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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 to consolidate and amend the Law relating to the Property of Married Women.

WHEREAS it is expedient to consolidate and amend the law relating to the property of married women: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Preamble.

1 This Ordinance may be cited as "The Married Women's Property Ordinance, No. of 1921," and shall come into operation on such date as the Governor shall, by Proclamation in the "Government Gazette," appoint.

Short title and commencement.

2 In this Ordinance, unless the context otherwise requires—

Definitions.

"Immovable property" includes land, incorporeal hereditaments and things attached to the earth or permanently fastened to anything which is attached to the earth, and any interest in land except that of a mortgagee ;

"Movable property" means property of every description, except immovable property, and includes a thing in action ;

"Contract" includes the acceptance of any trust or of the office of executrix or administratrix, and the provisions of this Ordinance as to liabilities of married women shall extend to all liabilities by reason of any breach of trust or devastavit committed by any married woman being a trustee or executrix or administratrix either before or after her marriage, and her husband shall not be subject to such liabilities, unless he has acted or intermeddled in the trust or administration.

On intermarriage of persons of different races, laws to which husband subject, to prevail; Ordinance not otherwise to apply to Kandyan, Muhammadans, or Tamils under the Tesawalamai.

3 (1) Whenever a woman marries, after the commencement of this Ordinance, a man of different race or nationality from her own, she shall, subject to the provisions of section 4 of "The Jafna Matrimonial Rights and Inheritance Ordinance, 1911," and of "The Kandyan Marriages Ordinance, No. 23 of 1917," be taken to be of the same race or nationality as her husband for all the purposes of this Ordinance, so long as the marriage subsists and until she marries again.

(2) Save as aforesaid, and save as is in section 24 expressly provided, this Ordinance shall not apply to Kandyans, Muhammadans, or Tamils of the Northern Province who are or may become subject to the Tesawalamai.

Repeal of sections 5 to 19 and 22 and 23 of Ordinance No. 15 of 1876.

4 Sections 5 to 19 (both inclusive) and sections 22 and 23 of "The Matrimonial Rights and Inheritance Ordinance, 1876," are hereby repealed:

Provided, however, that such repeal shall not affect any act done or right acquired while such sections were in force, or any right or liability of any husband or wife, married before the commencement of this Ordinance, to sue or be sued under the provisions of the said repealed sections, for or in respect of any debt, contract, wrong, or other matter or thing whatsoever; for or in respect of which any such right or liability shall have accrued to or against such husband or wife before the commencement of this Ordinance.

Married woman to be capable of holding property and of contracting as if unmarried.

5 (1) A married woman shall, in accordance with the provisions of this Ordinance, be capable of acquiring, holding, and disposing by will or otherwise, of any movable or immovable property as her separate property, in the same manner as if she were a feme sole, without the intervention of any trustee.

(2) A married woman shall be capable of entering into, and rendering herself liable in respect of and to the extent of her separate property on, any contract, and of suing and being sued, either in contract or in tort, or otherwise, in all respects as if she were a feme sole, and her husband need not be joined with her as plaintiff or defendant, or be made a party to any action or other legal proceeding brought by or taken against her; and any damages or costs recovered by her in any such action or proceeding shall be her separate property; and any damages or costs recovered against her in any such action or proceeding shall be payable out of her separate property, and not otherwise.

(3) Every contract hereafter entered into by a married woman, otherwise than as agent—

(a) Shall be deemed to be a contract entered into by her with respect to and to bind her separate property whether she is or is not in fact possessed of or entitled to any separate property at the time when she enters into such contract;

(b) Shall bind all separate property which she may at that time or thereafter be possessed of or entitled to; and

(c) Shall also be enforceable by process of law against all property which she may thereafter while discovert be possessed of or entitled to.

Provided that nothing contained in this sub-section shall render available to satisfy any liability or obligation arising out of such contract any separate property which at that time or thereafter she is restrained from anticipating.

(4) Every married woman carrying on a trade separately from her husband shall, in respect of her separate property, be subject to the insolvency laws in the same way as if she were a feme sole.

Will of married woman.

6 Any will made by a married woman during the subsistence of her marriage shall, whether she is or is not possessed of or entitled to any separate property at the time of making it, be construed, as regards the property contained therein, to speak and take effect as if it had been executed immediately before her death; provided, however, that there shall appear nothing in the will showing a contrary intention.

7 Every woman who marries after the commencement of this Ordinance shall be entitled to have and to hold as her separate property, and to dispose of in manner aforesaid, all movable and immovable property which shall belong to her at the time of marriage, or shall be acquired by or devolve upon her after marriage, including any wages, earnings, money, and property gained or acquired by her in any employment, trade, or occupation in which she is engaged, or which she carries on separately from her husband, or by the exercise of any literary, artistic, or scientific skill.

Property of a woman married after the Ordinance to be held by her as a feme sole.

8 Any money or other property of the wife lent or entrusted by her to her husband for the purpose of any trade or business carried on by him, or otherwise, shall be treated as assets of her husband's estate in case of his insolvency, under reservation of the wife's claim to a dividend as a creditor for the amount or value of such money or other property after, but not before, all claims of the other creditors of the husband for valuable consideration in money or money's worth have been satisfied.

Loans by wife to husband.

9 The execution of a general power by will by a married woman shall have the effect of making the property appointed liable for her debts and other liabilities in the same manner as her separate estate is made liable under this Ordinance.

Execution of general power.

10 Every woman married before the commencement of this Ordinance shall be entitled to have and to hold and to dispose of in manner aforesaid as her separate property all movable and immovable property, her title to which, whether vested or contingent, and whether in possession, reversion, or remainder, shall accrue after the commencement of this Ordinance, including any wages, earnings, money, and property so gained or acquired by her as aforesaid.

Property acquired after the Ordinance by a woman married before the Ordinance to be held by her as if unmarried.

11 All deposits in any post office or other savings bank, or in any other bank, all annuities granted by any person, and all sums forming part of the public stocks or funds, which at the commencement of this Ordinance are standing in the sole name of a married woman, and all shares, stock, debentures, debenture stock, or other interests of or in any corporation, company, or public body, municipal, commercial, or otherwise, or of or in any industrial, provident, friendly, benefit, building, or loan society, which at the commencement of this Ordinance are standing in her name, shall be deemed, unless and until the contrary be shown, to be the separate property of such married woman; and the fact that any such deposit, annuity, sum forming part of the public stocks or funds, share, stock, debenture, debenture stock, or other interest as aforesaid, is standing in the sole name of a married woman, shall be sufficient *prima facie* evidence that she is beneficially entitled thereto for her separate use, so as to authorize and empower her to receive or transfer the same, and to receive the dividends, interest, and profits thereof, without the concurrence of her husband, and to indemnify the Postmaster-General, and all directors, managers, and trustees of every such bank, corporation, company, public body, or society as aforesaid, in respect thereof.

As to stock, &c., to which a married woman is entitled.

12 All sums forming part of the public stocks or funds, and all such deposits and annuities respectively as are mentioned in the last preceding section, and all shares, stock, debentures, debenture stock, and other interests of or in any such corporation, company, public body, or society as aforesaid, which after the commencement of this Ordinance shall be allotted to, or placed, registered, or transferred in or into, or made to stand in, the sole name of any married woman, shall be deemed, unless and until the contrary be shown, to be her separate property, in respect of which, so far as any liability may be incident thereto, her separate estate shall alone be liable, whether the same shall be so expressed in the document whereby her title to the same is created or certified, or in the books or register wherein her title is entered or recorded, or not:

As to stock, &c., to be transferred, &c., to a married woman.

Proviso.

Provided always that nothing in this Ordinance shall require or authorize any corporation or joint stock company to admit any married woman to be a holder of any shares or stock therein to which any liability may be incident, contrary to the provisions of any Act of the Imperial Parliament, Ordinance, charter, by-law, articles of association, or deed of settlement regulating such corporation or company.

Investments in joint names of married women and others.

13 All the provisions hereinbefore contained as to deposits in any post office or other savings bank, or in any other bank, annuities, sums forming part of the public stocks or funds, shares, stock, debentures, debenture stock, or other interests of or in any such corporation, company, public body, or society as aforesaid respectively, which at the commencement of this Ordinance shall be standing in the sole name of a married woman, or which, after that time, shall be allotted to, or placed, registered, or transferred to or into, or made to stand in, the sole name of a married woman, shall respectively extend and apply, so far as relates to the right, title, or interest of the married woman, to any of the particulars aforesaid which, at the commencement of this Ordinance, or at any time afterwards, shall be standing in, or shall be allotted to, placed, registered, or transferred to or into, or made to stand in, the name of any married woman jointly with any person or persons other than her husband.

As to stock, &c., standing in the joint names of a married woman and others.

14 It shall not be necessary for the husband of any married woman, in respect of her interest, to join in the transfer of any such annuity or deposit as aforesaid, or any sum forming part of the public stocks or funds, or any share, stock, debenture, debenture stock, or other benefit, right, claim, or other interest of or in any such corporation, company, public body, or society as aforesaid, which is now or shall at any time hereafter be standing in the sole name of any married woman, or in the joint names of such married woman and any other person or persons not being her husband.

Fraudulent investments with money of husband.

15 If any investment in any such deposit or annuity as aforesaid, or in any of the public stocks or funds, or in any share, stock, debenture, or debenture stock of any corporation, company, or public body, municipal, commercial, or otherwise, or in any share, debenture, benefit, right, or claim whatsoever in, to, or upon the funds of any industrial, provident, friendly, benefit, building, or loan society, shall have been made by a married woman by means of moneys of her husband, without his consent, the court may, upon an application under section 22 of this Ordinance, order such investment and the dividends thereof, or any part thereof, to be transferred and paid respectively to the husband; and nothing in this Ordinance contained shall give validity as against creditors of the husband to any gift, by a husband to his wife, of any property, which, after such gift shall continue to be in the order and disposition or reputed ownership of the husband, or to any deposit or other investment of moneys of the husband made by or in the name of his wife in fraud of his creditors; but any money so deposited or invested may be followed as if this Ordinance had not been passed.

Moneys payable under policy of assurance.

16 (1) A married woman may by virtue of the power of making contracts hereinbefore contained effect a policy upon her own life or the life of her husband for her separate use; and the same and all benefit thereof shall enure accordingly.

(2) A policy of assurance effected by any man on his own life, and expressed to be for the benefit of his wife, or of his children, or of his wife and children, or any of them, or by any woman on her own life, and expressed to be for the benefit of her husband, or of her children, or of her husband and children, or any of them, shall create a trust in favour of the objects therein named, and the moneys payable under any such policy shall not, so long as any object of the trust remains unperformed, form part of the estate of the insured, or be subject to his or her debts: Provided that if it shall be proved that the policy was effected and the premiums paid with intent to defraud the creditors of the insured, they shall be entitled to receive, out of the moneys payable under the policy, a sum equal to the premiums so paid.

Proviso.

(3) The insured may by the policy, or by any memorandum under his or her hand, appoint a trustee or trustees of the moneys payable under the policy, and from time to time appoint a new trustee or new trustees thereof, and may make provision for the appointment of a new trustee or new trustees thereof, and for the investment of the moneys payable under any such policy.

(4) In default of any such appointment of a trustee, such policy, immediately on its being effected, shall vest in the insured and his or her executor or administrator, in trust for the purposes aforesaid.

(5) If, at the time of the death of the insured, or at any time afterwards, there shall be no trustee, or it shall be expedient to appoint a new trustee or new trustees, a trustee or trustees or a new trustee or new trustees may be appointed by any court having jurisdiction under the provisions of "The Trusts Ordinance, No. 9 of 1917," or any Ordinance amending and extending the same.

(6) The receipt of a trustee or trustees duly appointed, or, in default of any such appointment, or in default of notice to the insurance office, the receipt of the executor or administrator of the insured shall be a discharge, to the office for the sum secured by the policy, or for the value thereof, in whole or in part.

17 (1) Every woman, whether married before or after this Ordinance, shall have in her own name against all persons whomsoever, including her husband, the same civil remedies, and also (subject, as regards her husband, to the proviso hereinafter contained) the same remedies and redress by way of criminal proceedings, for the protection and security of her own separate property, as if such property belonged to her as a feme sole, but, except as aforesaid, no husband or wife shall be entitled to sue the other for a tort.

Remedies of married woman for protection and security of separate property.

(2) In any indictment or other proceeding under this section it shall be sufficient to allege such property to be her property.

(3) In any proceeding under this section a husband or wife shall be competent to give evidence against each other, any statute or rule of law to the contrary notwithstanding.

(4) Provided always that no criminal proceedings shall be taken by any wife against her husband by virtue of this Ordinance while they are living together, as to or concerning any property claimed by her, nor while they are living apart, as to or concerning any act done by the husband while they were living together, concerning property claimed by the wife, unless such property shall have been wrongfully taken by the husband when leaving or deserting, or about to leave or desert, his wife.

Proviso.

18 A woman after her marriage shall continue to be liable in respect and to the extent of her separate property for all debts contracted, and all contracts entered into or wrongs committed by her before her marriage, including any sums for which she may be liable as a contributory, either before or after she has been placed on the list of contributories, under and by virtue of the Ordinances relating to joint stock companies; and she may be sued for any such debt and for any liability in damages or otherwise under any such contract, or in respect of any such wrong; and all sums recovered against her in respect thereof, or for any costs relating thereto: shall be payable out of her separate property; and, as between her and her husband, unless there be any contract between them to the contrary, her separate property shall be deemed to be primarily liable for all such debts, contracts, or wrongs, and for all damages or costs recovered in respect thereof: Provided always that nothing in this Ordinance shall operate to increase or diminish the liability of any woman married before the commencement of this Ordinance for any such debt, contract, or wrong as aforesaid, except as to any separate property to which she may become entitled by virtue of this Ordinance, and to which she would not have been entitled for her separate use under the sections hereby repealed or otherwise, if this Ordinance had not been passed.

Wife's ante-nuptial debts and liabilities.

Proviso.

Husband to be liable for his wife's debts contracted before marriage to a certain extent.

19 A husband shall be liable for the debts of his wife contracted, and for all contracts entered into and wrongs committed by her, before marriage, including any liabilities to which she may be so subject under the Ordinances relating to joint stock companies as aforesaid, to the extent of all property whatsoever belonging to his wife which he shall have acquired or become entitled to, from or through his wife, after deducting therefrom any payments made by him, and any sums for which judgment may have been *bona fide* recovered against him in any proceeding at law, in respect of any such debts, contracts, or wrongs for or in respect of which his wife was liable before her marriage as aforesaid; but he shall not be liable for the same any further or otherwise; and any court in which a husband shall be sued for any such debt shall have power to direct any inquiry or proceedings which it may think proper for the purpose of ascertaining the nature, amount, or value of such property: Provided always that nothing in this Ordinance contained shall operate to increase or diminish the liability of any husband married before the commencement of this Ordinance for or in respect of any such debt or other liability of his wife as aforesaid.

Suits for ante-nuptial liabilities.

20 (1) A husband and wife may be jointly sued in respect of any such debt or other liability (whether by contract or for any wrong) contracted or incurred by the wife before marriage as aforesaid, if the plaintiff in the action shall seek to establish his claim, either wholly or in part, against both of them.

(2) If in any such action, or in any action brought in respect of any such debt or liability against the husband alone, it is not found that the husband is liable in respect of any property of the wife so acquired by him or to which he shall have become so entitled as aforesaid, he shall have judgment for his costs of defence, whatever may be the result of the action against the wife if jointly sued with him.

(3) In any such action against husband and wife jointly, if it appears that the husband is liable for the debt or damages recovered, or any part thereof, the judgment to the extent of the amount for which the husband is liable shall be a joint judgment against the husband personally and against the wife as to her separate property; and as to the residue, if any, of such debt and damages, the judgment shall be a separate judgment against the wife as to her separate property only.

Act of wife liable to criminal proceedings.

21 A wife doing any act with respect to any property of her husband, which, if done by the husband with respect to property of the wife, would make the husband liable to criminal proceedings by the wife under this Ordinance, shall in like manner be liable to criminal proceedings by her husband.

Questions between husband and wife as to property to be decided in a summary way.

22 (1) In any question between husband and wife as to the title or possession of property, either party, or any such bank, corporation, company, public body, or society, as aforesaid, in whose books any stocks, funds, or shares of either party may be standing, may apply by motion in a summary way to the District Court of the district in which either party resides.

(2) The District Judge may make such order, direct such inquiry, and award such costs as he shall think fit.

(3) The District Judge may, if either party so require, hear the application in his private room.

(4) Any order so made shall be subject to appeal to the Supreme Court, and for the purposes of such appeal shall be regarded as an interlocutory order of the District Court.

(5) Any such bank, corporation, company, public body, or society as aforesaid shall, in the matter of such application for the purposes of costs or otherwise, be treated as a stakeholder only.

Married woman as trustee, executrix, or administratrix.

23 A married woman who is a trustee solely or jointly with any other person or persons of property subject to any trust, or who is an executrix or administratrix solely or jointly as aforesaid of the estate of any deceased person, may sue or

be sued, and may, without her husband, dispose of or join in disposing of any movable or immovable property held by her as such trustee, executrix, or administratrix, as if she were a feme sole.

24 (1) Notwithstanding anything in this Ordinance contained, a restriction against anticipation may be attached to the enjoyment of any property or income under any settlement, agreement for a settlement, will, or other instrument by a woman during marriage, and thereupon, during the subsistence of any marriage to which such woman is a party, she shall, subject to the provisions of this section, be incapable of anticipating the enjoyment of any such property or income; and the principles and doctrine of the Law of England with respect to restraint on anticipation for the time being in force shall apply in each and every such case.

Married woman cannot bind property or income subject to a restraint in anticipation.

(2) No restriction against anticipation contained in any settlement or agreement for a settlement of a woman's own property to be made or entered into by herself shall have any validity against debts contracted by her before marriage, and no settlement or agreement for a settlement shall have any greater force or validity against creditors of such woman than a like settlement or agreement for a settlement made or entered into by a man would have against his creditors.

(3) In any action or proceeding now or hereafter instituted by a woman or by a next friend on her behalf, the court before which such action or proceeding is pending shall have jurisdiction by decree or order from time to time to order payment of the costs of the opposite party out of such property or income, and may enforce such payment by the appointment of a receiver and the sale of the property or otherwise as may be just.

(4) The Supreme Court may, if it thinks fit, when it appears to be for her benefit, by decree or order, with her consent, bind her interest in such property.

(5) The provisions of this Ordinance relating to restraint on anticipation shall during the subsistence of the marriage also apply to a woman married to a Kandyan or Muhammadan, or to a Tamil of the Northern Province who is or may become subject to the Tesawalamai.

25 Nothing in this Ordinance contained shall interfere with or affect any settlement or agreement for a settlement made or to be made, whether before or after marriage, respecting the property of any married woman:

Saving of existing settlements, and the power to make future settlements.

Provided that a settlement or agreement for a settlement made after the commencement of this Ordinance by the husband or intended husband, whether before or after marriage, respecting the property of any woman he may marry or have married, shall not be valid unless it is executed by her if she is of full age, or confirmed by her after she attains full age; but if she dies an infant, any covenant or disposition by her husband shall nevertheless bind or pass any interest in any property of hers to which he may become entitled on her death and which he could have bound or disposed of if this Ordinance had not been passed.

26 When a married woman having sufficient separate property neglects or refuses to maintain her husband, who through illness or otherwise is unable to maintain himself, the Police Magistrate within whose jurisdiction such woman resides, may, upon application of the husband, make and enforce such order against her for the maintenance of her husband out of such separate property as by the third section of "The Maintenance Ordinance, 1889," he may now make and enforce against a husband for the maintenance of his wife.

Married woman to be liable for the maintenance of her husband.

27 A married woman having separate property adequate for the purposes shall be subject to all such liability for the maintenance of her children as a widow is now by law subject to for the maintenance of her children. Provided that nothing in this Ordinance shall relieve her husband from any liability at present imposed upon him by law to maintain her children.

Wife with separate property liable for the maintenance of her children.

Liability of executor or administrator of married woman.

S. C. Velleianum and authenticæ si qua mulier abrogated.

28 For the purposes of this Ordinance the executor or administrator of any married woman shall in respect of her separate estate have the same rights and liabilities and be subject to the same jurisdiction as she would be if she were living.

29 From and after the commencement of this Ordinance the *exceptio beneficii Senatus-Consulti Velleiani*, the *exceptio beneficii authenticæ si qua mulier*, and the sixth section of the Placaat or Edict of the Emperor Charles V. dated the Fourth day of October, 1540, relating to marriage settlements, shall not apply or have any force whatsoever in the Colony.

Statement of Objects and Reasons.

As the result of a motion made by the Hon. Mr. K. Bala-singham in Legislative Council on June 29, 1920, proposing that "The Matrimonial Rights Ordinance, 1876," be amended so as to bring the rights of married women in their property more into conformity with the law of England, a Committee was appointed to go into the whole subject.

The Committee has prepared this Bill, but, before attention is called to its provisions, it may be useful to deal first of all with the existing law on the subject.

In section 2 of Ordinance No. 15 of 1876 it is provided that where a woman marries a man of different race or nationality, she is to be taken to be of the same race or nationality as her husband so long as the marriage subsists or until she marries again; but otherwise that Ordinance is not to apply to Kandyans or Muhammadans or Tamils subject to the Tesawalamai.

The specific provisions dealing with the position of married women in relation to their property are contained in sections 5 to 33 of the Ordinance; and are based on the provisions of the Married Women's Property Act, 1870, of the Imperial Parliament.

But in 1882 there was passed in England the Married Women's Property Act, 1882, which made very great changes in the position of married women as regards their property; and the Committee are of opinion that the law of Ceylon on this subject should be closely assimilated to that of England; and in this Bill effect has been given to that opinion.

By section 3 (1) of the Bill, but subject to the provisions of section 4 of "The Jaffna Matrimonial Rights and Inheritance Ordinance, 1911," and of Ordinance No. 23 of 1917, the same limitations as are above referred to apply to Kandyans, Muhammadans, and Tamils subject to the Tesawalamai; with the great exception that a restraint on anticipation may be placed upon property belonging to a woman marrying a Kandyan, Muhammadan, or Tamil subject to the Tesawalamai. An explanation will be given under section 24 as to the effect of a restraint on anticipation.

The ruling principle of the Bill is contained in section 5—that a woman may acquire, hold, and dispose by will or otherwise of any property as if she were unmarried; and she may also enter into contracts, and sue and be sued in respect of contracts and wrongs as if she were unmarried. But her contracts are only to bind such part of her separate estate as she is not restrained from anticipating.

By section 6 of the Bill provision is made as to the effect of a will by a married woman; and by section 7 a woman married after the Bill becomes law is to have, hold, and dispose of all property belonging to her as her separate property. If she was married before the Bill becomes law, she is to have similar rights over property which she acquires after that date.

Other provisions to which short reference may be made are—

- (1) Section 8.—Postponement of loans made by a wife to a husband in case of the latter's insolvency ;
- (2) Section 9.—Effect of execution of a general power by will ;
- (3) Section 11.—Provision that all deposits, annuities, and stocks standing in the sole name of a married woman are, until the contrary is shown, to be regarded as her separate property ;
- (4) Section 13.—Provision as to investments standing in names of a married woman and of others jointly ; and
- (5) Section 15.—Fraudulent investments by a wife with the money of her husband.

Section 16 of the Bill is a most important one. In the first place, a wife may effect a policy on her own life or on that of her husband for her separate use ; and in the next, provision is made for a man to insure his life for the benefit of his wife and children. In such case a trust is to be created in favour of the objects to be benefited, and moneys payable under the policy are not, so long as any object of the trust remains unperformed, to form part of the estate or be subject to the debts of the insured.

By section 17 a married woman, whether married before or after the Bill becomes law, is to have the same remedies, in respect of her property, as if she were unmarried ; but, in the case of her husband, she cannot take criminal proceedings against him in respect of property, unless such property has been wrongfully taken by him when leaving or deserting the wife. Similarly, a wife is liable to criminal proceedings by a husband (section 21).

After her marriage a woman remains liable for ante-nuptial debts and liabilities to the extent of her separate property ; and her husband is also liable to the extent of any property acquired by him from or through his wife (sections 18, 19, and 20).

By section 22 a summary method of application to the District Court in cases of disputes as to property between husbands and wives is provided.

Section 24 is the important section dealing with restraint on anticipation, to which reference has already been made ; and it provides for the application of this principle in the case of all marriages, including those of Kandyans, Muhammadans, and Tamils subject to the Tesawalamai.

By the law of England property may be left to a woman subject to a restraint on the anticipation of enjoyment of the income or corpus of such property. While she is unmarried or a widow this restraint does not operate, and may be dealt with by her, and is subject to her debts and liabilities just as if she were unmarried. But directly she marries, the restraint becomes operative, and she cannot change or dispose of such income or corpus by any voluntary act on her part. The Supreme Court may, however, with her consent bind her interest in such property if a Judge thinks it is to her interest to do so.

The Committee was strongly impressed with the advisability of making this rule as to restraint on anticipation applicable to all married women, whatever their nationality ; otherwise there is always the danger that a woman, particularly if she is young, may be influenced to her own serious and permanent detriment.

Attention also is called to section 26, which makes a married woman who has sufficient property liable to maintain her husband, and to section 27, which in certain cases makes her liable to maintain her children.

MINUTE.

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

An Ordinance further to amend "The Courts Ordinance, 1889."

Preamble.	W HEREAS it is expedient further to amend "The Courts Ordinance, 1889": 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 Courts (Amendment) Ordinance, No. of 1921."
Amendment of section 8 of the principal Ordinance.	2 Section 8 of the principal Ordinance is hereby amended in the following respects: <ul style="list-style-type: none"> (a) By striking out the word "four" in line 3 and inserting in lieu thereof the word "five"; and (b) By striking out the word "three" wherever the same occurs and inserting in lieu thereof the word "four."
Amendment of section 28 of the principal Ordinance.	3 Section 28 of the principal Ordinance shall be amended in the following respects: <ul style="list-style-type: none"> (a) By the addition of the following words immediately before the proviso thereto: <p style="margin-left: 40px;">"For the Eastern Circuit, twice at least at Batticaloa and such other place or places in such circuit as the Governor, after previous consultation with the Judges, shall appoint, such sessions commencing at Batticaloa in the month of February and the month of July in every year."</p> (b) By the addition of the following proviso at the end thereof: <p style="margin-left: 40px;">"Provided further that in the event of it proving impracticable or inconvenient for any Judge, by reason of pressure of circuit or other work elsewhere, to arrive at any circuit town in time to commence any sessions on the date appointed, such Judge may, on giving such public or other notice as he may deem necessary for the purpose of informing all persons concerned, postpone such sessions until such other date (not more than one week later than the date appointed) as he may deem convenient."</p>
Insertion of new section 54 A in principal Ordinance.	4 Section 54 A of the principal Ordinance as the same is contained in section 13 of Ordinance No. 24 of 1901 is hereby repealed; and there shall be inserted in lieu thereof the following section:
Chief Justice may order appeal to be heard by five Judges.	54 A. It shall be lawful for the Chief Justice to make order in writing in respect of any case brought before the Supreme Court by way of appeal, review, or revision that it shall be heard by and before all the five Judges of such Court and the decision of such Judges when unanimous, or of the majority of them in case of any difference of opinion, shall in all cases be deemed and taken to be the judgment of the Supreme Court.

By His Excellency's command,

Colonial Secretary's Office, GRAEME THOMSON,
Colombo, September 29, 1921. Colonial Secretary.

Statement of Objects and Reasons.

The amount of work in the Supreme Court has increased so greatly that it has become unavoidable to increase the number of the Judges from four to five. As section 8 of "The Courts Ordinance, 1889," provides only for four Judges, the amendment proposed to be made by section 2 of this Bill is necessary before a fifth Judge can be appointed.

2. The object of section 3 (a) of the Bill is to make the necessary amendment in section 28 of the principal Ordinance to allow of a separate circuit for the Eastern Province for the convenience of the residents of that Province, while the amendment in section 3 (b) is made with the object of providing for cases where circuits may overlap owing to the business at one of them having taken longer than was expected.

3. Section 4 of the Bill makes a necessary alteration in section 54 A of the principal Ordinance in consequence of the increase in the number of the Judges.

Attorney-General's Chambers,
Colombo, August 11, 1921.

H. C. GOLLAN,
Attorney-General.

PASSED ORDINANCE.

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

No. 34 of 1921.

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

W. H. MANNING.

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:

Preamble.

1 This Ordinance may be cited as "The Co-operative Societies Ordinance, No. 34 of 1921."

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.

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.

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.

Preamble.

Short title.

Definitions

Power to
Governor to
appoint
registrar and
assistant
registrars.

Societies which
may be
registered.

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

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 within its proposed area of operations.

(2) When any question arises as to the age or residence of any person, or as to the ownership of landed property, the same shall be decided by the Committee, subject to an appeal to 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, he shall 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 shall 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.

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.

Restrictions on transfer of share or interest.

Duties of Registered 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.

Address of societies.

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.

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

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.

Audit.

(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, the Assistant 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.

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.

Societies to be bodies corporate.

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—

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

(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 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.

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.

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

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 transfer the share or interest of the deceased member to the person nominated in accordance with the rules made in this behalf, or, if there is no person so nominated, to such person as may appear to the committee to be the heir or legal representative of the deceased member, or pay to such nominee, heir, or legal representative, as the case may be, 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 may 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 so 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.

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.

Restrictions on loans.

(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.

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 borrowing.

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.

Restrictions on other transactions with non-members.

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.

Investment of society's funds.

(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.

31 (1) No part of the funds of a registered society shall be divided by way of bonus or dividend or otherwise among its members. Provided that after at least one-fourth of the nett profits in any year has been carried to a fund (to be called the reserve fund), payments from the remainder of such profits and from any profits of past years available for distribution may be made among the members to such extent and under such conditions as may be prescribed by the rules or by-laws.

Disposal of profits.

(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.

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.

Inspection and inquiry.

(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 The Registrar may, by order in writing, cancel the registration of any registered society other than a society composed of two or more registered societies, 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 conditions under which profits may be distributed to the members of a society with unlimited liability, 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 laid as soon as conveniently may be before the Legislative Council, and may at any time within forty days after the date of their being so laid before the Council, or at any of those meetings of the Council next succeeding such date, by resolution of the Council, be disallowed, amended, or otherwise dealt with as may be directed by the said Council, but without prejudice to anything that may have been done thereunder, and such rules 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.

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.

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

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.

Saving of existing societies.

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

Repeal.

SCHEDULE.

Rules.

[Section 37 (2).]

Heads (a) and (b).

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—

Application for membership.

- (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 through the Government Agent of the Province or Assistant Government Agent of the District in which they reside to the Registrar to be registered under section 7 as a co-operative society.

2. The Government Agent or Assistant Government Agent shall examine the application, and shall forward it to the Registrar with a report on the same if considered necessary.

Scrutiny by Government Agent.

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—

Duty of Registrar on registration.

- (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. 34 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. 34 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 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) Similarly, such payments shall be made to persons entitled under the Ordinance in the case of any member who ceases to be a member by death.

(4) Provided that no portion of the reserve fund shall be payable to any member who ceases to be a member by withdrawal or expulsion, nor to any person entitled under the Ordinance to succeed to the interests of a deceased member.

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 by a society registered with unlimited liability until the reserve fund has reached a proportion of not less than one-tenth of its total liabilities, and unless the rate of interest on loans to members is 12 per cent. per annum or less.

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, without the deposit of collateral security in the case of societies registered with unlimited liability, three times the paid-up share capital deposits of members and reserve fund, and in the case of societies registered with limited liability, an amount equal to the paid-up share capital deposits of members and reserve fund.

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. By-laws may be made, altered, or rescinded by a resolution passed at a general or special meeting of the society; provided that—

Making, &c., of by-laws.

- (i.) Due notice of any proposal to make, alter, or rescind is given in accordance with the by-laws.
- (ii.) The resolution is passed—
 - (a) In the case of societies with unlimited liability, by not less than three-fourths of the members present at the general or special meeting, at which not less than one-half of the members of the registered society are present; and
 - (b) In the case of societies with limited liability, by the written votes of a majority of not less than three-fourths of the members, provided that a poll has been demanded, granted, and held in accordance with the by-laws.
- (iii.) The making, alteration, or rescinding is registered by the Registrar.

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

Notification of by-laws and amendments to Registrar.

Head (m).

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

Publication of accounts.

- (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.

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

Accounts and books prescribed.

(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, borrowing 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 (q).

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.

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.

Enforcement of decision.

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

Appeal.

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

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

Representation.

Head (t).

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

Conditions for application to Government for help.

(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.

Passed in Council the Twenty-fifth day of August, One thousand Nine hundred and Twenty-one.

M. A. YOUNG,
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-second day of September, One thousand Nine hundred and Twenty-one.

GRAEME THOMSON,
Colonial Secretary.

DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that, at the expiration of three months from the date hereof, the records described in the schedule hereto annexed will be destroyed under the provisions of Ordinance No. 12 of 1894.

Any person interested in any record may personally, by proctor, or by duly authenticated petition claim, upon good cause shown, that such record may not be destroyed.

Schedule referred to.

District Court money cases from the year 1833 to 1911.
District Court criminal cases from the year 1904 to 1911.
Court of Requests money cases from the year 1873 to 1911.
Police Court cases from the year 1905 to 1916.

District Court,
Mannar, September 28, 1921.

R. H. WHITEHORN,
District Judge.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 3,052: In the matter of the insolvency of Michael Joseph Jerome de Jong of Union place.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on October 11, 1921, for approval of conditions of sale of immovable property belonging to the insolvent.

By order of court, A. E. PERERA,
Colombo, September 29, 1921. for Secretary.

In the District Court of Colombo.

No. 3,061 In the matter of the insolvency of O. L. M. Sheriff of 2nd Division, Maradana, Colombo.

WHEREAS the above-named O. L. M. Sheriff has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by M. I. N. A. Caffoor, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said O. L. M. Sheriff insolvent accordingly; and that two public sittings of the court, to wit, on November 1, 1921, and on November 15, 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, P. DE KRETZER,
Secretary.

In the District Court of Kandy.

No. 1,632. In the matter of the insolvency of Cumbalatare Aratchige Don Cornelis Pothuwila, Veda Appuhamy of Dodañwela in Kandy.

NOTICE is hereby given that the meeting to consider the granting of a certificate of conformity to the above-named insolvent has been postponed for October 13, 1921.

By order of court, P. MORTIMER,
September 20, 1921. Secretary.

In the District Court of Kandy.

No. 1,648. In the matter of the insolvency of A. B. Wegodapola of Peradeniya, Kandy.

WHEREAS the above-named A. B. Wegodapola has filed a declaration of insolvency, and a petition for the

sequestration, as insolvent of his own estate, under the Ordinance No. 7 of 1853, and it appears that he has been in actual custody within the walls of a prison for debt for more than 21 days:

Notice is hereby given that the said court has adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on November 18 and December 23, 1921, will take place for the insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, P. MORTIMER,
Kandy, September 15, 1921. Secretary.

In the District Court of Nuwara Eliya holden at Hatton.

No. 7. In the matter of insolvency of Walter Jayewickreme of Hatton.

WHEREAS Walter Jayewickreme of Hatton has filed a declaration of insolvency, and a petition for the sequestration of the estate of Walter Jayewickreme has also been filed by K. Nadarajah of Hatton under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Walter Jayewickreme of Hatton insolvent accordingly; and that two public sittings of the court, to wit, on October 28, 1921, and on November 25, 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, H. J. CHANDRAWARNAM,
Hatton, September 22, 1921. Secretary.

In the District Court of Tangalla.

No. 3. In the matter of the insolvency of Abdul Rahim Cassim of Hambantota.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on October 24, 1921, for the grant of certificate of conformity to the said insolvent.

By order of court, P. E. KALUPAHANA,
September 21, 1921. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

S. R. M. M. A. Annamalay Chetty of Sea street,
Colombo..... Plaintiff

No. 357 of 1921. Vs.

(1) R. L. de F. Pieris of Turret road, Colombo, (2) John Wilson, and (3) S. J. C. Kadirgamar, both of Dam street, Colombo, executors of the last will of the late R. S. Pieris, deceased, (4) Lambert L. Pieris of Colpetty..... Defendants

NOTICE is hereby given that on Friday, October 21, 1921, at 10 A.M., will be sold by public auction at No. 130,

Colpetty, Colombo, the following movable property of the 4th defendant for the recovery of the sum of Rs. 5,097.50, with interest thereon at 9 per cent. per annum from February 10, 1921, till payment in full, and costs, viz. :—

8 rattan chairs, 2 rattan settees, 2 satinwood lounges, 2 satinwood armchairs, 1 settee, 2 Bombay wood carved chairs, 1 Bombay wood cushioned couch, 5 Bombay wood chairs, 2 Bombay wood armchairs, 2 carved settees, 1 cushioned conversation chair, 8 picture frames, 2 teapots, 4 ebony settees, 1 carved settee, 1 hat stand, 1 piano, 1 ebony armchair, 1 glass almirah, 1 dining table, 5 chairs, 3 whatnots, 1 whatnot fixed with mirror, 1 motor car bearing No. C 3636.

Fiscal's Office, W. DE LIVERA,
Colombo, September 27, 1921. Deputy Fiscal, W. P.

In the District Court of Colombo.

Christopher Hubert Joliffe, (2) Francis Ernest Joliffe, both of Colombo Plaintiffs.
No. 463 of 1921. Vs.

W. P. D. Vanderstraaten, Proctor, Hulftsdorp, Colombo Defendant.

NOTICE is hereby given that on Monday October 24, 1921, at 4 p.m., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,219.55, together with legal interest thereon from February 17, 1921, till date of decree, June 24, 1921, and thereafter on the aggregate amount of the decree at the aforesaid rate till payment in full, and costs of suit, viz. :—

A one-third share of all that and those the land, buildings, and premises called and known as Ethelwald, bearing assessment No. 20, situated at Regent street in Maradana, Cinnamon Gardens, within the Municipality and District of Colombo, Western Province, comprising the following allotments :—

(1) A divided part of all that portion of the Government cinnamon gardens, situate at Maradana, marked letter O in the plan; and bounded on the north by lot No. 24 of the same garden marked letters F and G in the plan, on the east by the other part of the same portion marked letter O in the plan, on the south by road from the bungalow 30 feet wide, and on the west by the lot of the same garden marked letter N in the plan; containing in extent 1 rood and 16 perches.

(2) All that part of a Government cinnamon garden, situated at Maradana, marked letter N in the plan; and bounded on the north by lot No. 25 of the same garden marked letters E and F, on the east by lot No. 19 of the same garden marked letter O in the plan, on the south by road leading from Mr. Walker's late bungalow towards the main road to Cotta, and on the west by the garden called Mammaswatta marked letter M in the plan; containing in extent 2 roods and 12 perches; which said allotments adjoining each other and now form one property called and known as Ethelwald, bearing assessment No. 20, situated at Regent street in Maradana, Cinnamon Gardens, within the Municipality and District of Colombo, Western Province; and bounded as follows: on the north by the other portion of the same property, on the south by the Regent street, on the east by Emms belonging to Dr. John Rockwood, and on the west by the property of Mrs. Huybertsz; and containing in extent within these boundaries 3 roods and 28 perches more or less.

Fiscal's Office, W. DE LIVERA,
Colombo, September 27, 1921. Deputy Fiscal, W. P.

In the District Court of Negombo.

Margaret E. C. Abayasekara, wife of (2) D. R. E. Perera Abayasekara, both of Mahahunapitiya in Negombo Plaintiffs.
No. 14,298. Vs.

(1) Ranawaka Achehige Henry de Alwis, (2) Simona Perera, wife of (3) Kabandugamage Henry Perera, all of Hendala in Colombo District Defendants.

NOTICE is hereby given that on Tuesday, October 25, 1921, at 2 p.m., 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. 886.08, with interest on Rs. 500 at the rate of 9 per cent. per annum from May 28, 1921, till payment, viz. :—

1. The land called Kurundugahakumbura, situated in the village Wattala in the Ragam pattu of the Alutkuru korale, in the District of Colombo, Western Province; bounded on the north by land described in plan No. 79,680, east by lands described in plans Nos. 152,664 and 81,902, and the property of C. Don Philip, Arachchi, south by the property of H. Don Marthelis and others, and west by the property of H. Hendrick Pinto and others; containing in extent 2 roods and 28 perches.

2. The land called Moonamalgahakumbura, situated at Wattala aforesaid; bounded on the north by land described in plan No. 79,681 and a canal, east and south by the property of C. Don Philip, Arachchi, and west by land described in plan No. 152,663; containing in extent 1 rood and 25 perches.

3. The land called Natakegahakumbura, situated at Wattala aforesaid; bounded on the north by land described in title plan No. 79,682 and a canal, east by the property of R. M. Havers and others and lands described in plans Nos. 80,722 and 152,666, and south and west by the property of C. Don Philip Arachchi; containing in extent 3 acres and 37 perches.

4. The land called Asweddumakumbura, situated at Wattala aforesaid; bounded on the north by land described in plan No. 80,722 and the property of C. Don Philip, Arachchi, east and south by the property of C. Don Philip, Arachchi, and west by the property of C. Don Philip, Arachchi, and land described in plan No. 152,665; containing in extent 1 acre 1 rood and 27 perches.

5. A divided portion of the land called Kudaedandekumbura *alias* Potuwelakumbura, situated at Kudaodanda in Wattala aforesaid; bounded on the east by the high road from Negombo to Colombo, south by the property of M. D. Joronis Jayasundara and C. Don Philip, Arachchi, west by land of M. D. Christine Jayasundara and others and property of M. Perera Jayatillaka, Arachchi, and north by the property of R. M. Havers and others; and containing in extent 6 acres and 3 roods.

The said five contiguous portions of land now forming one property; and bounded as follows: on the east by high road leading from Colombo to Negombo, on the north by land belonging to the widow of Mr. Harrison, on the south by lands belonging to the children of the late Joronis Jayasundara and to the heirs of the late Don Philippu Arachchirala, and on the west by old canal; and containing in extent within these boundaries 14 acres more or less.

Fiscal's Office, W. DE LIVERA,
Colombo, September 28, 1921. Deputy Fiscal, W. P.

In the District Court of Negombo.

(1) Kawanna Suna Pana Suna Kathiresan Chetty, (2) Kawanna Suna Pana Suna Suppramanian Chetty of Paganeri in India, by their attorney P. Vellasamy Pillai of Negombo Plaintiffs.
No. 15,022. Vs.

(1) J. D. Lorage of Tharala; (2) F. Gomez of Negombo Defendants.

NOTICE is hereby given that on Saturday, October 22, 1921, 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. 3,547.50, with interest on Rs. 2,500 at the rate of 18 per cent. per annum from August 9, 1921, till September 2, 1921, and on Rs. 500 at the rate of 18 per cent. per annum from August 18, 1921; till September 2, 1921, and thereafter at 9 per cent. per annum till payment, viz. :—

At 2 p.m.

1. An undivided $\frac{1}{2}$ share of the allotment of land lot marked letter B of Pinnagahalanda *alias* Pinnagahalandehena, situated at Pattiyagama in the Gangaboda pattu of Siyane korale, in the District of Colombo, Western Province; and bounded on the east by Dangahakumburementirigollekele, land claimed by A. Piloris and Julis, and land claimed by A. Siman, on the south by Pinnagahawatta and land claimed by K. Wananse and others, on the west by land claimed by Suwaris Appoo, Ullalamullekumbura, land claimed by H. Sala, land claimed by H. B. Fernando, and Pinnagodellalanda, on the north by land claimed by S. Mohomado Alli and a portion of land marked letter A allotted to W. Don Bastian; containing in extent (exclusive of the portion in extent 3 roods and 5 perches belonging to Piskalkankanamalage Don Peduru Appoo) 24 acres 2 roods and 27 perches.

At 2.30 p.m.

2. An undivided $\frac{1}{2}$ share of an allotment of land called Pinnagahalanda, situated at Pattiyagama in Gangaboda pattu of the Siyane korale, in the District of Colombo aforesaid; and bounded on the south by land described in plan No. 149,905, and on all other sides by land described in plan No. 149,901; containing in extent 3 roods and 5 perches.

Fiscal's Office, W. DE LIVERA,
Colombo, September 27, 1921. Deputy Fiscal, W. P.

In the District Court of Negombo.

S. T. L. Letchimanen Chetty of Negombo Plaintiff.
No. 13,864. Vs.

(1) Ranhotipedige Tikira, (2) ditto Davith, (3) ditto Yassi, (4) Mutugalpedige Santia, and (5) ditto Savaria, all of Akaragama Defendants.

NOTICE is hereby given that on October 26, 1921, commencing at 10 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, viz. :—

(1) An undivided $\frac{1}{2}$ share of the field called Dawatagahakumbura, situate at Akaragama in Dunagaha pattu of Alutkuru korale; and bounded on the north by water-course, east by land appearing in plan No. 186,930, south by land appearing in plan No. 47,109, and west by land appearing in plan No. 186,959; containing in extent 1 acre 3 roods and 32 perches.

(2) An undivided $\frac{1}{2}$ share of the land called Veralugahawatta and of the buildings standing thereon; situate at Akaragama aforesaid; and bounded on the north by live fence separating the land belonging to Mutugalpedige Siriya, east by live fence separating the portion of this land belonging to Thambiya, south by the ditch separating the land belonging to Mutugalpedige Puncheda, and west by land belonging to Jayatuwa Veda; containing in extent 8 acres 1 rood and 20 perches.

(3) An undivided $\frac{1}{2}$ share of the portion of land called Gedumbakele and of the buildings standing thereon, situate at Akaragama aforesaid; which portion is bounded on the north by land belonging to Hendrick Silva, east by land belonging to Setuwa, south by land of Mutugalpedige Siriya, and west by the portion of this land; containing in extent 1 acre.

(4) An undivided $\frac{1}{2}$ share of the land called Gedumbakele and of the buildings standing thereon, situate at Akaragama aforesaid; and bounded on the north by lands formerly belonging to the heirs of Dandu Pulle Muhandiram, now of Anthony Appuhami and others, east by land belonging to the heirs of Setuwa and the portion of this land, south by Veralugahawatta belonging to Sabaya and others, and west by land formerly belonging to Serasinghe Aratchige Don Domingo, Police Headman, now of Martino Appuhamy, and the portion of this land; containing in extent 1 acre and 2 roods.

(5) An undivided $\frac{1}{2}$ share of the field called Millagahakumbura, situate at Madampella in Dunagaha pattu aforesaid; and bounded on the north by water-course and the portion of this field, east by land belonging to Puncheda and others, south by field belonging to the heirs of Setuwa, and west by the water-course; containing in extent 1 acre and 20 perches.

Amount to be levied Rs. 197.20, with interest on Rs. 50 at 18 per cent. per annum from September 26, 1919, to November 4, 1919, and thereafter at 9 per cent. per annum till payment, and poundage.

Deputy Fiscal's Office, FRED. G. HEPPONSTALL,
Negombo, September 27, 1921. Deputy Fiscal.

In the District Court of Negombo.

Bodhelgoda Damma Nanda Terunnanse of
Negombo Plaintiff.
No. 14,788. Vs.

Elizabeth Henna Amarasekara of Negombo... Defendant.

NOTICE is hereby given that on October 24, 1921, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

The land called Ambagahawatta, situate at 3rd Cross street, Negombo; and bounded on the north by road called Mudaliyar's road, east by land of Joseph Fernando now of Manuel Fernando, south by land of Commercial Company now of defendant, and west by the 3rd Cross street; containing in extent 1 rood and 21 perches of this land, the undivided $\frac{1}{12}$ share with the buildings standing thereon subject to mortgage created and effected by bond No. 14,023 dated May 2, 1917, attested by G. H. de Silva, Notary Public, in favour of the plaintiff.

Amount to be levied Rs. 478.80, with interest on Rs. 260 at 12 per cent. per annum from March 22, 1921, till June 9, 1921, and thereafter legal interest on the aggregate amount till payment, and poundage.

Deputy Fiscal's Office, FRED. G. HEPPONSTALL,
Negombo, September 27, 1921. Deputy Fiscal.

In the Court of Requests of Negombo.

Kuthandige Anthony Fernando of Kudahakapola. Plaintiff
No. 29,513. Vs.

Irippuge Augustino Fernando of Kudahakapola.. Defendant.

NOTICE is hereby given that on October 22, 1921, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

(1) The land called Ambagahawatta, situate at Kudahakapola in Ragam pattu; and bounded on the north by the land of Irippuge Christogu Fernando, east by land of Liyanage Francisco, south by land of Anthonige Ponsiano and others, and west by the railway line; containing in extent about $\frac{1}{2}$ acre and the house standing thereon.

(2) An undivided $\frac{1}{2}$ share of the field called Pothumullekumbura, situate at Kudahakapola aforesaid; and bounded on the north by field of Liyanage Gregoris, east by the aforesaid land called Ambagahawatta, south by cart road, and west by Depa-ela; containing in extent 2 parras of paddy sowing ground.

Amount to be levied Rs. 142.95, with interest thereon at 9 per cent. per annum from May 23, 1921, till payment, and poundage.

Deputy Fiscal's Office, FRED. G. HEPPONSTALL,
Negombo, September 27, 1921. Deputy Fiscal.

In the District Court of Kalutara.

Gallage Mariya Fernando, substituted plaintiff in place
of the late Kudateige Jorlis Peiris of Goraka-
pola Plaintiff.
No. 7,883. Vs.

Uduma Lebbe Marikkar Hamidu Ali of Henemulla in
Panadure Defendant.

NOTICE is hereby given that on Saturday, October 29, 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, declared bound and executable for the decree entered in the said case) for the recovery of Rs. 4,210, viz. :—

Undivided $\frac{3}{4}$ + $\frac{1}{4}$ of 14/18 share or (55/72) of the soil and all the trees, plantations, and buildings standing thereon of the land called Kiripellagahawatta, and the adjoining portion of Ketakelagahawatta situated at Henemulla; and bounded on the north by the live fence of Ambagahawatta belonging to Meera Lebbe Madar Lebbe and the live fence of the land belonging to Sego Ismail Lebbe Ahamadu Lebbe, east by the old road, south by Timbirigahawatta belonging to Mahallam Kappa Udayar Lebbe Mohamadu Lebbe and the portion of Ketakelagahawatta belonging to Tambi Pulle Ayisa Nachchia, and on the west by the high road; containing in extent 1 acre 2 roods and 18 $\frac{47}{100}$ perches, according to the figure of survey No. 443 dated July 16, 1884, made by Mr. D. D. A. Gunaratna, Surveyor.

Deputy Fiscal's Office, H. SAMERESINGHE,
Kalutara, September 27, 1921. Deputy Fiscal.

In the District Court of Kalutara.

Don Anolis Jayawardene Mudalaly of Paiyagala. Plaintiff.
No. 9,928. Vs.

(1) Jane Caroline Wattasinghe Hamine, (2) Don Peter Wickramasinghe Appuhamy, both of
Paiyagala Defendants.

NOTICE is hereby given that on Friday, October 28, 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 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. 1,750, with interest on Rs. 1,000 at 12½ per cent. per annum from February 15, 1921, to June 1, 1921, with further interest at 9 per cent. per annum from June 2, 1921, on the aggregate, and costs Rs. 155.80, viz. :—

(a) Undivided ½ of Kirimetiwalaudummullegalakumbura, situate at Paiyagala; and bounded on the north by kumbura belonging to Gammanage Bastian Appu, on the east, south, and west by jungle land (godakele); containing in extent about 10 acres.

(b) Undivided ¼ of the soil and of soil share trees, with all the trees of the 3rd plantation of Malgahawatta, excluding railroad, situate at Paiyagala; and bounded on the north by Rattanawagurawatta, on the east by Wagurewatta, on the south by Wagurewatta and Munhenegewatta, and on the west by Malgahawattaratmaharakebella; containing in extent about 2 acres.

Deputy Fiscal's Office, H. SAMERESINGHA,
Kalutara, September 27, 1921. Deputy Fiscal.

Rs. 2/50
Central Province.

In the District Court of Colombo.

W. M. Abdul Jabbar of Main street, Colombo Plaintiff.
No. 1,206/21. Vs.

I. L. S. Seyado Ibrahim Saibo of 193 and 194, Trincomalee street, Matale Defendant.

NOTICE is hereby given that on October 31, 1921, at 12 noon, will be sold by public auction at the spot the following movable property lying in the defendant's garage bearing assessment Nos. 171 and 172, situate at Trincomalee street, Matale, viz. :—

One Buick car bearing No. C 1969.

Amount of writ Rs. 1,078.02, with legal interest from May 6, 1921, till payment in full, and costs of suit.

Deputy Fiscal's Office, C. HARRISON-JONES,
Matale, September 28, 1921. Deputy Fiscal.

Rs. 4/-
Southern Province.

In the Court of Requests of Matale.

M. W. Nonis de Silva of Matale Plaintiff.
No. 14,143. Vs.

G. M. D. Silva carrying on business under the name, style, and firm of G. M. D. Silva Bros, Talawa-kele Defendant.

NOTICE is hereby given that on Monday, October 31, 1921, at 12 noon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. :—

Divided eastern ¾ parts of the land called Sarukkaliyawatta *alias* Kaluhannediya wattakebella, together with the buildings and everything thereon, situate at Ahangama; bounded on the north by the footpath, south by a portion of the same land belonging to Daluwattege Adirian, east by the portion of Sarukkaliyawatta *alias* Kaluhannediya-watta belonging to Manikkubadaturuge Babanis, and west by the western ¼ portion of the aforesaid Sarukkaliyawatta *alias* Kaluhannediya wattakebella, and the portion of Sarukkaliyawatta *alias* Kaluhannediya wattakebella; extent 1 acre 2 roods and 26½ perches.

Amount of writ Rs. 259.21, with poundage and legal interest on Rs. 232.86 from August 11, 1920, till payment in full.

Fiscal's Office, J. A. LOURENSZ,
Galle, September 27, 1921. Deputy Fiscal.

In the District Court of Matara.

Samitchi de Silva Weerakoon of Nupe in Matara. Plaintiff
No. 9,303. Vs.

Arumahennedige Appu Singho of Karawa in Matara Defendant.

NOTICE is hereby given that on Monday, October 24, 1921, at 9 o'clock in the forenoon, will be sold by public auction, at the spot, the right, title, and interest of the said defendant in the following specially mortgaged property for the recovery of Rs. 1,165.04, less Rs. 18.30 recovered, and the Fiscal's charges, to be sold at the risk of the previous purchaser, viz. :—

All the fruit trees and soil of the portion to the north of the high road, with the 9 cubits tiled and thatched house standing thereon, of the land called Panaduragawatta, bearing assessment No. 157, situate at Karawa in the Four Gravets of Matara; the said portion of land being bounded on the north by Ambagahawatta, east by Losaratchipatabendigegeedarawatta, south by high road, and on the west by Tanapunchikiragewatta and Muttiwatabendigegeedarawatta; in extent 13.45 perches; Valuation Rs. 1,500.

Deputy Fiscal's Office, E. T. GOONEWARDENE,
Matara, September 26, 1921. Deputy Fiscal.

Eastern Province.

In the Court of Requests of Trincomalee.

K. Supramaniam Plaintiff.
No. 7,069. Vs.

Amina, widow of Drayman Segu, personally and as guardian *ad litem* of (1) Segu Drayman, (2) Segu Noorani, and (3) Segu Aldin Defendants.

NOTICE is hereby given that on Saturday, October 22, 1921, at 4 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendants in the following property, viz. :—

A plot of paddy land called Peenkanudaichankadu (பென்காநுடையாங்காடு) lot 3739, P. P. 4,893, situate at Tamblegam, in the Trincomalee District, Eastern Province; boundaries: north, land bearing lot No. 3732, plan No. 4,893; east, land bearing lot No. 3732, plan No. 4,893, and lot No. 94884, plan No. 4,099; south, lot Nos. 3730 and 3731, plan No. 4,893; and west, lot No. 3734, plan No. 4,833; extent 4 acres 1 rood and 23 perches.

This land is subject to mortgage, *vide* bond No. 3,578 dated November 23, 1918, for Rs. 500, and interest at 12 per cent.

Writ amount Rs. 272.13, and interest.

Fiscal's Office, C. VELU PELLAI,
Trincomalee, September 23, 1921. Deputy Fiscal.

North-Western Province.

In the District Court of Kurunegala.

S. P. L. K. R. Somasundaram Pillai of Matugala boutique Plaintiff.
No. 8,164. Vs.

E. H. Salgadu of Aturuwala estate, Giriulla Defendant.

NOTICE is hereby given that on Saturday, October 22, 1921, commencing at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

(1) The land called Kolamunigehena of 2 acres and 23 perches in extent, situate at Aturuwala in Dambadeni Udukaha korale west; and bounded on the north by lots marked 8½v, 8v, 8r, east by lots marked 8½w and 14e, south by lots marked 8½s, 8½, 8½r, and west by lot marked 8w.

(2) An undivided $\frac{1}{2}$ share of the land commonly called or known as Galgodewatta, situate at Aturuwala aforesaid, containing in extent 7 acres 3 roods and 17 perches; and bounded on the north by Peragollehena sold by the Crown, T. P. 327,771, Kalamunigehena, T. P. 327,133, on the east by Bogahumulawatta belonging to the Crown, Bogahamulahena belonging to the Crown, Kandehena sold by the Crown, T. P. 327,741, Rukkattanedorowwewatta belonging to the Crown, Rukattanagahadorowwehena sold by the Crown, T. P. 328,508, on the south by Rukattanagahadorowwehena sold by the Crown, T. P. 328,508, Galdoruwehena belonging to the Crown, on the west by Galgodawatta sold to Banda Appu, Peragollehena sold by the Crown, T. P. 327,771.

Amount to be levied Rs. 496.02, with further interest on Rs. 425 at 18 per cent. per annum from November 4, 1920, to January 21, 1921, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full.

Fiscal's Office, S. D. SAMARASINHA, Deputy Fiscal.
Kurunegala, September 20, 1921.

In the District Court of Kurunegala.

Suna Pana Kana Nana Natchiappa Chetty of Kurunegala Plaintiff

Mandate of Sequestration
No. 8,479. Vs.

Ana Muhammadu Sathakku of Kurunegala Defendant.

NOTICE is hereby given that on Saturday, October 15, 1921, commencing at 10 o'clock in the forenoon, will be sold by public auction at the defendant's boutique at Bazaar street, Kurunegala, the right, title, and interest of the said defendant in the following movable property, viz. :—

- | | |
|--|--------------------------------------|
| 1. 1 clock | 47. 2 glass almirahs |
| 2. 2 betel cheppus | 48. 9 jumpers |
| 3. 1 ditto small | 49. 12 rakes |
| 4. 3 small brass chembus | 50. 3 rakes |
| 5. 3 brass bolts | 51. 5 iron kettles |
| 6. 21 nickel tumblers | 52. 15 lb. of sand paper |
| 7. 5 brass tumblers | 53. 1 scale |
| 8. 6 brass betel mortars | 54. 5 mamoties |
| 9. 6 pairs brass hinges | 55. 3 galvanized bolts |
| 10. 3 pairs brass bolts | 56. 32 iron hinges |
| 11. 1 vyradas | 57. 30 small hinges |
| 12. 1 scissors | 58. 1 kuntani |
| 13. 10 adzes | 59. 10 iron cutting hooks |
| 14. 2 brass padlocks | 60. 2 hand hammers |
| 15. 1 table of three drawers | 61. 1 lb. gum. |
| 16. 8 iron locks | 62. 1 saucepan |
| 17. 5 iron bolts | 63. 17 plough irons |
| 18. 32 packets of iron bolts of one dozen each | 64. 2 seven-pound weights |
| 19. 5 pairs of handles | 65. 2 scales |
| 20. 6 balls of twine (black) | 66. 10 lb. nails of 1 inch each |
| 21. 2 balls of twine (white) | 67. 7 lb. nails of 3 inches each |
| 22. 45 brass almirah books | 68. 4 lb. nails of 2 1/2 inches each |
| 23. 5 brass bolts | 69. 10 lb. nails of 2 inches each |
| 24. 16 brass rings for carts | 70. 32 lb. of small nails |
| 25. 14 brass chembus | 71. 20 lb. of wire nails |
| 26. 6 packets paint powder | 72. 2 1/2 lb. of tintacks |
| 27. 1 brass lock | 73. 14 lb. of nails (small) |
| 28. 11 hooks for windows | 74. 2 lb. of barrel nails |
| 29. 3 hooked knives | 75. 139 lb. of shcts |
| 30. 2 butchers' knives | 76. 2 lb. of bullets |
| 31. 1 police lantern | 77. 1 1/2 lb. paint cutting stones |
| 32. 1 brass measure | 78. 40 plane blades |
| 33. 15 high royal phial | 79. 54 small chisels |
| 34. 6 eau de cologne | 80. 21 small chisels of 1/2 inch |
| 35. 5 packets powder (violet) | 81. 16 small chisels of 1/4 inch |
| 36. 5 tin cutters | 82. 5 small chisels of 3/4 inch |
| 37. 5 small augers | 83. 9 plate files |
| 38. 12 locks of brass cheppus | 84. 7 half-round files |
| 39. 8 wetting stones | 85. 10 three-edged files |
| 40. 1 ounce glass | 86. 7 hammers of 7 lb. each |
| 41. 7 table spoons | 87. 13 hammers of 3 1/2 lb. each |
| 42. 2 German rice spoons | |
| 43. 6 soup spoons | |
| 44. 24 brass bolts | |
| 45. 4 pairs of handles | |
| 46. 2 pairs hinges | |

- | | |
|--|---|
| 88. 11 hammers of 1 1/2 lb. each | 151. 17 tooth powder bottles |
| 89. 15 lb. of screw nails of 1 1/2 inch each | 152. 7 vaseline phials |
| 90. 24 lb. of iron nails of 1/2 inch each | 153. 1 tumbler, nickel |
| 91. 15 lb. of iron nails of 1 inch each | 154. 8 packets paints |
| 92. 45 hinges of 3 inches each | 155. 35 packets playing cards |
| 93. 10 hinges of 4 inches each | 156. 1 box violet soap |
| 94. 140 hinges of 2 inches each | 157. 8 pieces soap |
| 95. 45 padlocks | 158. 6 boxes of anchor soap |
| 96. 15 iron bolts | 159. 4 pieces soap |
| 97. 12 iron bolts, No. 4 | 160. 7 soup spoons |
| 98. 54 iron locks for windows | 161. 3 table spoons |
| 99. 14 padlocks, small | 162. 19 tea spoons |
| 100. 5 iron hinges of 5 inches each | 163. 37 forks |
| 101. 30 locks with bolts | 164. 1 box toilet powder |
| 102. 48 tin lanterns | 165. 3 levellers |
| 103. 2 axes | 166. 14 frying pans |
| 104. 98 tin funnels | 167. 2 books of tinsel paper |
| 105. 7 tin chembus | 168. 4 bottles rosewater |
| 106. 15 scythes | 169. 1 looking-glass (crystal) |
| 107. 50 oil blades | 170. 2 hanging lamps |
| 108. 8 lb. of brass nails (small) | 171. 6 sets of zinc measures |
| 109. 30 padlocks | 172. 5 brushes (pincer) |
| 110. 3 lb. of iron chains | 173. 2 big iron frying pans |
| 111. 1 1/2 lb. of German staples | 174. 2 galvanized basins |
| 112. 11 zinc padlocks | 175. 3 pairs of pruners |
| 113. 7 hand saws | 176. 4 pairs of pruners 9 1/2 inches each |
| 114. 3 spring balances | 177. 12 knobs for paddy pounders |
| 115. 3 knife sharpening blocks | 178. 5 augers |
| 116. 2 hand axes | 179. 3 tin boxes |
| 117. 2 spring saws | 180. 24 galvanized buckets |
| 118. 2 yards of wire netting | 181. 270 cast screw nails |
| 119. 3 spades | 182. 6 carving chisels |
| 120. 2 yards of warnish matting | 183. 2 big files |
| 121. 2 yards of oilcloths | 184. 2 glass boxes with brass goods |
| 122. 3 iron bowls (patharas) | 185. 2,000 gun caps |
| 123. 1/2 hundredweight of gum | 186. 75 ruling pencils |
| 124. 1 tin chocolate colour ink of 16 lb. | 187. 2 big shelves |
| 125. 1 tin white ink of 1 lb. | 188. 2 small shelves |
| 126. 1 tin chocolate ink of 28 lb. | 189. 1 big balance |
| 127. 1 tin white ink of 24 lb. | 190. 82 packets of tea, 1 lb. in each |
| 128. 1 tin white ink of 18 lb. | 191. 22 packets of tea, 1 1/2 lb. in each |
| 129. 1 tin black ink of 10 lb. | 192. 33 tins of paints of 1 lb. in each |
| 130. 20 2 lb. weights | 193. 49 bottles of turpentine |
| 131. 3 sets of weights | 194. 1/2 bottle varnish |
| 132. 14 plates | 195. 1 bottle japan |
| 133. 60 plates, small | 196. 5 small 2 lb. tins of sapolen |
| 134. 60 plates | 197. 20 tins of lead colour sapolen |
| 135. 3 cups | 198. 4 enamel tins |
| 136. 5 teapots | 199. 65 packets of ink powder containing 1 lb. in each |
| 137. 3 glass jugs | 200. 8 bottles carbolic |
| 138. 4 jugs, plate | 201. 3 bottles black ink |
| 139. 2 enamel pots | 202. 2 half bottles black ink |
| 140. 1 enamel spittoon | 203. 38 blue packets of 1 lb. each |
| 141. 2 tiffin baskets | 204. 15 packets of yellow paints 1 lb. each |
| 142. 3 decanters | 205. 60 packets of blue powder |
| 143. 20 glass tumblers | 206. 4 sharpening stones |
| 144. 8 packets candles | 207. 12 packets of green powder |
| 145. 15 dozen matches | 208. 95 tin lamps |
| 146. 6 bottles. | 209. 15 small bottles containing various kinds of small nails |
| 147. 35 chimneys | 210. 7 packets envelopes |
| 148. 19 phials castor oil | |
| 149. 24 phials snuff | |
| 150. 10 phials rose powder | |

211. 70 wires	234. 2 ½ bottles castor oil
212. 5 axles	235. 4 picture frames
213. 52 wire pieces	236. 1 pigeonhole desk
214. 40 wire pieces	237. 1 ½ box of dynamite caps
215. 11 iron hoops (pippapati)	238. 1 lb. of blasting powder
216. 9 tape rolls	239. 1 ½ lb. of gunpowder
217. 5 galvanized wires	240. 1 wall bracket
218. 1 big iron plank	241. 12 iron wires for carving
219. 5 small planks	242. 10 iron tyres
220. 3 iron planks ½ inch width each	243. 9 iron hoops
221. A box containing brass working tools	244. 13 round tyres
222. A press for making bullets	245. 18 round iron tyres
223. 16 tin belts	246. 95 empty bottles
224. 1 parrot cage	247. 5 exercise books
225. 2 camp beds	248. ½ box tea dust
226. 180 glasses	249. ½ box tea
227. 13 pieces brass sheets	250. 4 chairs
228. 12 pieces copper sheets	251. 2 benches
229. 1 scale	252. 1 bench plank
230. 6 weights of 56, 28, 14 lb.	253. 2 boutique shelves
231. 16 lb. nails (small size)	254. 1 table lamp
232. 1 hundredweight of nails	255. 1 pen stand
233. 1 tin tar	256. 1 crystal ink pot
	257. 11 iron lamps
	258. 1 tin containing 28 lb. of white ink

Amount to be levied Rs. 950, and poundage. The above property is under seizure under D. C., Kurunegala, Writ No. 8,537, and D. C., Colombo, writ No. 1,685/1921.

Fiscal's Office, S. D. SAMARASINHA,
Kurunegala, September 20, 1921. Deputy Fiscal.

In the District Court of Chilaw.

K. P. A. R. R. M. Somasundaram Chetty, by his attorney K. P. A. R. R. M. Krishna Chetty, of Kochchikade Plaintiff.

No. 6,512. Vs.

Charles Augustus Lionel Ameresekere of Nattandiya Defendant.

NOTICE is hereby given that on Thursday, October 27, 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, viz. :—

The land called Kahatagahawatta and Nebodagahakumbura, adjoining each other, with the mill and the other buildings standing thereon, situate at Nattandiya in Meda palata of Pitigal korale south, in the District of Chilaw; and bounded on the north by Crown land and field belonging to Punchappuhamy, east by Punchi-ela, south by land belonging to Sundara Appuhamy and land belonging to Roman Catholic Church, and west by land belonging to Roman Catholic Church and the burial ground belonging to Roman Catholic Church; containing in extent 5 acres 2 roods and 38 perches.

Amount to be levied Rs. 4,156.25, with interest on Rs. 2,750 at 30 per cent. per annum from May 13, 1920, till April 25, 1921, and thereafter at 9 per cent. per annum till payment, and poundage. Valuation Rs. 11,550.

Deputy Fiscal's Office,
Chilaw, September 27, 1921.

CHARLES DE SILVA,
Deputy Fiscal.

In the Court of Requests of Chilaw.

R. M. P. Bandara of Chilaw Plaintiff.

No. 20,237. Vs.

Dane Abbas Noordeen of Chilaw Defendant.

NOTICE is hereby given that on Wednesday, October 26, 1921, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

The tiled house and premises, situate at Chilaw town; and bounded on the north, east, and west by the land of the heirs of Noordeen Tuwan and others, and south by road; containing in extent about ¼ acre.

Amount to be levied Rs. 38.75, with legal interest thereon from June 2, 1921, till payment in full, and poundage.

Deputy Fiscal's Office,
Chilaw, September 27, 1921.

CHARLES DE SILVA,
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Yahiya Beebee of Union lane, Slave Island, Colombo, deceased.

No. 526.

Class II.

Rs. 4,500.

Abdul Raheem of Slave Island, Colombo, Petitioner.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on August 25, 1921, in the presence of Mr. M. S. Akbar, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated May 30, 1921, and (2) of the attesting notary and witnesses dated May 31, 1921, having been read:

It is ordered that the last will of the late Yahiya Beebee, deceased, of which the original 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 petitioner is the executor named in the said will and that he is entitled to

have probate thereof issued to him accordingly, unless any person or persons interested shall, on or before October 13, 1921, show sufficient cause to the satisfaction of this court to the contrary.

August 25, 1921.

ALLAN BEVEN,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Mohamado Lebbe Samsa Deen of Dematagoda, Colombo, deceased.

No. 544.

Class II.

Rs. 3,050.

Mohamado Lebbe Neina Marikar of Dematagoda, Petitioner.

And

(1) Mohamado Lebbe Habi Umma of Slave Island,
(2) Samsa Deen Saffia Umme, (3) Sinne Lebbe Kadija Umma, both of Dematagoda Respondents.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on September 7,

1921, in the presence of Mr. M. S. Akbar, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 5, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as 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 October 13, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 7, 1921. ALLAN BEVEN,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Mawanna Sawanna Ana Uduman Saibo late of No. 36, Union lane, Union place, Slave Island, Colombo, deceased.

Sera Malliar Sahul Hamid Saibo of No. 36, Union lane, Union place, Slave Island, Colombo Petitioner.

And

(1) Ibrahim Ummal, widow of Mawanna Sawanna Ana Uduman Saibo, (2) Cader Umma, wife of K. M. A. Sahul Hamid, all of Sivaramangalam of Sri Vaikenedam Taluk, Tinnevely Zilla, in South India, (3) Maimoor Umma, wife of Sera Malliar Sahul Hamid Saibo, (4) Uduman Saibo Abdul Caffoc of No. 36, Union lane, Union place, Slave Island, (5) Asanatchi Umma of No. 36, Union lane, aforesaid, widow of Mawanna Sawanna Ana Uduman Saibo, (6) M. S. A. Samsudeen Saibo of No. 97, 4th Cross street, Pettah, Colombo Respondents.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on September 8, 1921, in the presence of Mr. S. D. M. Burhan, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 8, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son-in-law 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 October 6, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 8, 1921. ALLAN BEVEN,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Jayalapedige Sumitha Fernando of No. 550. Brahmanagama in the Palle pattu of Hewagam korale, deceased.

Piyankaradage Sitta Fernando of Brahmanagama aforesaid Petitioner.

And

(1) Piyankaradage Missia Fernando and her husband (2) Kamuahalapedige John Fernando, both of Brahmanagama aforesaid Respondents.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on September 12, 1921, in the presence of Mr. O. A. Jayasekera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 8, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before October 6, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 12, 1921. ALLAN BEVEN,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Jurisdiction. Effects of Noor Samsdeen of No. 23, No. 553. Wekande, Slave Island, Colombo, deceased.

Class I.
Rs. 1,270.

Naina Marikar Alavia Umma of No. 23, Wekande, Slave Island, Colombo Petitioner.

And

(1) Pathumma Umma, wife of (2) Sinne Lebbe Marikar Mohamed Usoof, both of No. 5, Stewart street, Slave Island, Colombo Respondents.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on September 16, 1921, in the presence of Mr. S. D. M. Burhan, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 15, 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 October 13, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September, 16 1921. ALLAN BEVEN,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament and Codicils of Howard Morley, late of 18, Wood street, in the City of London, England, and 47, Grosvenor street, London, deceased.

No. 565.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on September 23, 1921, in the presence of Mr. Oscar Percy Mount of Colombo, Proctor, on the part of the petitioner, Mr. Ernest Reed Williams of Colombo; and the affidavit of the said petitioner dated August 30, 1921, certified copies of probate and of the will and codicils of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated August 24 1921, and schedule of property in duplicate having been read: It is ordered that the will of the said deceased dated April 10, 1919, and two codicils thereto dated respectively July 3, 1919, and July 22, 1919, of which a certified copy of probate has been produced and is now deposited in this court, be and the same are hereby declared proved; and it is further declared that the said petitioner is the attorney of the executors named in the said will, and that he is entitled to have letters of administration, with copies of the said will and codicils annexed, issued to him accordingly, unless any person or persons interested shall, on or before October 13, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 23, 1921. ALLAN BEVEN,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Pattu Muttu Amsa Umma of Maradana, Colombo, deceased.

Class II.
Rs. 4,000.

Ahamado Lebbe Abdul Latiff of No. 70, Dematagoda, Colombo Petitioner.

And

(1) Abdul Raheem Mohamed Hasheem of No. 70, Dematagoda, appearing by his guardian *ad litem* (2) Abdul Rahaman Neina Umma of Symond's road, Colombo Respondents.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on August 25, 1921,

in the presence of Mr. M. S. Akbar, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 14, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as next of kin of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before October 13, 1921, show sufficient cause to the satisfaction of this court to the contrary.

August 25, 1921.

ALLAN BEVEN,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Suppramanian of No. 135, Grandpass Road, in Colombo, deceased.

M. R. M. Raman Chetty of No. 71, Sea street, in Colombo Petitioner.

And

S. Sellatchi of St. Joseph's street, Grandpass, in Colombo Respondent.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on September 12, 1921, in the presence of Mr. J. L. Perera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 8, 1921, having been read:

It is ordered that Mr. P. H. de Kretser be and he is hereby declared entitled, as Secretary of the District Court of Colombo, to have letters of administration to his estate issued to him, unless the respondent above named or any other person or persons interested shall, on or before October 6, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 12, 1921.

ALLAN BEVEN,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Hettiaratchige Dona Porlentina, late of No. 7,119, Pamunugama deceased.

Class I.
Rs. 1,406.20.

Ponweera Aratchige Don Raphael Appuhamy of Mahawatte, Pamunugama, aforesaid Petitioner.

And

(1) Ponweera Aratchige Dona Gertrude Hamine of Mahawatte, Pamunugama, (2) Hettiaratchige Dona Isabella Hamine, minor, of Mahawatte, Pamunugama, (3) Hettiaratchige Dona Elizabeth Hamine, wife of (4) L. J. Silva, both of Kattuwa, Negombo, (5) Hettiaratchige Dona Maria, minor, of Madampella, Pamunugama, (6) Hettiaratchige Dona Lucia of Pamunugama, minor, (7) H. Don Marthinu Appuhamy of Pamunugama, proposed guardian *ad interim* of 5th and 6th respondents Respondents.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on September 12, 1921, in the presence of Mr. D. B. Dabrera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated August 22, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as uncle of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before October 6, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 12, 1921.

ALLAN BEVEN,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate and Effects of the late Ramasamy Kanganay's daughter Sellamma of Dehiowita, deceased.

Munasamy Seschachalam Sunderam of No. 106, Jaffa pettah street, in Colombo Petitioner.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Colombo, on September 13, 1921, in the presence of Mr. J. L. Perera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 1, 1920, and the order of the Supreme Court dated July 1, 1921, having been read:

It is ordered that the petitioner be, and he is hereby declared entitled, as widower of the above-named deceased, to have letters of administration to her estate issued to him, unless any person or persons interested shall, on or before October 13, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 13, 1921.

ALLAN BEVEN,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Edmund Francis Blacker, late of Havelocktown in Colombo, deceased.

Class II.
Rs. 2,860.

(1) Walter St. George Blacker of Colombo, (2) Denis Blacker of Angulana Petitioners.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on September 7, 1921, in the presence of Mr. J. M. Pereira, Proctor, on the part of the petitioners above named; and the affidavits (1) of the said petitioners dated August 2, 1921, and (2) of the attesting witnesses dated July 21, 1921, having been read:

It is ordered that the last will of the late Edmund Francis Blacker, deceased, of which the original 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 petitioners are the executors named in the said will, and that they are entitled to have probate thereof issued to them accordingly, unless any person or persons interested shall, on or before October 6, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 7, 1921.

ALLAN BEVEN,
Acting District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. In the Matter of the Estate of the late Dewaranmulle Badalgedera Abaranappu, deceased, of Millawana in Udugoda Palle-siya pattu, Matale North.

THIS matter coming on for disposal before Walter Sandford de Saram, Esq., Acting District Judge, on September 1, 1921, in the presence of Mr. A. V. Perera, Proctor, on the part of the petitioner, Dewaranmulle Badalgedera Muhandirama of Millawana; and the affidavit of the said petitioner dated August 30, 1921, and his petition having been read:

It is ordered that the said petitioner, as son of the above-named deceased, be and he is hereby declared entitled to have letters of administration to the deceased's estate issued to him, unless Giralawala Hittaragedera Ranhamy of Millawana or any person or persons interested shall, on or before October 3, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 1, 1921.

W. S. DE SARAM,
Acting District Judge.

In the District Court of Kandy:

Order Nisi declaring Will proved.

Testamentary Jurisdiction, No. 3,806. In the Matter of the Last Will and Testament of Ambagaswewe Sri Dhammapala Ratnajoti Mahanayaka, deceased, of Asgiriya Vihare, Kandy.

THIS matter coming on for disposal before Walter Sandford de Saram, Esq., Acting District Judge, Kandy, on September 2, 1921, in the presence of Messrs. Godamune & Munasinha, Proctors, on the part of the petitioners; Wellawa Attadassi Unnanse and Navinne Sumana Unnanse; and the affidavit of the said petitioners dated August 22, 1921, and their petition, and the affidavit of two of the attesting witnesses, Dr. J. W. Attygalle and N. A. Wickremesooriya, dated August 29, 1921, having been read:

It is ordered that the will of the said Ambagaswewe Sri Dhammapala Mahanayaka Terunnase, deceased, dated August 8, 1921, and now deposited in this court, be and the same is hereby declared proved, unless any person or persons interested, shall on or before October 6, 1921, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioners are the sole heirs named in the said will, and that they are entitled to have letters of administration, with a copy of the will annexed, issued to them accordingly, unless any person or persons interested shall, on or before October 6, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 2, 1921.

W. S. DE SARAM,
Acting District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction, No. 5,420. In the Matter of the Estate of the late Weligamage Don Daniel de Silva, deceased, of Malalagama.

THIS matter coming on for disposal before T. B. Russell, Esq., District Judge of Galle, on September 8, 1921, in the presence of Mr. A. D. Abeyesingha, Proctor, on the part of the petitioner, Weligamage Don Charles de Silva of Malalagama. It is ordered that the said petitioner, as son of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondents, viz., (1) Sarangu Carlinahami, widow of deceased, (2) Weligamage Babynona, widow, of Balapitiya, (3) Weligamage Reney Nona, wife of (4) Kuruneruge Haramanis Silva, both of Diviture, Galle, (5) Weligamage Mancho Nona, a lunatic in Lunatic Asylum, (6) Weligamage Jaisa Nona of Malalagama, a lunatic, wife of (7) Saranguge William Silva, shall, on or before October 6, 1921, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 1st respondent be appointed guardian *ad litem* over the 5th and 6th respondents (insane), unless the said respondents shall, on or before October 6, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 8, 1921.

T. B. RUSSELL,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary Jurisdiction, No. 2,752. In the Matter of the Estate of the late Hewa Radage Dissan, deceased, of Babarendra.

THIS matter coming on for disposal before C. W. Bickmore, Esq., District Judge, Matara, on August 1, 1921, in the presence of Mr. E. P. Wijetunge, Proctor, on the part of the petitioner Hewa Radage Sivadonis of Babarendra; and the affidavit of the said petitioner dated July 29, 1921, having been read:

It is ordered that the said petitioner, as the son of the deceased above mentioned, is entitled to have letters of

administration to the estate of the deceased issued to him accordingly, unless the respondents—(1) Hewa Radage Sebo, (2) Hewa Radage Nonatcho, wife of (3) Hewa Colambage Hendoris—shall, on or before September 20, 1921, show sufficient cause to the satisfaction of this court to the contrary.

August 1, 1921.

C. W. BICKMORE,
District Judge.

This *Order Nisi* is extended to October 13, 1921.

C. W. BICKMORE,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction, No. 4,585. In the Matter of the Estate of the late Sellammah, wife of Thambiah Visuvalingam of Vaddukoddai West, deceased.

Nagammah, daughter of Thambiah of Vaddukoddai West Petitioner.

(1) Visuvalingam Thambiah, (2) Visuvalingam Alagaratnam (minors); (3) Thambiah Visuvalingam; and (4) Visuvalingam Veluppillai, all of Vaddukoddai West Respondents.

THIS matter of the petition of the petitioner above named, praying that the above named 3rd respondent be appointed guardian *ad litem* over the minors, the 1st and 2nd respondents, and that letters of administration to the estate of the above-named deceased be issued to the petitioner, coming on for disposal before W. Wadsworth, Esq., District Judge, on September 6, 1921, in the presence of A. Mudaliyar Veluppillai, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 3, 1921, having been read: It is ordered that the above-named 3rd respondent be appointed guardian *ad litem* over the said minors, the 1st and 2nd respondents, for the purpose of representing them in this case, and that the petitioner declared entitled to have letters of administration to the estate of the said intestate issued to her, as her cousin, unless the above-named respondents or any other person shall, on or before October 4, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 17, 1921.

W. WADSWORTH,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction, No. 4,593. In the Matter of the Estate of the late Arumugam Kandiah of Chulipuram, deceased.

Teyvani, widow of Arumugam Kandiah of Chulipuram Petitioner.

Vs.

(1) Meenadchi, widow of Arumugam, (2) Nanny Vyramuttu and wife (3) Sithamparanachchi of Chulipuram, (4) Thampar Kandiah, and (5) Pavalam, daughter of Tamber Kandiah, both of Chankani Respondents.

THIS matter of the petition of the above-named petitioner, praying that the above-named 4th respondent be appointed guardian *ad litem* over the minor 5th respondent, and also praying that the petitioner, as the widow of the deceased intestate, be declared entitled to have letters of administration to the estate of the deceased intestate, coming on for disposal before W. Wadsworth, Esq., District Judge, on September 8, 1921, in the presence of Mr. R. Candiah, Proctor, for petitioner; and on reading the affidavit and petition of the petitioner: It is ordered

that the 4th respondent be appointed guardian *ad litem* over the minor 5th respondent for the purpose of this action, and that letters of administration be issued to the petitioner, as she is the widow of the deceased, unless the respondents above named appear before this court on October 11, 1921, and show sufficient cause to the satisfaction of this court to the contrary.

September 20, 1921. W. WADSWORTH, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of Ponnambalam Mailvaganam of Tellipalai in No. 4,595. Jaffna, late of Ceylon in the Federated Malay States, deceased. Class II.

Annappooranam, widow of Mailvaganam of Tellipalai Petitioner.

Vs.

- (1) Ponnambalam Palanivelu of Tellipalai East, (2) Mailvaganam Sitamparanatar of ditto, and (3) Mailvaganam Tharmapalan of ditto; the 2nd and 3rd respondents are minors appearing by their guardian *ad litem* the 1st respondent Respondents.

THIS matter of the petition of the above-named petitioner, praying that the above-named 1st respondent be appointed guardian *ad litem* over the minors, 2nd and 3rd respondents, and that letters of administration to the estate of the above-named deceased, coming on for disposal before W. Wadsworth, Esq., District Judge, on September 9, 1921, in the presence of Mr. M. Subramaniam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 7, 1921, having been read: It is ordered that the above-named 1st respondent be appointed guardian *ad litem* over the minor 2nd and 3rd respondents, and that letters of administration to the estate of the above-named deceased be issued to the petitioner, as his lawful widow, unless the above-named respondents or any other person shall, on or before October 11, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 22, 1921. W. WADSWORTH, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Muttupillai, widow of Arumugam No. 4,598. Chelliah, of Vaddukodai West, deceased.

Sinnachchippillai, widow of Murugesar Sarawanamuttu, of Vaddukodai West Petitioner.

Vs.

- (1) Sinnatamby Kandiah of Vaddukodai West, presently Overseer, Rambukkana, (2) Sinnatamby Maruthapillai, residing with the above-named 1st respondent, (3) Sellammah, widow of Sellaturai of Vaddukodai West, (4) Nagaratna-Ammah, daughter of Sellaturai, a minor, appearing by her guardian *ad litem* the 3rd respondent. Respondents.

THIS matter of the petition of the above-named petitioner, praying that the above-named 3rd respondent be appointed guardian *ad litem* over the minor the 4th respondent and that letters of administration to the estate of the above-named deceased be issued to the petitioner, coming on for disposal before W. Wadsworth, Esq., District Judge, on September 12, 1921, in the presence of Mr. A. Mudlr. Velupillai, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 7, 1921, having been read: It is ordered that the above-named 3rd respondent be appointed guardian *ad litem* over the minor the 4th respondent for the purpose of representing her in this case, and that the petitioner be declared entitled to

have letters of administration to the estate of the said intestate issued to her as her mother, unless the respondents or any other person shall, on or before October 11, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 20, 1921. W. WADSWORTH, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Kunarutnam Arumugam of Vaddukodai East, deceased. No. 4,601.

Parupathipillai, widow of Arumugam of Moolai. Petitioner

Vs.

- (1) Velauther Cumaratnam of Vaddukkodai East and (2) Sellam, daughter of Arumugam of Moolai. Respondents.

THIS matter of the petition of the above-named petitioner, praying that the above-named 1st respondent be appointed guardian *ad litem* over the minor, the 2nd respondent, and that letters of administration to the estate of the above-named deceased be issued to the petitioner, coming on for disposal before W. Wadsworth, Esq., District Judge, on September 13, 1921, in the presence of Mr. S. Sittampalam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 12, 1921, having been read: It is ordered that the above-named 1st respondent be appointed guardian *ad litem* over the said minor, the 2nd respondent, for the purpose of representing her in this case, and that petitioner be declared entitled to have letters of administration to the estate of the said intestate, as his lawful widow, unless the above-named respondents shall, on or before October 11, 1921, show sufficient cause to the satisfaction of this court, to the contrary.

September 22, 1921. W. WADSWORTH, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate and Effects of the late Ramaswamy Ponnuduraisamy of Thondaimanar, deceased. No. 4,607.

Murugupillai Visuvalingam of Valvettiturai. Petitioner

Vs.

- (1) Chellamuttu, widow of Sithamparappillai of Thondaimanar, (2) Ponnuduraisamy Sriskandarajah of ditto, (3) Raniammah, daughter of Ponnuduraisamy of ditto, (4) Ponnuduraisamy Balasundaram of ditto the 2nd, 3rd, and 4th respondents are minors appearing by their guardian *ad litem* the 1st respondent Respondents.

THIS matter of the petition of the above-named petitioner praying that the 1st respondent be appointed guardian *ad litem* over the said minors, the 2nd, 3rd, and 4th respondents, and that letters of administration to the estate of the above-named deceased be issued to the petitioner, coming on for disposal before W. Wadsworth, Esq., District Judge, on September 17, 1921, in the presence of Mr. V. Ganapatipillai, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 6, 1921, having been read:

It is ordered that the above-named 1st respondent be appointed guardian *ad litem* over the said minors, 2nd, 3rd, and 4th respondents, for the purpose of representing them in this case, and that the petitioner be declared entitled to have letters of administration to the estate of the said intestate issued to him, as the guardian of the minor heirs, unless the respondents or any other persons shall, on or before October 13, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 26, 1921. W. WADSWORTH, District Judge.

In the District Court of Mullaittivu.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Ponnammah, daughter of Arunasalem of
No. 164. Puloly, Point Pedro, deceased.

Appapillai Thirunavukkarasa of Point Pedro,
presently of Puthukkudiyiruppu in the
Mullaittivu District Petitioner.

Vs.

(1) Subramaniam Sivapathasundram, (2) his
wife Thilakawathiammal, (3) Kumaraswamy
Pulavar Paranthoipillai, (4) his wife
Manikkawalli, all of Puloly Respondents.

THIS matter of the petition of Appapillai Thirunavak-
karasa of Point Pedro, presently of Puthukkudiyiruppu in
Mullaittivu District, praying for letters of administration
to the estate of the above-named deceased, Ponnamma,
daughter of Arunasalam of Puloly, Point Pedro, coming on
for disposal before R. M. M. Worsley, Esq., District Judge,
on September 13, 1921, in the presence of Mr. V. T. Swami-
nather, Proctor, on the part of the petitioner; and the
affidavit of the said petitioner dated August 8, 1921, having
been read: It is ordered that the petitioner be and he is
hereby declared entitled, as the sole heir of the said deceased,
to administer the estate of the said deceased, and that
letters of administration do issue to him accordingly,
unless the respondents above named or any other person
shall, on or before October 7, 1921, show sufficient cause
to the satisfaction of this court to the contrary.

September 13, 1921.

R. M. M. WORSLEY,
District Judge.

In the District Court of Anuradhapura.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Sandrasekaram Kanapathipillai of
No. 288. Anuradhapura, deceased.

Kanapathipillai Sandrasekaram of Anuradha-
pura Petitioner.

Vs.

Rasanagaratnam of Puloly East in Point Pedro in
Jaffna District, widow of Sandrasekaram Kana-
pathipillai, deceased above named Respondent.

THIS matter of the petition of Kanapathipillai Sandra-
sekaram of Anuradhapura, praying for letters of adminis-
tration to the estate of the above-named deceased, Sandra-
sekaram Kanapathipillai, coming on for disposal before
S. H. Wadia, Esq., District Judge, on September 20, 1921,
in the presence of Mr. V. Ramaswamy, Proctor, on the part
of the petitioner; and the affidavit of the petitioner dated
September 12, 1921, having been read: It is declared that
the petitioner is the sole heir of the said intestate, and is
entitled to have letters of administration to the estate of the
said intestate issued to him, unless the respondent or any
other person shall, on or before October 18, 1921, show
sufficient cause to the satisfaction of this court to the
contrary.

September 20, 1921.

S. H. WADIA,
District Judge.