n).

Returns.

14. The following returns shall be submitted to the Registrar by all co-operative societies annually as soon after the end of each co-operative year as possible :

- (1) Statement of receipts and disbursements.
- (2) Statement of profit and loss.
- (3) Statement of assets and liabilities

Head (o)

Copies of entries.

15. Copies of such entries in the books of a registered society as may be required for purposes of section 25, shall be made by the secretary of the registered society, and shall be certified correct by him and by another officer of the society or member of the committee.

Head (g).

Maximum rate of interest.

16. (1) Interest payable on deposits by members or non-members shall in no case exceed 9 per centum per annum, and shall not in general exceed three-fourths the rate of interest charged on loans to members.

(2) The reserve fund of registered societies shall be invested or deposited in one or more of the modes mentioned in section 30 with the proviso that a sum not exceeding one-half of the reserve fund, in the case of societies with unlimited liability may, with the written sanction of the Registrar, be utilized for the ordinary business of the society.

Head (r).

Maximum rate of dividend.

17. A dividend or payment on account of profits shall not exceed 9 per cent. per annum.

Head (s).

Reference of dispute.

18. Any dispute in respect of the business of a registered society between any person who—

- (a) Is or has been a member of a registered society ; or
- (b) Claims through any one who is or has been a member ;

and such registered society or its committee or any of its officers shall be referred to the Registrar for decision.

Decision of dispute.

19. The Registrar, on receiving notice of such a dispute as is referred to in rule 18, shall either decide the dispute himself, or shall refer it for arbitration to three arbitrators, of whom one shall be nominated by each of the parties to the dispute and the third by the Registrar.

Nomination of arbitrator.

20. Where any party to the dispute fails to nominate an arbitrator within fifteen days after receipt of notice from the Registrar, the Registrar himself may make the nomination.

Procedure.

21. In proceedings under rule 19 before the Registrar or arbitrators, the statements of the parties who attend and of such witnesses as they may produce shall be reduced to writing, and upon the evidence so recorded, and after consideration of any documentary evidence produced by either side, a decision or award, as the case may be, shall be given in accordance with justice, equity, and good conscience

Enforcement of decision.

22. Where the decision or award involves the payment of money or delivery of grain, and such payment or delivery is not made within one week, the Registrar shall send the record of the proceedings to the Court of Requests within the jurisdiction of which the party condemned or any one or more of the parties condemned reside, and such court shall enforce the decision or award as if it were a decree of such court.

Appeal.

23. (1) Any party aggrieved by an award of arbitrators may appeal to the Registrar within one month of the date of the award.

(2) Every order made by the Registrar under these rules shall be final and conclusive.

Representation.

24. In proceedings under these rules neither party shall be represented by a legal practitioner.

Head (t).

Conditions for application to Government for help.

25. It shall be necessary for a registered society applying for the financial assistance of Government to comply with the following conditions :

(1) It shall have and shall, while indebted to Government, continue to have as its President the Government Agent or Assistant Government Agent, or a person approved by the Government Agent or Assistant Government Agent.

(2) The application shall be made according to the Form C appended hereto, and shall be signed by the Chairman of the society, and shall be forwarded to Government through the Registrar :—

Form C.—Application for Loan from Government.

1. Name of registered society : —.
2. Name and address of President : —.

Approved :

Government Agent or
Assistant Government Agent.

3. Whether the society is under any financial liability to the Government at date of application, and, if so, to what amount.

4. Whether the liability of each member of the society is limited or unlimited.

5. Amount of loan required.

6. Date on which it is required.

7. Rate of interest to be paid.

8. The security offered.

9. When and how it is proposed to make payment.

10. Whether the society is indebted ; if so, to whom, and to what amount.

11. Paid-up capital at date of application.

I, —, certify that the particulars mentioned above are correct.

Date : —, 192—.

President, Co-operative Society.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, March 24, 1921.

GRAEME THOMSON,
Colonial Secretary.

Statement of Objects and Reasons.

"THE Co-operative Credit Societies Ordinance, No. 7 of 1911," has been worked with success, but the experience of the last ten years has proved that in many respects amendments are required.

These amendments are numerous, though of varying importance, and it has been thought well to repeal Ordinance No. 7 of 1911, and to re-enact it in the form of the Bill.

A table is annexed showing these amendments.

Attorney-General's Chambers,
Colombo, January 28, 1921.

H. C. GOLLAN,
Attorney-General

		<i>Table referred to.</i>	
Section of Bill.	Corresponding Section of No. 7 of 1911.	Remarks.	
1, 2	.. 1, 2	..	—
3	.. 5	..	Power given in Bill to appoint Assistant Registrars.
4	.. 12	..	This section defines the class of society that may be registered under the Bill; and makes the important provision for the registration of central societies intended to facilitate the operations of registered societies.
5	.. 3, 6 (4)	..	—
6	.. 6 (1)	..	The provision requiring that a copy of the by-laws should accompany the application is new. It will tend to ensure that the by-laws are effective and in accord with the law.
7	.. 6 (2)	..	—
8, 9	.. —	..	These sections are new, and speak for themselves.
10	.. 4	..	Section 10 of the Bill re-enacts the proviso to section 4 of No. 7 of 1911.
11	.. —	..	Section 11 of the Bill is new, and is considered to be in the best interests of societies.
12	.. 13	..	Sub-section (3) of section 12 of the Bill is new, and provides for the manner in which societies which are members of a registered society are to vote.
13	.. 14	..	—
14	.. 6 (3)	..	—
15	.. 27 (4)	..	—
16	.. 21 (1, 3, 4)	..	—
17	.. 6 (2)	..	—
18	.. 19	..	In section 18 (b) of the Bill the reference to articles manufactured from raw materials supplied by the society or purchased with money lent from it is new.
19, 20	.. 20, 15	..	The period of liability is increased to two years, as experience has shown that one year is too short.
21	.. 16	..	Sub-section (1) of section 21 of the Bill reproduces section 16 of No. 7 of 1911; the rest is new.
22, 23	.. 17, 18	..	—
24	.. —	..	Section 24 of the Bill is new.
25, 26	.. 22, 25	..	—
27	.. 10	..	—
28	.. 9	..	—
29	.. —	..	Section 29 of the Bill is new.
30	.. 11	..	Sub-section 2 of section 30 of the Bill is new.
31	.. 8	..	Sub-section 2 of section 31 of the Bill is new. It is obvious that the distribution of profits by unlimited societies requires careful control.
32	.. 21 (5, 6, 7)	..	Sub-section (2) of section 32 of the Bill is new, and allows of the inspection by a duly authorized person of the inspection of the books of a registered society.
33	.. 23	..	—
34	.. —	..	This section of the Bill is new. It is a condition of registration that societies, unless composed of other registered societies, should have at least ten members. If they fall below that figure, it is proper to cancel their registration.
35	.. 23 (4)	..	—
36	.. 24	..	—
37	.. 27	..	—
38, 39	.. 26, 29	..	—
40	.. —	..	Section 40 of the Bill is new, and is intended to prevent unregistered societies holding themselves out without justification, as co-operative societies.
41	.. 28	..	—
42	.. —	..	Is new. Brings existing registered societies under the Bill.
43	.. —	..	Repeals No. 7 of 1911.

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Southern Circuit will be holden at the court-house at Galle on Monday, April 25, 1921, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Galle, April 2, 1921.

J. A. LOUBENSZ,
Deputy Fiscal.

DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that an additional Sessions of the Badulla-Haldumulla Circuit Court will be held at Bandarawela from April 18 to 23, 1921.

Police Court, Badulla-Haldumulla,
Badulla, March 31, 1921.

R. G. SAUNDERS,
Police Magistrate.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 3,024. In the matter of the insolvency of William Abeyeratne of No. 358, Moratuwella, in Moratuwa.

WHEREAS the above-named William Abeyeratne has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by D. Lawrence Perera, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said William Abeyeratne insolvent accordingly; and that two public sittings of the court, to wit, on April 26, 1921, and on May 10, 1921, 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, A. E. PERERA,
Colombo, March 31, 1921. for Secretary.

In the District Court of Colombo.

No. 3,025. In the matter of the insolvency of M. J. Dias Karunaratne of Mutwal, Colombo.

WHEREAS the above-named M. J. Dias Karunaratne has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Wace de Niese, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said M. J. Dias Karunaratne insolvent accordingly; and that two public sittings of the court, to wit, on April 26, 1921, and on May 10, 1921, 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, A. E. PERERA,
Colombo, March 31, 1921. for Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

S. K. R. A. A. R. Attappa Chetty of Sea street,
Colombo Plaintiff.

No. 297 of 1921. Vs.

(1) P. C. de Silva, (2) C. J. R. de Silva, both of Kanatta road, Colombo Defendants.

NOTICE is hereby given that on Thursday, April 28, 1921, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 2,090, with interest thereon at 9 per cent. per annum from February 4, 1921, till payment in full, and costs, viz. :—

5. All that allotment of land bearing assessment No. 35 formerly No. 25, Wolfendahl street, within the Municipality and District of Colombo, Western Province; and bounded on the north by public drain, on the east by premises No. 36 of Peter Perera and others, on the south by Wolfendahl street, and on the west by premises No. 34 of R. R. S. Wijeratne; containing in extent 14 86/100 perches.

Fiscal's Office,
Colombo, April 4, 1921.

W. DE LIVERA,
Deputy Fiscal, W. P.

In the District Court of Colombo.

S. P. V. S. Velautham Chetty of Sea street,
Colombo Plaintiff.

No. 682 of 1921. Vs.

(1) P. C. de Silva, executrix of the will of J. C. de Silva,
(2) E. A. E. de Silva and another, all of Cinnamon Gardens, Colombo Defendants.

NOTICE is hereby given that on Thursday, April 28, 1921, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 1,327, with legal interest thereon from March 9, 1921, till payment in full, and costs of suit, viz. :—

(2) All that allotment of land called Kewstoke bearing assessment No. 1778/6A, situated at Gregory's road, Cinnamon Gardens, Colombo, within the Municipality and District of Colombo, Western Province; bounded on the north by land described in Government title plan No. 92,065 property of Mrs. Fonseka, on the east by land described in Government title plan No. 92,049 belonging to the estate of the late F. de Livera, on the south by Gregory's road formerly known as a reservation, and on the west by western portion of the land in T. P. No. 271,404 and now known as Rockmore, the property of John Clovis de Silva; containing in extent 2 roods and 37 perches.

Fiscal's Office,
Colombo, April 5, 1921.

W. DE LIVERA,
Deputy Fiscal, W. P.

In the District Court of Colombo.

(1) N. L. S. A. Muttiah Chetty, (2) N. L. S. A. Viswanathan Chetty, both of Sea street in Colombo. Plaintiffs.

No. 927 of 1920. Vs.

(1) J. B. M. Pereira of Colombo, (2) R. J. V. de S. Wijeratne of Horton place in Colombo, (3) J. G. de S. Wijeratne of Kanatta, Colombo. Defendants.

NOTICE is hereby given that on Monday, May 2, 1921, at 3.30 in the afternoon, will be sold by public auction the premises the right, title, and interest of the said 3rd defendant in the following property for the recovery of the sum of Rs. 61,585.02, together with interest on Rs. 50,006.25 at 18 per cent. per annum from May 10, 1920, to August 27, 1920, and further interest at 9 per cent. per annum on the aggregate amount from August 27, 1920, and costs of suit, less Rs. 33,962.01, paid on November 29, 1920, viz. :—

One-fourth share of the house and ground marked lot No. 3, situated in Main street, within the Municipality of Colombo; and bounded on the north by the bankshall of the late Mr. Giffening, on the east by First Cross street, on the south by Main street, and on the west by the house and ground of the late T. Peiris; containing in extent 5 82/100 perches.

Fiscal's Office,
Colombo, April 1, 1921.

W. DE LIVERA,
Deputy Fiscal, W. P.

In the District Court of Colombo.

R. P. L. Kaliappa Chetty of Sea street, Colombo. Plaintiff.

No. 1,948 of 1920. Vs.

(1) A. D. Pabilis Appuhamy of Labugama, Waga, and (2) Philip de Silva of Kanatta road. Defendants.

NOTICE is hereby given that on Friday, April 29, 1921, at 1 o'clock in the afternoon, will be sold by public auction at the residence of the said 1st defendant at Labugama the following movable property of the 1st defendant for the recovery of the sum of Rs. 1,552.20, with interest thereon at 9 per cent. per annum from September 20, 1920, till payment in full, and costs, viz. :—

Eight almirahs, 2 lounges, 12 chairs, 3 couches, 1 clock, 1 iron safe, 2 kerosine oil lamps, 6 pictures, 1 motor car bearing No. C 1799.

Fiscal's Office,
Colombo, April 1, 1921.

W. DE LIVERA,
Deputy Fiscal, W. P.

In the District Court of Colombo.

M. P. Palanianden Chetty of No. 96, Wolfendahl street, Colombo. Plaintiff.

No. 1,992 of 1920. Vs.

Philip de Silva of Canal Side Works, Wellawatta, Colombo. Defendant.

NOTICE is hereby given that on Friday, April 29, 1921, at 10 o'clock in the forenoon, will be sold by public auction at the residence of the defendant at Wellawatta the following movable property of the defendant for the recovery of the sum of Rs. 1,751.25, with interest on Rs. 1,750 at 18 per cent. per annum from September 15, 1920, till date of decree, and thereafter at the rate of 9 per cent. per annum on the aggregate amount of the decree till payment in full, and costs of suit, viz. :—

One piano, 1 ebony conversation chair, 1 ebony settee, 1 ebony teapoy, 8 ebony chairs, 4 tamarindwood chairs, 1 tamarindwood chair, 5 pictures with frames, 3 rattan baskets, 1 jakwood sideboard with mirror, 1 jakwood whatnot, 1 jakwood long cellerette, 1 nadun long cellerette, 1 teakwood dining table, 3 oakwood chairs, 1 clock, 1 jakwood table, 1 jakwood bureau almirah, 1 jakwood almirah, 1 jakwood safe, 1 jakwood square table, 3 jakwood chairs, 1 jakwood old almirah, 1 jakwood long box, 1 jakwood sideboard, 1 jakwood table, 1 nadun glass almirah, 1 nadun

almirah, 1 iron safe, 1 nadun toilet table, 1 jakwood almirah, 1 jakwood toilet table, 1 nadun toilet table, 1 jakwood hat stand, 2 nadun lounges, 1 nadun chair, 1 nadun settee, 1 brass flower pot, 1 teapoy, 1 bentwood rocking chair, 2 nadun lounges, 1 nadun chair, 2 jakwood chairs, 1 teapoy, 1 brass flower pot, 1 lot remaining goods.

Fiscal's Office,
Colombo, April 1, 1921.

W. DE LIVERA,
Deputy Fiscal, W. P.

In the Court of Requests of Avissawella.

R. T. Gunatilleke of Dehiwala. Plaintiff.

No. 10,990. Vs.

D. J. Wilbert Arender by attorney D. D. Samaranayake of Avissawella. Defendant.

NOTICE is hereby given that on Tuesday, May 3, 1921, 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 for the recovery of the sum of Rs. 252.50, and costs Rs. 3.60, viz. :—

A portion of Horagasmukalana, situated at Avissawella in the Udugaha pattu of Hewagam korale; and bounded on the north by land belonging to Public Works Department, on the east by land belonging to Peter Perera Baas, on the south by Meegahakumbura, and on the west by Horagasmukalanewatta now belonging to R. T. Goonetilleke; and containing in extent within these boundaries 5 acres more or less.

Fiscal's Office,
Colombo, April 1, 1921.

W. DE LIVERA,
Deputy Fiscal, W. P.

In the District Court of Colombo.

S. Tambyah of Colombo. Substituted Plaintiff.

No. 49,046. Vs.

Mawanna Palaniyandi Thevar of No. 96, Wolfendahl street, Colombo. Defendant.

NOTICE is hereby given that on Tuesday, May 3, 1921, at 3.30 in the afternoon, will be sold by public auction at the premises the following property declared bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated February 23, 1921, for the recovery of the sum of Rs. 2,687.50, with interest on Rs. 2,600 at 12 per cent. per annum from November 9, 1917, till January 11, 1918, and thereafter further interest on the aggregate amount at 9 per cent. per annum till payment in full, and costs, viz. :—

(1) All that allotment of land, with the buildings standing thereon, marked lot 1 presently bearing assessment No. 9A (formerly No. 9), situated at 3rd Division, Maradana, within the Municipality and District of Colombo, Western Province; and bounded on the north-east by the 3rd Division Maradana road, south-east by premises bearing assessment No. 10, on the south-west by a passage 5 links wide, and on the north-west by lot No. 2 belonging to Merrinhege Issabala Peeris, wife of M. S. Peeris; containing in extent 2 square perches and 24/100 of a perch.

(2) All that allotment of land, with the buildings standing thereon, marked lot No. 2, being a part of premises bearing assessment No. 9, situated at 3rd Division, Maradana, aforesaid; bounded on the north-east by 3rd Division Maradana road, south-east by lot No. 7 belonging to Merrinhege Selestina Agnes Peeris, wife of H. P. Wijaratne, and on the south-west and north-west by a passage 5 links wide; containing in extent 2 square perches and 24/100 of a perch, according to the plan and survey thereof bearing No. 481 dated November 16, 1904, made by C. H. Frida, Surveyor, together with the right of use of the water-closets standing on the lot marked No. 7 mentioned in deed No. 5,971 dated April 20, 1905, and attested by W. B. de Fry of Colombo, Notary Public, and the full liberty and right of way along the whole length of the passage marked 5 links wide in the said plan.

(3) An allotment of land, with the buildings standing thereon, marked lot No. 4, being a part of the premises bearing assessment No. 9, situated at 3rd Division, Maradana, aforesaid; bounded on the north-east by a passage 3 links wide, south-east by lot No. 3 belonging to

Merrinhege Johana Pieris, wife of H. W. Goonwardene, south-west by lot No. 5 belonging to Merrinhege Gabriel Pieris, and on the north-west by lot No. 6 belonging to Merrinhege Cornelis Pieris; containing in extent 2 28/100 square perches.

(4) All that allotment of land marked lot No. 5, being a part of premises bearing assessment No. 9, situated at 3rd Division, Maradana, aforesaid; bounded on the north-east by lots Nos. 3 and 4 belonging to Merrinhege Maria Pieris, wife of B. P. Mendis, south-east by a passage 5 links wide, south-west by lot No. 7 reserved for all the owners, and on the north-west by lot No. 7 belonging to Merrinhege Cornelis Pieris; containing in extent 6 18/100 square perches.

(5) All the defendant's share, estate, right, title, and interest in and to the lot marked No. 7, being a part of the aforesaid premises, bearing assessment No. 9, situated at 3rd Division, Maradana, aforesaid; bounded on the north-east by lot No. 5, south-east by a passage 5 links wide, on the south-west by Crown land, and on the north-west by lot No. 6; containing or reputed to contain in extent 2 66/100 square perches more or less, together with the use of the water-closet standing on the aforesaid lot No. 7, and the full and free liberty and right of way along the whole length of the passage marked passage 5 links wide in the said plan.

(6) All that allotment of land called Ambagahawatta, with the buildings standing thereon, marked lot No. 3, bearing assessment No. 9, situated at 3rd Division, Maradana, aforesaid; bounded on the north-east and south-east by a passage 5 links wide, on the south-west by lot No. 5 of this land belonging to Merrinhege Gabriel Pieris, and on the north-west by lot No. 4 of this land belonging to Merrinhege Maria Pieris; and containing in extent 2 28/100 square perches.

The said six portions of land now forming as one property, and bounded as follows; on the north by land bearing assessment No. 8 belonging to Martin Pieris, on the east by the high road, on the south by land bearing No. 10 belonging to M. Palaniandy Thevar, and on the west by the land belonging to Government hospital; and containing in extent within these boundaries 17 88/100 perches.

Fiscal's Office,
Colombo, April 1, 1921.

W. DE LIVERA,
Deputy Fiscal, W. P.

In the District Court of Colombo.

Bastian Korallalage Victoria Rodrigo Weerasinghe Gunawardana Hamine of Bopitiya in Pamunugama in Ragam pattu of Alutkuru korale Plaintiff.
No. 51,206. Vs.

(1) Percy H. de Krotser, official administrator of the estate of the late W. Dona Albiath Gunatillaka Siriwardana Hamine, (2) Nissanga Aratchi Appuhamillage Don Thomas Appuhamy of Halgampitiya in Veyangoda in Meda pattu Defendants.

NOTICE is hereby given that on Tuesday, May 3, 1921, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 2,982.39, with legal interest thereon from July 19, 1919, till payment in full, viz. :—

The right, title, and interest of the 1st defendant in and to the following property, viz. :—

At 10 A.M.

(1) An undivided 7/12 shares of Etaheraliyagahawatta alias Urukanugahawatta, situated at Halgampitiya, in the Meda pattu of Siyane korale; and bounded by the boundary of the land belonging to the heirs of Kuruppu Appuhamillage Karolis Vidanamahatmaya, on the east by Meegahawatta and Mahagalewatta, on the south by the boundary ditch of the garden belonging to Kuruppu Appuhamillage Haramanis Gurunnanse and others, and on the west by District Road Committee road leading from Kalageddihena to Eaththalagedera and water-course (Peta-ela) of the fields; and containing in extent within the 50 acres and the said 7/12 shares; being bounded as per plan No. 45,056 dated December 15, 1919, made by W. C. S. Ingles, Surveyor-General, on the north by Alubogahawatta claimed by K. A. Bempy Appuhamy and others, and Meegahawatta claimed by Welichchinona and others, and road, on the east by

Meegahawatta claimed by Melichchinona and others, lands belonging to others and Etaheraliyagahawatta claimed by K. A. P. Gunatillaka and Mahagalewatta belonging to Dr. Peeris, on the south by Mahagalewatta and ditch of Etaheraliyagahawatta claimed by P. A. D. S. Wijeratna, and on the west by District Road Committee road and Yaladeniya claimed by A. D. Paulus Appuhamy, stream, and Nambulakotuwekumbura claimed by K. A. P. Gunatillaka and others, and Puwakgahakotuwekumbura claimed by K. A. James Appoo; and containing in extent within these boundaries 31 acres and 14 perches, out of which an undivided $\frac{1}{2}$ share and of the buildings standing thereon.

The right, title, and interest of the 2nd defendant in and to the following property, to wit:—

At 10.30 A.M.

(2) An undivided $\frac{1}{2}$ part of the tiled house, 40 cubits in length and 30 cubits in breadth, with the ground on which it stands, on a portion of Etaheraliyagahawatta alias Urukanugahawatta, held and possessed by the 2nd defendant by virtue of transfer No. 752 dated July 6, 1912, and attested by J. S. Gunawardana, Notary Public; and the said portion is bounded on the north by land belonging to K. A. D. Karolis Appuhamy, on the east by District Road Committee road, on the south and west by wela (field); and containing in extent within these boundaries 10 acres.

The right, title, and interest of the 1st defendant in and to the following property, to wit:—

At 11 A.M.

(3) Half of an undivided 7/12 share of the field called Iththekumbura, situated at Halgampitiya; and bounded (as per plan No. 45,056 dated December 15, 1919, made by W. C. S. Ingles, Surveyor-General) on the north by the field claimed by K. A. Peter Appuhamy and others, on the east by field belonging to K. Livinis Appuhamy, on the south by Mahaliyaddekumbura belonging to Rajapaksa Sedo Nona, and on the west by land belonging to K. D. Peeris Gunawardana; and containing in extent within these boundaries 2 acres 3 roods and 22 perches.

At 11.30 A.M.

(4) Half of an undivided 7/12 share of Pitadeniyekumbura, situated at Halgampitiya aforesaid; and bounded (as per plan No. 45,056 dated December 15, 1919, made by W. C. S. Ingles, Surveyor-General) on the north by the field belonging to K. A. Korolis Appuhamy, on the east by field belonging to K. A. William Perera and pillewa, on the south and west by land appearing in T. P. 54,818 belonging to Suwaris Appoo and others; containing in extent within these boundaries 2 acres and 14 perches.

At 12 noon.

(5) An undivided $\frac{1}{2}$ of 7/12 share of Welikumbura situated at Halgampitiya aforesaid; and bounded (as per plan No. 45,056 dated December 15, 1919, made by W. C. S. Ingles, Surveyor-General) on the north by water-course and Talahitiyadeniya, on the east by Welikumbura, on the south by Kongahawatta, and on the west by Pinliyadda; containing in extent within these boundaries 1 acre and 9 perches.

At 1 P.M.

(6) Half of an undivided 7/12 shares of Nambulakotuwekumbura, situated at Halgampitiya aforesaid; and bounded (as per plan No. 45,056 dated December 15, 1919, and made by W. C. S. Ingles, Surveyor-General) on the north by field belonging to K. A. James Appuhamy and others, on the east by Etaheraliyagahawatta, on the south by field belonging to Paulis Appuhamy and ela, on the west by land belonging to K. A. James Appuhamy; and containing in extent within these boundaries 1 acre 1 rood and 20 perches.

At 1.15 P.M.

(7) Half of an undivided 7/12 shares of Iriyagahakumbura situated at Halgampitiya as aforesaid; and bounded (as per plan No. 45,056 dated December 15, 1919, made by W. C. S. Ingles, Surveyor-General) on the north by water-course, on the east by Kendagahakumbura and ela, on the south by Welabodawatta and Alubogahawatta, and on the west by water-course of the field belonging to K. Levinis

Appuhamy and others and land appearing in T. P. 216,684; and containing in extent within these boundaries 4 acres 3 roods and 23 perches.

At 1.30 P.M.

(8) Half of an undivided 7/12 shares of Mahaowita, situated at Paramulla as aforesaid; and bounded (as per plan No. 45,056 dated December 15, 1919, and made by W. C. S. Ingles, Surveyor-General) on the north and west by water-course, on the east by land of Brumpy Fernando and De-elle-oya, on the south by De-elle-oya; and containing in extent within these boundaries 7 acres 1 rood and 39 perches.

At 2 P.M.

(9) Half of an undivided 7/12 shares of Kivulakumbura, situated at Tiriwanegama as aforesaid; and bounded (as per plan No. 45,056 dated December 15, 1919, made by W. C. S. Ingles, Surveyor-General) on the north by Udatunpelakumbura in T. P. 54,818 and field belonging to others, on the east by Pitadeniyekumbura belonging to William Perera and others, on the south by Welabodawatta, and on the west by Weerabahuwekumbura belonging to Mudalimeehipala Juwanis Appoo; and containing in extent within these boundaries 3 roods and 23 perches.

At 2.30 P.M.

(10) Half of an undivided 7/12 shares of Kendagahakumbura, situated at Katuwasgoda as aforesaid; and bounded (as per plan No. 45,056 dated December 15, 1919, made by W. C. S. Ingles, Surveyor-General) on the north by water-course and Kendagahakumbura belonging to Malliya and others, on the east by District Road Committee road, on the south by ela and Welabodawatta, and on the west by Iriyagahakumbura; and containing in extent within these boundaries 5 acres 1 rood and 27 perches.

At 2.45 P.M.

(11) An undivided $\frac{1}{2}$ share of Kendagahakumbura situated at Katuwasgoda as aforesaid; and bounded on the north by water-course, on the east by field belonging to Ranhotipedige Malliya and others, on the south by water-course, and on the west by Iriyagahakumbura; and containing in extent within these boundaries 4 beras of paddy sowing.

At 3 P.M.

(12) Half of an undivided 7/12 shares of Puranekumbura, situated at Katuwasgoda as aforesaid; and bounded (as per plan No. 45,056 dated December 15, 1919, made by W. C. S. Ingles, Surveyor-General) on the north by land belonging to Ranhotipedige Samara and others, on the east by land belonging to Ranhotipedige Balaya and Ambagahawatta belonging to Horatalpedige Sada and Dawatagahadeniya belonging to Meragalpedige Balaya and ela, on the south by Puranekumbura belonging to K. A. P. Gunatillaka Ralahamy and others, and on the west by Meegahawatta belonging to Maliche Nona and others; and containing in extent within these boundaries 3 acres and 27 perches.

At 3.30 P.M.

(13) Half of an undivided 7/12 shares of Puranekumbura situated at Katuwasgoda as aforesaid; and bounded (as per plan No. 45,056 dated December 15, 1919, made by W. C. S. Ingles, Surveyor-General) on the north by field belonging to Ranhotipedige Samara and others, on the east by land belonging to Ranhotipedige Rapia and others, and Puranekumbura, on the south by water-course of Puranekumbura, and on the west by land belonging to Meragalpedige Setuwa and ela; and containing in extent within these boundaries 1 acre 3 roods and 33 perches.

At 4 P.M.

(14) Two portions of Kampeththewekumbura, now forming one property and situated at Katuwasgoda as aforesaid; and bounded (as per plan No. 45,056 dated December 15, 1919, made by W. C. S. Ingles, Surveyor-General) on the north by high land and Kampeththewekumbura, on the east by field belonging to Meragalpedige Bathiya and Paulis Appoo and lands in T. Ps. 55,547 and 216,980 and Kampeththewekumbura claimed by Meragalpedige Bathiya, on the south by water-course, and on the

west by Ambalameowita in T. P. 216,979 and claimed by Sawaria and others; and containing in extent within these boundaries 2 acres 2 roods and 20 perches.

At 4.30 P.M.

(15) Half of an undivided 7/12 shares of Batadombagahawatta, situated at Katuwasgoda as aforesaid; and bounded (as per plan No. 45,056 dated December 15, 1919, made by W. C. S. Ingles, Surveyor-General) on the north by field belonging to K. Paulis Appuhamy and others, on the east by water-course, on the south by field belonging to Sarah Hamine and others, on the west by high land and ela; and containing in extent within these boundaries 1 acre 1 rood and 26 perches.

At 5 P.M.

(16) An undivided $\frac{1}{2}$ part of Meegahawatta, situated at Katuwasgoda as aforesaid; and bounded (as per plan No. 45,056 dated December 15, 1919) on the north by land belonging to Meragalpedige Menika and others, on the east by Puranekumbura, on the south by Etaheraliyagahawatta, and on the west also by Etaheraliyagahawatta; and containing in extent within these boundaries 3 acres 3 roods and 31 perches.

Fiscal's Office,
Colombo, April 1, 1921.

W. DE LIYERA,
Deputy Fiscal, W. P.

In the District Court of Colombo.

N. M. R. M. Nadarajah Chetty of Sea street,
Colombo Plaintiff.

No. 1,636/1920. Vs.

W. G. Silva alias W. J. Silva of Kalamulle in
Kalutara Defendant.

NOTICE is hereby given that on Friday, May 6, 1921, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 1,286.25, with legal interest thereon at 9 per cent. per annum from August 19, 1920, till payment in full, and costs of suit and poundage, viz. :-

The land called Kosgahawatta, with all the buildings and plantations standing thereon, situated at Kalamulle; and bounded on the north by Hettiyawatta, on the east by Bogahawatta alias Muniawatta, on the south by a portion of the same land marked lot B, and west by Imbulgahawatta; as described in plan No. 1,899 dated January 7, 1910, made by Mr. Arnold Gunawardena, Licensed Surveyor, and containing in extent about 1 acre.

Deputy Fiscal's Office,
Kalutara, April 5, 1921.

H. SAMERESINGHA,
Deputy Fiscal.

In the District Court of Kalutara.

Ponnahennedige Charles Henry Dias of Pattiya South
in Panadure Plaintiff.

No. 8,603. Vs.

(1) Tikkalage Penis Silva, (2) Thenkuttige Sandoris
Silva, both of Moragalla Defendants.

NOTICE is hereby given that on Monday, May 2, 1921, commencing at 9 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property (mortgaged by the defendant with plaintiff and declared bound and executable for the decree entered in the said case) for the recovery of Rs. 6,529.82, i.e., Rs. 6,120.81 and Rs. 179.21 being interest at 20 per cent. on Rs. 4,320.57 from March 6, 1919, to May 22, 1919, and Rs. 229.80 being costs of suit, and also recover interest on Rs. 6,800.02 at 9 per cent. from May 22, 1919, till date of payment in full, viz. :-

1. An undivided $\frac{1}{2}$ part of the soil and trees of Kochchawatta, situated at Moragalla; and bounded on the north by Diminigodarupayawatta and Ratgamayawatta, east by Diyarilla and Godellewatta, south by Tanigahawatta and Godellewatta, and west by the ela; and containing in extent of about 2 acres and 2 roods.

2. The undivided $\frac{3}{4}$ parts of Magahitiya *alias* Pelawatta and of the remaining trees after excluding the planter's share of the trees of the 1st plantation, situated at Moragalla; and bounded on the north by Laiyagepitiya *alias* Mahawatta, east by Nelligahawatta *alias* Mahawatta, south by Digarollewatta *alias* Siyambalahawatta, and west by Ratgamayawatta; and containing in extent of about 2 acres.

3. An undivided $\frac{1}{2}$ part of the soil and trees of Digarollewatta *alias* Diyarollewatta, situated at Moragalla; and bounded on the north and east by Mahahitiya *alias* Pelawatta, south by Kammantigewatta, and west by Kochchawatta; and containing in extent of about 1 acre.

4. An undivided $\frac{1}{4}$ part of Pelawatta and of the remaining trees thereon after excluding the planter's share of the trees, and situated at Maragalla; and bounded on the north by land whereon Salanchia resided, east by Kongahapitiya, south by Digarollewatta, and west by the sea; and containing in extent of about 1 acre.

5. The undivided $\frac{2}{9}$ part of the soil and trees of Wellewatta, situated at Moragalla; and bounded on the north by Dematagewatta and Asammagewatta, east by Dombagahawatta, south by seabeach and west by Elabodamahawatta; and containing in extent of about 1 acre and 2 roods.

6. An undivided $\frac{1}{12}$ part of the soil and trees of Kammandigewatta, situated at Moragalla; and bounded on the north by Diyarilla, east by Siyambalahawatta, south by Pittaniyawatta and Jambugahawatta, and west by Kochchawatta; and containing in extent of about 3 roods.

7. The undivided $\frac{2}{9}$ parts of the soil and trees of Pittaniyawatta, situated at Moragalla; and bounded on the north by Kammandigewatta and Siyambalahawatta, east by Omiskankanangewatta, south by Kovilapitiyawatta (Koralapitiyawatta) and land whereon Sadiya resided, and west by Jambugahawatta; and containing in extent of about 3 roods.

8. An undivided $\frac{1}{4}$ part of the soil and trees of Dewagewatta, situated at Moragalla; and bounded on the north by Abokkawatta, east by Samangewatta, south by Dombagahawatta *alias* Wellewatta, and west by sea; and containing in extent of about 1 acre.

9. An undivided $\frac{1}{4}$ part of Delgahawatta *alias* Dchigahawatta and of the remaining trees after excluding the planter's share of the trees of the 2nd plantation thereon, situated at Moragalla; and bounded on the north by Maddewatta, east by Massewatta, south by Kovilapitiya, and west by Kohuwalawatta; and containing in extent of about 1 acre.

10. An undivided $\frac{1}{4}$ part of the soil and trees of Mahamalgewatta *alias* Gurunnehewatta out of the land called Hunukotuwa, situated at Moragalla; and bounded on the north by Puchi Maliyawatta and Aligewatta *alias* Duragewatta, east by Palugederawatta and Musigewila, south by land whereupon Dinayadura Nadoris Silva resides and Badanagewatta, and west by the seabeach; and containing in extent of 9 acres 3 roods and 16.94 perches.

Deputy Fiscal's Office,
Kalutara, April 5, 1921.

H. SAMERESINGHA,
Deputy Fiscal.

In the District Court of Kalutara.

Ponnahennedige Charles Henry Dias of Panadure.. Plaintiff.

No. 9,400.

Vs.

Angage Carolis Perera Appuhamy of Talpitiya in
Talpitiyabadda Defendant.

NOTICE is hereby given that on Saturday, April 30, 1921, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property (mortgaged by the defendant with plaintiff and declared bound and executable for the decree entered in the said case) for the recovery of Rs. 3,512.25, with interest on Rs. 2,012.50 at 20 per cent. per annum from March 31, 1920, till July 14, 1920, and thereafter at 9 per cent. per annum on the aggregate till payment in full, viz. :—

(1) An undivided $\frac{1}{4}$ and $\frac{1}{12}$ shares of all the trees and produce of the first and second plantations of a portion of the land called Gorakagahawatta, situate at Talpitiya, in Talpitiyabadda; and bounded on the north by a portion of

this garden allotted to Government $\frac{1}{4}$ share, east by Gale-delgahawatta *alias* Munamalgahawatta belonging to Ransinghe people, south by cart road passing through Kongahawatta, and on the west by Ambagahawatta and Warenawatta; containing in extent 1 acre 2 roods and 25 $\frac{84}{100}$ perches.

2. An undivided $\frac{1}{2}$ share of the entire soil and of all the remaining trees and plantations, excluding the trees of the second and first plantations of the $\frac{1}{4}$ portion lying to the east and adjoining to the western $\frac{1}{4}$ portion of the portion of Gorakagahawatta, situate at Talpitiya aforesaid; and bounded on the north by a portion of this garden allotted to Government $\frac{1}{4}$ share, east by $\frac{1}{4}$ portion of this garden belonging to Hastakage Mathes Perera, on the south by cart road passing through Kongahawatta, and on the west by $\frac{1}{4}$ portion of this garden belonging to Lianage Simon Perera and another; containing in extent 1 rood and 26 $\frac{46}{100}$ perches.

3. The soil and trees and plantation appertaining to the undivided northern $\frac{1}{2}$ part or portion of the portion of Delgahakurunduwatta (Delgodakurunduwatta), situate at Talpitiya aforesaid; and bounded on the north by Hunugewatta, east by portion belonging to Hettikankanange Peiris Perera and land belonging to Madavita Vithanage Taie Appu (a portion of Delgahawatta wherein Ambe-pitiyage Thegis Perera resides, and also a portion of Delgahawatta wherein Mestiyage Don James Gunatileka resides), south by a portion of this garden, and on the west by the ditch of Kottorugewela; containing in extent about $\frac{1}{2}$ acre.

4. The entire soil and all the trees and plantations of the $\frac{5}{24}$ portion of Delgahawatta, situated at Talpitiya aforesaid; and bounded on the north by lot marked A in plan No. 6,849 and belonging to Raigamage Davith Perera, east by the portion of this land presently belonging to Maddage Romanis Perera, south by portion of this land marked C in the said plan allotted to Liyanage Thegis Perera, and on the west by cart road; containing in extent 1 rood and 1 $\frac{1}{2}$ perches.

5. An undivided $\frac{1}{4}$ share of the entire soil and of all the remaining trees and plantations, excluding all the trees and produce of the first and second plantations of the western $\frac{1}{4}$ portion of Gorakagahawatta, situated at Talpitiya aforesaid; and bounded on the north by a portion of this garden allotted to Government $\frac{1}{4}$ share, east by remaining $\frac{1}{4}$ portion of this garden, south by cart road passing through Kongahawatta, and on the west by Ambagahawatta and Warenawatta; containing in extent 1 rood and 26 $\frac{21}{100}$ perches.

6. The soil and all the trees and plantations appertaining thereto of the two contiguous portions Nos. 6 and 7, of the land called Bopitiyawatta, situated at Talpitiya aforesaid; and bounded according to the plan No. 292 and made by Mr. H. O. Scharenguivel, Surveyor, on the north by defined portion bearing No. 1, east by the defined portion bearing No. 5 and land reserved for a road, south by Liyangahawatta *alias* Delgahawatta, and west by defined portions Nos. 8 and 9; containing in extent 36 $\frac{9}{10}$ perches.

Deputy Fiscal's Office,
Kalutara, April 5, 1921.

H. SAMERESINGHA,
Deputy Fiscal.

In the District Court of Colombo.

(1) Walter Dias Bandaranaike, (2) Walter Sandford de Saram, both of Colombo Plaintiffs.

No. 40,964.

Vs.

Wellege Silvestri Silva of Desastra Kalutara.. Defendant.

NOTICE is hereby given that on Saturday, May 7, 1921, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property (mortgaged by the defendant with plaintiff and declared bound and executable for the decree entered in the said case) for the recovery of Rs. 8,608.21, with interest on Rs. 9,000 at 10 per cent. per annum from July 2, 1917, and costs, viz. :—

(1) All that allotment of land called Mahawatta, together with the trees and buildings standing thereon, situated at Desastra Kalutara, in the District of Kalutara; and bounded on the north by a portion of Mahawatta, on the east by Nikulawatta, on the south by Kosmanawatta, and

on the west by a portion of Mahawatta; containing in extent 2 roods and 32.5 perches according to the figure of survey No. 14 dated August 14, 1902, made by H. V. Scharenguivel, Land Surveyor.

Deputy Fiscal's Office,
Kalutara, April 5, 1921.

H. SAMERESINGHA,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

K. M. Muttiah Chetty of Sea street, Colombo . . . Plaintiff.

No. 296.

Vs.

(1) P. C. de Silva, executrix of the will of J. Clovis de Silva, and (2) C. J. R. de Silva, both of Kanatta road, Colombo, presently of Kandy . . . Defendants.

NOTICE is hereby given that on Saturday, April 30, 1921, commencing at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 10,637.50, with interest thereon at 9 per cent. per annum from February 4, 1921, till payment in full, and costs and poundage, viz. :—

All that and those the estates, plantations, and premises and everything thereon called and known as Huluganga estate, situate in the villages Kaludelle, Kelebokke, and Arattana, in Palis pattu west of Lower Dumbara, in the District of Kandy of the Central Province, comprising the following allotments of lands, to wit :—

(1) Three allotments of land adjoining each other forming one property called Kudugollewatta and Karangagollepattana, together with the buildings, plantations, and improvements thereto belonging, save and except six acres from the allotment of land, containing twenty-four acres above the Kovil now in existence, situated in the villages Kaludelle and Arattana aforesaid, comprising—

(a) An allotment of land bounded on the north and east by Hulu-ganga, on the south by land said to belong to the Crown and by land described in plan No. 57,898, and on the west by land described in plans No. 60,196 and No. 78,502, and by a path; containing in extent, exclusive of the road and reservation fifty links wide, the path, and Waraweketi yakandura passing through the lands, 24 acres and 2 roods, situate as aforesaid.

(b) An allotment of land bounded on the north by land said to belong to the Crown and by land described in plan No. 78,501, on the east by land described in plan No. 78,501 and by a path, and on the south-east and south by a path, on the west by land described in plan No. 77,316, and on the north-west by land said to belong to the Crown; containing in extent, exclusive of the Waraweketi yakandura passing through the land, 19 acres and 18 perches, situate as aforesaid.

(c) Karandagollepattana; bounded on the north and north-east by the road, on the east by the lands belonging to the Crown and natives, on the south-east and south by the land appearing in plan No. 57,898, on the south-west and west by the road, and on the north-west by the road and Crown land; containing in extent 17 acres 3 roods and 5 perches, situate as aforesaid.

(2) All that allotment of land called and known as Gal-kadapatana or watta, situate at Kelebokke or Kaludella in Palis pattu aforesaid; bounded on the north by land described in plan No. 78,165, on the east by Kuda-oya, on the south by Jambugollekandura, and on the west by 7 acres excluded from this land and road; containing in extent 22 acres 1 rood and 34 perches, forming part and parcel of all that land called Galgodapatana or watta of 29 acres 1 rood and 34 perches and registered under title E 39/73.

(3) All that tea garden or plantation called and known as Nellikollehena alias Jambugollehena, situate at Kaludella in Palis pattu west aforesaid; bounded on the east by the ditch of the garden Jambugollewatta, on the south by the

limit of the land belonging to Letchiman Nadan, on the west by the stream, and on the north by Nellikollekandura; containing in extent four amunams of paddy sowing, and which said premises are now bounded as follows; on the east by agala and land said to belong to Cadersha Kankani and tea garden said to belong to Letchiman Kangany and Weerappen, on the south by Nellikolle tea garden said to belong to Carthegeser Pulle, and on the north and west by Mousa water-course and Mousa tea estate; containing in extent 14 acres and 32 perches.

(4) All those lands adjoining each other and forming one property called Kaludellewatta, viz. :—(1) Agalakotuwekumbura of 1 amunam of paddy sowing extent, (2) Agalakotuwewatta of 3 pelas of extent, (3) 8 lahas out of Agalakotuwewatta, (4) western 4 Kurunies out of Dehigahagawahena of 3 amunams, and (5) 3 pelas out of Totillettehena towards Agalakotuwe, all of the extent of 2 amunams 3 pelas and 2 lahas, situate at Kaludella in Palis pattu aforesaid; bounded on the south and east by the limit of Sana Letchiman's land, on the west by land belonging to Ranmenika and Kalumenika, and on the north by Kuda-oya; containing in extent 6 acres 2 roods and 2 perches.

(5) All that land called Millehinnehena of 2 amunams of paddy sowing extent and the adjoining land Millehinnehena of 1 amunam of paddy sowing extent, situate at Kaludella aforesaid; bounded on the east by the ditch of Letchiman Nandan's garden and by the 3 ft. footpath, south by the del tree and by the limit of Kirimenika's chena, west by the limit of Kartigeser's chena and by the hill and ela, and north by Pihillekumbura and waraka tree, containing in extent 8 acres 2 roods and 1 perch. Which said allotments of land forming Huluganga estate are according to a recent plan thereof, No. 2,734, dated August 26, 1919, authenticated by V. S. A. Dias, Special Licensed Surveyor, as follows :—

(1) All that allotment of land marked lot No. 7 in the said plan: bounded on the north by T. P. 77,350, Galgodakandura, and a stream, on the west by Kuda-oya, on the south by Jambugollekandura, and on the west by land allotted to Paraman; containing in extent 22 acres 1 rood and 34 perches.

(2) All those contiguous allotments of lands marked lots 3, 4, 5, and 6 in the said plan; bounded on the north by a water-course and Kuda-oya, east by Sena Letchimegewatta, the property of the heirs of the late Mari Kangany and land said to belong to villagers, and south-east by land said to belong to the Crown, south-west by Nellikollewatta tea estate, and west by water-course; containing in extent 42 acres 3 roods and 9 perches.

(3) All those contiguous allotments of lands marked lots 1, 2, and 8 in the said plan; bounded on the north by land said to belong to the Crown and Hulu-ganga, south-east by land said to belong to the Crown, south by tea land claimed by Hindu temple and T. P. 57,898, and west by road from Madolkele and T. P. 77,316; containing in extent 55 acres 2 roods and 31 perches.

Fiscal's Office,
Kandy, April 4, 1921.

A. RANESINGHE,
Deputy Fiscal.

In the District Court of Kandy.

(1) Tennekoon Mudiyanse Lage Medduma Banda Lekam Mahatmeya, (2) Kangara Mudiyanse Lage Udagedere Kalu Banda, both of Bowela . . . Plaintiffs.

No. 27,310.

Vs.

(1) Wathiyaralagededere Abdul Rahiman Lebbe and (2) Unumuwegedere Ismail Lebbe, both of Wata-deniya . . . Defendants.

NOTICE is hereby given that on Saturday, April 30, 1921, commencing at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said 1st defendant in the following property mortgaged with the plaintiff by bond No. 13,981 dated October 19, 1916, and allotted by Martin Kotalawela of Gampola, Notary Public, and decreed to be sold

under the decree entered in the above case for the recovery of the sum of Rs. 1,033·37, and poundage, viz. :—

(1) All that divided portion towards the south of the extent of 2 pelas and 2½ lahas paddy sowing out of the lands called Pannilakumbura and Paragahamulakumbura, both adjoining each other and forming one property of the extent of one amunam paddy sowing, situate at Watadeniya, in Kandupalata of Uduuwara in the District of Kandy, of the Central Province, which said southern portion is bounded on the east by Delgahamulahena, south by Rammolakekumbura, west by Atalahawatta, and on the north by the remaining portion.

(2) An undivided 5/8th parts or shares of the upper or daranda five lahas paddy sowing extent out of the field called Galahitiyawakumbura, situate at Watadeniya aforesaid; which said entire portion is bounded on the east by the ella of Omaru Lebbe's garden, south by liminary dam of the field belonging to Habibu Lebbe, west by the ella of Atalahawatta, and on the north by the limit of the field belonging to Abdul Rahiman Lebbe.

Fiscal's Office,
Kandy, April 4, 1921.

A. RANESINGHE,
Deputy Fiscal.

In the District Court of Kandy.

Seward Alla Noor of King street, Kandy.....Plaintiff.

No. 28,696. Vs.

R. H. Jayawardena of Welata, Kandy, and now of MatalaDefendant.

NOTICE is hereby given that on Saturday, April 30, 1921, at 12 noon, will be sold by public auction at the spot the right, title, and interest of the said R. H. Jayawardena in the following property, viz. :—

1. The land called Gederawatta of about 6 acres in extent, situated at Kaikawela in Pallesiya pattu, Matala East; and bounded on the east by Pansalawatta and field, south by Kapuhenawatta, west and north by high road; together with the tiled house standing thereon.

Deputy Fiscal's Office,
Matala, April 6, 1921.

R. S. V. POULIER,
Deputy Fiscal.

Southern Province.

In the District Court of Galle.

Kottigoda Kankanange Albert de Silva of Gintota.....Plaintiff.

No. 16,579. Vs.

Mohamed Sheriff Mohamed Cassim of Galle FortDefendant.

NOTICE is hereby given that on Saturday, April 30, 1921, at 2 o'clock in the afternoon, will be sold by public auction at the spot the following property, mortgaged, viz. :—

1. All that undivided ¼ part of the allotment of land and the house thereon bearing old No. 43 and new No. 46, situate in Church street, within the Four Gravets of Galle, containing in extent about 10 perches; bounded on north by Church street, east by house No. 45 belonging to Omaru Lebbe Marikar, south by the property of Mohideen Bawa, and west by the footpath.

2. All that undivided ¼ part of all the soil and trees of and all that house of 13 cubits bearing No. 110 standing on the land called Mestriclasgewatta alias Dangahawatta, situate at Kumbalwella, containing in extent 1 acre and 1 perch; bounded on north, east, and west by Mestriclasgewatta and south by high road.

3. All that house and premises formerly marked No. 29 and presently No. 17, situated in Flagstaff, street, now called and known as Lighthouse street, within the Fort aforesaid, containing in extent 32·29 perches and 260 square English feet; bounded on north by the property of Mr. F. W. de Vos, east by the property of Packeer Lebbe

Ismail Lebbe, south by the property of A. E. Jansz, and west by Lighthouse street.

Writ amount Rs. 6,324·83, with interest on Rs. 6,097·91 at 9 per cent. per annum from February 26, 1919.

Fiscal's Office,
Galle, March 31, 1921.

J. A. LOURENSZ,
Deputy Fiscal.

In the District Court of Matara.

Henry Carver Gooneratne of MataraPlaintiff.

No. 9,154. Vs.

(1) Muhammadu Neina Marikkar Pathuma Natchiya and husband, (2) Ahamadu Lebbe Marikar Kumisteru Alia Marikar, both of Kapuwatta in Dene-pitiya. Defendants.

NOTICE is hereby given that on Saturday, April 30, 1921, at 9 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following mortgaged property for the recovery of a sum of Rs. 1,013·18, and legal interest thereon from February 10, 1921, up to payment :—

(1) All that lot A of the land called Dawateaddarakekulama, situated at Jamburegoda; and the said lot A is bounded on the north by Dawateadderakekulama, east by lot B of same land, south by Polegederawattedeniya, and west by dam of Beligahaduwa; and in extent 3 acres 2 roods and 8·76 perches.

(2) An undivided ½ share of the land called Pinkumbura, situate at ditto; and bounded on the north by Ahamaduwila, east by Panuambeaddaracumbura and Badduwawatta, south by Welikandecumbura, and west by Pelawatta alias Pussala-adderawatta and field; in extent 6 bags of paddy sowing.

(3) The remaining soil, save and except an undivided 1 bag of paddy sowing extent, of the land called Beligasduwe-addara alias Dawateaddara, situated at ditto; and bounded on the north by Mahagoipala, east by Dawateadderakekulama alias Dawatehena, south by Paragahahena and Paragahawatta, and west by Beligasduwewila; and in extent 5 acres 3 roods and 9 perches.

Deputy Fiscal's Office,
Matara, March 30, 1921.

E. T. GOONEWARDENE,
Deputy Fiscal.

North-Western Province.

In the District Court of Kurunegala.

Ratkumara Mudiyansele Herathamy Appuhamy of Udadeniya and others Plaintiffs.

No. 4,348. Vs.

(1) Mirissage Malakiyas Fernando, (2) Mirissage Podi Nona, both of Udadeniya in Katugampola korale south; the 2nd defendant being a minor is represented by her guardian *ad litem* the 1st defendant. . Defendants.

NOTICE is hereby given that on Saturday, May 7, 1921, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

Paragahamulawatta of about 4 lahas of kurakkan sowing extent, situate at Udadeniya in Katugampola korale south; and bounded on the north by Pitakotuwewatta of Herath Appuhamy and others and Kahatagahamulawatta of Notharis Ralahamy, on the east by the land of the heirs of Appuhamy Arachchi, on the south by Hirikumburawatta belonging to Herath Appuhamy and others, and on the west by field; with the plantations and buildings standing thereon.

Amount to be levied Rs. 1,012·02, and poundage.

Fiscal's Office,
Kurunegala, April 5, 1921.

S. D. SAMARASINHA,
Deputy Fiscal.

In the Court of Requests of Negombo.

Sena Suna Mana Muna Muttu Caruppen Chetty of Negombo..... Plaintiff.

No. 28,872. Vs.

R. B. Amadeen of Police Station, Negombo.... Defendant.

NOTICE is hereby given that on Saturday, April 30, 1921, 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 declared specially bound and executable under the decree entered in the above action for the recovery of Rs. 200, with interest at 9 per cent. per annum from August 27, 1920, till payment in full, and costs of suit Rs. 27.04, viz. :—

(1) The land called Sewakkewawatta, situate at Polwattapitiya in Tiragandahaye korale in Weudawili hatpattu, in Kurunegala District, North-Western Province; is bounded on the east by garden of Kuppe Ismail Deen, now of Mr. de Mel, south by high road to Dambulla, west by land of Koranis Appu, now of Mr. Attigala, Muhandiram, and north by rock (gala) and old burial ground, in extent about 2 lahas of kurakkan sowing ground or 5 acres and 4 perches from this land, excluding the ground adjoining the road made round the tank from the Dambulla road, from the remaining portions the undivided 2/24 shares and the buildings standing thereon.

(2) The land called Sewakkewawatta, situate at Polwattapitiya, in Tiragandahaye korale in Weudawili hatpattu, in Kurunegala District, North-Western Province; is bounded on the east by garden of Kuppe Ismail Deen, now of Mr. de Mel, south by high road to Dambulla, west by land of Koranis Appu, now of Mr. Attigala, Muhandiram, and north by rock (gala) and old burial ground, in extent about 2 lahas of kurakkan sowing ground or 5 acres and 4 perches, excluding from this land the ground adjoining the road cut out or made round the tank from the Dambulla road, the undivided 2/24 shares from the remaining extent with the buildings standing thereon.

Fiscal's Office,
Kurunegala, April 5, 1921.

S. D. SAMARASINHA,
Deputy Fiscal.

In the District Court of Chilaw.

Randani Aratchige Don Martinu Appuhamy of Gona-wila..... Plaintiff.

No. 5,876. Vs.

M. A. Don Abraham Appuhamy of Etiyawala and others Defendants.

NOTICE is hereby given that on Saturday, May 7, 1921, at 1.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said plaintiff in the following property, viz. :—

(1) An undivided portion in extent 1 acre and 14 perches from and out of the land called Kongahawatta *alias* Bogahawatta, situate at Mohottimulla in Ottara palata of Pitigal korale south, in the District of Chilaw; and bounded on the north by portion of this land belonging to Puchi Sinno Annavirala and others, east by a drain on a portion of this land of Pansalwatta, south by Horagahakumbura belonging to the heirs of Allis Appuhamy, and west by land belonging to Davith Fernando; containing in extent 3 acres and 14 perches.

(2) The undivided 15/64 shares of the land called Andiris Silvata-aividama (exclusive of 20 perches), situated at Mohottimulla, aforesaid; and bounded on the north by Higgahakumbura belonging to Joseph Silva and others, east by Kithulgahawatta belonging to Puchi Sinno Annavirala, south by Ambagahakumbura belonging to the late Allis Appuhamy, and west by Kongahawatta; containing in extent 5 acres and 25 perches.

Amount to be levied Rs. 537.4) and poundage.
Valuation Rs. 1,700.

Deputy Fiscal's Office,
Chilaw, April 5, 1921.

CHARLES DE SILVA,
Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

S. L. Abdu Lebbe Marikar of Balangoda..... Plaintiff.

No. 3,358. Vs.

(1) A. O. Jayawardana, (2) J. M. Jayawardana, (3) Mahawalatenne Kumarihami, all of Adikaran Walauwa, Balangoda Defendants.

NOTICE is hereby given that on April 30, 1921, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 702.80, with interest on Rs. 536.30 at 9 per cent. per annum from January 15, 1920, till payment in full, and poundage, and subject to mortgage bond No. 5,182 dated October 24, 1917, for a sum of Rs. 1,000, which has been assigned by deed No. 5,619 dated August 21, 1920 :—

1. The fields called Udapattiyekumbura, Patapattiyekumbura, and Paspela, of the extent of 6 acres and 26 perches together; bounded on the north by Crown land called Pinnalanda, Gurugewatta, and Kohombagaha-arawa, east by Crown land called Udagamgoda and Tennekumburagoda, south by Heenatiyekumbura, west by Dodampotewawalliyadda, Badawetiya, and Pinnalanda; situate at Diyainna in Meda korale.

2. The field called Dambugahakumbura, of the extent of 3 roods and 15 perches; bounded on the north by Pansalewatta, east by Doolgasgodakumbura and Tanipela-kumbura, south by Hatalislahekumbura, west by Addarakumbura; situate at ditto.

3. The fields called Kudalekandiwela, Wakairakumbura, Mutettuwa, and Hatalislahekumbura, of the extent of 6 acres 3 roods and 30 perches together; bounded on the north by Mahalekandiwela, Ratmalekumbura, and Dorawelepaula, east by Crown land called Dorawelepaula and Balapuwakumbura and M. Mudiyanse's land, south by inniyara, west by Ihalalandewatta and Dorawelalanda; situate at ditto.

4. The fields called Balahapuwa, Palledullewa, and Madaheliya, of the extent of 4 acres 3 roods and 34 perches together; bounded on the north by land belonging to M. Mudiyanse, east by Makulgahakumbura, south by Ehalalanda and Brahmanaya-ara, west by Ehalalanda, Udadullewa, and Ihalalandewatta; situate at ditto.

5. The field called Mahamutettuwa *alias* Dambugahakumbura, of the extent of 1 acre and 10 perches; bounded on the north by Arawekumbura-addarakumbura, east by Hatalislahekumbura, south by Karangodawatta, west by Karangodakumbura; situate at ditto.

6. The field called Halgahakumbura, of the extent of 1 acre 3 roods and 6 perches; bounded on the north by Kanamalegoda-arawa and Goluarawa, east by Halgahakumburegoda and Ellekumbura, south by Diyanne-dola, west by Kumbukmulla; situate at ditto.

7. The field called Kongahakumbura, of the extent of 1 acre 3 roods and 18 perches; bounded on the north and east by Kahatagasgoda, south by Hatalislahekumbura, west by Dorawelalanda; situate at ditto.

8. The fields called Dombagahatunpela and Tennekumbura, of the extent of 2 acres 3 roods and 33 perches; bounded on the north by Kongahakumbura and Lindabodakumbura, east by Tennekumburegoda and Kuruwiti-arawekumbura, south by Kuruwiti-arawekumbura and Kahatagasgodakumbura, and west by Crown land; situate at ditto.

Fiscal's Office,
Ratnapura, April 1, 1921.

R. E. D. ABEYARATNA,
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate and Effects of the late Peter Samuel de Silva No. 352. Class-I.

Catherine de Silva of Bambalapitiya in Colombo. . . Petitioner
And

(1) Peter Edward Terence de Silva and (2) Philip de Silva Thanapathy, both of Bambalapitiya in Colombo. Respondents.

THIS matter coming on for disposal before William Wadsworth, Esq., District Judge of Colombo, on February 24, 1921, in the presence of Mr. D. W. Moonesinghe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 23, 1921, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before April 14, 1921, show sufficient cause to the satisfaction of this court to the contrary.

February 24, 1921.

V. M. FERNANDO,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate and Effects of Anna Poorany Ammal, late of No. 8A, Ahamath lane, Wekanda, Slave Island, deceased.

Kanthappar Thamotharampillai of No. 8A, Ahamath lane, Wekanda, Slave Island Petitioner

And

Sivakampillai, wife of Kandappar Thamotharampillai of No. 8A, Ahamath lane, Wekanda, Slave Island Respondent.

THIS matter coming on for disposal before V. M. Fernando, Esq., Acting District Judge of Colombo, on March 1, 1921, in the presence of Messrs. Perumalpillai & Jelliah, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 21, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as father of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondent above named or any other person or persons interested shall, on or before April 14, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 1, 1921.

V. M. FERNANDO,
Acting District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament (with a Codicil) of Leonard John Graham Clark of Frocester Manor in the County of Gloucestershire and of Glanrhos in the County of Breconshire, deceased. No. 381. Class IV. Amount Rs. 62,435-87.

THIS matter coming on for disposal before V. M. Fernando, Esq., Additional District Judge of Colombo, on

March 23, 1921, in the presence of Mr. D. E. Martensz, Proctor, on the part of the petitioner, Stanley Frederick de Saram of Colombo; and (1) the affidavit of the said petitioner dated March 3, 1921, (2) the power of attorney dated October 29 and 30, 1920, and November 2, 1920, and (3) the order of the Supreme Court dated February 1, 1921, having been read: It is ordered that the will of the said Leonard John Graham Clarke, deceased, dated December 5, 1917, and a codicil thereto dated January 10, 1920, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Stanley Frederick de Saram is the attorney in Ceylon of the executors named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before April 21, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 23, 1921.

V. M. FERNANDO,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Percival Charles Herit Fernando of Colpetty, deceased. No. 377.

Vincent Fernando of Colpetty Petitioner.

And

(1) Ellen Fernando, (2) George William Rudd Fernando, both of Colpetty, (3) Eva Ferreira of Dematagoda, (4) Florence Fernando, (5) Jessie Clarisa van Geyzel and her husband (6) Leslie van Geyzel, (7) Vera Walles and her husband (8) Stanley Walles, an o Colpetty, (9) William Fernando of Negombo, (10) Margaret Jennings and her husband (11) C. M. Jennings, both of No. 258, Main street, Ratnapura Respondents.

THIS matter coming on for disposal before V. M. Fernando, Esq., Acting District Judge of Colombo, on March 17, 1921, in the presence of Mr. D. W. Walpole, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated March 13, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as a 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 May 5, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 17, 1921.

V. M. FERNANDO,
Acting District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament or Trust Disposition and Settlement of Walter Stewart, at one time of Class IV. Attampettia, Bandaravela, in the Island of Ceylon, latterly of the Glen Edzell in the County of Forfar, Scotland, deceased. No. 382. Amount Rs. 453,624/38.

THIS matter coming on for disposal before V. M. Fernando, Esq., Additional District Judge of Colombo, on March 23, 1921, in the presence of Mr. D. E. Martensz, Proctor, on the part of the petitioner Stanley Frederick de Saram of Colombo; and (1) the affidavit of the said

petitioner dated March 3, 1921, (2) the power of attorney dated December 6 and 14, 1920, and (3) the order of the Supreme Court dated February 1, 1921, having been read: It is ordered that the will of the said Walter Stewart, deceased, dated February 5, 1918, a certified copy of which under the Seal of the Sheriff Court of Forfarshire 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 Stanley Frederick de Saram is the attorney in Ceylon of the executors named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before April 21, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 23, 1921.

V. M. Fernando,
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 William Sanford Robilliard of No. 385, Fairhazel Gardens, Hampstead, in the County of Middlesex, formerly of 32, Warwick Road, Earls Court, in the said County, deceased.

Class II.
Amount Rs. 3,375.

THIS matter coming on for disposal before V. M. Fernando, Esq., Additional District Judge of Colombo, on March 24, 1921, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner Frank Hyatt Yeats of Colombo, and (1) the affidavit of the said petitioner dated March 22, 1921, (2) the power of attorney dated June 25, 1920, and (3) the order of the Supreme Court dated February 1, 1921, having been read: It is ordered that the will of the said William Sanford Robilliard, deceased, dated June 5, 1893, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Frank Hyatt Yeats is the attorney in Ceylon of the sole executrix 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 April 21, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 24, 1921.

V. M. FERNANDO,
Additional District Judge,

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate and Effects of Mudalimaipala Appuhamillage Don Ason Sinno of Alutgama, Bogomuwa, deceased.

Gunsekera Ratnayakerallalage Jane Nona of Weweldeniya in the Udugaha pattu of Hapitigam korale Petitioner.

Vs.

(1) Mudalimaipala Appuhamillage Eugene Maipala, wife of (2) Vitane Aratchige Jinasena Amerapola, both of Mirigama in the Udugaha pattu of Hapitigam korale, (3) Mudalimaipala Appuhamillage Don Abraham Maipala of Weweldeniya aforesaid Respondents.

THIS matter coming on for disposal before V. M. Fernando, Esq., Acting District Judge of Colombo, on March 15, 1921, in the presence of Mr. D. A. J. Goonewardhane, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated March 10, 1921, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before April 28, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 15, 1921.

V. M. FERNANDO,
Acting District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament (with two Codicils) of Ida Mary Gordon of Portland Nursing Home, Portland street, Bath, in the County of Somerset, formerly of 2, Ashburton road, Southsea, in the County of Hants, widow, deceased.

Class IV.
Amount Rs. 79,840.

THIS matter coming on for disposal before V. M. Fernando, Esq., Additional District Judge of Colombo, on March 23, 1921, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner Daniel Cottier Wilson of Colombo; and (1) the affidavit of the said petitioner dated February 24, 1921, (2) the power of attorney dated November 9, 1920, and (3) the order of the Supreme Court dated February 1, 1921, having been read: It is ordered that the will of the said Ida Mary Gordon, deceased, dated April 8, 1919, and two codicils thereto dated May 30, 1919, and June 14, 1919, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Daniel Cottier Wilson is the attorney in Ceylon of the proving executors named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before April 21, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 23, 1921.

V. M. FERNANDO,
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 Cosmo Huntly Gordon of Southdown Hotel, Dumpford, Trotton, Petersfield, in the County of Sussex, Lieutenant-Colonel (retired) in His Majesty's Army, deceased.

Class I.
Amount Rs. 1,950.

THIS matter coming on for disposal before V. M. Fernando, Esq., Additional District Judge of Colombo, on March 23, 1921, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner Daniel Cottier Wilson of Colombo; and (1) the affidavit of the said petitioner dated February 24, 1921, (2) the power of attorney dated November 9, 1920, and (3) the order of the Supreme Court dated February 1, 1921, having been read: It is ordered that the will of the said Cosmo Huntly Gordon, deceased, dated November 28, 1918, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Daniel Cottier Wilson is the attorney in Ceylon of the proving executors of the will of Ida Mary Gordon, deceased the executrix 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 April 21, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 23, 1921.

V. M. FERNANDO,
Additional District Judge.

In the District Court of Kalutara.

Order Nisi declaring Will proved, &c.

No. 1,340. In the Matter of the Estate of the late Potmiriyage Don Monis, Police Vidane deceased, of Remunagoda.

THIS matter coming on for disposal before J. C. W. Rock, Esq., District Judge of Kalutara, on January 24, 1921, in the presence of Mr. Don Charles Bertus, Proctor, on the

part of the petitioner Potmitiyage Don Arnolis Appuhamy of Remunagoda; and the affidavit of the said petitioner dated October 29, 1920, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the eldest son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents—(1) Totagamuwe Liyana Aratchige Lokuhamy, (2) Potmitiyage Dona Saronona and husband (3) Wedduwage Limia Sinno, (4) Potmitiyage Don Pieris Sinno, (5) ditto Rosline Nona, (6) ditto Leyaris Sinno, (7) ditto Edmund, all of Remunagoda, (8) Willegodage Podisanno Appuhamy, (9) ditto Joseline Nona, both of Pantiya—or any other person or persons interested shall, on or before April 18, 1921, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 4th respondent be and he is hereby appointed guardian *ad litem* over the 5th, 6th, and 7th respondents, minors, and 8th respondent over 9th respondent, a minor, for all the purposes of this action, unless any person or persons interested shall, on or before April 18, 1921, show sufficient cause to the satisfaction of this court to the contrary.

January 24, 1921.

J. C. W. ROCK,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Katriaratchige Don Sadris Siriwardana, deceased, of Kolahakada. No. 1,351.

THIS matter coming on for disposal before J. C. W. Rock, Esq., District Judge of Kalutara, on February 28, 1921, in the presence of Mr. Hepponstall, Proctor, on the part of the petitioner Katriaratchige Don Brampy Siriwardana of Neboda; and the affidavit of the said petitioner dated February 8, 1921, having been read:

It is ordered and decreed that the petitioner be and he is hereby declared entitled, as a son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents, viz., (1) Katriaratchige Dorohamy, (2) Katriaratchige Nimalhamy Siriwardana, (3) Mangappulige Don Baron Appuhamy of Gabadagoda in Paiyagala, (4) Katriaratchige Esanhamy Siriwardana and husband (5) Jasinha Albert Appuhamy of Riti-ketiya, (6) Katriaratchige Punchedinno Siriwardana of Gampola estate, Yatiyantota, or any other person or person interested shall, on or before April 22, 1921, show cause to the satisfaction of this court to the contrary.

February 25, 1921.

J. C. W. ROCK,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Kuruppu Achohi Appuhamillage Don Gabriel Appuhamy, deceased, of Wilagedera. No. 1,398.

THIS matter coming on for disposal before W. T. Stace, Esq., District Judge, on March 11, 1921, in the presence of Mr. de Croos, Proctor, on the part of the petitioner Jayamannamohottige Dona Catherina Hamine of Wilagedera; and the affidavit of the said petitioner dated October 14, 1920, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as the wife of the said deceased, to administer the estate of the deceased above named, and that letters of administration do issue to her accordingly, unless the respondents—(1) Kuruppu Achohi Appuhamillage Don Daniel Appuhamy, (2) ditto Don Carnis Appuhamy, (3) ditto Josephine Hamine, (4) ditto Albert Appuhamy, minors by their guardian *ad litem* the 5th respondent, (5) Kuruppu Achohi Appuhamillage Don Jacob Appuhamy, all of Wilagedera—or any other person or persons interested shall, on or before April 26, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 11, 1921.

W. T. STACE,
District Judge.

In the District Court of Negombo.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Abeykoonpathirennelage Simon Pieris of Atupathdeniya, deceased. No. 1,914.

THIS matter coming on for disposal before W. T. Stace, Esq., District Judge, of Negombo on March 8, 1921, in the presence of Messrs. de Zoysa & Perera, Proctors, on the part of the petitioner Abeykoonpathirennelage Subaseris Appuhamy of Atupathdeniya; and the affidavit of the said petitioner dated March 2, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as a nephew of the said deceased, to administer the estate of the deceased above named, and that letters of administration do issue to him accordingly, unless the respondents—(1) Abeykoonpathirennelage Pieris Appuhamy, (2) ditto Mendis Appuhamy, (3) Manchanayaka Cornelia Hamine, (4) Abeykoonpathirennelage Abeykoon, (5) Tennekonralalage Peter Appuhamy, (6) ditto Podisanno Appuhamy, (7) ditto Kiribanda, Police Vidane, all of Kandalama, (8) ditto Kechehnona—assisted by her husband Surasinghe Wijeratne Ukkubanda Appuhamy of Wilwatta, (9) ditto Subichchi Nona, assisted by her husband Balasurimudiyanselage Hethuhamy of Kaladengama in the Kurunegala District, (10) Tennekonralalage Podinona of Hapugahagedera, (11) Singharalalage Podinona, assisted by her husband Muddanayaka-appuhamillage Sadris of Banduragoda, (12) ditto Daniel Appuhamy of Atupathdeniya, (13) ditto Arnolis Appuhamy of Atupathdeniya, (14) ditto Agoris Appuhamy of Kudagammana—or any person or persons interested shall, on or before April 12, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 8, 1921.

W. T. STACE,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Cornelis Walter Perera Wanigatunga, deceased, of Kandy. No. 3,737.

THIS matter coming on for disposal before Paulus Edward Pieris, Doctor of Letters, Acting District Judge, on March 10, 1921, in the presence of Messrs. Liesching & Lee, Proctors, on the part of the petitioner Rachel Cornelis Perera Wanigatunga, Peradeniya road, Kandy; and the affidavit of the said petitioner dated January 24, 1921, having been read: It is ordered that the petitioner be and she is hereby declared entitled to letters of administration to the estate of the deceased issued to her, unless the respondents—(1) Gabriel Herbert Cornelis Perera Wanigatunga, (2) Philippa Muriel Perera Wanigatunga, (3) Timothy Lloyd Perera Wanigatunga, by their guardian *ad litem* Fe derick W. P. Gunawardana of Kandy—shall, on or before April 21, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 10, 1921.

P. E. PIERIS,
Acting District Judge.

In the District Court of Kandy.

Testamentary In the Matter of the Estate of the late Jurisdiction. Kana Loona Meeyana Athamadu Abdul Cader of Marrikarpalli-them, Kajalpatnam, Tiruchendur taluqa, Tinnevely District, South India. No. 3,750.

THIS matter coming on for disposal before Paulus Edward Pieris, Doctor of Letters, Acting District Judge of Kandy, on February 22, 1921, in the presence of Mr. W. Beven, Proctor, on the part of the petitioner Ana Kuna Magudu Mohamadu of Udawela; and the affidavit of the said petitioner dated February 14, 1921, and the petition having been read:

It is ordered that the said petitioner be and he is hereby declared entitled to have letters of administration to the estate of the deceased issued to him, unless the respondents—(1) Magudu Pathumma and (2) Habibu Pathumma, both

of Marikkarpalli-kadalkarai-theru aforesaid—or any person or persons interested shall on or before April 14 next, show sufficient cause to the satisfaction of this court to the contrary.

March 2, 1921.

P. E. PIERIS,
Acting District Judge.

In the District Court of Kandy.

Testamentary Jurisdiction. In the Matter of the Estate of the late Meera Saibba son Mohamadu Naina Marikar No. 7,353. Hajjar of Appa-palliwasal-theru in Kayal-patnam of Tiruchendur taluga, Tinnevely District, South India.

THIS matter coming on for disposal before Paulus Edward Pieris, Doctor of Letters, Acting District Judge of Kandy, on February 28, 1921, in the presence of Mr. W. Beven, Proctor, on the part of the petitioner Saiyadu Mohamadu's daughter Awudu Umma Hadji of Aluwihare, Matale; and the affidavit of the said petitioner dated November 16, 1920, and her petition having been read:

It is ordered that the petitioner above-named, as widow of the above-named deceased, be and she is hereby declared entitled to have letters of administration to the said deceased's estate issued to her, unless any person or persons interested shall, on or before April 14, 1921, show sufficient cause to the satisfaction of this court to the contrary.

February 28, 1921.

P. E. PIERIS,
Acting District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the deceased, Meponis Jayasinhe Karunaratna, of Uyanwatta No. 2,710.

Weerappuliarachchige Rosihamy of Uyanwatta. Petitioner.

Vs.

Meginona Jayasinhe Karunaratna and others. Respondents.

THIS matter coming on for disposal before F. D. Peries, Esq., District Judge, Matara, on February 22, 1921, in the presence of her own person the petitioner, Weerappuliarachchige Rosihamy; and the affidavit of the said petitioner dated February 18, 1921, having been read:

It is ordered that the said petitioner, as lawful wife of the deceased above named, is entitled to have letters of administration issued to her accordingly, unless the respondents—(1) Megi Jayasinhe Karunaratna, (2) ditto Ostin, (3) ditto Elbert, (4) ditto Egnis, (5) Weerappuliarachchige Don Appu, all of Uyanwatta—shall, on or before March 24, 1921, show sufficient cause to the contrary.

It is further ordered that the 5th respondent be appointed guardian *ad litem* over the minors, 1st to 4th respondents, unless the respondents shall, on or before March 24, 1921, show sufficient cause to the satisfaction of this court to the contrary.

February 22, 1921.

F. D. PERIES,
District Judge

Extended to April 27, 1921.

March 24, 1921.

W. H. B. CARBERY,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Sinnathamby Vairavappillai of Tellippallai west, late of Kwala Pila, deceased. No. 4,442.

(1) Sidampary Sinnathamby and wife (2) Sidamparam of Tellippallai west Petitioners.

Vs.

Nellippillai, widow of Sinnathamby Vairavappillai of Tellippallai west Respondent.

THIS matter of the petition of the above named petitioners, praying for letters of administration to the estate of

the above named deceased, Sinnathamby Vairavappillai, coming on for disposal before G. W. Woodhouse, Esq., District Judge, on March 7, 1921, in the presence of Mr. V. Apparswami, Proctor, on the part of the petitioner; and the affidavit of the 1st petitioner dated February 23, 1921, having been read: It is ordered that the 1st petitioner be and he is hereby declared entitled, as the father and one of the heirs of the said deceased, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondent above named or any other person shall, on or before April 12, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 10, 1921.

G. W. WOODHOUSE,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of Rasanayagam Seevar tnam of Manippay, late of Kankesanturai, deceased. No. 4,430.

Nannitamby Kathiravelu of Manippay Petitioner.

Vs.

(1) Mootatampi Chelliah of Serendib, Badulla, and wife (2) Annamma of ditto, (3) Murugesar Kanagarettnam, General Post Office, Singapore, (4) T. T. Nathan of Teroi, Negri Sembilan, F. M. S., and wife (5) Ponnamma of ditto Respondents.

THIS matter of the petition of Nannitamby Kathiravelu of Manippay, praying for letters of administration to the estate of the above-named, deceased, Rasanayagam Seevarrettnam, coming on for disposal before G. W. Woodhouse, Esq., District Judge, on February 15, 1921, in the presence of Mr. E. Murugesampillai, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated February 4, 1921, having been read: It is declared that the petitioner is a creditor 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 March 10, 1921, show sufficient cause to the satisfaction of this court to the contrary.

February 19, 1921.

H. VANNASINGAM,
District Judge.

Extended to April 15, 1921.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Naranapillai Manikkam of Moolay, deceased. No. 4,447.

Naranapillai Ampalavanar of Moolay Petitioner.

Vs.

(1) Naranapillai Kandiah, (2) Annappillai, widow of Arunasalam Karthigesu, (3) Sinnathamby Kanapathipillai and wife (4) Valliammai, all of Moolay .. Respondents.

THIS matter of the petition of Naranapillai Ampalavanar of Moolay, praying for letters of administration to the estate of the above-named deceased, Naranapillai Manikkam of Moolay coming on for disposal G. W. Woodhouse, Esq., District Judge, on March 15, 1921, in the presence of Mr. S. Sittampalam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated March 14, 1921, having been read: It is declared that the petitioner is an 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 April 19, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 18, 1921

G. W. WOODHOUSE,
District Judge.

In the District Court of Anuradhapura.

Testamentary Jurisdiction. In the Matter of the Estate of the late Manuel de Silva of Anuradhapura, No. 281. deceased.

Lawrence de Silva of Anuradhapura.....Petitioner.

Vs.

(1) Manuel Thomas, (2) John Boy, both of Kelaoya..... Respondents.

THIS matter coming on for disposal before S. D. Krisnaratne, Esq., Acting District Judge of Anuradhapura, on

March 30, 1921, in the presence of Mr. A. V. de Silva, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner praying for letters of administration to the above estate having been read: It is ordered and decreed that the petitioner, as brother of the deceased, is entitled to letters of administration to the said estate, and that the same be issued to him accordingly, unless the respondents or any person or persons interested shall, on April 15, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 30, 1921.

S. D. KRISNARATNE,
Acting District Judge.