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DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to make provision for giving effect to certain provisions of the Treaty of Peace lately signed at Trianon.

WHEREAS a Treaty of Peace (hereinafter referred to as "The Treaty") was signed at Trianon on the Fourth day of June, 1920, on behalf of His Majesty :

Preamble.

And whereas His Majesty has been pleased, under and by virtue of the powers conferred on him by the Treaty of Peace (Hungary) Act, 1921, to make the Order in Council set out in the schedule hereto, dealing with the enforcement of certain provisions of the said Treaty in certain parts of His Dominions, including Ceylon :

And whereas provision is made in the said Order in Council for the Legislature of any such part of His Majesty's Dominions making such modifications in the said Order as are necessary to adapt it to the circumstances thereof :

And whereas it is expedient to make certain modifications in the said Order in Council for the purpose of adapting certain of its provisions to the circumstances of this Colony :

Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

1 This Ordinance may be cited as "The Treaty of Peace (Hungary) Enforcement Ordinance, No. of 1922."

Short title.

2 The clearing office established under the provisions of section 2 of "The Treaty of Peace (Enforcement) Ordinance, No. 7 of 1920," shall be the clearing office for the purposes of this Ordinance and of the Order in Council set forth in the schedule hereto, and shall be under the control and management of the Custodian of Enemy Property appointed under the provisions of "The Enemy Firms Liquidation Ordinance, No. 20 of 1916" (hereinafter referred to as "the Custodian").

Clearing office for Hungarian debts.

Application
of Order in
Council to
Colony.

3 In applying the said Order in Council to the Colony, the following modifications shall be made :

- (1) In article 1 (ii.) the reference to section 1 of the Trading with the Enemy Act, 1914, shall be taken to be to section 2 of "The Trading with the Enemy Ordinance, No. 20 of 1914";
- (2) In article 1 (iv.) the reference to the Supreme Court shall be taken to be to the District Court of Colombo;
- (3) Offences which are directed to be prosecuted summarily may be so prosecuted before a Police Magistrate, and the provisions of section 8A of "The Interpretation Ordinance, 1901," shall apply to such offences as if the same had been contained in an Ordinance;
- (4) Wherever reference is made to the amount of any fine which may be imposed in terms of pounds, it shall be deemed, for the purpose of any proceedings taken in the Colony, that fifteen rupees are the equivalent of one pound;
- (5) References to the administrator, except in article 1 (xxii.), shall be taken to be to the Custodian;
- (6) In article 1 (ix., x., xiv., xv., xvi., xxvi.) references to the Board of Trade, the President of the Board of Trade or the Treasury, shall be taken to be to the Governor in Executive Council;
- (7) In paragraph (c) of article 1 (x.), the furnishing, before this Ordinance comes into operation, of particulars to the Custodian in accordance with "The Enemy Property Ordinance, No. 23 of 1916"; "The Enemy Property (Amendment) Ordinance, No. 5 of 1917"; and "The Enemy Property (Amendment) Ordinance, No. 41 of 1917," shall be deemed to have been a compliance with the obligation to furnish particulars in the said article set forth;
- (8) In article 1 (x.) (c) the reference to the making of the said Order shall be taken to be to the coming into operation of this Ordinance;
- (9) In article 1 (x.) (h), the reference to sub-sections (1) to (4) of section 4 of the Trading with the Enemy (Amendment) Act, 1916, shall be taken to be to sub-sections (1) to (4) of section 8 A of "The Enemy Property Ordinance, No. 23 of 1916," as the same is set out in section 3 of Ordinance No. 5 of 1917;
- (10) In article 1 (x.) (i) references to the court shall be taken to be to the District Court of Colombo;
- (11) In article 1 (xii.) the reference to a trustee in bankruptcy shall be taken to be to a trustee in bankruptcy appointed under the Bankruptcy Act, 1914, of the Imperial Parliament, and of any Act amending the same;
- (12) In article 1 (xxiii.) the reference to a court shall be taken to be to a District Court;
- (13) In article 1 (xiv. and xxiv.), the references to the coming into force of the Treaty shall be taken to be to the coming into operation of this Ordinance;
- (14) In article 1 (xxvii.), there shall be substituted for the reference to the Patents, Designs, and Trade Marks (Temporary Rules) Act, 1914, and the Patents, Designs, and Trade Marks (Temporary Rules) (Amendment) Act, 1914, a reference to "The Patents, Designs, and Trade Marks (Temporary Rules) Ordinance, No. 10 of 1915," other than sub-section (3) of section 2 thereof;
- (15) In article 1 (xxviii. and xxix.) the references to the Comptroller-General of Patents and Trade Marks shall, in respect of proceedings relating to patents, be taken to be to the Registrar as defined in "The Patents Ordinance, 1906," and in proceedings relating to other matters referred to in article 262 of the Treaty, be taken to be to the Registrar-General.

SCHEDULE.

At the Court at Buckingham Palace, the 10th day of August, 1921.

Present :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas at Trianon, on the Fourth day of June, Nineteen hundred and Twenty, a Treaty of Peace (hereinafter referred to as "The Treaty") was signed on behalf of His Majesty :

And whereas by the Treaty of Peace (Hungary) Act, 1921, it was provided that His Majesty might make such appointments, establish such offices, make such Orders in Council, and do such things as appeared to him to be necessary for carrying out the Treaty, and for giving effect to any of the provisions of the Treaty, and that any Order in Council made under that Act might provide for the imposition by summary process or otherwise of penalties in respect of breaches of the provisions thereof :

And whereas the Treaty contained the sections set out in the schedule to this Order, and it is expedient that for giving effect thereto the provisions hereinafter contained should have effect :

And whereas by Treaty, grant, usage, sufferance, or other lawful means His Majesty has power and jurisdiction in British Protectorates, and is pleased by virtue and in exercise of the powers vested in Him by the Foreign Jurisdiction Act, 1890, or otherwise to extend the provisions of this Order to such Protectorates :

Now, therefore, His Majesty, by and with the advice of His Privy Council, is pleased to order, and it is hereby ordered, as follows :

1. The sections of the Treaty set out in the schedule to this Order shall have full force and effect as law, and for the purpose of carrying out the said sections the following provisions shall have effect :

(i.) There shall be established in the United Kingdom a Clearing Office under the control and management of such person (hereinafter referred to as the Administrator) as the Board of Trade may appoint for the purpose.

In the event of a local office being established in any part of His Majesty's Dominions or in any Protectorate, the provisions relating to the Clearing Office hereinafter contained shall apply thereto for the purpose of the functions authorized to be performed by a local clearing office under paragraph 1 of the Annex to Section III. of Part X. of the Treaty.

(ii.) It shall not be lawful for any person to pay or accept payment of any enemy debt, except in cases where recovery thereof in a court of law is allowed as hereinafter provided, otherwise than through or by leave of the Clearing Office (which leave may be granted subject to such conditions, including conditions as to the payment of fees, as the Clearing Office may think fit to impose), and no person interested in any such debt as debtor or creditor shall have any communications with any other person interested therein as creditor or debtor except through or by leave of the Clearing Office, and if any person contravenes this provision he shall be guilty of an offence and liable to be proceeded against and punished as if he had been guilty of the offence of trading with the enemy, and section one of the Trading with the Enemy Act, 1914, shall apply accordingly.

(iii.) It shall not be lawful for any person to take proceedings in any court for the recovery of any enemy debt except in the circumstances provided under paragraphs 16, 23, and 25 of the Annex to the said Section III.

(iv.) The Clearing Office shall have power to enforce the payment of any enemy debt against the person by whom the debt is due, together with such interest as is payable under paragraph 22 of the Annex to the said Section III., and for that purpose shall have all such rights and powers as if they were the creditor ; and if the debt has been admitted by the debtor or the debt or amount thereof has been found by arbitration or by the Mixed Arbitral Tribunal or by a court of law in the manner provided by paragraph 16 of the Annex to the said Section III., the Clearing Office may certify the amount so admitted or found due together with such interest as aforesaid, and on production to the proper officer of the Supreme Court of the part of His Majesty's Dominions or the Protectorate in which the debtor resides of such certificate, the certificate shall be registered by that officer and shall from the date of such registration be of the same force and effect, and all proceedings may be taken thereon, as if the certificate were a judgment obtained in that court for the recovery of a debt of the amount specified in the certificate and entered upon the date of such registration, and all reasonable costs and charges

attendant upon the registration of such certificate shall be recoverable in like manner as if they were part of such judgment.

(v.) It shall be lawful for the Clearing Office to recover from any person by whom a fine is payable under paragraph 10 of the Annex to the said Section III. the amount of such fine.

(vi.) If any creditor refuses or fails to give such notice or to furnish such documents or information as are mentioned in paragraph 5 of the Annex to the said Section III. he shall, on summary conviction, be liable to a fine not exceeding ten pounds.

(vii.) If any person collusively gives notice of or admits any debt which is not due or furnishes any false information with respect to any debt, he shall, on summary conviction, be liable to a fine not exceeding one hundred pounds, or to imprisonment for a term not exceeding three months, or to both such imprisonment and fine.

(viii.) If His Majesty so agrees with any of the other Allied or Associated Powers, the provisions of this Order, so far as they relate to enemy debts, shall apply to debts due to or from the nationals of that Power resident in any part of His Majesty's Dominions or Protectorates in like manner as they apply to debts due to or from British nationals so resident.

(ix.) All property, rights, and interests within His Majesty's Dominions or Protectorates belonging to nationals of the former Kingdom of Hungary at the date when the Treaty came into force (not being property, rights, or interests acquired under any general license issued by or on behalf of His Majesty), and the nett proceeds of their sale, liquidation, or other dealings therewith, are hereby charged—

(a) In the first place, with payment of the amounts due in respect of claims by British nationals (other than British nationals ordinarily resident in the self-governing Dominions, India, and Egypt) with regard to their property, rights, and interests (including companies and associations in which they are interested) in the territories of the former Kingdom of Hungary, or debts owing to them by Hungarian nationals, and with payment of any compensation awarded by the Mixed Arbitral Tribunal, or by an arbitrator appointed by that Tribunal in pursuance of paragraph (e) of Article 232 of the Treaty, and with payment of claims growing out of acts committed by the former Austro-Hungarian Government or by any Hungarian authorities since the Twenty-eighth day of July, and before the Twelfth day of August, Nineteen hundred and Fourteen ; and

(b) Secondly, with payment of the amounts due in respect of claims by British nationals (other than British nationals ordinarily resident in the self-governing Dominions, India, and Egypt) with regard to their property, rights, and interests in the territories of Germany, Austria, Bulgaria, and Turkey, in so far as those claims are not otherwise satisfied :

Provided that any particular property, rights, or interests so charged may at any time be released by the Administrator, acting under the general direction of the Board of Trade, from the charge so created.

Provided further that where it is alleged that any property, right, or interest is not subject to the said charge by reason of its belonging to a person who is not a national of the former Kingdom of Hungary within the meaning of this Order, the Administrator shall be entitled to make such charges as, subject to the consent of the Treasury, he may consider necessary to cover the costs incurred by him in investigating the allegation and in tracing and identifying the said property, right, or interest.

(x.) With a view to making effective and enforcing such charge as aforesaid—

(a) The Administrator shall have such powers and duties as are hereinafter provided ;

(b) No person shall, without the consent of the Administrator, acting under the general direction of the Board of Trade, transfer, part with, or otherwise deal in any property, right, or interest subject to the charge, and if he does so he shall be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or to both such imprisonment and fine ;

(c) Every person owning or having the control or management of any property, right, or interest, subject to the charge (including where the property, right, or interest consists of shares, stocks, or other securities issued by a company, municipal authority, or other body, or any right or interest therein of such company, authority, or body) shall, unless particulars thereof have already been furnished to the Custodian in accordance with the Trading with the Enemy Acts, 1914 to 1918, within one month from the date of the making of this Order by notice in writing communicate the

- fact to the Administrator, and shall furnish the Administrator with such particulars in relation thereto as the Administrator may require, and if any person fails to do so or furnishes any false information he shall on summary conviction be liable to a fine not exceeding one hundred pounds ;
- (d) Where the property charged consists of inscribed or registered stock, shares, or other securities, any company, municipal authority, or other body by whom the securities were issued or are managed shall on application being made by the Administrator, notwithstanding any regulation or stipulation of the company or other body, and notwithstanding that the Administrator is not in possession of the certificate, scrip, or other document of title relating to the shares, stock, or securities to which the application relates, enter the Administrator in the books in which the securities are inscribed or registered as the proprietor of the securities subject to the charge, and the Administrator shall have power to sell or otherwise deal with the securities as proprietor of which he is so registered or inscribed, and to require any person having in his possession any documents of title to any such stock, shares, or other securities to deliver the same to him, and an acknowledgment of such delivery signed by him shall be a sufficient discharge to the person delivering the same ;
- (e) Where the property charged consists of property transferable on delivery, any person having the possession, control, or management of the property shall, on being so required by the Administrator, deliver the property to him, and the Administrator shall have power to sell or otherwise deal with the property so delivered to him ;
- (f) Where the property, right, or interest subject to the charge consists of any sum of money due to a Hungarian national (not being an enemy debt within the meaning of Article 231 of the Treaty) it shall be payable to the Administrator, and shall be paid to him on demand, and the Administrator shall have power to enforce the payment thereof, and for that purpose shall have all such rights and powers as if he were the creditor ;
- (g) A certificate by the Administrator that any property, right, or interest is subject to the charge shall be sufficient evidence of the facts stated in the certificate, and where any such application, requirement, or demand of the Administrator as aforesaid is accompanied by such a certificate, the company, municipal authority, or other body by whom the securities were issued or are managed, the person in possession of the property transferable by delivery, or the person by whom a sum of money is due, shall comply with the application, requirement, or demand, and shall not be liable to any action or other legal proceedings in respect of such compliance, but if it is subsequently proved that the property, right, or interest was not subject to the charge, the owner thereof shall be entitled to recover the same from the Administrator, or, if it has been sold, the proceeds of sale, but not to any other remedy ;
- (h) The Board of Trade may by order vest in the Administrator any property, right, or interest subject to the charge, or the right to transfer the same, and for that purpose sub-sections (1) to (4) of section four of the Trading with the Enemy (Amendment) Act, 1916, shall apply as if property, rights, and interests subject to the charge were property belonging to an enemy or enemy subject, and as if for references to the Custodian therein there were substituted references to the Administrator ;
- (i) The court may on the application of the Administrator require any person known or suspected to have in his possession or under his control any property, right, or interest subject to the charge, including any person known or suspected to owe a debt to a national of the former Kingdom of Hungary, or any person who claims that any property, right, or interest belonging to him is not subject to the charge by reason of his not being a national of the former Kingdom of Hungary within the meaning of this Order or any person whom the court may consider capable of giving information with respect to the same, subject to payment or tender of reasonable expenses of his attendance, to attend as a witness and to give evidence or produce documents before the court or before such officer as the court may appoint for the purpose of examining into the matter, who shall have power to take evidence and administer oaths, and if any person fails without reasonable excuse to comply with any of the provisions of the order or wilfully gives false evidence he shall on summary conviction be liable to a fine not exceeding one hundred pounds, or to imprisonment for a term not exceeding three months, or to both such imprisonment and fine.

For the purposes of this paragraph "the court" means the High Court or a Judge thereof or a County Court, or in Scotland the Court of Session or a Sheriff Court.

(j) If any person called upon to pay any money or to transfer or otherwise to deal with any property, rights, or interests has reason to suspect that the same are subject to such charge as aforesaid he shall before paying, transferring, or dealing with the same report the matter to the Administrator and shall comply with any directions that the Administrator may give with respect thereto.

(xi.) There shall be paid to the Administrator such surplus proceeds of property, rights, and interests charged under section 1 (xvi.), of the Treaty of Peace Order, 1919, as may be allocated in accordance with Article 1 (xvi.) (b) of that Order to the payment of amounts due in respect of claims by British nationals with regard to their property, rights, and interests in the territories of the former Austrian Empire.

(xii.) The Administrator shall, as respects property vested in or transferred to him under this Order, have all the rights and powers conferred upon or exercisable, as respects property vested in him, by a trustee in bankruptcy, whether with or without the permission of a committee of inspection or the leave of the court.

(xiii.) The Administrator shall apply the sums received by him in satisfaction of the claims, debts, and compensation mentioned in sub-section (ix.) of this article.

(xiv.) The Clearing Office and the Administrator may, subject to the approval of the President of the Board of Trade, from time to time make, revoke, or vary general rules, and may by such rules prescribe forms for carrying into effect the provisions of this Order, and prescribe the time (not being less than six months after the coming into force of the Treaty) within which proofs of claims in order to rank must be made and the manner of making and proving the same.

(xv.) There shall be attached to the Clearing Office, and the Administrator shall be assisted by, such officers and servants as the Board of Trade, subject to the consent of the Treasury may determine, and there shall be paid to the Administrator and to such officers and servants such salaries or other remuneration as the Treasury may determine.

(xvi.) The Clearing Office, out of the money collected by them, and the Administrator, out of the property, rights, interests, or proceeds thereof vested in or collected or received by him under this Order, shall retain such sums as, subject to the consent of the Treasury, the Clearing Office, or Administrator, may consider necessary to cover risks, expenses, and commissions.

(xvii.) Proceedings by and on behalf of the Clearing Office and proceedings by the Administrator may be taken by and in the name of the Administrator, who may by the name of the Administrator of Hungarian Property sue and be sued, and costs may be awarded to or against the Administrator.

(xviii.) Every document purporting to be an order or other instrument issued by the Clearing Office and to be signed by the Administrator or by the secretary of the Clearing Office or by any other person authorized by the Administrator, and every document purporting to be an order or other instrument issued by the Administrator and to be signed by him or by any other person authorized by him shall be received in evidence and shall be deemed to be such order or instrument without further proof, unless the contrary is shown, and in any proceeding by the Clearing Office or by the Administrator to recover a debt or fine, a report purporting to be signed by the Administrator or any other person authorized by him shall be evidence of the facts therein stated.

(xix.) A certificate signed by the Administrator that an order or other instrument purporting to be made or issued by the Clearing Office or by the Administrator is so made or issued shall be conclusive evidence of the facts so certified.

(xx.) The Documentary Evidence Act, 1868, as amended by any subsequent enactment, shall apply to the Clearing Office and to the Administrator in like manner as if they were respectively mentioned in the first column of the First Schedule to that Act, and as if the Administrator or any person authorized by him to act on his behalf were in relation both to the Clearing Office and the Administrator mentioned in the second column of that schedule, and as if the regulations referred to in that Act included any documents issued by or on behalf of the Clearing Office or the Administrator.

(xxi.) All decisions of the Mixed Arbitral Tribunal constituted under Section VI. of Part X. of the Treaty, if within the jurisdiction of that Tribunal, shall be final and conclusive and binding on all courts.

(xxii.) The Administrator may undertake on behalf of a British national the presentation to and conduct before the Mixed Arbitral Tribunal of any claim, difference, or dispute referable to

the Tribunal under the provisions of Sections IV., V., and VII. of Part X. of the Treaty, and may make regulations with the consent of the Treasury in respect of the fees to be charged in respect of such services.

(xxiii.) For the purpose of enforcing the attendance of witnesses before the Mixed Arbitral Tribunal, wherever sitting, whether within or without His Majesty's Dominions, and compelling the production before the Tribunal of documents, a Secretary of State shall have power to issue orders which shall have the like effect as if the proceedings before the Tribunal were an action in a court and the order were a formal process issued by that court in the due exercise of its jurisdiction, and shall be enforceable by that court accordingly, and disobedience to any such order shall be punishable as contempt of court.

(xxiv.) The time at which the period of prescription or limitation of right of action referred to in Article 235 of the Treaty shall begin again to run shall be at the expiration of six months after the coming into force of the Treaty, and the period to be allowed within which presentation of negotiable instruments for acceptance or payment and notice of non-acceptance or non-payment or protest may be made under Article 236 shall be ten months from the coming into force of the Treaty.

(xxv.) Rules made during the war by any recognized Exchange or Commercial Association providing for the closure of contracts entered into before the war by an enemy and any action taken thereunder are hereby confirmed subject to the provisos contained in paragraph 4 (a) of the Annex to Section V. of Part X. of the Treaty.

(xxvi.) There shall be imposed on rights of industrial, literary, or artistic property (with the exception of trade marks) acquired before or during the war, or which may be acquired hereafter, by or on behalf of Hungarian nationals, such limitations, conditions, or restrictions as the Board of Trade may prescribe for the purpose, in the manner, in the circumstances, and subject to the limitations, contained in Article 241 of the Treaty, and any transfer in whole or in part or other dealing with any rights so acquired as aforesaid effected since the Twenty-eighth day of July, Nineteen hundred and Fourteen, shall if and so far as it is inconsistent with any limitations, conditions, or restrictions so imposed be void and of no effect.

(xxvii.) Articles 242 and 243 of the Treaty shall not be deemed to confer rights within His Majesty's dominions on the nationals of any High Contracting Party other than Hungarian nationals, and so far as may be necessary for the purpose of Article 242 of the Treaty, the Patents, Designs, and Trade Marks (Temporary Rules) Act, 1914 (except paragraph (b) of section 1 of the Patents, Designs, and Trade Marks (Temporary Rules) (Amendment) Act, 1914), shall in relation to Hungarian nationals continue in force, and shall be deemed as from the date when the Treaty came into force to have continued in force, as if references therein to subjects of a State at war with His Majesty included references to Hungarian nationals.

(xxviii.) The Comptroller-General of Patents, Designs, and Trade Marks shall have power and shall be deemed to have had power, as from the coming into force of the Treaty in cases where patents and designs are revived under the provisions of Article 242 of the Treaty, to impose such conditions as he may deem reasonably necessary for the protection of persons who have manufactured or made use of the subject-matter of such patents or designs while the rights had lapsed.

(xxix.) The duly qualified tribunal for the purposes of Article 245 of the Treaty shall be the Comptroller-General of Patents, Designs, and Trade Marks.

2. For the purposes of the foregoing provisions of this Order, but not including the schedule therein referred to—

The expression "enemy debt" has the meaning assigned to it by paragraph 2 of the Annex to Section III. of Part X. of the Treaty, and includes any sum which under the Treaty is to be treated or dealt with in like manner as an enemy debt.

The expression "nationals" in relation to any State includes the Sovereign or former Sovereign and the subjects or citizens of that State and any company or corporation incorporated therein according to the law of that State, and in the case of a Protectorate the natives thereof.

The expression "nationals of the former Kingdom of Hungary" does not include persons who, within six months of the coming into force of the Treaty, show to the satisfaction of the Administrator that they have acquired *ipso facto* in accordance with its provisions the nationality of an Allied or Associated power, including those who under Article 62 of the Treaty obtained such nationality with the consent of the competent authorities, or who acquired such nationality by virtue of previous rights of citizenship.

The Interpretation Act, 1889, applies for the interpretation of this Order in like manner as it applies for the interpretation of an Act of Parliament, and as if this Order were an Act of Parliament.

3. This Order shall apply to the whole of His Majesty's Dominions and Protectorates, except India and Egypt and the self-governing Dominions, that is to say, the Dominion of Canada, the Commonwealth of Australia (which for this purpose shall be deemed to include Papua and Norfolk Island), the Union of South Africa, the Dominion of New Zealand and Newfoundland, but in its application to the parts of His Majesty's Dominions outside the United Kingdom and to British Protectorates shall be subject to such modifications as may be made by the Legislatures of those parts or those Protectorates for adapting to the circumstances thereof the provisions of this Order.

Provided that if a local clearing office is established in India or in any self-governing Dominion, the provisions of this Order relating to the Clearing Office shall apply with respect to the relations between the Central Clearing Office and the local clearing office, and to transactions on behalf of the local clearing office which must be effected through the Central Clearing Office or which may be effected by the Central Clearing Office at the request of the local clearing office.

4. This Order shall be deemed to have come into operation as from the date when the Treaty of Peace came into force, that is to say, the Twenty-sixth day of July, Nineteen hundred and Twenty-one.

5. This Order may be cited as the Treaty of Peace (Hungary) Order, 1921.

ALMERIC FITZROY.

SCHEDULE.

SECTION III.—DEBTS.

ARTICLE 231.

There shall be settled through the intervention of Clearing Offices to be established by each of the High Contracting Parties within three months of the notification referred to in paragraph (e) hereafter the following classes of pecuniary obligations:

(1) Debts payable before the war and due by a national of one of the Contracting Powers, residing within its territory, to a national of an Opposing Power, residing within its territory;

(2) Debts which became payable during the war to nationals of one Contracting Power residing within its territory and arose out of transactions or contracts with the nationals of an Opposing Power, resident within its territory, of which the total or partial execution was suspended on account of the existence of a state of war;

(3) Interest which has accrued due before and during the war to a national of one of the Contracting Powers in respect of securities issued or taken over by an Opposing Power, provided that the payment of interest on such securities to the nationals of that Power or to neutrals has not been suspended during the war;

(4) Capital sums which have become payable before and during the war to nationals of one of the Contracting Powers in respect of securities issued by one of the Opposing Powers, provided that the payment of such capital sums to nationals of that Power or to neutrals has not been suspended during the war.

In the case of interest or capital sums payable in respect of securities issued or taken over by the former Austro-Hungarian Government, the amount to be credited and paid by Hungary will be the interest or capital in respect only of the debt for which Hungary is liable in accordance with Part IX. (Financial Clauses) of the present Treaty, and the principles laid down by the Reparation Commission.

The proceeds of liquidation of enemy property, rights, and interests mentioned in Section IV. and in the Annex thereto will be accounted for through the Clearing Offices, in the currency and at the rate of exchange hereinafter provided for in paragraph (d), and disposed of by them under the conditions provided by the said section and Annex.

The settlements provided for in this article shall be effected according to the following principles and in accordance with the Annex to this section:

(a) Each of the High Contracting Parties shall prohibit, as from the coming into force of the present Treaty, both the payment and the acceptance of payment of such debts, and also all communications between the interested parties with regard to the settlement of the said debts otherwise than through the Clearing Offices;

(b) Each of the High Contracting Parties shall be respectively responsible for the payment of such debts due by its nationals, except in the cases where before the war the debtor was in a state of bankruptcy or failure, or had given formal indication of insolvency, or where the debt was due by a company whose business has been liquidated under emergency legislation during the war ;

(c) The sums due to the nationals of one of the High Contracting Parties by the nationals of an Opposing State will be debited to the Clearing Office of the country of the debtor, and paid to the creditor by the Clearing Office of the country of the creditor ;

(d) Debts shall be paid or credited in the currency of such one of the Allied and Associated Powers, their colonies or protectorates, or the British Dominions, or India, as may be concerned. If the debts are payable in some other currency they shall be paid or credited in the currency of the country concerned, whether an Allied or Associated Power, Colony, Protectorate, British Dominion, or India, at the pre-war rate of exchange.

For the purpose of this provision the pre-war rate of exchange shall be defined as the average cable transfer rate prevailing in the Allied or Associated country concerned during the month immediately preceding the outbreak of war between the said country concerned and Austria-Hungary.

If a contract provides for a fixed rate of exchange governing the conversion of the currency in which the debt is stated into the currency of the Allied or Associated country concerned, then the above provisions concerning the rate of exchange shall not apply.

In the case of the new States of Poland and the Czecho-Slovak State, the currency in which and the rate of exchange at which debts shall be paid or credited shall be determined by the Reparation Commission provided for in Part VIII., unless they shall have been previously settled by agreement between the States interested ;

(e) The provisions of this Article and of the Annex hereto shall not apply as between Hungary, on the one hand, and any one of the Allied and Associated Powers, their colonies or protectorates, or any one of the British Dominions, or India, on the other hand, unless within a period of one month from the deposit of the ratification of the present Treaty by the Power in question, or of the ratification on behalf of such Dominion or of India, notice to that effect is given to Hungary by the Government of such Allied or Associated Power or of such Dominion or of India as the case may be ;

(f) The Allied and Associated Powers which have adopted this Article and the Annex hereto may agree between themselves to apply them to their respective nationals established in their territory so far as regards matters between their nationals and Hungarian nationals. In this case the payments made by application of this provision will be subject to arrangements between the Allied and Associated Clearing Offices concerned.

ANNEX.

1. Each of the High Contracting Parties will, within three months from the notification provided for in Article 231, paragraph (e), establish a Clearing Office for the collection and payment of enemy debts.

Local Clearing Offices may be established for any particular portion of the territories of the High Contracting Parties. Such local Clearing Offices may perform all the functions of a central Clearing Office in their respective districts, except that all transactions with the Clearing Office in the Opposing State must be effected through the central Clearing Office.

2. In this Annex the pecuniary obligations referred to in the first paragraph of Article 231 are described as "enemy debts," the persons from whom the same are due as "enemy debtors," the persons to whom they are due as "enemy creditors," the Clearing Office in the country of the creditor is called the "Creditor Clearing Office," and the Clearing Office in the country of the debtor is called the "Debtor Clearing Office."

3. The High Contracting Parties will subject contraventions of paragraph (a) of Article 231 to the same penalties as are at present provided by their legislation for trading with the enemy. Those who have not prohibited trading with the enemy will enact provisions punishing the above-mentioned contraventions with severe penalties. The High Contracting Parties will similarly prohibit within their territory all legal process relating to payment of enemy debts, except in accordance with the provisions of this Annex.

4. The Government guarantee specified in paragraph (b) of Article 231 shall take effect whenever, for any reason, a debt shall not be recoverable, except in a case where at the date of the outbreak of war the debt was barred by the laws of prescription

in force in the country of the debtor, or where the debtor was at that time in a state of bankruptcy or failure or had given formal indication of insolvency, or where the debt was due by a company whose business has been liquidated under emergency legislation during the war. In such case the procedure specified by this Annex shall apply to payment of the dividends.

The terms "bankruptcy" and "failure" refer to the application of legislation providing for such juridical conditions. The expression "formal indication of insolvency" bears the same meaning as it has in English law.

5. Creditors shall give notice to the Creditor Clearing Office within six months of its establishment of debts due to them, and shall furnish the Clearing Office with any documents and information required of them.

The High Contracting Parties will take all suitable measures to trace and punish collusion between enemy creditors and debtors. The Clearing Offices will communicate to one another any evidence and information which might help the discovery and punishment of such collusion.

The High Contracting Parties will facilitate as much as possible postal and telegraphic communication at the expense of the parties concerned and through the intervention of the Clearing Offices between debtors and creditors desirous of coming to an agreement as to the amount of their debt.

The Creditor Clearing Office will notify the Debtor Clearing Office of all debts declared to it. The Debtor Clearing Office will, in due course, inform the Creditor Clearing Office which debts are admitted and which debts are contested. In the latter case, the Debtor Clearing Office will give the grounds for the non-admission of debts.

6. When a debt has been admitted, in whole or in part, the Debtor Clearing Office will at once credit the Creditor Clearing Office with the amount admitted, and at the same time notify it of such credit.

7. The debt shall be deemed to be admitted in full and shall be credited forthwith to the Creditor Clearing Office, unless within three months from the receipt of the notification or such longer time as may be agreed to by the Creditor Clearing Office notice has been given by the Debtor Clearing Office that it is not admitted.

8. When the whole or part of a debt is not admitted the two Clearing Offices will examine into the matter jointly and will endeavour to bring the parties to an agreement.

9. The Creditor Clearing Office will pay to the individual creditor the sums credited to it out of the funds placed at its disposal by the Government of its country and in accordance with the conditions fixed by the said Government, retaining any sum considered necessary to cover risks, expenses or commissions.

10. Any person having claimed payment of an enemy debt which is not admitted in whole or in part shall pay to the Clearing Office, by way of fine, interest at 5 per cent. on the part not admitted. Any person having unduly refused to admit the whole or part of a debt claimed from him shall pay, by way of fine, interest at 5 per cent. on the amount with regard to which his refusal shall be disallowed.

Such interest shall run from the date of expiration of the period provided for in paragraph 7 until the date on which the claim shall have been disallowed or the debt paid.

Each Clearing Office shall in so far as it is concerned take steps to collect the fines above provided for, and will be responsible if such fines cannot be collected.

The fines will be credited to the other Clearing Office, which shall retain them as a contribution towards the cost of carrying out the present provisions.

11. The balance between the Clearing Offices shall be struck every three months and the credit balance paid in cash by the debtor State within one month.

Nevertheless, any credit balances which may be due by one or more of the Allied and Associated Powers shall be retained until complete payment shall have been effected of the sums due to the Allied or Associated Powers or their nationals on account of the war.

12. To facilitate discussion between the Clearing Offices each of them shall have a representative at the place where the other is established.

13. Except for special reasons all discussions in regard to claims will, so far as possible, take place at the Debtor Clearing Office.

14. In conformity with Article 231 paragraph (b), the High Contracting Parties are responsible for the payment of the enemy debts owing by their nationals.

The Debtor Clearing Office will therefore credit the Creditor Clearing Office with all debts admitted, even in case of inability to collect them from the individual debtor. The Governments concerned will, nevertheless, invest their respective Clearing Offices with all necessary powers for the recovery of debts which have been admitted.

15. Each Government will defray the expenses of the Clearing Office set up in its territory, including the salaries of the staff.

16. Where the two Clearing Offices are unable to agree whether a debt claimed is due, or in case of a difference between an enemy debtor and an enemy creditor or between the Clearing Offices, the dispute shall either be referred to arbitration if the parties so agree under conditions fixed by agreement between them, or referred to the Mixed Arbitral Tribunal provided for in Section VI. hereafter.

At the request of the Creditor Clearing Office the dispute may, however, be submitted to the jurisdiction of the courts of the place of domicile of the debtor.

17. Recovery of sums found by the Mixed Arbitral Tribunal, the court, or the Arbitration Tribunal to be due shall be effected through the Clearing Offices as if these sums were debts admitted by the Debtor Clearing Office.

18. Each of the Governments concerned shall appoint an agent who will be responsible for the presentation to the Mixed Arbitral Tribunal of the cases conducted on behalf of its Clearing Office. This agent will exercise a general control over the representatives or counsel employed by its nationals.

Decisions will be arrived at on documentary evidence, but it will be open to the Tribunal to hear the parties in person, or according to their preference by their representatives approved by the two Governments, or by the agent referred to above, who shall be competent to intervene along with the party or to re-open and maintain a claim abandoned by the same.

19. The Clearing Offices concerned will lay before the Mixed Arbitral Tribunal all the information and documents in their possession, so as to enable the Tribunal to decide rapidly on the cases which are brought before it.

20. Where one of the parties concerned appeals against the joint decision of the two Clearing Offices he shall make a deposit against the costs, which deposit shall only be refunded when the first judgment is modified in favour of the appellant and in proportion to the success he may attain, his opponent in case of such a refund being required to pay an equivalent portion of the costs and expenses. Security accepted by the Tribunal may be substituted for a deposit.

A fee of 5 per cent. of the amount in dispute shall be charged in respect of all cases brought before the Tribunal. This fee shall, unless the Tribunal directs otherwise, be borne by the unsuccessful party. Such fee shall be added to the deposit referred to. It is also independent of the security.

The Tribunal may award to one of the parties a sum in respect of the expenses of the proceedings.

Any sum payable under this paragraph shall be credited to the Clearing Office of the successful party as a separate item.

21. With a view to the rapid settlement of claims, due regard shall be paid in the appointment of all persons connected with the Clearing Offices or with the Mixed Arbitral Tribunal to their knowledge of the language of the other country concerned.

Each of the Clearing Offices will be at liberty to correspond with the other and to forward documents in its own language.

22. Subject to any special agreement to the contrary between the Governments concerned debts shall carry interest in accordance with the following provisions:

Interest shall not be payable on sums of money due by way of dividend, interest, or other periodical payments which themselves represent interest on capital.

The rate of interest shall be 5 per cent. per annum, except in cases where, by contract, law, or custom, the creditor is entitled to payment of interest at a different rate. In such cases the rate to which he is entitled shall prevail.

Interest shall run from the date of commencement of hostilities (or, if the sum of money to be recovered fell due during the war, from the date at which it fell due) until the sum is credited to the Clearing Office of the creditor.

Sums due by way of interest shall be treated as debts admitted by the Clearing Offices and shall be credited to the Creditor Clearing Office in the same way as such debts.

23. Where by decision of the Clearing Offices or the Mixed Arbitral Tribunal a claim is held not to fall within Article 231, the creditor shall be at liberty to prosecute the claim before the Courts or to take such other proceedings as may be open to him.

The presentation of a claim to the Clearing Office suspends the operation of any period of prescription.

24. The High Contracting Parties agree to regard the decisions of the Mixed Arbitral Tribunal as final and conclusive, and to render them binding upon their nationals.

25. In any case where a Creditor Clearing Office declines to notify a claim to the Debtor Clearing Office, or to take any step provided for in this Annex intended to make effective in whole or in part a request of which it has received due notice, the enemy creditor shall be entitled to receive from the Clearing Office a certificate setting out the amount of the claim, and shall then be entitled to prosecute the claim before the courts or to take such other proceedings as may be open to him.

SECTION IV.—PROPERTY, RIGHTS, AND INTERESTS.

ARTICLE 232.

I.—The question of private property, rights, and interests in an enemy country shall be settled according to the principles laid down in this section and to the provisions of the Annex hereto.

(a) The exceptional war measures and measures of transfer (defined in paragraph 3 of the Annex hereto) taken in the territory of the former Kingdom of Hungary with respect to the property, rights, and interests of nationals of Allied or Associated Powers, including companies and associations in which they are interested, when liquidation has not been completed, shall be immediately discontinued or stayed and the property, rights, and interests concerned restored to their owners.

(b) Subject to any contrary stipulations which may be provided for in the present Treaty, the Allied and Associated Powers reserve the right to retain and liquidate all property, rights, and interests which belong at the date of the coming into force of the present Treaty to nationals of the former Kingdom of Hungary, or companies controlled by them, and are within the territories, colonies, possessions, and protectorates of such Powers (including territories ceded to them by the present Treaty) or which are under the control of those Powers.

The liquidation shall be carried out in accordance with the laws of the Allied or Associated State concerned, and the owner shall not be able to dispose of such property, rights, or interests nor to subject them to any charge without the consent of that State.

Persons who within six months of the coming into force of the present Treaty show that they have acquired *ipso facto* in accordance with its provisions the nationality of an Allied or Associated Power, including those who under Article 62 obtains such nationality with the consent of the competent authorities, or in virtue of previous rights of citizenship (*pertinenza*) will not be considered as nationals of the former Kingdom of Hungary within the meaning of this paragraph.

(c) The price or the amount of compensation in respect of the exercise of the right referred to in paragraph (b) will be fixed in accordance with the methods of sale or valuation adopted by the laws of the country in which the property has been retained or liquidated.

(d) As between the Allied and Associated Powers and their nationals on the one hand and nationals of the former Kingdom of Hungary on the other hand, as also between Hungary on the one hand and the Allied and Associated Powers and their nationals on the other hand, all the exceptional war measures, or measures of transfer, or acts done or to be done in execution of such measures as defined in paragraphs 1 and 3 of the Annex hereto shall be considered as final and binding upon all persons except as regards the reservations laid down in the present Treaty.

(e) The nationals of Allied and Associated Powers shall be entitled to compensation in respect of damage or injury inflicted upon their property, rights, or interests, including any company or association in which they are interested, in the territory of the former Kingdom of Hungary by the application either of the exceptional war measures or measures of transfer mentioned in paragraphs 1 and 3 of the Annex hereto. The claims made in this respect by such nationals shall be investigated, and the total of the compensation shall be determined by the Mixed Arbitral Tribunal provided for in Section VI. or by an arbitrator appointed by that Tribunal. This compensation shall be borne by Hungary, and may be charged upon the property of nationals of the former Kingdom of Hungary, or companies controlled by them, as defined in paragraph (b), within the territory or under the control of the claimant's State. This property may be constituted as a pledge for enemy liabilities under the conditions fixed by paragraph 4 of the Annex hereto. The payment of this compensation may be made by the Allied or Associated State, and the amount will be debited to Hungary.

(f) Whenever a national of an Allied or Associated Power is entitled to property which has been subjected to a measure of transfer in the territory of the former Kingdom of Hungary and expresses a desire for its restitution, his claim for compensation in accordance with paragraph (e) shall be satisfied by the restitution of the said property if it still exists in specie.

In such case Hungary shall take all necessary steps to restore the evicted owner to the possession of his property, free from all encumbrances or burdens with which it may have been charged after the liquidation, and to indemnify all third parties injured by the restitution.

If the restitution provided for in this paragraph cannot be effected, private agreements arranged by the intermediation of the Powers concerned or the Clearing Offices provided for in the Annex to Section III. may be made, in order to secure that the national of the Allied or Associated Power may secure compensation for the injury referred to in paragraph (e) by the grant of advantages or equivalents which he agrees to accept in place of the property, rights, or interests of which he was deprived.

Through restitution in accordance with this article, the price or the amount of compensation fixed by the application of paragraph (e) will be reduced by the actual value of the property restored, account being taken of compensation in respect of loss of use or deterioration.

(g) The rights conferred by paragraph (f) are reserved to owners who are nationals of Allied or Associated Powers within whose territory legislative measures prescribing the general liquidation of enemy property, rights, or interests were not applied before the signature of the Armistice.

(h) Except in cases where, by application of paragraph (f) restitutions in specie have been made, the nett proceeds of sales of enemy property, rights, or interests wherever situated carried out either by virtue of war legislation or by application of this article, and in general all cash assets of enemies, other than proceeds of sales of property or cash assets in Allied or Associated countries belonging to persons covered by the last sentence of paragraph (b) above, shall be dealt with as follows :

(1) As regards Powers adopting Section III. and the Annex thereto, the said proceeds and cash assets shall be credited to the Power of which the owner is a national, through the Clearing Office established thereunder ; any credit balance in favour of Hungary resulting therefrom shall be dealt with as provided in Article 173, Part VIII. (Reparation), of the present Treaty.

(2) As regards Powers not adopting Section III. and the Annex thereto, the proceeds of the property, rights, and interests, and the cash assets of the nationals of Allied or Associated Powers held by Hungary shall be paid immediately to the person entitled thereto or to his Government ; the proceeds of the property, rights, and interests, and the cash assets of nationals of the former Kingdom of Hungary, or companies controlled by them, as defined in paragraph (b), received by an Allied or Associated Power shall be subject to disposal by such Power in accordance with its laws and regulations and may be applied in payment of the claims and debts defined by this article or paragraph 4 of the Annex hereto. Any such property, rights, and interests or proceeds thereof or cash assets not used as above provided may be retained by the said Allied or Associated Power, and, if retained, the cash value thereof shall be dealt with as provided in Article 173, Part VIII. (Reparation), of the present Treaty.

(i) Subject to the provisions of Article 250, in the case of liquidations effected in new States, which are signatories of the present Treaty as Allied and Associated Powers, or in States which are not entitled to share in the reparation payments to be made by Hungary, the proceeds of liquidations effected by such States shall, subject to the rights of the Reparation Commission under the present Treaty, particularly under Articles 165, Part VIII. (Reparation), and 194, Part IX. (Financial Clauses), be paid direct to the owner. If, on the application of that owner, the Mixed Arbitral Tribunal provided for by Section VI. of this Part, or an arbitrator appointed by that Tribunal, is satisfied that the conditions of the sale or measures taken by the Government of the State in question outside its general legislation were unfairly prejudicial to the price obtained, they shall have discretion to award to the owner equitable compensation to be paid by that State.

(j) Hungary undertakes to compensate her nationals in respect of the sale or retention of their property, rights, or interests in Allied or Associated States.

(k) The amount of all taxes or imposts on capital levied or to be levied by Hungary on the property, rights, and interests of the nationals of the Allied or Associated Powers from November 3, 1918, until three months from the coming into force of the present

Treaty, or, in the case of property, rights, or interests which have been subjected to exceptional measures of war, until restitution in accordance with the present Treaty shall be restored to the owners.

II.—Subject to the preceding provisions, all measures other than those above referred to taken by the *de jure* or *de facto* authorities in the territory of the former Kingdom of Hungary between November 3, 1918, and the coming into force of the present Treaty, and causing injury to the property, rights, and interests of the Allied and Associated Powers or their nationals, including companies and associations in which they were interested are declared null and void.

The provisions of paragraphs (a), (e), (f), (h), and (k) above apply to property, rights, and interests which belong to nationals of the Allied and Associated Powers, including companies and associations in which they were interested, and which have been the subject of injurious measures such as expropriation, confiscation, seizure, requisition, destruction, or deterioration effected as the result either of laws or regulations or of acts of violence on the part of the *de jure* or *de facto* authorities which have existed in Hungary, or of the Hungarian population.

III.—Companies and associations include in particular the Orthodox Greek communities established in Buda-Pesth and other Hungarian towns, as well as pious and other foundations, when nationals of the Allied and Associated Powers are interested in such communities or foundations.

IV.—No forfeiture on account of failure to complete any formality or make any declaration imposed by Hungarian laws or decrees promulgated since the Armistice and before the coming into force of the present Treaty shall be valid as against nationals of the Allied and Associated Powers, including companies and associations in which they were interested.

ARTICLE 233.

Hungary undertakes, with regard to the property, rights, and interests, including companies and associations in which they were interested, restored to nationals of Allied and Associated Powers in accordance with the provisions of Article 232 :

(a) To restore and maintain, except as expressly provided in the present Treaty, the property, rights, and interests of the nationals of Allied or Associated Powers in the legal position obtaining in respect of the property, rights, and interests of nationals of the former Kingdom of Hungary under the laws in force before the war ;

(b) Not to subject the property, rights, or interests of the nationals of the Allied or Associated Powers to any measures in derogation of property rights which are not applied equally to the property, rights, and interests of Hungarian Nationals, and to pay adequate compensation in the event of the application of these measures.

ANNEX.

1. In accordance with the provisions of Article 232, paragraph (d), the validity of vesting orders and of orders for the winding up of businesses or companies, and of any other orders, directions, decisions, or instructions of any court or any department of the Government of any of the High Contracting Parties made or given, or purporting to be made or given, in pursuance of war legislation with regard to enemy property, rights, and interests is confirmed. The interests of all persons shall be regarded as having been effectively dealt with by any order, direction, decision, or instruction dealing with property in which they may be interested, whether or not such interests are specifically mentioned in the order, direction, decision, or instruction. No question shall be raised as to the regularity of a transfer of any property, rights, or interests dealt with in pursuance of any such order, direction, decision, or instruction. Every action taken with regard to any property, business or company, whether as regards its investigation, sequestration, compulsory administration, use, requisition, supervision, or winding-up, the sale or management of property, rights, or interests, the collection or discharge of debts, the payment of costs, charges, or expenses, or any other matter whatsoever, in pursuance of orders, directions, decisions, or instructions of any court or of any department of the Government of any of the High Contracting Parties, made or given, or purporting to be made or given, in pursuance of war legislation with regard to enemy property, rights, or interests, is confirmed. Provided that the provisions of this paragraph shall not be held to prejudice the titles to property heretofore acquired in good faith and for value and in accordance with the laws of the country in which the property is situated by nationals of the Allied and Associated Powers.

The provisions of this paragraph do not apply to such of the above-mentioned measures as have been taken by the former Austro-Hungarian Government in invaded or occupied territory, nor to such of the above-mentioned measures as have been taken by Hungary or the Hungarian authorities since November 3, 1918, all of which measures shall be void.

2. No claim or action shall be made or brought against any Allied or Associated Power or against any person acting on behalf of or under the direction of any legal authority or department of the Government of such a Power by Hungary or by any Hungarian national or by or on behalf of any national of the former Kingdom of Hungary wherever resident in respect of any act or omission with regard to his property, rights, or interests during the war or in preparation for the war. Similarly no claim or action shall be made or brought against any person in respect of any act or omission under or in accordance with the exceptional war measures, laws, or regulations of any Allied or Associated Power.

3. In Article 232 and this Annex the expression "exceptional war measures" includes measures of all kinds, legislative, administrative, judicial, or others, that have been taken or will be taken hereafter with regard to enemy property, and which have had or will have the effect of removing from the proprietors the power of disposition over their property, though without affecting the ownership, such as measures of supervision, of compulsory administration, and of sequestration; or measures which have had or will have as an object the seizure of, the use of, or the interference with enemy assets, for whatsoever motive, under whatsoever form, or in whatsoever place. Acts in the execution of these measures include all detentions, instructions, orders, or decrees of Government departments or courts applying these measures to enemy property, as well as acts performed by any person connected with the administration or the supervision of enemy property, such as the payment of debts, the collecting of credits, the payment of any costs, charges or expenses, or the collecting of fees.

Measures of transfer are those which have affected or will affect the ownership of enemy property by transferring it in whole or in part to a person other than the enemy owner, and without his consent, such as measures directing the sale, liquidation, or devolution of ownership in enemy property, or the cancelling of titles or securities.

4. All property, rights, and interests of nationals of the former Kingdom of Hungary within the territory of any Allied or Associated Power and the nett proceeds of their sale, liquidation, or other dealing therewith may be charged by that Allied or Associated Power in the first place with payment of amounts due in respect of claims by the nationals of that Allied or Associated Power with regard to their property, rights, and interests, including companies and associations in which they are interested, in territory of the former Kingdom of Hungary, or debts owing to them by Hungarian nationals, and with payment of claims growing out of acts committed by the former Austro-Hungarian Government or by any Hungarian authorities since July 28, 1914, and before that Allied or Associated Power entered into the war. The amount of such claims may be assessed by an arbitrator appointed by M. Gustave Ador, if he is willing, or if no such appointment is made by him, by an arbitrator appointed by the Mixed Arbitral Tribunal provided for in Section VI. They may be charged in the second place with payment of the amounts due in respect of claims by the nationals of such Allied or Associated Power with regard to their property, rights, and interests in the territory of other enemy Powers, in so far as those claims are otherwise unsatisfied.

5. Notwithstanding the provisions of Article 232, where immediately before the outbreak of war a company incorporated in an Allied or Associated State had rights in common with a company controlled by it and incorporated in Hungary to the use of trade marks in third countries, or enjoyed the use in common with such company of unique means of reproduction of goods or articles for sale in third countries, the former company shall alone have the right to use these trade marks in third countries to the exclusion of the Hungarian company, and these unique means of reproduction shall be handed over to the former company, notwithstanding any action taken under war legislation in force in the Austro-Hungarian Monarchy with regard to the latter company or its business, industrial property, or shares. Nevertheless, the former company, if requested, shall deliver to the latter company derivative copies permitting the continuation of reproduction of articles for use in Hungary.

6. Up to the time when restitution is carried out in accordance with Article 232, Hungary is responsible for the conservation of property, rights, and interests of the nationals of Allied

or Associated Powers, including companies and associations in which they are interested, that have been subjected by her to exceptional war measures.

7. Within one year from the coming into force of the present Treaty the Allied or Associated Powers will specify the property, rights, and interests over which they intend to exercise the right provided in Article 232, paragraph (f).

8. The restitution provided in Article 232 will be carried out by order of the Hungarian Government or of the authorities which have been substituted for it. Detailed accounts of the action of administrators shall be furnished to the interested persons by the Hungarian authorities upon request, which may be made at any time after the coming into force of the present Treaty.

9. Until completion of the liquidation provided for by Article 232, paragraph (b), the property, rights, and interests of the persons referred to in that paragraph will continue to be subject to exceptional war measures that have been or will be taken with regard to them.

10. Hungary will, within six months from the coming into force of the present Treaty, deliver to each Allied or Associated Power all securities, certificates, deeds, or other documents of title held by its nationals and relating to property, rights, or interests situated in the territory of that Allied or Associated Power, including any shares, stock, debentures, debenture stock, or other obligations of any company incorporated in accordance with the laws of that Power.

Hungary will at any time on demand of any Allied or Associated Power furnish such information as may be required with regard to the property, rights, and interests of Hungarian nationals within the territory of such Allied or Associated Power, or with regard to any transactions concerning such property, rights, or interests effected since July 1, 1914.

11. The expression "cash assets" includes all deposits of funds established before or after the existence of a state of war, as well as all assets coming from deposits, revenues, or profits collected by administrators, sequestrators, or others from funds placed on deposit or otherwise, but does not include sums belonging to the Allied or Associated Powers or to their component States, Provinces, or Municipalities.

12. All investments wheresoever effected with the cash assets of nationals of the High Contracting Parties, including companies and associations in which such nationals were interested, by persons responsible for the administration of enemy properties or having control over such administration, or by order of such persons or of any authority whatsoever, shall be annulled. These cash assets shall be accounted for irrespective of any such investment.

13. Within one month from the coming into force of the present Treaty, or on demand at any time, Hungary will deliver to the Allied and Associated Powers all accounts, vouchers, records, documents, and information of any kind which may be within Hungarian territory, and which concern the property, rights, and interests of the nationals of those Powers, including companies and associations in which they are interested, that have been subjected to an exceptional war measure, or to a measure of transfer either in the territory of the former Kingdom of Hungary or in territory occupied by that Kingdom or its allies.

The controllers, supervisors, managers, administrators, sequestrators, liquidators, and receivers shall be personally responsible under guarantee of the Hungarian Government for the immediate delivery in full of these accounts and documents and for their accuracy.

14. The provisions of Article 232 and this Annex relating to property, rights, and interests in an enemy country, and the proceeds of the liquidation thereof, apply to debts, credits, and accounts, Section III. regulating only the method of payment.

In the settlement of matters provided for in Article 232 between Hungary and the Allied or Associated Powers, their colonies or protectorates, or any one of the British Dominions or India, in respect of any of which a declaration shall not have been made that they adopt Section III., and between their respective nationals, the provisions of Section III. respecting the currency in which payment is to be made and the rate of exchange and of interest shall apply unless the Government of the Allied or Associated Power concerned shall within six months of the coming into force of the present Treaty notify Hungary that one or more of the said provisions are not to be applied.

15. The provisions of Article 232 and this Annex apply to industrial, literary, and artistic property which has been or will be dealt with in the liquidation of property, rights, interests, companies, or businesses under war legislation by the Allied or Associated Powers, or in accordance with the stipulations of Article 232 paragraph (b).

SECTION V.—CONTRACTS, PRESCRIPTIONS,
JUDGMENTS.

ARTICLE 234.

(a) Any contract concluded between enemies shall be regarded as having been dissolved as from the time when any two of the parties became enemies, except in respect of any debt or other pecuniary obligation arising out of any act done or money paid thereunder, and subject to the exceptions and special rules with regard to particular contracts or classes of contracts contained herein or in the Annex hereto.

(b) Any contract of which the execution shall be required in the general interest, within six months from the date of the coming into force of the present Treaty, by the Government of the Allied or Associated Power of which one of the parties is a national, shall be excepted from dissolution under this Article.

When the execution of the contract thus kept alive would, owing to the alteration of trade conditions, cause one of the parties substantial prejudice, the Mixed Arbitral Tribunal provided for by Section VI. shall be empowered to grant to the prejudiced party equitable compensation.

(c) Having regard to the provisions of the constitution and law of the United States of America and of Japan, neither the present article, nor Article 235, nor the Annex hereto shall apply to contracts made between nationals of these States and nationals of the former Kingdom of Hungary; nor shall Article 240 apply to the United States of America or its nationals.

(d) The present article and the Annex hereto shall not apply to contracts the parties to which became enemies by reason of one of them being an inhabitant of territory of which the sovereignty has been transferred, if such party shall acquire, under the present Treaty, the nationality of an Allied or Associated Power, nor shall they apply to contracts between nationals of the Allied and Associated Powers between whom trading has been prohibited by reason of one of the parties being in Allied or Associated territory in the occupation of the enemy.

(e) Nothing in the present article or the Annex hereto shall be deemed to invalidate a transaction lawfully carried out in accordance with a contract between enemies if it has been carried out with the authority of one of the belligerent Powers.

ARTICLE 235.

(a) All periods of prescription, or limitation of right of action, whether they began to run before or after the outbreak of war, shall be treated in the territory of the High Contracting Parties, so far as regards relations between enemies, as having been suspended for the duration of the war. They shall begin to run again at earliest three months after the coming into force of the present Treaty. This provision shall apply to the period prescribed for the presentation of interest or dividend coupons or for the presentation for repayment of securities drawn for repayment or repayable on any other ground.

(b) Where, on account of failure to perform any act or comply with any formality during the war, measures of execution have been taken in the territory of the former Kingdom of Hungary to the prejudice of a national of an Allied or Associated Power, the claim of such national shall, if the matter does not fall within the competence of the courts of an Allied or Associated Power, be heard by the Mixed Arbitral Tribunal provided for by Section VI.

(c) Upon the application of any interested person who is a national of an Allied or Associated Power, the Mixed Arbitral Tribunal shall order the restoration of the rights which have been prejudiced by the measures of execution referred to in paragraph (b), wherever, having regard to the particular circumstances of the case, such restoration is equitable and possible.

If such restoration is inequitable or impossible, the Mixed Arbitral Tribunal may grant compensation to the prejudiced party, to be paid by the Hungarian Government.

(d) Where a contract between enemies has been dissolved by reason either of failure on the part of either party to carry out its provisions or of the exercise of a right stipulated in the contract itself, the party prejudiced may apply to the Mixed Arbitral Tribunal for relief. The Tribunal will have the powers provided for in paragraph (c).

(e) The provisions of the preceding paragraphs of this article shall apply to the nationals of Allied and Associated Powers who have been prejudiced by reason of measures referred to above taken by the authorities of the former Hungarian Government in invaded or occupied territory, if they have not been otherwise compensated.

(f) Hungary shall compensate any third party who may be prejudiced by any restitution or restoration ordered by the Mixed Arbitral Tribunal under the provisions of the preceding paragraphs of this article.

(g) As regards negotiable instruments, the period of three months provided under paragraph (a) shall commence as from the date on which any exceptional regulations applied in the territories of the interested Power with regard to negotiable instruments shall have definitely ceased to have force.

ARTICLE 236.

As between enemies no negotiable instrument made before the war shall be deemed to have become invalid by reason only of failure within the required time to present the instrument for acceptance or payment or to give notice of non-acceptance or non-payment to drawers or indorsers or to protest the instrument, nor by reason of failure to complete any formality during the war.

Where the period within which a negotiable instrument should have been presented for acceptance or for payment, or within which notice of non-acceptance or non-payment should have been given to the drawer or indorser, or within which the instrument should have been protested, has elapsed during the war, and the party who should have presented or protested the instrument or have given notice of non-acceptance or non-payment has failed to do so during the war, a period of not less than three months from the coming into force of the present Treaty shall be allowed within which presentation, notice of non-acceptance, or non-payment or protest may be made.

ARTICLE 237.

Judgments given by the courts of an Allied or Associated Power in all cases which, under the present Treaty, they are competent to decide, shall be recognized in Hungary as final, and shall be enforced without it being necessary to have them declared executory.

If a judgment or measure of execution in respect of any dispute which may have arisen has been given during the war by a judicial authority of the former Kingdom of Hungary against a national of an Allied or Associated Power, or a company or association in which one of such nationals was interested, in a case in which either such national or such company or association was not able to make their defence, the Allied and Associated national who has suffered prejudice thereby shall be entitled to recover compensation to be fixed by the Mixed Arbitral Tribunal provided for in Section VI.

At the instance of the national of the Allied or Associated Power the compensation above mentioned may, upon order to that effect of the Mixed Arbitral Tribunal, be effected where it is possible by replacing the parties in the situation which they occupied before the judgment was given by the Hungarian Court.

The above compensation may likewise be obtained before the Mixed Arbitral Tribunal by the nationals of Allied or Associated Powers who have suffered prejudice by judicial measures taken in invaded or occupied territories, if they have not been otherwise compensated.

ARTICLE 238.

For the purpose of Sections III., IV., V., and VII.; the expression "during the war" means for each Allied or Associated Power the period between the commencement of the state of war between that Power and the former Austro-Hungarian Monarchy and the coming into force of the present Treaty.

ANNEX.

I.—GENERAL PROVISIONS.

1. Within the meaning of Articles 234, 235, and 236, the parties to a contract shall be regarded as enemies when trading between them shall have been prohibited by or otherwise become unlawful under laws, orders, or regulations to which one of those parties was subject. They shall be deemed to have become enemies from the date when such trading was prohibited or otherwise became unlawful.

2. The following classes of contracts are excepted from dissolution by Article 234, and, without prejudice to the rights contained in Article 232 (b), remain in force subject to the application of domestic laws, orders, or regulations made during the war by the Allied and Associated Powers and subject to the terms of the contracts:

(a) Contracts having for their object the transfer of estates or of real or personal property where the property therein had passed or the object had been delivered before the parties became enemies;

- (b) Leases and agreements for leases of land and houses ;
- (c) Contracts of mortgage, pledge, or lien ;
- (d) Concessions concerning mines, quarries, or deposits ;
- (e) Contracts between individuals or companies and States, provinces, municipalities, or other similar juridical persons charged with administrative functions, and concessions granted by States, provinces, municipalities, or other similar juridical persons charged with administrative functions.

3. If the provisions of a contract are in part dissolved under Article 234, the remaining provisions of that contract shall, subject to the same application of domestic laws as is provided for in paragraph 2, continue in force if they are severable, but where they are not severable the contract shall be deemed to have been dissolved in its entirety.

II.—PROVISIONS RELATING TO CERTAIN CLASSES OF CONTRACTS.

Stock Exchange and Commercial Exchange Contracts.

4. (a) Rules made during the war by any recognized Exchange or Commercial Association providing for the closure of contracts entered into before the war by an enemy are confirmed by the High Contracting Parties, as also any action taken thereunder, provided :

- (1) That the contract was expressed to be made subject to the rules of the Exchange or Association in question ;
- (2) That the rules applied to all persons concerned ;
- (3) That the conditions attaching to the closure were fair and reasonable.

(b) The preceding paragraph shall not apply to rules made during the occupation by Exchanges or Commercial Associations in the districts occupied by the enemy.

(c) The closure of contracts relating to cotton " futures," which were closed as on July 31, 1914, under the decision of the Liverpool Cotton Association, is also confirmed.

Security.

5. The sale of a security held for an unpaid debt owing by an enemy shall be deemed to have been valid irrespective of notice to the owner if the creditor acted in good faith and with reasonable care and prudence, and no claim by the debtor on the ground of such sale shall be admitted.

This stipulation shall not apply to any sale of securities effected by an enemy during the occupation in regions invaded or occupied by the enemy.

Negotiable Instruments.

6. As regards Powers which adopt Section III. and the Annex thereto, the pecuniary obligations existing between enemies and resulting from the issue of negotiable instruments shall be adjusted in conformity with the said Annex by the instrumentality of the Clearing Offices, which shall assume the rights of the holder as regards the various remedies open to him.

7. If a person has either before or during the war become liable upon a negotiable instrument in accordance with an undertaking given to him by a person who has subsequently become an enemy, the latter shall remain liable to indemnify the former in respect of his liability notwithstanding the outbreak of war.

III.—CONTRACTS OF INSURANCE.

8. Contracts of insurance entered into by any person with another person who subsequently became an enemy will be dealt with in accordance with the following paragraphs.

Fire Insurance.

9. Contracts for the insurance of property against fire entered into by a person interested in such property with another person who subsequently became an enemy shall not be deemed to have been dissolved by the outbreak of war, or by the fact of the person becoming an enemy, or on account of the failure during the war and for a period of three months thereafter to perform his obligations under the contract, but they shall be dissolved at the date when the annual premium becomes payable for the first time after the expiration of a period of three months after the coming into force of the present Treaty.

A settlement shall be effected of unpaid premiums which became due during the war or of claims for losses which occurred during the war.

10. Where by administrative or legislative action an insurance against fire effected before the war has been transferred during the war from the original to another insurer, the transfer will be recognized and the liability of the original insurer will be

deemed to have ceased as from the date of the transfer. The original insurer will, however, be entitled to receive on demand full information as to the terms of the transfer, and if it should appear that these terms were not equitable they shall be amended so far as may be necessary to render them equitable.

Furthermore, the insured shall, subject to the concurrence of the original insurer, be entitled to retransfer the contract to the original insurer as from the date of the demand.

Life Insurance.

11. Contracts of life insurance entered into between an insurer and a person who subsequently became an enemy shall not be deemed to have been dissolved by the outbreak of war, or by the fact of the person becoming an enemy.

Any sum which during the war became due upon a contract deemed not to have been dissolved under the preceding provision shall be recoverable after the war with the addition of interest at 5 per cent. per annum from the date of its becoming due up to the day of payment.

Where the contract has lapsed during the war owing to non-payment of premiums, or has become void from breach of the conditions of the contract, the assured or his representatives or the persons entitled shall have the right at any time within twelve months of the coming into force of the present Treaty to claim from the insurer the surrender value of the policy at the date of its lapse or avoidance.

Where the contract has lapsed during the war owing to non-payment of premiums the payment of which has been prevented by the enforcement of measures of war, the assured or his representative or the persons entitled shall have the right to restore the contract on payment of the premiums with interest at 5 per cent. per annum within three months from the coming into force of the present Treaty.

12. Where contracts of life insurance have been entered into by a local branch of an insurance company established in a country which subsequently became an enemy country, the contract shall, in the absence of any stipulation to the contrary in the contract itself, be governed by the local law, but the insurer shall be entitled to demand from the insured or his representatives the refund of sums paid on claims made or enforced under measures taken during the war, if the making or enforcement of such claims was not in accordance with the terms of the contract itself or was not consistent with the laws or treaties existing at the time when it was entered into.

13. In any case where by the law applicable to the contract the insurer remains bound by the contract notwithstanding the non-payment of premiums until notice is given to the insured of the termination of the contract, he shall be entitled, where the giving of such notice was prevented by the war, to recover the unpaid premiums with interest at 5 per cent. per annum from the insured.

14. Insurance contracts shall be considered as contracts of life assurance for the purpose of paragraphs 11 to 13 when they depend on the probabilities of human life combined with the rate of interest for the calculation of the reciprocal engagements between the two parties.

Marine Insurance.

15. Contracts of marine insurance, including time policies and voyage policies entered into between an insurer and a person who subsequently became an enemy, shall be deemed to have been dissolved on his becoming an enemy, except in cases where the risk undertaken in the contract had attached before he became an enemy.

Where the risk had not attached, money paid by way of premium or otherwise shall be recoverable from the insurer.

Where the risk had attached effect shall be given to the contract notwithstanding the party becoming an enemy, and sums due under the contract either by way of premiums or in respect of losses shall be recoverable after the coming into force of the present Treaty.

In the event of any agreement being come to for the payment of interest on sums due before the war to or by the nationals of States which have been at war and recovered after the war, such interest shall in the case of losses recoverable under contracts of marine insurance run from the expiration of a period of one year from the date of the loss.

16. No contract of marine insurance with an insured person who subsequently became an enemy shall be deemed to cover losses due to belligerent action by the Power of which the insurer was a national or by the allies or associates of such Power.

17. Where it is shown that a person who had before the war entered into a contract of marine insurance with an insurer who subsequently became an enemy entered after the outbreak of war into a new contract covering the same risk with an insurer who was not an enemy, the new contract shall be deemed to be substituted for the original contract as from the date when it was entered into, and the premiums payable shall be adjusted on the basis of the original insurer having remained liable on the contract only up till the time when the new contract was entered into.

Other Insurances.

18. Contracts of insurance entered into before the war between an insurer and a person who subsequently became an enemy, other than contracts dealt with in paragraphs 9 to 17, shall be treated in all respects on the same footing as contracts of fire insurance between the same persons would be dealt with under the said paragraphs.

Re-insurance.

19. All treaties of re-insurance with a person who became an enemy shall be regarded as having been abrogated by the person becoming an enemy, but without prejudice in the case of life or marine risks which had attached before the war to the right to recover payment after the war for sums due in respect of such risks.

Nevertheless if, owing to invasion, it has been impossible for the re-insured to find another re-insurer, the treaty shall remain in force until three months after the coming into force of the present Treaty.

Where a re-insurance treaty becomes void under this paragraph, there shall be an adjustment of accounts between the parties in respect both of premiums paid and payable and of liabilities for losses in respect of life or marine risks which had attached before the war. In the case of risks other than those mentioned in paragraphs 11 to 17 the adjustment of accounts shall be made as at the date of the parties becoming enemies without regard to claims for losses which may have occurred since that date.

20. The provisions of the preceding paragraph will extend equally to re-insurances, existing at the date of the parties becoming enemies, of particular risks undertaken by the insurer in a contract of insurance against any risks other than life or marine risks.

21. Re-insurance of life risks effected by particular contracts and not under any general treaty remain in force.

22. In case of a re-insurance effected before the war of a contract of marine insurance, the cession of a risk which had been ceded to the re-insurer shall, if it had attached before the outbreak of war, remain valid and effect be given to the contract notwithstanding the outbreak of war; sums due under the contract of re-insurance in respect, either of premiums or of losses shall be recoverable after the war.

23. The provisions of paragraphs 16 and 17 and the last part of paragraph 15 shall apply to contracts for the re-insurance of marine risks.

SECTION VI.—MIXED ARBITRAL TRIBUNAL.

ARTICLE 239.

(a) Within three months from the coming into force of the present Treaty, a Mixed Arbitral Tribunal shall be established between each of the Allied and Associated Powers on the one hand and Hungary on the other hand. Each such Tribunal shall consist of three members. Each of the Governments concerned shall appoint one of these members. The President shall be chosen by agreement between the two Governments concerned.

In case of failure to reach agreement, the President of the Tribunal and two other persons, either of whom may in case of need take his place, shall be chosen by the Council of the League of Nations, or, until this is set up by M. Gustave Ador if he is willing. These persons shall be nationals of Powers that have remained neutral during the war.

If in case there is a vacancy a Government does not proceed within a period of one month to appoint as provided above a member of the Tribunal, such member shall be chosen by the other Government from the two persons mentioned above other than the President.

The decision of the majority of the members of the Tribunal shall be the decision of the Tribunal.

(b) The Mixed Arbitral Tribunals established pursuant to paragraph (a) shall decide all questions within their competence under Sections III., IV., V., and VII.

In addition, all questions, whatsoever their nature, relating to contracts concluded before the coming into force of the present Treaty between nationals of the Allied and Associated Powers and Hungarian nationals shall be decided by the Mixed Arbitral Tribunal, always excepting questions which, under the laws of the Allied, Associated, or Neutral Powers, are within the jurisdiction of the National Courts of those Powers. Such questions shall be decided by the National Courts in question, to the exclusion of the Mixed Arbitral Tribunal. The party who is a national of an Allied or Associated Power may nevertheless bring the case before the Mixed Arbitral Tribunal if this is not prohibited by the laws of his country.

(c) If the number of cases justifies it, additional members shall be appointed and each Mixed Arbitral Tribunal shall sit in divisions. Each of these divisions will be constituted as above.

(d) Each Mixed Arbitral Tribunal will settle its own procedure except in so far as it is provided in the following Annex, and is empowered to award the sums to be paid by the loser in respect of the costs and expenses of the proceedings.

(e) Each Government will pay the remuneration of the member of the Mixed Arbitral Tribunal appointed by it and of any agent whom it may appoint to represent it before the Tribunal. The remuneration of the President will be determined by special agreement between the Governments concerned; and this remuneration and the joint expenses of each Tribunal will be paid by the two Governments in equal moieties.

(f) The High Contracting Parties agree that their courts and authorities shall render to the Mixed Arbitral Tribunals direct all the assistance in their power, particularly as regards transmitting notices and collecting evidence.

(g) The High Contracting Parties agree to regard the decisions of the Mixed Arbitral Tribunal as final and conclusive, and to render them binding upon their nationals.

ANNEX.

1. Should one of the members of the Tribunal either die, retire, or be unable for any reason whatever to discharge his functions, the same procedure will be followed for filling the vacancy as was followed for appointing him.

2. The Tribunal may adopt such rules of procedure as shall be in accordance with justice and equity and decide the order and time at which each party must conclude its arguments, and may arrange all formalities required for dealing with the evidence.

3. The agent and counsel of the parties on each side are authorized to present orally and in writing to the Tribunal arguments in support or in defence of each case.

4. The Tribunal shall keep record of the questions and cases submitted and the proceedings thereon, with the dates of such proceedings.

5. Each of the Powers concerned may appoint a secretary. These secretaries shall act together as joint secretaries of the Tribunal and shall be subject to its direction. The Tribunal may appoint and employ any other necessary officer or officers to assist in the performance of its duties.

6. The Tribunal shall decide all questions and matters submitted upon such evidence and information as may be furnished by the parties concerned.

7. The High Contracting Parties agree to give the Tribunal all facilities and information required by it for carrying out its investigations.

8. The language in which the proceedings shall be conducted shall, unless otherwise agreed, be English, French, Italian, or Japanese, as may be determined by the Allied or Associated Power concerned.

9. The place and time for the meetings of each Tribunal shall be determined by the President of the Tribunal.

ARTICLE 240.

Whenever a competent court has given or gives a decision in a case covered by Sections III., IV., V., or VII., and such decision is inconsistent with the provisions of such sections, the party who is prejudiced by the decision shall be entitled to obtain redress which shall be fixed by the Mixed Arbitral Tribunal. At the request of the national of an Allied or Associated Power, the redress may, whenever possible, be effected by the Mixed Arbitral Tribunal directing the replacement of the parties in the position occupied by them before the judgment was given by the court of the former Kingdom of Hungary.

SECTION VII.—INDUSTRIAL PROPERTY.

ARTICLE 241.

Subject to the stipulations of the present Treaty, rights of industrial, literary, and artistic property, as such property is defined by the International Conventions of Paris and of Berne, mentioned in Articles 220 and 222; shall be re-established or restored, as from the coming into force of the present Treaty, in the territories of the High Contracting Parties, in favour of the persons entitled to the benefit of them at the moment when the state of war commenced, or their legal representatives. Equally, rights which, except for the war, would have been acquired during the war in consequence of an application made for the protection of industrial property, or the publication of a literary or artistic work, shall be recognized and established in favour of those persons who would have been entitled thereto, from the coming into force of the present Treaty.

Nevertheless, all acts done by virtue of the special measures taken during the war under legislative, executive, or administrative authority of any Allied or Associated Power in regard to the rights of nationals of the former Kingdom of Hungary in industrial, literary, or artistic property shall remain in force and shall continue to maintain their full effect.

No claim shall be made or action brought by Hungary or Hungarian nationals or by or on behalf of nationals of the former Kingdom of Hungary in respect of the use during the war by the Government of any Allied or Associated Power, or by any persons acting on behalf or with the assent of such Government of any rights in industrial, literary, or artistic property, nor in respect of the sale, offering for sale, or use of any products, articles, or apparatus whatsoever to which such rights applied.

Unless the legislation of any one of the Allied or Associated Powers in force at the moment of the signature of the present Treaty otherwise directs, sums due or paid in respect of the property of persons referred to in Article 232 (b) in virtue of any act or operation resulting from the execution of the special measures mentioned in the second paragraph of this Article shall be dealt with in the same way as other sums due to such persons are directed to be dealt with by the present Treaty; and sums produced by any special measures taken by the Government of the former Kingdom of Hungary in respect of rights in industrial, literary, or artistic property belonging to the nationals of the Allied or Associated Powers shall be considered and treated in the same way as other debts due from Hungarian nationals.

Each of the Allied and Associated Powers reserves to itself the right to impose such limitations, conditions, or restrictions on rights of industrial, literary, or artistic property (with the exception of trade marks) acquired before or during the war, or which may be subsequently acquired in accordance with its legislation, by Hungarian nationals, whether by granting licenses, or by the working, or by preserving control over their exploitation, or in any other way, as may be considered necessary for national defence, or in the public interest, or for assuring the fair treatment by Hungary of the rights of industrial, literary, and artistic property held in Hungarian territory by its nationals, or for securing the due fulfilment of all the obligations undertaken by Hungary in the present Treaty. As regards rights of industrial, literary, and artistic property acquired after the coming into force of the present Treaty, the right so reserved by the Allied and Associated Powers shall only be exercised in cases where these limitations, conditions, or restrictions may be considered necessary for national defence or in the public interest.

In the event of the application of the provisions of the preceding paragraph by any Allied or Associated Power, there shall be paid reasonable indemnities or royalties, which shall be dealt with in the same way as other sums due to Hungarian nationals are directed to be dealt with by the present Treaty.

Each of the Allied or Associated Powers reserves the right to treat as void and of no effect any transfer in whole or in part of or other dealing with rights of or in respect of industrial, literary, or artistic property effected after July 28, 1914, or in the future, which would have the result of defeating the objects of the provisions of this article.

The provisions of this article shall not apply to rights in industrial, literary, or artistic property which have been dealt with in the liquidation of business or companies under war legislation by the Allied or Associated Powers, or which may be so dealt with by virtue of Article 232, paragraph (b).

ARTICLE 242.

A minimum of one year after the coming into force of the present Treaty shall be accorded to the nationals of the High Contracting Parties, without extension fees or other penalty, in

order to enable such persons to accomplish any act, fulfil any formality, pay any fees, and generally satisfy any obligation prescribed by the laws or regulations of the respective States relating to the obtaining, preserving, or opposing rights, to, or in respect of, industrial property either acquired before July 28, 1914, or which, except for the war, might have been acquired since that date as a result of an application made before the war or during its continuance, but nothing in this article shall give any right to re-open interference proceedings in the United States of America where a final hearing has taken place.

All rights in, or in respect of, such property which may have lapsed by reason of any failure to accomplish any act, fulfil any formality, or make any payment, shall revive, but subject in the case of patents and designs to the imposition of such conditions as each Allied or Associated Power may deem reasonably necessary for the protection of persons who have manufactured or made use of the subject-matter of such property while the rights had lapsed. Further, where rights to patents or designs belonging to Hungarian nationals are revived under this article, they shall be subject in respect of the grant of licenses to the same provisions as would have been applicable to them during the war, as well as to all the provisions of the present Treaty.

The period from July 28, 1914, until the coming into force of the present Treaty, shall be excluded in considering the time within which a patent should be worked or a trade mark or design used, and it is further agreed that no patent, registered trade mark, or design in force on July 28, 1914, shall be subject to revocation or cancellation by reason only of the failure to work such patent or use such trade mark or design for two years after the coming into force of the present Treaty.

ARTICLE 243.

The rights of priority provided by Article 4 of the International Convention for the Protection of Industrial Property of Paris of March 20, 1883, revised at Washington in 1911, or by any other Convention or Statute, for the filing or registration of applications for patents or models of utility, and for the registration of trade marks, designs, and models which had not expired on July 28, 1914, and those which have arisen during the war, or would have arisen but for the war, shall be extended by each of the High Contracting Parties in favour of all nationals of the other High Contracting Parties for a period of six months after the coming into force of the present Treaty.

Nevertheless, such extension shall in no way affect the right of any of the High Contracting Parties or of any person who before the coming into force of the present Treaty was *bona fide* in possession of any rights of industrial property conflicting with rights applied for by another who claims rights of priority in respect of them to exercise such rights by itself or himself personally, or by such agents or licensees as derived their rights from it or him before the coming into force of the present Treaty; and such persons shall not be amenable to any action or other process of law in respect of infringement.

ARTICLE 244.

No action shall be brought and no claim made by nationals of the former Kingdom of Hungary, or by persons residing or carrying on business within the territory of that Kingdom, on the one part, and on the other part by persons residing or carrying on business in the territory of the Allied or Associated Powers, or persons who are nationals of such Powers respectively, or by any one deriving title during the war from such persons, by reason of any action which has taken place within the territory of the other party between the date of the existence of a state of war and that of the coming into force of the present Treaty, which might constitute an infringement of the rights of industrial property or rights of literary and artistic property, either existing at any time during the war or revived under the provisions of Articles 242 and 243.

Equally, no action for infringement of industrial, literary, or artistic property rights by such persons shall at any time be permissible in respect of the sale or offering for sale for a period of one year after the signature of the present Treaty in the territories of the Allied or Associated Powers on the one hand or Hungary on the other of products or articles manufactured, or of literary or artistic works published, during the period between the existence of a state of war and the signature of the present Treaty, or against those who have acquired and continue to use them. It is understood, nevertheless, that this provision shall not apply when the possessor of the rights was domiciled or had an industrial or commercial establishment in the districts occupied by the Austro-Hungarian armies during the war.

This article shall not apply as between the United States of America on the one hand and Hungary on the other.

ARTICLE 245.

Licenses in respect of industrial, literary, or artistic property concluded before the war between nationals of the Allied or Associated Powers or persons residing in their territory or carrying on business therein, on the one part, and nationals of the former Kingdom of Hungary, on the other part, shall be considered as cancelled as from the date of the existence of a state of war between the former Austro-Hungarian Monarchy and the Allied or Associated Power. But, in any case, the former beneficiary of a contract of this kind shall have the right, within a period of six months after the coming into force of the present Treaty, to demand from the proprietor of the rights the grant of a new license, the conditions of which, in default of agreement between the parties, shall be fixed by the duly qualified tribunal in the country under whose legislation the rights had been acquired, except in the case of licenses held in respect of rights acquired under the law of the former Kingdom of Hungary. In such cases the conditions shall be fixed by the Mixed Arbitral Tribunal referred to in Section VI. of this Part. The Tribunal may, if necessary, fix also the amount which it may deem just should be paid by reason of the use of the rights during the war.

No license in respect of industrial, literary, or artistic property granted under the special war legislation of any Allied or Associated Power shall be affected by the continued existence of any license entered into before the war, but shall remain valid and of full effect, and a license so granted to the former beneficiary of a license entered into before the war shall be considered as substituted for such license.

Where sums have been paid during the war in respect of the rights of persons referred to in Article 232 (b) by virtue of a license or agreement concluded before the war in respect of rights of industrial property or for the reproduction or the representation of literary, dramatic, or artistic works, these sums shall be dealt with in the same manner as other debts or credits of such persons as provided by the present Treaty.

This article shall not apply as between the United States of America on the one hand and Hungary on the other.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, January 10, 1922.

GRAEME THOMSON,
Colonial Secretary.

Statement of Objects and Reasons.

THE Treaty of Peace (Hungary) Order, 1921, set forth in the Schedule of the Bill, has been made under the provisions of the Treaty of Peace (Hungary) Act, 1921, and is by virtue of Article 3 of the Order applicable to Ceylon. Power is, however, given to the Legislature of the Colony, by the same article, to make such modifications in the Order as are necessary to adapt its provisions to local circumstances, and this Bill has been prepared with that object.

The modifications in the Order will be found in sections 2 and 3 of the Bill. It is not thought necessary to deal with these modifications in detail, as they are similar to those which were made in the Treaty of Peace, Treaty of Peace (Austria), and Treaty of Peace (Bulgaria) Orders, which are scheduled to Ordinances Nos. 7 of 1920 and 3 and 4 of 1921.

Attorney-General's Chambers,
Colombo, January 6, 1922.

H. C. GOLLAN,
Attorney-General.

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the Western Circuit will be holden at the Court-house at Colombo on Monday, March 27, 1922, at 10 o'clock of the morning of the said day.

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

Fiscal's Office,
Colombo, February 28, 1922.

W. DE LIVERA,
for Fiscal, W. P.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 3,038. In the matter of the insolvency of Segu Mohamed Mohamed Alie of No. 39, Wilson street, New Bazaar, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 28, 1922, for the grant of a certificate of conformity to the insolvent.

By order of court, P. DE KRETZER,
Colombo, February 24, 1922. Secretary.

In the District Court of Colombo.

No. 3,063. In the matter of the insolvency of Bernard Walston Pereira of Mutwal in Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 28, 1922, for the grant of a certificate of conformity to the insolvent.

By order of court, P. DE KRETZER,
Colombo, February 24, 1922. Secretary.

In the District Court of Colombo.

No. 3,072. In the matter of the insolvency of Charles Edward Karunaratne of Ja-ela.

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 March 28, 1922, for the grant of a certificate of conformity to the insolvent.

By order of court, P. DE KRETZER,
Colombo, February 24, 1922. Secretary.

In the District Court of Colombo.

No. 3,097. In the matter the insolvency of of V. Johnson of 2nd Division, Maradana.

WHEREAS V. Johnson has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by S. M. Joseph of No. 16, Cotta road, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said V. Johnson insolvent accordingly; and that two public sittings of the court, to wit, on March 28, 1922, and on April 11, 1922, 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,
Colombo, February 27, 1922. Secretary.

In the District Court of Colombo.

No. 3,098. In the matter of the insolvency of James Andrew Frolich of Globe Hotel, Colombo.

WHEREAS James Andrew Frolich has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by E. Hunsworth of Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said James Andrew Frolich insolvent accordingly; and that two public sittings of the court, to wit, on March 28, 1922, and on April 11, 1922,

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,
Colombo, February 27, 1922. Secretary.

In the District Court of Colombo.

No. 3,099. In the matter of the insolvency of John Francis Caderamen of Modera street in Colombo.

WHEREAS John Francis Caderamen has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Christopher Ayam Perumal of Galpotta street in Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said John Francis Caderamen insolvent accordingly; and that two public sittings of the court, to wit, on March 28, 1922, and on April 11, 1922, 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,
Colombo, February 27, 1922. Secretary.

In the District Court of Colombo.

No. 3,100. In the matter of the insolvency of Saverimuttu Nicholas of No. 26, Darley road, in Colombo.

WHEREAS Saverimuttu Nicholas has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Jayakodiaratchigey Deonis Perera of No. 227, Armour street, in Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Saverimuttu Nicholas insolvent accordingly; and that two public sittings of the court, to wit, on March 28, 1922, and on April 11, 1922, 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,
Colombo, February 28, 1922. Secretary.

In the District Court of Negombo.

No. 143. In the matter of the insolvency of Joonus Lebbe Abdul Cader of Negombo.

NOTICE is hereby given that the second sitting of this court in the above matter is adjourned to March 10, 1922.

By order of court, C. EMMANUEL,
Negombo, February 21, 1922. Secretary.

In the District Court of Galle.

No. 466. In the matter of the insolvency of Paskualhandi Sedris Appu of Mawadawila.

NOTICE is hereby given that the certificate meeting in the above matter has been adjourned for March 9, 1922.

By order of court, RICHARD L. PERERA,
Galle, February 28, 1922. Secretary.

In the District Court of Galle.

No. 469. In the matter of the insolvency of A. W. P. Don Davith of Galle.

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 March 9, 1922, to give directions for the sale of the property of the insolvent.

By order of court, RICHARD L. PERERA,
Galle, February 27, 1922. Secretary.

In the District Court of Galle.

No. 485. In the matter of the insolvency of Andrayas Karunanayaka of Galle.

NOTICE is hereby given, that a meeting in the above matter will take place at the sitting of this court on March 20, 1922, for the examination of the insolvent.

By order of court, RICHARD L. PERERA,
Galle, February 27, 1922. Secretary.

In the District Court of Galle.

No. 491. In the matter of the insolvency of Howpe Liyanage John Appuhamy of Kumbalwella in Galle.

WHEREAS Howpe Liyanage John Appuhamy of Kumbalwella in Galle 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 March 27, 1922, and May 1, 1922, 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, RICHARD L. PERERA,
Galle, February 27, 1922. Secretary.

In the District Court of Kurunegala.

No. 82. In the matter of the insolvency of Rawanna Mana Kanapathy Chetty of Gangoda.

WHEREAS Rawanna Mana Kanapathy Chetty has filed a declaration of insolvency, and a petition for the sequestration of the estate of Rawanna Mana Kanapathy Chetty, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Rawanna Mana Kanapathy Chetty insolvent accordingly; and that two public sittings of the court, to wit, on March 14, 1922, and on April 11, 1922, 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, GERALD E. DE ALWIS,
February 21, 1922. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

A. P. L. R. M. Ramasamy Chetty of Sea street,
Colombo Plaintiff.

No. 185 of 1921. Vs.

(2) A. D. Paulis Appuhamy of Wellawatta,
Colombo Defendant.

NOTICE is hereby given that on Wednesday, March 29, 1922, at 2 o'clock in the afternoon, will be sold by public auction at the residence of the said 2nd defendant at Labugama the following property for the recovery of the sum of Rs. 3,376.25, with interest thereon at the rate of 15 per cent. per annum from January 27, 1921, till July 29, 1921, and thereafter at legal rate on the aggregate amount till payment in full, and costs of suit, viz. :—

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

Fiscal's Office, W. DE LIVERA,
Colombo, February 28, 1922. Deputy Fiscal, W. P.

In the District Court of Colombo.

Colombo Stores Ltd., of Colombo Plaintiffs.
No. 2,459 of 1920. Vs.

J. E. Amarasekara of No. 25, Grandpass,
Colombo Defendant.

NOTICE is hereby given that on Friday, March 31, 1922, will be sold by public auction at the respective premises the

right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 573.24, with legal interest thereon from November 9, 1920, till payment in full, and costs and poundage, viz. :—

At 3 P.M.

1. All that lot marked H in plan No. 10 dated April 27, 1915, of the land called Walauwewatta, situated at Hanwella in Meda pattu of Hewagam korale, in the District of Colombo, Western Province; which lot is bounded on the north by a path of the same land marked lot E, on the east by high road leading to and from Nambapana and ditch, on the south by the ditch, and on the west by another part of the same land marked lot G; containing in extent there 2 roods and 6.25 perches, and the buildings standing thereon.

At 3.15 P.M.

2. The lot G in plan No. 10 dated April 27, 1915, of the land called Walauwewatta aforesaid marked lot G; is bounded on the north by part of the same land marked lot E, on the east by another part of the same land marked lot H, on the south by ditch, and on the west by another part of the same land marked F; and containing in extent 3 roods and 13 perches.

Fiscal's Office, W. DE LIVERA,
Colombo, February 28, 1922. Deputy Fiscal, W. P.

In the District Court of Negombo.

Ans Nana, Seena Thana Rawanna Mana Sidabram Chetty by his attorney Weyanna Rana Kanapathy Palle of Negombo Plaintiff.

No. 14,830. Vs.

(1) Iruppuge Engrasia Fernando, (2) Anthonige Saverio Fernando, (3) Iruppuge Augustino Fernando, (4) Anthonige Selestino Fernando, all of Kudahakapola Defendants.

NOTICE is hereby given that on March 25, 1922, 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. :—

The two contiguous portions of land called Ambagahawatta and Keenagahawatta, situate at Kudahakapola in Ragam pattu; and bounded on the north by land called Ambagahawatta belonging to Iruppuge Augustino Fernando, east by Ambagahawatta belonging to Leyanage Francisco Fernando and others, south by Keenagahawatta belonging to Iruppuge Augustino Fernando, and on the west by railway road; containing in extent about 23 perches, with the buildings standing thereon, subject to the mortgage bond No. 45 dated March 17, 1917, in favour of the plaintiff.

Amount to be levied Rs. 360, with interest on Rs. 200 at 30 cents on every Rs. 10 per mensem from April 7, 1921, to June 22, 1921, and thereafter at 9 per cent. per annum till payment, and poundage.

Deputy Fiscal's Office, FRED. G. HEPPONSTALL, Negombo, February 27, 1922. Deputy Fiscal.

In the Court of Requests of Negombo.

Hewapedige Belindra of Induragara Plaintiff.

No. 29,871. Vs.

(1) Wijesinpedige Jamba and (2) Hewapedige Pethmali, both of Induragara Defendants.

NOTICE is hereby given that on March 27, 1922, 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. :—

The northern undivided 5 acres of the land called Meellagahawatta, situate at Induragara in Dunagaha pattu; and bounded on the north by lands of W. Dingiria and others, east by land appearing in plan No. 120,257 and by land of W. Kalupuncha and others, south by lands of W. Kalupuncha and others, U. Laba, by lands appearing in plans Nos. 59,963 and 57,967, and by Crown land, west by footpath, and on the north-west by lands appearing in plans Nos. 58,592 and 83,780; containing in extent about 9 acres and 33 perches.

Amount to be levied Rs. 294.21, with interest on Rs. 250 at 18 per cent. per annum from November 14, 1921, to January 13, 1922, and thereafter at 9 per cent. per annum till payment, and poundage.

Deputy Fiscal's Office, FRED. G. HEPPONSTALL, Negombo, February 27, 1922. Deputy Fiscal.

Central Province.

In the Additional Court of Requests of Kandy.

The Municipal Council of Kandy Plaintiffs.

No. 1,277. Vs.

Ramanayake Mudiyanse Utku Banda of Lewella in Kandy Defendant.

NOTICE is hereby given that on Monday, March 27, 1922, at 12 noon, 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. 151.22, with legal interest on the sum of Rs. 127.47, from December 22, 1921, till payment in full, and poundage, viz. :—

The houses and premises bearing assessment Nos. 8 to 12, containing an extent of about 1½ acre, situate at Talwatta, on the road to Lewella, within the town and Municipality

of Kandy; and bounded on the east by a field, on the south by Tiriwanapitiyawatta belonging to Gangarama Vihare, on the west by a road, and on the north by premises bearing assessment No. 13 belonging to the estate of the late Mr. D. S. Dias.

Fiscal's Office, Kandy, February 28, 1922.

A. RANESINGHE, Deputy Fiscal.

In the District Court of Colombo.

Muthu Kana Leyna Velautham Chetty of Sea street, in Colombo Plaintiff.

No. 3,041. Vs.

Kayana Awanna Muttiah Chetty of Nawalapatiya Defendant.

NOTICE is hereby given that on Friday, March 31, 1922, at 12 noon, will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 733 dated June 24, 1913, and attested by C. T. Kandiah, Notary Public, and decreed to be sold under the decree entered in the above case for the recovery of the sum of Rs. 1,729.12, with legal interest thereon from October 21, 1921, till payment in full, and costs and poundage, viz. :—

All those materials of house No. 78, situated at Nawalapatiya in Pasbage korale of Uda Bulatgama, in the District of Kandy of the Central Province; and bounded on the east by property of Elphinstones, on the south by the property of Mr. Joseph, on the west by the high road to Gampola, on the north by house No. 77; containing in extent 60 feet by 50 feet, and all the right, title, and interest and claim and demand whatsoever of the defendant in, to, upon, and out of the same premises, and all the right, title, interest, and claim whatsoever of the said defendant in, to, upon, or out of the said several premises mortgaged by the defendant.

Fiscal's Office, Kandy, February 28, 1922.

A. RANESINGHE, Deputy Fiscal.

In the District Court of Kandy.

D. H. Abayagunasekera of Kandy Plaintiff.

No. 21,257. Vs.

(1) D. M. Abayagunasekera of Trinmallee street, Kandy, (2) D. C. Abayagunasekera, and (3) D. S. Abayagunasekera Defendants.

NOTICE is hereby given that on Monday, March 27, 1922, and the following days, if found necessary, commencing each day at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said first defendant in the following property for the recovery of the sum of Rs. 5,112.57, with legal interest on Rs. 2,757.50 from March 1, 1919, till payment in full, and poundage, viz. :—

(1) Undivided 1/9 share of Pitahakumbura of 5 pelas in paddy sowing extent, situate at Udalumada in Denike in Kohaka korale of Uda Hewaheta, in the District of Nuwara Eliya, of the Central Province; and bounded on the east by the field belonging to Pitahawatte Arachchi, south by Galaywattekumbura, west by ela, and on the north by Appuhamy's field.

(2) Undivided 1/9 share of Kalugalagawakumbura of 1 pela in paddy sowing extent, situate at Udalumada aforesaid; and bounded on the east and south by kandura, west by Lekama's field, and on the north by Kaluhamy's field.

(3) Undivided 1/9 share of Kumarawekumbura of 2 pelas in paddy sowing extent, situate at Udalumada aforesaid; and bounded on the east by Korala's field, south by agala, west by Pinhamy's field, and on the north by Banda's field.

(4) Undivided 1/9 share of Gederakumbura of 6 pelas in paddy sowing extent, situate at Ehelamalpe in Wilwala in Kohaka korale aforesaid; and bounded on the east by the fields called Pitaha and Tenna, south by ela, west by ela, and on the north by the field called Pimpela.

(5) Undivided 1/9 share of Pitahakumbura of 5 pelas in extent, situate at Ehelamalpe aforesaid; and bounded on the east by Narangasmullekumbura, south by ela, west by Gederakumbura, and on the north by Tennakumbura and ela.

(6) Undivided 1/9 share out of Bokekumbura of 2 pelas extent, situate at Ehelamalpe aforesaid; and bounded on the east by high road, south by Punchi Menika's field, west by ela, and on the north by Kohalangpelakumbura and fence.

(7) Undivided 1/9 share out of the field called Pilimatatalawa of 4 bushels in extent, situate at Ehelamalpe aforesaid; and bounded on the east and south by ela, west by Kohalangpelakumbura, and on the north by Kohalangpelakumbura and Narangasmullekumbura.

(8) Undivided 1/9 share out of the field called Narangasmulla of 2 pelas in paddy sowing extent, situate at Ehelamalpe aforesaid; and bounded on the east by Kohalangpela, south by ela, west by Pilimatatalawa, and on the north by ela.

(9) Undivided 1/9 share out of Nika-attepela of 3 bushels in extent, situate at Ehelamalpe aforesaid; and bounded on the east by Korahagodagederakumbura, south by Diyanilarawekumbura, west by Moragahapela, and on the north by Matalegekumbura.

(10) Undivided 1/9 share out of Ilangama Matalegekumbura of 3 pelas in extent, situate at Ehelamalpe aforesaid; and bounded on the east by Denika Arachchi's field, south by path and ela, west by Boragolle Ellakumbura, and on the north by path.

(11) Undivided 1/9 share out of Dedunuellakumbura of 2 pelas in extent, situate at Ehelamalpe aforesaid; and bounded on the east by tenna, south by Yaddhegederakumbura, west by ela, and on the north by ela.

(12) Undivided 1/9 share of Dikkarawa Dimbulgetakumbura of 3 pelas in extent, situate at Ehelamalpe aforesaid; and bounded on the east by Dimbulgeta and Manelaluwa fields, south by Palebitterapela, west by Bathalawatta and Talapola fields, and on the north by Lindamulla field.

(13) Undivided 1/9 share out of the field called Tumman-koluwa of 5 bushels in extent, situate at Wadawala in Kohoka korale aforesaid; and bounded on the east by Bandagekumbura, south by hena and kandura, west by galweta, and on the north by kandura.

(14) Undivided 1/9 share out of the field called Welikada of 4 bushels of paddy sowing in extent, situate at Wadawala aforesaid; and bounded on the east by Dambahitiyawa-kumbura, south by kandura, west by ela and wella, and on the north by galweta.

(15) Undivided 1/9 share out of the field called Meddegedera-arawe of 4 bushels in extent, situate at Wadawala aforesaid; and bounded on the east by ela, south by Korala's fields, west by Tumman-koluwa, and on north by kandura.

(16) Undivided 1/9 share out of the field called Daranda-ampkekumbura of 2 bushels in extent, situate at Wadawala aforesaid; and bounded on the east by wella, south by kandura, west by path, and on the north by Ampkekumbura.

(17) Undivided 1/9 share out of the field called Pitamewa of 2 bushels in extent, situate at Wadawala aforesaid; and bounded on the east by wella, south by Uda-arawekumbura, west by ela and Vellakadakumbura, and on the north by Kitulagawakumbura.

(18) Undivided 1/9 share out of the field called Rideemulpe of 6 bushels in extent, situate at Wadawala aforesaid; and bounded on the east by wella, south by path, west by Tumpulussakumbura, and on the north by hena.

(19) Undivided 1/9 share out of the field called Thumpulussa of 2 bushels in extent, situate at Wadawala aforesaid; and bounded on the east by path, south by path, west by wetiya, and on the north by galweta.

(20) Undivided 1/9 share out of the field called Elkada of 2 bushels in extent, situate at Wadawala aforesaid; and bounded on the east by ela and wella, south by Pieris Dias's field, west by ela, and on the north by galweta.

(21) Undivided 1/9 share out of the field called Maladurawa of 2 bushels in extent, situate at Wadawala aforesaid; and bounded on the east by ela, south by Ukku Banda's field, west by ela, and on the north by Mudalali's field.

(22) Undivided 1/9 share out of the field called Dodangaskumbura of 8 bushels in extent, situate at Wadawala aforesaid; and bounded on the east by wella, south by the field called Talawa, west by path, and on the north by Korala's field.

(23) Undivided 1/9 share out of Darandakumbura of 3 pelas in extent, situate at Wadawala aforesaid; and

bounded on the east by wella, south by ela, west by ela, and on the north by wella.

(24) Undivided 1/9 share of Hiththeliyadda of 3 pelas in extent, situate at Wadawala aforesaid; and bounded on the east by hena, south by path, west by Mudalali's field, and on the north by Ulpengekumbura.

(25) Undivided 1/9 share of Welipeliya of 2 pelas in extent, situate at Wadawala aforesaid; and bounded on the east by wella, south by Kapukotuwa, west by Ankanliyadda, and on the north by galweta.

(26) Undivided 1/9 share of Karandagollakumbura of 15 lahas in paddy sowing extent, situate at Wadawala aforesaid; and bounded on the east and south by ela, west by path, and on the north by wella.

(27) Undivided 1/9 share out of Tingolkada of 2 pelas paddy sowing in extent, situate at Wadawala aforesaid; and bounded on the east by kandura, south by aswedduma, west by Pieris Dias's field, and on the north by Korala's field.

(28) Undivided 1/9 share out of Karendagolla Walawwa and garden of 4 acres in extent, situate at Wadawala aforesaid; and bounded on the east by path and galima, south by Pieris Dias's property, west by high road, and on the north by galweta and fence.

(29) Undivided 1/9 share out of Natharangollehena of about 3 acres in extent, situate at Wadawala aforesaid; and bounded on the east by path, south by galweta, west by high road and Gurunnehelaghehena and fence, and on the north by path.

(30) Undivided 1/9 share out of Naranatta of 5 pelas paddy sowing in extent, situate at Dehipe in Kohoka korale aforesaid; and bounded on the east by ela, south by kandura, west by ela, and on the north by galweta.

(31) Undivided 1/9 share out of Atalalakumbura of 2 pelas paddy sowing in extent, situate at Dehipe aforesaid; and bounded on the east by kandura, south by agala, west by Piniyadda and path, and on the north by Tennepitakumbura.

(32) Undivided 1/9 share out of Bodandekumbura of 3 pelas paddy sowing in extent, situate at Dehipe aforesaid; and bounded on the east by Doluwalegederawatta, south by kandura, west by ela, and on the north by path.

(33) Undivided 1/9 share out of Moravellikakumbura of 7 pelas paddy sowing in extent, situate at Dehipe aforesaid; and bounded on the east by ela and imaniyara, south by Hewa Eliya, west by ela, and on the north by Ratemahatmaya's field.

(34) Undivided 1/9 share out of Moravilika of 1 pela of paddy sowing in extent, situate at Dehipe aforesaid; and bounded on the east by Tatuvelpitiyagedera field, south and west by Ratemahatmaya's field, and on the north by Moravilika.

(35) Undivided 1/9 share out of Madugasella of 2 pelas of paddy sowing in extent, situate at Dehipe aforesaid; and bounded on the east by kandura, south by ela, west by tenna, and on the north by kandura.

(36) Undivided 1/9 share of Atalaha of 1 pela paddy sowing in extent, situate at Dehipe aforesaid; and bounded on the east and south by kandura, west by ela, and on the north by Bogahaellakumbura.

(37) Undivided 1/9 share out of Dilliakumbura of 3 pelas paddy sowing in extent, situate at Dehipe aforesaid; and bounded on the east and south by Damballiyaddehena, and on the west and north by kandura.

(38) Undivided 1/9 share out of Kudugalatennakumbura of 2 pelas paddy sowing in extent, situate at Dehipe aforesaid; and bounded on the east by Kotehiyakumbura, south by ela, west by Kirihamy's field, and on the north by Dingiri Banda's field.

(39) Undivided 1/9 share out of Gorogarawe of 8 pelas paddy sowing in extent, situate at Dehipe aforesaid; and bounded on the east and south by galweta, west by Jamis Abayagunasekera's field, and on the north by kandura.

(40) Undivided 1/9 share out of Nalagama-atalaha of 2 pelas paddy sowing in extent, situate at Dehipe aforesaid; and bounded on the east by Siyambalaghamulakumbura, south and west by ela, and on the north by Rengappa's field.

(41) Undivided 1/9 share out of Embitillavele of 3 pelas paddy sowing in extent, situate at Bogamuwa in Kohoka korale aforesaid; and bounded on the east by kandura, south by galweta, west by imaniyara, and on the north by galweta.

(42) Undivided 1/9 share out of aswedduma of eight kurunies paddy sowing in extent, situate at Pallewela in Kohoka korale aforesaid; and bounded on the east by agala, south by Bodi-ela, west by galweta, and on the north by chena.

(43) Undivided 1/9 share out of Wakkumbura of 12 lahas paddy sowing in extent, situate at Pallewela aforesaid; and bounded on the east, south, and north by kandura, and on the west by inaniyara.

(44) Undivided 1/9 share out of Poohulhena of 1 pela paddy sowing in extent, situate at Pallewela aforesaid; and bounded on the east by pinpela, south by Kiri Banda's field, west by ela, and on the north by pinpela.

(45) Undivided 1/9 share out of Dambularawe of 1 pela paddy sowing in extent, situate at Pallewela aforesaid; and bounded on the east by oya, south and west by Maddumalara's field, and on the north by Punchirala's field.

(46) Undivided 1/9 share out of Poohulhena of 2 pelas paddy sowing in extent, situate at Pallewela aforesaid, and bounded on the east by Madugahauhana, south by oya, west by Appuhamy's field, and on the north by Kiri Banda's field.

(47) Undivided 1/9 share out of Pallepitaha of 2 pelas and 5 kurunies paddy sowing in extent, situate at Pallewela aforesaid; and bounded on the east by Agawatahena, south by Pieris Appoo's field, west by Arambegederakumbura, and on the north by galweta.

(48) Undivided 1/9 share out of Lunuwaretenna of about 1½ acre in extent, situate at Wilwala in Kohoka korale aforesaid; and bounded on the east by high road, south by Simanhamy's land, west by fence, and on the north by Heenhamy's land.

(49) Undivided 1/9 share out of Lunuwaretenna of 1 acre in extent, situate at Wilwala aforesaid; and bounded on the east by high road, south by Kirihamy's house and fence, west by old ela, and on the north by Simanhamy's property.

(50) Undivided 1/9 share out of Thembilliyadda of 2 pelas in extent, situate at Wilwala aforesaid; and bounded on the east by Gederakumbura, south by Godaliyadda, west by Ambagahahena, and on the north by Kitulegalakumbura.

(51) Undivided 1/9 share out of Kahatadeniya of 4½ acres in extent, situate at Denike in Kohoka korale aforesaid; and bounded on the east by path and Crown property, south by Kahatadeniya and mukalana, and west and north by high road.

(52) Undivided 1/9 share out of Kahatadeniya of about 12 acres in extent, situate at Denike aforesaid; and bounded on the east by high road, south by Crown property, west by Rahatungoda road, and on the north by Kurundu-oya road.

(53) Undivided 1/9 share out of aswedduma of 8 pelas paddy sowing in extent, situate at Munwatta in Pallegampaha korale of Uda Hewaheta, in the District of Nuwara Eliya, of the Central Province; and bounded on the east by Dambahitiyawa, south by ela, west by Pinkumbura, and on the north by Gammahegekumbura.

(54) Undivided 1/9 share out of Meegahamulakumbura of 2 pelas paddy sowing in extent, situate at Munwatta aforesaid; and bounded on the east by oya, south by Alutgederakumbura, west by ela, and on the north by oya.

(55) Undivided 1/9 share out of Polkumbura of 2 pelas paddy sowing in extent, situate at Munwatta aforesaid; and bounded on the east by Ratamahatmaya's field, south by ela, west and north by kumbura.

(56) Undivided 1/9 share out of Pahimbuwa of 4 pelas paddy sowing in extent, situate at Munwatta aforesaid; and bounded on the east by Dewalakumbura, south by Galahitiyawa, west by Appoo's land, and on the north by Watagodahena.

(57) Undivided 1/9 share out of Kovilagawakumbura of 2 pelas paddy sowing in extent, situate at Munwatta aforesaid; and bounded on the east by Meddeheenna Appuhamy's field, south by ela, west by Punchirala's field, and on the north by Ralahamy's field.

(58) Undivided 1/9 share out of Kamatella of 2 pelas paddy sowing in extent, situate at Munwatta aforesaid; and bounded on the east and south by Panselakumbura, west by Galahitiyawa, and on the north by Hunnigekumbura.

(59) Undivided 1/9 share out of Hunnigekumbura of 4 pelas paddy sowing in extent, situate at Munwatta

aforesaid; and bounded on the east by Polwatte-ellakumbura, south by ela, west by Dewalakumbura, and on the north by Atalahakumbura.

(60) Undivided 1/9 share out of Walauwewatta of 1 acre in extent, situate at Munwatta aforesaid; and bounded on the east by kandura, south by high road, west by Lekam Mahatmaya's land, and on the north by Uda-aswedduma.

(61) Undivided 1/9 share out of Talahena of 15 lahas paddy sowing in extent, situate at Idampitiya in Udagampaha korale of Uda Hewaheta aforesaid; and bounded on the east by oya, south by Dingiri Banda's field, west by ela, and on the north by Arachchi's field.

(62) Undivided 1/9 share out of O'Kendagalawatta of 30 acres in extent, situate at Idampitiya aforesaid; and bounded on the east by wewa and Kehelgollegenagalweta, south by kandura and galweta, west by stone fence of H. Punchirala and Dingirala's land, and on the north by galweta (stone fence) of the land belonging to Appuhamy, Menikrala, and others.

(63) Undivided 1/9 share of O'Kendagalawatta of 5 acres in extent, situate at Idampitiya aforesaid; and bounded on the east by Tikiri Appu's land, south by H. Kiri Banda's land, west by Crown property, and on the north by Tikiri Appu's property.

(64) Undivided 1/9 share of O'Kendagala of 5 acres in extent, situate at Idampitiya aforesaid; and bounded on the east by Kiri Banda's land, south by kandura, west by galkanda, and on the north by patana.

(65) Undivided 1/9 share of O'Kendagala of 1 acre in extent, situate at Idampitiya aforesaid; and bounded on the east by Mahagala, south by Ranghamy's land, west by Crown land, and on the north by Pallegammeddehena.

(66) Undivided 1/9 share out of Havanelanda of 3 pelas paddy sowing in extent, situate at Maratuwela in Manakola in Udagampaha korale aforesaid; and bounded on the east by Gallasarawa, south by Ukkuwa's field, west by ela, and on the north by Madaguruarawekumbura.

(67) Undivided 1/9 share out of Gallasarawa of 3 pelas paddy sowing in extent, situate at Maratuwela aforesaid; and bounded on the east by pansela field, south by Gallasarawa, west by Hewanalandekumbura, and on the north by agala.

(68) Undivided 1/9 share out of Maligatenna premises Nos. 101 and 102 of ½ chundu kurakkan sowing in extent, situate at Padiyapellella in Pallegampaha korale aforesaid; and bounded on the east by premises No. 103, south by high road, west by Korala's land, and on the north by Maligatennehena.

(69) Undivided 1/9 share out of Demodaratenna of 1½ bushels in extent, situate at Ukutule in Pallegampaha korale aforesaid; and bounded on the east by Petapalakumbura, south by kandura, west by galima, and on the north by Menika's kumbura.

(70) Undivided 1/9 share out of Bopitiwela Mahakumbura of 2 bushels in extent, situate at Attanakumbura in Maturata in Udagampaha korale aforesaid; and bounded on the east by Appoohamy's and Pussalamankagededera fields, south by Hawa Eliya, west by Mudalihamy's field, and on the north by ela.

(71) Undivided 1/9 share out of Walawwewatta of 2 acres in extent, situate at Attanakumbura aforesaid; and bounded on the east by galweta, south by galweta, west by ela, and on the north by Wewaliyadda.

(72) Undivided 1/9 share out of Walauwewatte waluwa of ½ acre in extent, situate at Attanakumbura aforesaid; and bounded on the east by Government property, south by Mr. Rambukpota's land, west by Rankuttia's land, and on the north by path.

(73) Undivided 1/9 share out of Bowekumbura of 8 bushels of paddy sowing in extent, situate at Attanakumbura aforesaid; and bounded on the east by ela, south by galweta, west by Dingureddeima, and on the north by Menika's field.

(74) Undivided 1/9 share out of Vadakaha-arawa of 2 bushels in extent, situate at Attanakumbura aforesaid; and bounded on the east by Appuhamy's field, south by Hewa Eliya, west by Iddamalarawa, and on the north by kandura.

(75) Undivided 1/9 share out of Iddamalarawa of 2 bushels in extent, situate at Attanakumbura aforesaid; and bounded on the east by Vadakaha-arawa, south by Attenegederakumbura, west by oya, and on the north by kandura.

(76) Undivided 1/9 share out of Hanchiarawa of 3 bushels in extent, situate at Attanakumbura aforesaid; and bounded on the east by Rankuttia's field, south by spout and kandura, west by Mulatagedera Vidane's field, and on the north by Wakkumbureima.

(77) Undivided 1/9 share out of Horatala:awa of 1½ bushel in extent, situated at Attanakumbura aforesaid; and bounded on the east by ela, south by Arachchi's field, west and north by Subayagekumbura.

(78) Undivided 1/9 share out of Ginihapuwelakumbura of 8 bushels in extent, situate at Wetagepota in Pallegampaha korale of Uda Hewaheta aforesaid; and bounded on the east by galweta, south by Uguressagahayatakumbura, west by Naida's kumbura, and on the north by oya.

(79) Undivided 1/9 share out of Holicotte premises Nos. 128 and 129 of ¼ chundu kurakkan sowing extent, situate at Padiyapellella aforesaid; and bounded on the east by high road, south by premises No. 127, west by Holicottehena, and on the north by fence.

(80) Undivided 1/9 share out of Maligatenna boutiques bearing assessment Nos. 113, 114, and 115, containing in extent 1 chundu kurakkan sowing, situate at Padiyapellella town aforesaid; and bounded on the east by high road, south by premises No. 112, west by Maligatenna, and on the north by ela.

(81) Undivided 1/9 share out of Dunukegolla of 40 acres in extent, situate at Pannala in Oyapalata korale of Walapone, in the District of Nuwara Eliya aforesaid; and bounded on the east by Kiri Banda's land and galweta, south by Heen Menika's land, west by Kurundu-oya road, and on the north by Bartholomeusz's property.

(82) Undivided 1/9 share out of an undivided ½ share of Monerapola of 18 acres in extent, situate at Hapiwala in Diyatilake korale of Uda Hewaheta aforesaid; and bounded on the east by kandura, south by galima, west by Gannilahena, and on the north by Leulahena.

(83) Undivided 1/9 share out of Bandarapitiya of 18 acres in extent, situate at Damunumeya in Diyatilake korale aforesaid; and bounded on the east by kandura, south by wela and galweta, west by patana, and on the north by C. L. Soysa's land.

(84) Undivided 1/9 share out of Goradiyagodahena of 8 acres in extent, situate at Damunumeya aforesaid; and bounded on the east by galweta and fence, south by path, west by kandura and agala, and on the north by Deliwala land.

(85) Undivided 1/9 share out of three upstairs buildings of ½ chundu kurakkan sowing in extent, situate at Damunumeya aforesaid; and bounded on the east by path, south by Punchi Banda's property, west by galweta, and on the north by Hendrick Appu's property.

(86) Undivided 1/9 share out of Walauwewatta of 2 acres in extent, situate at Pallemaluwa in Hanguranketa in Diyatilake korale aforesaid; and bounded on the east by Punchirala's property, south and west by path, and on the north by galweta.

(87) Undivided 1/9 share out of Lemasuriyagama-kumbura of 15 lahas paddy sowing extent, situate at Lemasuriyagama in Gangapalata korale of Uda Hewaheta aforesaid; and bounded on the east and south by Kiri Banda's field, west by kandura, and on the north by Arachchi's field.

(88) Undivided 1/9 share out of Lemasuriyagama-kumbura of 7 pelas paddy sowing extent, situate at Lemasuriyagama aforesaid; and bounded on the east by kandura, south by schoolmaster's field, west by Katuwanawe-ela, and on the north by Arachchi's field.

(89) Undivided 1/9 share out of Perakelle of 34 acres in extent, situate at Malulla in Gangapalata korale aforesaid; and bounded on the east by Crown land, south by Mr. Soysa's property and path, west by path and Wewegedera property, and on the north by Malulla tank.

(90) Undivided 1/9 share out of Bataketiya of 8½ acres in extent, situate at Katupathwela in Gangapalata korale aforesaid; and bounded on the east by Crown property, south by path, west by kandura, and on the north by Crown property.

(91) Undivided 1/9 share out of Katupathwelhena of 40 acres in extent, situate at Katupathwela aforesaid; and bounded on the east by kandura, south by Crown land, west by Korala's hena, and on the north by Lower Badulla road and wela.

(92) Undivided 1/9 share out of Gonagantenna coconut garden of 3 acres in extent, situate at Idamalanda in Gangapalata korale aforesaid; and bounded on the east by Ratamahatmaya's property, south by Odiris Appu's property, west by Singho Appuhamy's land, kumbure, imaniyara, and Pansalewatta, and on the north by Lower Badulla road.

(93) Undivided 1/9 share out of Welikadahena of 5 acres in extent, situate at Idamalanda aforesaid; and bounded on the east by Lower Badulla road, south by kandura and Gurugalpala Vedarala's and others land, west by Malhamy's and Kiri Banda's land, and on the north by Kiriwante Vidane's and Henaya's land.

(94) Undivided 1/9 share out of Gonagantenna of 1 acre in extent, situate at Idamalanda aforesaid; and bounded on the east by Korala's land, south by Lower Badulla road, west by Singho Appu's and others land, and on the north by Mr. Ilangantilleke's land.

Fiscal's Office,
Kandy, February 27, 1922.

A. RANESINGHE,
Deputy Fiscal.

In the District Court of Kandy.

Kana Eng Sina Karuppaiya Pulle of Gampola.. Plaintiff.

No. 27765.

Vs.

Kapuwaitewalawwe Tikiri Banda of Yatinuwara.. Defendant.

NOTICE is hereby given that on Tuesday, March 28, 1922, commencing at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,469-90, with interest thereon at 9 per cent. per annum from July 15, 1920, till payment in full, and poundage, viz. :—

(1) An undivided ¾ parts or shares of and in the land called Udage Arachchillagewatta of 1 pela in paddy sowing extent, situated at Eriyagama in Gangapalata of Yatinuwara, in the District of Kandy of the Central Province; and bounded on the east by the fence of Kalu Banda Arachchi's garden and the fence of Tikiri Appuhamy Korala's garden, on the south by the ela (stream) of Kiri Heneya's field, on the west by the boundary of Kalu Banda Arachchi's garden, and on the north by the fence of Maduwe Arachchi's garden; together with all the plantations, trees, and everything thereon.

(2) An undivided ¾ parts or shares of and in the land called Kurundugaspiyahena of 1 pela in paddy sowing extent, situated at Pilapitiya in Gangawata korale of Yatinuwara, in the District of Kandy of the Central Province; and bounded on the east by Ambadandewatta, on the south by the agala of Punchi Menika's garden, on the west by Ambadandekumbura, and on the north by Kapuwaitewalawwehena; together with all the plantations, trees, and everything thereon.

(3) An undivided 1/9 part or shares of and in the land called Pettangehena of 6 pelas of paddy sowing in extent, situated at Pilapitiya aforesaid; and bounded on the east, north, and west by agala, and on the south by above the jak tree standing on the Wanata of the field called Pettangkumbura; together with all the plantations, trees, and everything thereon, without prejudice to the rights of the claimants, Viratha Mullegamage Don John William and Kurundugaspiyagedera Horatala, in terms of court order No. 745 of October 20, 1921.

(4) The right, title, and interest of the defendant in and to all those contiguous allotments of land called Udahagederawatta of 1 pela of paddy sowing extent, Arambekotuwewatta of 2 pelas of paddy sowing in extent, and Ambadandewatta of 1 pela of paddy sowing in extent, situated at Pilapitiya aforesaid; and bounded on the east by the ditch of Galewatta, on the south by the fence of Horatala's garden and by the fence of Diyagelmewatta, on the west by the limit of Gettapolagederawatta and by the fence of Horatala's chena, and on the north by the ditch of Mekkappu's garden and by the bank of the field together with the plantations, trees, and everything thereon.

Fiscal's Office,
Kandy, February 28, 1922.

A. RANESINGHE,
Deputy Fiscal.

Southern Province.

In the District Court of Kandy.

Kohoman Wickramage Deonis Silva of Kandy ... Plaintiff.

No. 26,255. Vs.

Galappattige Singho Appu *alias* Siman de Silva of Ahangama, presently of Kandy, now of Galle. Defendant.

NOTICE is hereby given that on Tuesday, March 28, 1922, 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. :—

The entire soil and trees of the land called Ambagahawatta, situate at Ahangama; bounded on the north by Punchiambagahawatta, south by Attikkagahawatta and Lindagawawatta, east by Witanagederawatta, and west by Higgahawatta *alias* Ratagewatta.

Amount of writ Rs. 2,362.95, with interest on Rs. 2,102 at the rate of 9 per cent. per annum from April 29, 1918, till payment in full, and poundage.

Fiscal's Office,
Galle, February 27, 1922.

J. A. LOURENSZ,
Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

Murugesu Aiyar Mahakanapathykkurukul of Chunnakam Plaintiff.

No. 14,471. Vs.

(1) Aiyampillai Velu Sapapathy of Chankanai, (2) Sinnany Kandan of ditto, (3) Sinnapody Vallipuram of ditto, dead Defendants.

NOTICE is hereby given that on Saturday, March 25, 1922, at 10 o'clock in the forenoon, will be sold by public auction at the spot, the right, title, and interest of the said 2nd defendant in the following property for the recovery of Rs. 760, cost Rs. 28.27, poundage, and charges, viz. :—

A piece of land situated at Chankanai, Chankanai Parish, Valikamam West division of the Jaffna District, Northern Province, called Karantan, containing or reputed to contain in extent 15 lachams paddy culture, with share of wells; bounded or reputed to be bounded on the east by the property of Sethupillai, widow of Kanagasabai, on the north and on the south by the property of Vairavanatar Subramaniam, and on the west by the property of Arumugam Thambiah.

2. An undivided $\frac{1}{2}$ share, with share of well lying on the land on the west and the right of use of water and water-course, of a piece of land situated at Chankanai, Chankanai Parish, Valikamam West division of the Jaffna District, Northern Province, called Valalyavayal, containing or reputed to contain in extent $4\frac{1}{2}$ lachams paddy culture; bounded or reputed to be bounded on the east by the property of Velu Sapapathy and brothers, on the north by the property of Valliammai, wife of Namasyvayam, on the west by the property belonging to Mahatevapillaiyar kovil, and on the south by the property of Ramanatar Mutter.

Fiscal's Office,
Jaffna, February 28, 1922.

J. R. MANN,
Additional Deputy Fiscal.

North-Western Province.

In the District Court of Colombo.

Don Albert Jayatilaka Substituted Plaintiff.

No. 48,957. Vs.

Mallawa Aratchige Simon Perera Appuhamy of Kurunegala Defendant.

NOTICE is hereby given that on Saturday, April 1, 1922, 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 decreed to be sold by the decree entered in the above action, viz. :—

1. All those undivided $\frac{1}{2}$ of $\frac{1}{7}$ of Henyaya, $\frac{1}{2}$ of $\frac{1}{28}$ of the entire land, $\frac{1}{2}$ of $\frac{1}{4}$ of Henyaya and field, $\frac{1}{2}$ of $\frac{3}{28}$ of Henyaya, and $\frac{1}{2}$ of $\frac{1}{12}$ of the garden of all that village called Uturuwella, comprising Henyaya of 7 amunams of kurakkan sowing, garden of 1 pela of kurakkan sowing, and field 7 amunams of paddy sowing, situated in Ihale Otota korale, in Hiriyala hatpattu of the District of Kurunegala, North-Western Province; and bounded on the north by Kinna-ragala-ela and itiya, on the east by Crown high forest (mukalana), on the south by village limit of Nalawattegama, and on the west by Crown high forest (mukalana) of Lelambiyagama.

On Monday, April 3, at 1 P.M., at the Premises.

2. All that undivided $\frac{1}{2}$ of $\frac{3}{4}$ of Henyaya, containing in extent about 24 amunams 3 pelas and 3 kurunies of kurakkan sowing from and out of all those Henyayas of 24 amunams 3 pelas and 3 kurunies of kurakkan sowing and Kumburuyaya of 4 amunams 2 pelas and 2 kurunies of paddy sowing forming 1 property, situated at Egodagama in Divigandaha korale of Hiriyala hatpattu aforesaid; and bounded on the north by village limit of Egodagama korale, on the east by Gallinna, on the south by village limit of Dagonna, and on the west by Hakwatuna-oya.

Amount to be levied Rs. 1,633.10, with interest on Rs. 700 at 9 per cent. per annum from October 30, 1917, to March 22, 1918, and thereafter on the aggregate amount at the rate of 9 per cent. per annum till payment in full, and poundage.

Fiscal's Office,
Kurunegala, February 25, 1922.

S. D. SAMARASINHA,
Deputy Fiscal.

In the District Court of Colombo.

Alfred Bear and two others, carrying on business in Colombo under the name, style, and firm of A. Bear Plaintiffs.

No. 1,429. Vs.

(1) George Benjamin Ekanayeka, (2) Richard Louis de Fonseka Pieris, presently residing at the Orient Club, Turret road, Colombo, executors of the last will and testament of Adeline Winifred Pieris, late of Colombo, deceased Defendants.

NOTICE is hereby given that on Thursday, March 30, 1922, 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 estate called Thorawetiya, situate at Dunkannawa in Meda palata of Pitigal korale south, in the District of Chilaw, North-Western Province; and bounded on the north by land claimed by M. M. Pinchahamy, a reservoir, and lands described in title plans Nos. 158,054 and 137,462, east by compass road and lands described in title plans Nos. 137,462 and 137,459, south by lands described in title plans Nos. 137,458 and 112,108, land claimed by natives and lot marked I, and west by lots marked G and E and by a bund; containing in extent 324 acres 3 roods and 7 perches according to the plan No. 1,025 of September, 1900, made by Mr. G. P. Weeraratne, Licensed Surveyor.

Amount to be levied Rs. 6,130.26, with interest at 9 per cent. per annum from January 1, 1922, costs, and poundage.

Valuation Rs. 324,750.

Deputy Fiscal's Office,
Chilaw, February 23, 1922.

CHARLES DE SILVA,
Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

(1) Cyril Ellawala, (2) H. A. Gunasekera, both of Batu-gedara, executors of the last will of J. W. Ekneligoda of Kandangoda Plaintiffs.

No. 2,947. Vs.

Mutettuwegama Ekneligoda Punchi Kumarihami of Ekneligoda, now of Ruanwella Defendant.

NOTICE is hereby given that on March 24, 1922, 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, specially mortgaged and decreed to be sold by the decree entered in the above case, for the recovery of the balance sum of Rs. 334.22, with interest on Rs. 600 at 9 per cent. per annum from August 9, 1917, and poundage.

An undivided 1/40 share of the high and low lands of Medawela Nindagama; bounded on the east by Meddegama Nindagama, south by Morahela Nindagama, north and west by Udagamagamima; containing in extent about 200 amunams of paddy, situate at Medawela in Uduwaggam pattu of Kadawatu korale.

Fiscal's Office, R. E. D. ABEYERATNA,
Ratnapura, February 27, 1922. Deputy Fiscal.

EDWARD BRUCE ALEXANDER, Fiscal for the Western Province, do hereby appoint Mr. R. S. Dalpethado to be Marshal for the District of Negombo, under provisions of "The Fiscals' Ordinance, No. 4 of 1867," and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Fiscal's Office,
Colombo, February 15, 1922.

E. B. ALEXANDER,
Fiscal.

EDWARD BRUCE ALEXANDER, Fiscal for the Western Province, do hereby appoint Mr. C. E. Perera to be Marshal for the District of Panadura, under provisions of "The Fiscals' Ordinance, No. 4 of 1867," and authorize him to perform the duties and exercise authority of Marshal for March 3, 1922, for which this shall be his warrant.

Fiscal's Office,
Colombo, February 24, 1922.

E. B. ALEXANDER,
Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. James Walter Amaresekera of Pickering's Road, Kotahena, in Colombo, deceased.

Laurá Rosalina Amaresekera of Dehiwala in Colombo District Petitioner.

And

(1) James Amarasekera, (2) Henry Amarasekera, (3) Cecily Amarasekera, (4) Owen Amarasekera, all of Hambantota; (5) Wilmot Amarasekera, (6) Winefred Amarasekera, (7) Jane Perera nee Amarasekera, all of Matara; (8) Samuel Robert Amarasekera, (9) Ellen Amarasekera, (10) Arthur Amarasekera, (11) Wilson Amarasekera, all of Colombo; (12) Osmund Herbert Amarasekera, (13) Felix Amarasekera, both of Badulla; (14) George Molligoda of Kegalla; (15) Charles Amarasekera of British North Borneo Respondents.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on February 3, 1922, in the presence of Messrs. W. P. & S. V. Ranasinghe, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 25, 1922, 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 March 9, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 3, 1922.

ALLAN BEVEN,
Acting District Judge.

In the District Court of Colombo.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Gonaduwage Don Stephen Perera of Kotahena in Colombo, deceased.

Hewatantrige Theodoris Perera of College street, Kotahena, in Colombo Petitioner.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on February 3, 1922, in the presence of Mr. J. L. Perera, Proctor, on the part of the petitioner abovenamed; and the affidavits (1) of

of the said petitioner dated January 27, 1922, and (2) of the attesting notary also dated January 27, 1922, having been read:

It is ordered that the last will of the late Gonaduwage Don Stephen Perera, deceased, of which the original has been produced and 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 March 9, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 3, 1922.

ALLAN BEVEN,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Pimbure Kaluaratchiralalage Don Lawrence Appuhamy of Dehiwala in the Palle pattu of Salpiti Korale, deceased.

Opathawitharanalage Don Benedict de Silva alias Don Benedict de Silva Opatha Petitioner.

And

(1) Elwitage Dona Helena Perera, (2) Pimbure Kaluaratchiralalage Dona Mary Margaret Hamine, (3) Pimbure Kaluaratchiralalage Dona Regina Hamine, all of Dehiwala Respondents.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on February 8, 1922, in the presence of Mr. P. D. S. Jayasekera, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated January 31, 1922, (2) of the attesting notary dated February 1, 1922, having been read:

It is ordered that the last will of the late Pimbure Kaluaratchiralalage Don Lawrence Appuhamy, 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 March 9, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 8, 1922.

ALLAN BEVEN,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of the late Clementina Matilda Abeyekoon Lama Etana of Kotahena in Colombo, deceased.

(1) Francis Louis Perera and (2) Arthur Perera Samarasinghe, both of Kotahena in Colombo Petitioners.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on February 9, 1922, in the presence of Mr. John Leopold Perera, Proctor, on the part of the petitioners above named; and the affidavits (1) of the said petitioners dated December 5, 1921, and (2) of the attesting witnesses dated November 30, 1921, having been read:

It is ordered that the last will of the late Clementina Matilda Abeyekoon Lama Etana, deceased, of which a certified copy 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 March 9, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 9, 1922. ALLAN BEVEN, Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Matarachchi Vidanelage Don Sarnelis of Homagama in the Palle pattu of Hewagam korale, deceased.

Sudasinghe Nonno Hamy of Homagama aforesaid Petitioner.

And

(1) Matarachchi Vidanelage Don Geeris Appu, (2) ditto Don Brampy, (3) ditto Dona Podihamy, wife of (4) Satarasinghe Siyadoris, both of Habarakade, (5) Matarachchi Vidanelage Don Emis Singho, (6) ditto Dona Baba Nona, (7) ditto Dona Podi Nona, all of Homagama aforesaid Respondents.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on February 9, 1922, in the presence of Mr. M. P. Wijesinghe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 6, 1922, 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 March 9, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 9, 1922. ALLAN BEVEN, Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Meera Lebbe Marikar Umma Jurisdiction. Habeeba, deceased, of No. 184, Grandpass, in Colombo.

Rasa Marikar Abdul Razak of No. 26, Old Moor street, in Colombo Petitioner.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on February 14, 1922, in the presence of Mr. M. R. Akbar, Proctor, on the part of the petitioner above named; and that affidavits (1) of the said petitioner dated February 9, 1922, and (2) of the attesting witnesses dated February 1, 1922, having been read:

It is ordered that the last will of the late Meera Lebbe Marikar Umma Habeeba, 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 March 9, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 14, 1922. ALLAN BEVEN, Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Wickrama Aratchige Pongelana de Silva (wife of Kandabodage Don Thomas Weerasuriya) of Charsley House, Dematagoda, in Colombo, deceased.

Kandabodage Don Vincent Weerasuriya of Charsley House in Dematagoda aforesaid Petitioner.

And

(1) Kandabodage Don Thomas Weerasuriya, (2) ditto Dona Constance Weerasuriya (3) ditto Dona Edith Weerasuriya and her husband (4) Madugoda Liyanage Leanold de Silva Sriananda, (5) Kandabodage Don Baldwin Weerasuriya, (6) ditto Dona Daisy Weerasuriya, (7) ditto Dona Thomasia Weerasuriya, (8) ditto Don Felix Weerasuriya, (9) ditto Don Herberta Weerasuriya, (10) ditto Dona Bertram Weerasuriya, all of Charsley House in Dematagoda aforesaid, (11) Wickrama Aratchige William de Silva of Dematagoda aforesaid Respondents.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on February 14, 1922, in the presence of Mr. D. R. de S. Abhayanayake, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 14, 1922, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son 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 March 9, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 14, 1922. ALLAN BEVEN, Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Widanelage Margaret Almina de Mel of Melton in Digarolla, Moratuwa, deceased.

Widanelage Swithin Edmund de Mel of Digarolla, Moratuwa Petitioner.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on February 20, 1922, in the presence of Mr. J. P. Rodrigo, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated January 20, 1922, and (2) of the attesting notary dated February 15, 1922, having been read:

It is ordered that the last will of the late Widanelage Margaret Almina de Mel, deceased, of which the original has been produced and is now deposited in the 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 March 9, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 20, 1922. 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 Muthuthantrige Almina de Mel nee Hieris, late of Melton in Digerolla in Moratuwa.
No. 720.

(1) Widanelage Swathin Edmond de Mel, (2) Widanelage Francis Joseph Perera de Mel, both of Digerolla in Moratuwa Petitioners.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on February 20, 1922, in the presence of Mr. J. P. Rodrigo, Proctor, on the part of the petitioners above named; and the affidavits (1) of the said petitioner dated January 20, 1922, and (2) of the attesting notary dated February 15, 1922, having been read:

It is ordered that the last will of the late Muthuthantrige Almina de Mel nee Hieris, 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 March 9, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 20, 1922.

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 Isobella Turpin, late of 2, Carlton Terrace, Bray County, Wicklow, Ireland (Conster), deceased.
No. 720.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Colombo, on February 24, 1922, 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 February 22, 1922, exemplification of probate of the will and codicil of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated January 18, 1922, having been read: It is ordered, that the will of the said deceased dated May 30, 1917, and a codicil thereto dated May 17, 1918, of which an exemplification 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 codicil annexed, issued to him accordingly, unless any person or persons interested shall, on or before March 9, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 24, 1922.

ALLAN BEVEN,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Philip Lloyd Lawless Jermain of Walmer Lodge, Walmer, in the County of Kent, Second Lieutenant, Royal Marine, Royal Infantry, deceased.
No. C/7, 125.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Colombo, on February 28, 1922, in the presence of Mr. D. E. Martensz, Proctor, on the part of the petitioner Stanley Frederick de Saram of Colombo; and (1) the affidavit of the said petitioner dated February 19, 1922, (2) power of attorney dated November 5, 1922, and (3) the order of the Supreme Court dated February 10, 1922, having been read: It is ordered that the said Stanley Frederick de Saram is the attorney in Ceylon of Elizabeth Maude Jermain, the sole heir and next of kin of the above-named Philip Lloyd Lawless Jermain, deceased, and as such entitled to have letters of administration issued to him

accordingly, unless any person or persons interested shall, on or before March 9, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 28, 1922.

ALLAN BEVEN,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Wedenipathirannehelage Gomi Appuhamy of Petigoda in Qtara palata east, in Dunagaha pattu of the Alutkuru korale, deceased.
No. 1,989.

THIS matter coming on for disposal before F. D. Peries, Esq., District Judge of Negombo, on February 21, 1922, in the presence of Mr. J. P. A. Caldera, Proctor, on the part of the petitioner, Kuruppu Appuhamillage Soibo Nona of Petigoda; and the affidavit of the said petitioner dated January 23, 1922, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as the widow of the deceased above named, to administer the estate of the said deceased, and that letters of administration do issue to her accordingly, unless the respondents—(1) Wedenipathirannehelage Daniel Singho, (2) ditto Sayaneris Appu, (3) ditto Nimanis Appu, (4) ditto Podinona, (5) ditto Emalin Nona, all of Petigoda, 2nd, 3rd, 4th, and 5th, minors by their guardian *ad litem* the 6th respondent, (6) Hetti Aratchige Hendrick Tissera of Delpakadawara—or any person or persons interested shall, on or before March 16, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 21, 1922.

F. D. PERIES,
District Judge.

In the District Court of Kalutara.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. In the Matter of the Estate of the late Don Senaris Wijemanne, deceased, of Horana.
No. 1,427.

THIS matter coming on for disposal before W. H. B. Carbery, Esq., District Judge of Kalutara, on February 3, 1922, in the presence of Mr. Don C. Bertus on the part of the petitioner Elsie Wijemanne of Horana; and the affidavit of the said petitioner dated January 27, 1922, 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 issued to her, unless the respondents, viz., (1) Doretta Serina Pearlyn Wijemanne, (2) Felica Noelyn Beatrice Wijemanne, (3) Gladys Stella Evelyn Wijemanne, by their guardian *ad litem* (4) Joseph Perera Gunawardena, all of Horana, shall, on or before March 14, 1922, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 4th respondent be and he is hereby appointed guardian *ad litem* over the 1st, 2nd, and 3rd respondents, minors, unless any person or persons interested shall, on or before March 14, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 24, 1922.

W. H. B. CARBERY,
District Judge.

In the District Court of Kandy.

Testamentary Jurisdiction. In the Matter of the Estate of the late Dunuwila Keppitipola Loku Kumarihamy, deceased, of Matala.
No. 3,653.

THIS matter coming on for disposal before Walter Sandford de Saram, Esq., Acting District Judge of Kandy, on January 30, 1922, in the presence of Messrs. Wijayatilake & Wijayatilake on the part of the petitioner Edmund Keppitipola of Unambuwa Walauwa of Gampola; and the affidavit of the said petitioner dated January 30, 1922, and his petition having been read:

It is ordered that the said petitioner, as son of the deceased above named, be and he is hereby declared entitled to have letters of administration issued to him accordingly, unless

the respondents—(1) Monaruwilla Keppitipola Dissawa, (2) Loku Banda M. Keppitipola, both of Matale, (3) Henry D. Keppitipola, R.M., (4) Mrs. Charles Taldena of Mampitiya Walauwa, Peradeniya, (5) William A. Keppitipola of Mahawela, Matale, (6) Mrs. Soma Dias Bandaranayaka of Peradeniya, (7) Mrs. Beeda de Silva, (8) Felix Tillakeratna of Green Lodge, Colombo, and (9) Mrs. Manti Panabokka of Elpitiya Walauwa, Gampola—shall, on or before March 20, 1922, show sufficient cause to the satisfaction of this court to the contrary.

W. S. DE SARAM,
Acting District Judge.

January 30, 1922.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Herat Mudiaselegedera Dingirala, No. 3,855. deceased, of Wendaruwa in Udagammedda of Pata Dumbara.

THIS matter coming on for disposal before Walter Sandford de Saram, Esq., Acting District Judge, Kandy, on February 1, 1922, in the presence of Messrs. Godamunne & Munasinha, Proctors, on the part of the petitioner, Herat Mudiaselegedera Ram Banda of Wendaruwa aforesaid; and the affidavit of the said petitioner dated January 23, 1922, having been read: It is ordered that the said petitioner be and he is hereby declared entitled to letters of administration to the estate of the deceased above named, as a son of the said deceased, unless (1) Herat Mudiaselegedera Kiri Banda and (2) ditto Loku Banda, both in Wendaruwa aforesaid, shall, on or before March 6, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 1, 1922.

W. S. DE SARAM,
Acting District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Ana Jurisdiction. Sema Ahamado Mohideen, deceased, of No. 3,856. Hanwela of Gandeke korale in Kandy.

THIS matter coming on for disposal before Walter Sandford de Saram, Esq., Acting District Judge of Kandy, on February 1, 1922, in the presence of Messrs. Saravanamuttu & Sivacolundu on the part of the petitioner Mohideen Cader Umma of Dias place in Colombo; and the affidavit of the said petitioner dated January 30, 1922, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled to letters of administration to the estate of the above-named deceased as his sister, unless any person shall, on or before March 6, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 1, 1922.

W. S. DE SARAM,
Acting District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Wahalamuni Dewayalagedera Kiri Sanda, No. 3,857. deceased, of Tismada in Yatinuwara.

THIS matter coming on for disposal before Walter Sandford de Saram, Esq., Acting District Judge, Kandy, on February 7, 1922, in the presence of Mr. Charles Vanderwall, Proctor, on the part of the petitioner, Weeresin Dewayalagedera Lapee of Tismada in Yatinuwara; and the affidavit of the said petitioner dated February 6, 1922, and her petition having been read:

It is ordered that the said petitioner, as widow of the above-named deceased, be and she is hereby declared entitled to have letters of administration issued to her accordingly, unless the respondents—(1) Wahalamuni Dewayalagedera Punchina, (2) ditto Kiri Honda, (3) ditto Pincha, (4) ditto Kirihamy, (5) Egodagedera Kiri, (6) Wahalamuni Dewayalagedera Kalu, (7) ditto Siripala, all of Tismada, the 2nd, 3rd, and 4th respondents by their

guardian *ad litem* the 7th respondent, and the 6th respondent by her guardian *ad litem* the 5th respondent—shall, on or before March 6, 1922, show sufficient cause to the satisfaction of this court to the contrary.

W. S. DE SARAM,
Acting District Judge.

February 7, 1922.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Dodampe Gamage Andris de Silva, No. 5,505. deceased, of Tellambure.

THIS matter coming on for disposal before T. B. Russell, Esq., District Judge of Galle, on February 10, 1922, in the presence of Mr. A. Dias Abeyesinghe, Proctor, on the part of the petitioner Dodampe Gamage Dandias de Silva of Tellambure; and the affidavit of the said petitioner dated February 9, 1922, having been read:

It is ordered that the said petitioner, as son of the deceased, is entitled to have letters of administration issued to him accordingly, unless the respondents—(1) Udalamatte Gamage Meniknana, (2) Dodampe Gamage Ondoris de Silva, both of Tellambure, (3) Dodampe Gamage Sehamie, wife of (4) Nagoda Vitanage Arnoris de Silva, both of Udaweliwitiya, (5) Dodampe Gamage Don Dines de Silva, (6) Dodampe Gamage Salman de Silva, (7) Dodampe Gamage Thoronis de Silva, all of Tellambure—shall, on or before March 9, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 10, 1922.

T. B. RUSSELL,
District Judge.

In the District Court of Matara.

Testamentary In the Matter of the Estate of the late Jurisdiction. Hetty Mantrige Kachchi Hami Wijesuriya, deceased, of Denuwala. No. 2,788.

THIS action coming on for disposal before C. W. Bickmore, Esq., District Judge of Matara, on December 15, 1921, of the petitioner, Manikku Badaturuge Subehami; and the affidavit of the said petitioner dated December 14, 1921, having been read: It is ordered that the said petitioner, as husband of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondents—(1) Manikku Badaturuge Lilawati, (2) ditto Sugatapala, (3) ditto Sumawati, (4) ditto Nandawati, (5) ditto Amarapala, (6) ditto Jayasinghe, all of Denuwala.

It is further ordered that the said Manikku Badaturuge Subehami, the petitioner, be appointed guardian *ad litem* over the aforesaid respondents, minors, unless the said respondents shall, on or before January 26, 1922, show sufficient cause to the satisfaction of this court to the contrary.

December 15, 1921.

C. W. BICKMORE,
District Judge.

Extended for March 30, 1922.

C. W. BICKMORE,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Arumugam Sanmugam of Karaitivu East deceased. No. 4,695.

Sithamparam, widow of Arumugam Sanmugam of Karaitivu East Petitioner.

(1) Sanmugam Kandiah of Karaitivu East, presently of F. M. S., (2) Sanmugam Sangarappillai of Karaitivu East, (3) Chinnachchipillai, daughter of Sanmugam of ditto, (4) Sanmugam Ampalavanar of ditto, (5) Sanmugam Ramanather of ditto, (6) Velayutar Arumugam of ditto, the 2nd, 3rd, 4th, and 5th respondents are minors, appearing by their guardian *ad litem* the 6th respondent Respondents.

THIS matter of the petition of Sithamparam, widow of Arumugam Sanmugam of Karaitivu East, praying for letters of administration to the estate of the above-named

deceased, Arumugam Sanmugam of Karaitivu East, coming on for disposal before M. S. Sreshta, Esq., District Judge, on February 27, 1922, in the presence of Mr. A. V. Kulasingham, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated December 13, 1921, having been read: It is declared that the petitioner is the widow of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondents or any other person shall, on or before March 9, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 27, 1922. M. S. SRESHTA,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Mellekkamala Malar, daughter of Sinnattamby Muttiah of Kadduvan, deceased.
No. 4,728.

Esthar Ponnammah, widow of Thambipillai of Kadduvan Petitioner.

Vs.

John Sinnattamby Muttiah of Parawatta estate in Matale Respondent.

THIS matter of the petition of Esthar Ponnammah, widow of Thambipillai of Kadduvan, praying for letters of administration to the estate of the above-named deceased, Mellekkamala Malar, daughter of Sinnattamby Muttiah, coming on for disposal before M. S. Sreshta, Esq., District Judge, on January 22, 1922, in the presence of Mr. V. Coomaraswamy, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated January 21, 1922, 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 her, unless the respondent or any other person shall, on or before February 23, 1922, show sufficient cause to the satisfaction of this court to the contrary.

January 31, 1922. M. S. SRESHTA,
District Judge.

Order Nisi extended for March 14, 1922.

February 23, 1922. M. S. SRESHTA,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Pandaram Sinnadurai of Vannarponnai
No. 4,729. West, deceased.

Pandaram Veeravagu of Vannarponnai West .. Petitioner.

Vs.

(1) Muttar Pandaram of Vannarponnai West, (2) Pandaram Chelliah of Kopay, (3) Pandaram Sappathipillai of Vannarponnai West, (4) Periyathanby Thambiah and wife (5) Thangamma of ditto, and (6) Selladchi, widow of Thillayampalam of ditto. Respondents.

THIS matter of the petition of Pandaram Veeravagu of Vannarponnai West, praying for letters of administration to the estate of the above-named deceased Pandaram Sinnadurai of Vannarponnai West, coming on for disposal before M. S. Sreshta, Esq., District Judge, on January 24, 1922, in the presence of Mr. K. Sivapirakasam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated January 24, 1922, having been read: It is declared that the petitioner is an heir of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before February 23, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 9, 1922. M. S. SRESHTA,
District Judge.

Time to show cause is extended to March 14, 1922.

M. S. SRESHTA,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Meenatchipillai, wife of Veluppillai Vaitilingam of Karaitivu West, deceased.
No. 4,736.

Ponniath Veluppillai of Karaitivu West Petitioner.

(1) Veluppillai Vaitilingam of ditto, presently Irrigation Sub-Inspector, Minneriya, Anuradhapura, (2) Visalatchi, daughter of Veluppillai, Vaitilingam of Karaitivu West, (3) Vaitilingam Sivasidamparam of ditto, (4) Sinnathamby Selliah of ditto 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 minors, 2nd and 3rd respondents, and that letters of administration to the estate of the above-named deceased be granted to the petitioner, coming on for disposal before M. S. Sreshta, Esq., District Judge, Jaffna, on February 3, 1922, in the presence of Mr. T. Arumainayagam, Proctor for petitioner; and the affidavit of the petitioner dated January 30, 1922, having been read: It is ordered that the above-named 4th respondent be appointed guardian *ad litem* over the said minors, 2nd and 3rd respondents, and that the petitioner is the father-in-law of the deceased, and is entitled to have letters of administration to the estate of the above-named deceased, unless the above-named respondents or any other persons show sufficient cause to the satisfaction of this court to the contrary on March 9, 1922.

February 10, 1922. M. S. SRESHTA,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late Ratnammah, wife of Paramaswamykuru
No. 4,737. kurukkal of Chunnakam, deceased.

Vasantharajakkurukkal Somasundarakkurukkal of Madduvil South Petitioner.

Sithamparanathar Aiyar Paramaswamykkurukkal of Chunnakam Respondent.

THIS matter of the petition of Vasantharajakkurukkal Somasundarakkurukkal of Madduvil South, praying for letters of administration to the estate of the above-named deceased, Ratnammah, wife of Paramaswamykkurukkal of Chunnakam, coming on for disposal before M. S. Sreshta, Esq., District Judge, on February 6, 1922, in the presence of Mr. V. Canakaratham, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated February 2, 1922, having been read: It is declared that the petitioner is the sole heir of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before March 16, 1922, show sufficient cause to the satisfaction of this court to the contrary.

February 21, 1922. M. S. SRESHTA,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Kadirasippily, wife of Sinnappoo Kartigesu of Uduvil, deceased.
No. 4,747.

Chinnappoo Kartigesu of Uduvil Petitioner.

Vs.

(1) Kartigesu Rasiah of Uduvil, (2) Kartigesu Thuraisingam of ditto, (3) Rosammah, daughter of Kartigesu of ditto, (4) Tangaretnam, daughter of Kartigesu of ditto, (5) Tangamuttu, daughter of Kartigesu of ditto, (6) Muthalitamby Chanmugam of ditto Respondents.

THIS matter of the petition of the above-named petitioner, praying that the above-named 6th respondent be appointed guardian *ad litem* over the minors, 1st, 2nd, 3rd, 4th, and 5th respondents, for the purpose of this action, and also praying that the petitioner, as the widower of the deceased intestate, be declared entitled to have letters of administration to the estate of the deceased intestate

coming on for disposal before M. S. Sreshta, Esq., District Judge, Jaffna, on February 14, 1922, in the presence of Mr. K. Ethirnayagam, Proctor, for petitioner; and on reading the affidavit and petition of the petitioner:

It is ordered that the above-named 6th respondent be appointed guardian *ad litem* over the minors, 1st 2nd, 3rd, 4th, and 5th respondents, for the purpose of representing them and acting on their behalf in this testamentary action, and the petitioner be declared entitled to have letters of administration to the estate of the deceased intestate as her widower, unless the respondents above named appear before this court on March 7, 1922, and show sufficient cause to the satisfaction of this court to the contrary.

February 25, 1922.

M. S. SRESHTA,
District Judge.

In the District Court of Anuradhapura.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Kapuralage Kadrate of Moragahawala, No. 292. deceased.

Kadiratege Appahany of Moragahawala in Kanadara korale Petitioner..
Vs.

- (1) Kadiratege Suddhamy, minor, of the age of 14 years,
- (2) Kadiratege Dingiri Banda, minor, of the age of 10 years,
- (3) Kadifatege Punchihamy, minor, of the age of 6 years, all of Moragahawala, by their guardian *ad litem*,
- (4) Kapuralage Wannakurala of Hamillewa in Kanadara korale Respondents.

THIS action coming on for disposal before S. H. Wadia, Esq., District Judge of Anuradhapura, on February 21, 1922, in the presence of Mr. P. B. Bulankulame, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 13, 1922, having been read:

It is ordered and decreed that the petitioner above named, as son, be and he is hereby declared entitled to letters of administration to the estate of Kapuralage Kadirate, deceased, unless the respondents or any other person or persons interested in the said estate show sufficient cause to the contrary on or before March 14, 1922.

S. H. WADIA,
District Judge.

In the District Court of Kegalla.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Warusamanapedige Saminduwa of Deewala, No. 783. deceased.

Warusamanapedige Kiri Bandiya of Deewala.. Petitioner.
Vs.

- (1) Rankothpedige Sirmalie of Deewala, (2) Warusamanapedige Siriya of ditto, (3) ditto Kira of ditto,
- (4) ditto Silindi of ditto, (5) ditto Dingiri of ditto Respondents.

THIS matter coming on for disposal before V. P. Redlich, Esq., District Judge, Kegalla, on January 23, 1922, in the

presence of Mr. Ondaatjie, Proctor, on the part of the petitioner; and his affidavit and petition dated January 7 and 23, 1922, respectively, praying for letters of administration to the above estate and for the appointment of 2nd respondent as guardian *ad litem* over the 3rd, 4th, and 5th respondents having been read: It is ordered and declared that the petitioner, as the eldest son of the deceased, is entitled to letters of administration to the estate of the deceased, and that such letters will be issued to him accordingly, and that the 2nd respondent, being the brother of the 3rd, 4th, and 5th minor respondents, is a fit and proper person to be appointed their guardian *ad litem*, and that such appointment will be made accordingly, unless the respondents or any person or persons interested shall, on or before February 22, 1922, show sufficient cause to the satisfaction of the court to the contrary.

January 23, 1922.

V. P. REDLICH,
District Judge.

Date for showing cause against this *Order Nisi* is extended and re-issued returnable March 8, 1922.

February 22, 1922.

V. P. REDLICH,
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Estate of Ranawaka Jurisdiction. Accillage Puncch Appahany of Mattamagoda, No. 788. deceased.

Ranawaka Accillage Mudiyanse of Mattamagoda. Petitioner.
Vs.

- (1) Ranawaka Accillage Puncchimena *alias* Puncch mahatmaya, (2) ditto Dayaratna, (3) Vidanelage Yasohamy; the 1st and 2nd respondents being minors by their guardian the 3rd respondent, all of Mattamagoda Respondents.

THIS matter coming on for disposal before V. P. Redlich, Esq., District Judge, Kegalla, on February 10, 1922, in the presence of Mr. A. A. Wickramasinghe, Proctor, on the part of the petitioner; and his affidavit and petition dated January 16 and February 9, 1922, praying for letters of administration to the above estate, and the appointment of 3rd respondent over the 1st and 2nd minor respondents having been read: It is ordered and declared that the petitioner, as the brother of the deceased, is entitled to letters of administration to the said estate of the deceased, and that such letters will be issued to him accordingly, and that 3rd respondent, being mother of the minor respondents, is a fit and proper person to be appointed guardian *ad litem*, and such appointment will be made accordingly, unless the respondents or any person or persons interested shall, on or before March 8, 1922, show sufficient cause to the satisfaction of the court to the contrary.

February 10, 1922.

V. P. REDLICH,
District Judge.