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## Part II.—Legal.

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

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### PASSED ORDINANCES.

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

#### No. 2 of 1922.

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

W. H. MANNING.

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. 2 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 8A 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, or 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 became 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.

Passed in Council the Twenty-second day of June, One thousand Nine hundred and Twenty-two.

C. H. COLLINS,  
Clerk to the Council.

Assented to by His Excellency the Governor the Thirteenth day of July, One thousand Nine hundred and Twenty-two.

B. HORSBURGH,  
Acting Colonial Secretary.

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

## No. 5 of 1922.

## An Ordinance to amend "The Naturalization Ordinance, 1890."

W. H. MANNING.

WHEREAS it is expedient to amend "The Naturalization Ordinance, 1890": Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Preamble.

1 This Ordinance may be cited as "The Naturalization (Amendment) Ordinance, No. 5 of 1922."

Short title.

2 For section 6 of the principal Ordinance the following section shall be substituted:

Substitution of new section for section 6 of the principal Ordinance.  
Cancellation of Letters Patent of naturalization.

6. (1) Where the Governor in Executive Council is satisfied that any such Letters Patent have been obtained by false representation or fraud, or by concealment of material circumstances, or that the person to whom such Letters Patent are granted has shown himself by act or speech to be disaffected or disloyal to His Majesty, the Governor shall by order cancel the Letters Patent.

(2) Without prejudice to the foregoing provisions the Governor shall by order cancel any such Letters Patent in any case in which he is satisfied that the person to whom the Letters Patent were granted either—

- (a) Has during any war in which His Majesty is engaged unlawfully traded or communicated with the enemy or with the subject of an enemy State, or been engaged in or associated with any business which is to his knowledge carried on in such manner as to assist the enemy in such war ; or
- (b) Has within five years of the date of the grant of such Letters Patent been sentenced by any court in His Majesty's dominions to imprisonment for a term of not less than twelve months, or to a term of penal servitude, or to a fine of not less than one thousand five hundred rupees ; or
- (c) Was not of good character at the date of the grant of the Letters Patent ; or
- (d) Has since the date of the grant of the Letters Patent been for a period of not less than seven years ordinarily resident out of the Colony otherwise than as a representative of a British subject, firm, or company carrying on business, or an institution established in His Majesty's dominions, or in the service of the Crown, and has not maintained substantial connection with the Colony ; or
- (e) Remains according to the law of a State at war with His Majesty a subject of that State ;

and that (in any case) the continuance of the Letters Patent is not conducive to the public good.

(3) The Governor in Executive Council may, if he thinks fit, before making an order under this section, refer the case for such inquiry as is hereinafter specified, and in any case to which sub-section (1) or paragraph (a), (c), or (e) of sub-section (2) of this section applies, the Governor in Executive Council shall, by notice given to or sent to the last known address of the person to whom the Letters Patent were granted, give him an opportunity of claiming that the case be referred for such inquiry, and if such person so claims in accordance with the notice, the Governor in Executive Council shall refer the case for inquiry accordingly.

(4) An inquiry under this section shall be held by a committee constituted for the purpose by the Governor presided over by the Chief Justice or such other Judge of the Supreme Court as may be appointed in that behalf by the Governor, and shall be conducted in such manner as the Governor may direct :

Provided that any such inquiry may, if the Governor thinks fit, instead of being held as aforesaid, be held by a District Court to be appointed by the Governor in Executive Council, and the practice and procedure on any inquiry so held shall be regulated by rules made by the Judges of the Supreme Court.

A committee appointed under this section shall have all such powers, rights, and privileges as are vested in a District Court or in any Judge thereof on the occasion of any action, in respect of the following matters :

- (a) The enforcing the attendance of witnesses and examining them on oath, affirmation, or otherwise, and the issue of a commission or a request to examine witnesses abroad ; and
- (b) The compelling the production of documents ; and
- (c) The punishing persons guilty of contempt ;

and a summons signed by one or more members of the committee may be substituted for and shall be equivalent to any formal process capable of being issued in any action for enforcing the attendance of witnesses and compelling the production of documents.

(5) Where the Governor in Executive Council cancels any such Letters Patent, the cancellation shall have effect from such date as the Governor in Executive Council may direct, and thereupon the Letters Patent shall be given up and cancelled, and any person refusing or neglecting to give them up shall be liable on summary conviction to a fine not exceeding one thousand rupees.

Passed in Council the Thirtieth day of June, One thousand Nine hundred and Twenty-two.

C. H. COLLINS,  
Clerk to the Council.

Assented to by His Excellency the Governor the Nineteenth day of July, One thousand Nine hundred and Twenty-two.

B. HORSBURGH,  
Acting Colonial Secretary.

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

No. 6 of 1922.

An Ordinance further to amend "The Game Protection Ordinance, 1909."

W. H. MANNING.

WHEREAS it is expedient further to amend "The Game Protection Ordinance, 1909": Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Preamble.

1 This Ordinance may be cited as "The Game Protection (Amendment) Ordinance, No. 6 of 1922."

Short title.

2 Section 9 of the principal Ordinance is hereby amended by the addition of the words "capture or" immediately before the word "destruction" in paragraph (b) of sub-section (1) thereof.

Amendment of section 9 of the principal Ordinance.

3 Section 31 of the principal Ordinance is hereby amended by—

Amendment of section 31 of the principal Ordinance.

(a) The insertion of the figures and letter "13 B" immediately after the figures "12 (5)"; and

(b) The substitution of the figures "21" for the figures "22"—

in line 3 of the proviso to sub-section (1) of the said section.

Passed in Council the Thirtieth day of June, One thousand Nine hundred and Twenty-two.

C. H. COLLINS,  
Clerk to the Council.

Assented to by His Excellency the Governor the Nineteenth day of July, One thousand Nine hundred and Twenty-two.

B. HORSBURGH,  
Acting Colonial Secretary.

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

No. 7 of 1922.

An Ordinance further to amend "The Colombo Suburban  
Dairies and Laundries Ordinance, 1908."

W. H. MANNING.

Preamble.

WHEREAS it is expedient further to amend "The Colombo Suburban Dairies and Laundries Ordinance, 1908": Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Colombo Suburban Dairies and Laundries (Amendment) Ordinance, No. 7 of 1922."

Amendment of section 22 of the principal Ordinance.

2 Section 22 of the principal Ordinance shall be amended by the addition of the following words immediately after the word "Colombo" in line 5 thereof: "or to the Board of Improvement of Nuwara Eliya or to any Local Board or to any Sanitary Board town or to any urban area as defined in 'The Local Government Ordinance, No. 11 of 1920.'"

Passed in Council the Thirtieth day of June, One thousand Nine hundred and Twenty-two.

C. H. COLLINS,  
Clerk to the Council.

Assented to by His Excellency the Governor the Nineteenth day of July, One thousand Nine hundred and Twenty-two.

B. HORSBURGH,  
Acting Colonial Secretary.

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 District of Kurunegala will be holden at the Court-house at the Audience Hall, Kandy, on Tuesday, August 1, 1922, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,  
Kurunegala, July 19, 1922.

S. D. SAMARASINHE,  
for Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.  
No. 2,992. In the matter of the insolvency of Mohamed Samsudeen Ismail, Mohamed Cassim Ismail, Mohamed Abdul Cader Ismail, and Ahamed Jamaldeen Ismail, carrying on business as A. H. Ismail and M. S. Deen Ismail of No. 19B, Queen street, Fort, in his private and personal capacity.

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 August 1, 1922, for proof of the claims of Benjamin Warwick and Hind Rolph & Co.

By order of court, P. DE KRETSEK,  
Colombo, July 18, 1922. Secretary.

In the District Court of Colombo.  
No. 3,137. In the matter of the insolvency of S. T. Rajah of No. 99, Chekku street, Colombo.

WHEREAS S. T. Rajah has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by N. Mutturajah of Forbes lane,

Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said S. T. Rajah insolvent accordingly; and that two public sittings of the court, to wit, on August 15, 1922, and on August 29, 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 KRETSEK,  
District Court,  
Colombo, July 17, 1922. Secretary.

In the District Court of Kandy.  
No. 1,649. In the matter of the insolvency of Meera Mohideen Noordeen of Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on October 13, 1922, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, P. MORTIMER,  
July 14, 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, August 16, 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 almirahs, 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,  
Colombo, July 18, 1922.

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

In the District Court of Colombo.

A. A. M. Saleem of No. 44, Third Cross street,  
Colombo ..... Plaintiff.  
No. 3,663/1921. Vs.

Dr. David Rockwood of Fountain House, Dean's  
road, Maradana, Colombo ..... Defendant.

NOTICE is hereby given that on Friday, August 18, 1922, at 2 P.M., will be sold by public auction at Fountain House, Dean's road, Maradana, Colombo, the following movable property for the recovery of the sum of Rs. 715.56, with legal interest thereon from December 22, 1921, till payment in full, and costs of suit which are not taxed yet, and poundage, less a sum of Rs. 300, viz. :—

1 carved chiffonier, 1 round table with marble top, 2 ebony settees, 4 lounges, 6 ebony chairs, 1 large glass almirah, 3 low chairs, 1 large writing table with drawers, 1 small table with drawers, 3 brass flower vases, 1 bench with high back, 1 dining table, 2 large armchairs, 1 hatstand, 1 square table with marble top, 2 ebony teapots, 1 glass bookcase, 2 boxes carved with ebony, 15 porcelain flower pots, 1 rattan settee, 50 pots with flower plants.

Fiscal's Office,  
Colombo, July 19, 1922.

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

In the District Court of Colombo.

K. N. S. Saminathan Chetty of Sea street,  
Colombo ..... Plaintiff.  
No. 5,151. Vs.

C. M. Meera Lebbe Marikar of No. 19, Main street,  
Colombo ..... Defendant.

NOTICE is hereby given that on Tuesday, August 15, 1922, at 1 o'clock in the afternoon, will be sold by public auction at 19, Main street, Pettah, Colombo, the following movable property for the recovery of the sum of Rs. 502.93, with legal interest thereon from June 6, 1922, till payment in full, costs, viz. :—

*Goods lying in Glass Almirah No. 1.*

5 handkerchiefs, 28 pairs shoes, 6 pieces chintz, 2 small corner whatnots.  
One glass almirah.

*Goods lying in Almirah No. 2.*

Twenty shirts, 3 hats, 1 straw hat, 14 leather bags.  
One glass almirah.

*Goods lying in Almirah No. 3.*

Seven shirts, 35 pairs socks, 48 boxes collars.  
One glass almirah.

*Goods lying in Almirah No. 4.*

Ten shirts, 14 loose rolls kannanore.  
One glass almirah.

*Goods lying in Almirah No. 5.*

Ten shirts, 5 loose rolls vicuna cloth, 3 loose rolls tweed cloths, 10 loose rolls kannanore, 2 towels.  
One glass almirah.

*Goods lying in Small Glass Almirah No. 6.*

Forty-five boxes pairs shoes, 3 bundles socks, 2 bundles mosquito netting, 1 bundle banians.  
One small glass almirah.

*Goods lying in Small Glass Almirah No. 7.*

One loose roll flannel, 3 boxes razors, 1 hair cutting machine.  
One small glass almirah.

*Goods lying in Small Glass Almirah No. 8.*

Five shirts, 5 loose rolls alpaca, 4 boxes socks, 9 boxes shoes.  
One small glass almirah.

*Goods lying in Glass Almirah No. 9.*

Ten shirts, 8 loose rolls tweeds, 1 loose roll flannel, 70 boxes hats.  
One glass almirah.

*Goods lying in Small Glass Almirah No. 10.*

Thirty-eight pairs socks, 10 phials scent.  
One small glass almirah.

*Goods lying in Glass Almirah No. 11.*

One loose roll tweed, 3 loose rolls flannel, 4 boxes socks, 30 boxes collars.  
One glass almirah.

*Goods lying in Glass Almirah No. 12.*

Eleven shirts, 12 pairs socks, 2 straw hats, 1 hat, 1 box socks, 4 gauze banians, 11 loose rolls lining.  
One glass almirah.

*Goods lying in Glass Almirah No. 13.*

1 lot ties, 1 lot socks, 14 hats, 7 loose rolls tweed.  
One glass almirah.

*Goods lying in Glass Almirah No. 14.*

Five loose rolls tweed, 1 hat, 1 straw hat, 1 lot sailors' suits, 1 loose roll flannel, 5 pairs children's shoes, 2 wall mirrors.  
One glass almirah.

*Goods lying in Small Showcase.*

One loose roll tweed, 2 shirts.  
One small showcase.

*Goods lying in Small Showcase.*

Ten shirts, 8 gauze banians.  
One small showcase.

*Goods lying in Showcase.*

Forty scent phials.  
One showcase.

*Goods lying in the Shop Floor.*

Two counters, 10 trunks, 1 writing table, 1 pigeonhole, 1 armchair, 1 teapoy, 1 stool, 1 iron safe, 2 old chairs, 2 racks, 1 iron stand, 1 small table, 1 bentwood chair, 1 large packing case, 8 small packing cases, 1 piece coir matting.

Fiscal's Office,  
Colombo, July 17, 1922.

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

In the District Court of Colombo.

H. M. N. S. Saminathan Chetty of Sea street, Colombo ..... Plaintiff.

No. 5,152. Vs.

(1) L. M. Abdul Samath, (2) C. M. Meera Lebbe Mari-kar, both of Main street, Colombo..... Defendants.

NOTICE is hereby given that on Tuesday, August 15, 1922, at 2 o'clock in the afternoon, will be sold by public auction at No. 49, Main street, Pettah, Colombo, the following movable property for the recovery of the sum of Rs. 408.45, with legal interest thereon from June 6, 1922, till payment in full, and costs, viz. :—

*Goods lying in Glass Almirah No. 1.*

Five handkerchiefs, 28 pairs shoes, 6 pieces chintz, 2 small corner whatnots.  
One glass almirah.

*Goods lying in Almirah No. 2.*

Twenty shirts, 3 hats, 1 straw hat, 14 leather bags.  
One glass almirah.

*Goods lying in Glass Almirah No. 3.*

Seven shirts, 35 pairs socks, 48 boxes collars.  
One glass almirah.

*Goods lying in Glass Almirah No. 4.*

Ten shirts, 14 loose rolls kannanore.  
One glass almirah.

*Goods lying in Glass Almirah No. 5.*

Ten shirts, 5 loose rolls vicuna cloth, 3 loose rolls tweed cloth, 10 loose rolls kannanore, 2 towels.  
One glass almirah.

*Goods lying in Small Glass Almirah No. 6.*

Forty-five boxes pairs shoes, 3 bundles socks, 2 bundles mosquito netting, 1 bundle banians.  
One small glass almirah.

*Goods lying in Small Glass Almirah No. 7.*

One loose roll flannel, 3 boxes razors, 1 hair cutting machine.  
One small glass almirah.

*Goods lying in Small Glass Almirah No. 8.*

Five shirts, 5 loose rolls alpaca, 4 boxes socks, 9 boxes shoes.  
One glass almirah.

*Goods lying in Glass Almirah No. 9.*

Ten shirts, 8 loose rolls tweed, 1 loose roll flannel, 70 boxes Turkey hats.  
One glass almirah.

*Goods lying in Small Glass Almirah No. 10.*

Thirty-eight pairs socks, 10 scent phials.  
One small glass almirah.

*Goods lying in Glass Almirah No. 11.*

One loose roll tweed, 3 loose rolls flannel, 4 boxes socks, 3 boxes collars.  
One glass almirah.

*Goods lying in Glass Almirah No. 12.*

Eleven shirts, 12 pairs socks, 2 straw hats, 1 hat, 1 box socks, 4 gauze banians, 11 loose rolls lining.  
One glass almirah.

*Goods lying in Glass Almirah No. 13.*

One lot ties, 1 lot socks, 14 hats, 7 loose rolls tweed.  
One glass almirah.

*Goods lying in Glass Almirah No. 14.*

Five loose rolls tweed, 1 hat, 1 straw hat, 1 lot sailors' suits, 1 loose roll flannel, 5 pairs children's shoes, 2 wall mirrors.  
One glass almirah.

*Goods lying in Small Showcase.*

One loose roll tweed, 2 shirts.  
One small showcase.

*Goods lying in Small Showcase.*

Ten shirts, 8 gauze banians.  
One small showcase.

*Goods lying in Showcase.*

Forty scent phials.  
One showcase.

*Goods lying in the Shop Floor.*

Two counters, 10 trunks, 1 writing table, 1 pigeonhole, 1 arm chair, 1 teapoy, 1 stool, 1 iron safe, 2 old chairs, 2 racks, 1 iron stand, 1 small table, 1 bentwood chair, 1 large packing case, 8 small packing cases, 1 coir matting.

Fiscal's Office,  
Colombo, July 17, 1922.

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

In the District Court of Colombo.

Rawanna Mana Muna Murugappa Chetty of No. 67, Sea street, Colombo ..... Plaintiff.

No. 54,146. Vs.

Dewapurage Christina Fernando, (2) Dompelage John Fernando, (3) ditto Nadoris Fernando, (4) ditto Warlis Fernando, all of Hunupitiya, Siyane korale ..... Defendants.

NOTICE is hereby given that on Tuesday, August 22, 1922, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 28 dated February 21, 1918, and decreed to be sold by the decree entered in the above action for the recovery of the sum of Rs. 17,800, with interest on Rs. 15,000 at 16 per cent. per annum from October 22, 1919, to March 2, 1920, and thereafter further interest on the aggregate amount at the rate of 9 per cent. per annum till payment in full, and costs, and less Rs. 1,060.85 recovered by sale and less Rs. 7,500 paid by the defendants, and less Rs. 1,000 paid on the last day of sale, viz. :—

At 12 noon.

(1) All that allotment of land called Netewgahalanda, with the thatch-roofed house, trees, and plantations thereon, situated at Hunupitiya in the Adikari pattu of Siyane korale, in the District of Colombo; and bounded on the north-east by a road, on the south-east by the hedge of Bastian Fernando, on the south-west by meadow of Simon Peries, and on the north-west by Crown land; containing in extent 2 acres 1 rood and 8  $\frac{33}{100}$  square perches, held and possessed by the firstly-named obligor under and by virtue of deed No. 9,003 dated February 28, 1898, and attested by L. Dharmaratna, Notary Public.

At 12.30 P.M.

(2) An allotment of land called Kurunduwatta, with the plantations and trees thereon, situated in the village Hunupitiya aforesaid; bounded on the north by the hena belonging to Allis Perera, on the east by the property of Maththes Fernando, on the south by the road, and on the west by the property of Juanis Pinto; containing in extent 2 acres 1 rood and 26 perches, held and possessed by the firstly-named obligor by right of inheritance.

At 1 P.M.

(3) An allotment of land called Halgahakumbura, situated at Hunupitiya aforesaid; and bounded on the west and north by land claimed by natives, on the east by land described in title plan No. 199,388, and on the south by land described in title plan No. 65,842; containing in extent 25 perches.

At 1.30 P.M.

(4) An allotment of land called Tetipallekumburedeniya, situated at Hunupitiya aforesaid; bounded on the north by land described in title plan No. 76,816, on the east by land claimed by natives and a channel, on the south by land described in title plan No. 65,832, and on the west by land

claimed by natives and land described in title plan Nos. 65,842-199,387 and 65,824; containing in extent 4 acres 1 rood and 22 perches.

At 2 P.M.

(5) A divided half part or share of land called Ketakelagahawatta, situated at Hunupitiya aforesaid; bounded on the north by the portion of this land belonging to Gurubelilage Karlis Fernando, on the east by the road, on the south by the property of Gurubelilage Velun Fernando, and on the west by the property of Attempolage Ago Fernando; containing in extent about 1 acre.

At 2.30 P.M.

(6) One-fourth part of an allotment of land called Kongahawatta, situated at Hunupitiya aforesaid; bounded on the north by the boundary of the other portion of this land called Kongahawatta allotted to Gurubelilage Sebastian Fernando, on the east by the dewata road from Mabola to Hunupitiya, now the cart road, on the south by the boundary of the portion of this land allotted to Gurubelilage Daniel Fernando, and on the west by the portion of this land called Kongahawatta allotted to Gurubelilage Sebastian Fernando; containing in extent about  $\frac{1}{2}$  acre.

At 3 P.M.

(7) An allotment of land called Hikgahakumburupillewa, situated at Hunupitiya aforesaid; bounded on the north by another portion of this land and the field belonging to Miguel Fernando and others, on the east by the property of Sembu, on the south by oya, and on the west by Halpothtekumbura; containing 2 bushels of paddy sowing extent.

At 3.30 P.M.

(8) A portion of land called Kekunewatta, situated at Hunupitiya aforesaid; bounded on the north by the property of Bulathwelage Agostinu Fernando and others, on the east by the property of Bulathwelage Paulis Fernando and others, on the south by the other portion of this land belonging to Sambudunge Davith Fernando and others, and on the west by the property of Bulathwelage Domingo Rodrigo; containing in extent  $\frac{1}{2}$  acre.

At 4 P.M.

(9) One-third of a portion of land called Ketakelagahawatta, situated in the village of Hunupitiya aforesaid; bounded on the north by the boundary of the property of Annakkarage Juan Peries, on the east by the boundary of the property of Liyanaduru Daniel Fernando and others, on the south by the boundary of another portion of this land, and on the west by the boundary of another portion of this land belonging to Salman Fernando; containing about  $1\frac{1}{2}$  bushel of paddy sowing.

At 4.30 P.M.

(10) All that undivided one-third of seven-eighths of a portion of land called Delgahawatta, situated at Hunupitiya aforesaid; bounded on the north by the property of Bulathwelage Francina Fernando, on the east by another portion of this land belonging to Hikkaduheenage Eso Fernando, on the south by the property belonging to Hunakkarage Simon Peries and others, and on the west by the property belonging to Samuel Rodrigo; containing in extent 3 roods.

At 5 P.M.

(11) An allotment of land situated at the village Pinna-meda in the Adikari pattu aforesaid; bounded on the north by Ambagahawatta claimed by R. Caroline Hami and V. Raphiel Appoo, on the east by Jambugahakumbura claimed by Don Lawrence, on the south by Nugagahawatta claimed by K. Pedro Appoo and others, and on the west by a path; containing in extent, exclusive of the path passing through the land, 2 acres 2 roods and 12 perches.

At 5.30 P.M.

(12) All that allotment of land called Talgahawatta, situated at Hunupitiya aforesaid; bounded on the north by land of D. Rodrigo and owita of T. Fernando and Miguel Fernando, on the west by footpath, on the south by road and garden of J. Fernando and road, and on the east by railroad; containing in extent 2 acres 1 rood and 4 perches.

On Wednesday, August 23, 1922, at 1 P.M.

(13) All that garden with the buildings and plantations thereon bearing assessment No. 10, situated at Mattakkuliya, within the Municipality of Colombo, in the District of Colombo, Western Province; bounded on the north-east by a narrow road, on the south-east by the property of late John Stevens, on the south by the property of Kondegamage Juwanis Grero, and on the west and north-west by the property of John Lewis Perera, Kuruwe Mudaliyar; containing in extent 2 acres 2 roods and  $5\frac{22}{100}$  square perches, which said premises are otherwise described as follows:—All those premises bearing assessment No. 11/1,092, with the buildings, trees, and plantations thereon, situated at Kelaniganga Mills road, Mattakkuliya aforesaid; bounded on the north by road leading to Kelaniganga Mills and property of Kuruwe Walauwa, on the east by the property of Messrs. Dodwell & Co., Kelaniganga Mills, on the south by the property of Stephen Dias Peter Dias Santiago Rajapakse, and on the west by the property of Kuruwe Walauwa; containing in extent about 3 acres, held and possessed by the firstly-named obligor by right of inheritance.

Fiscal's Office,  
Colombo, July 19, 1922.

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

In the District Court of Kalutara.

M. Letchiman Pillai of Colombo, attorney of Peena  
Kuna Chuna Weerappa Pillai of Colombo, . . . . . Plaintiff

No. 8,247. Vs.

Echambi Valaideen of Welapura Kalutara, . . . . . Defendant.

NOTICE is hereby given that on Friday August 18, 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 mortgaged by the defendant with plaintiff and declared bound and executable for the decree entered in the said case for the recovery of Rs. 1,108.25, with interest on Rs. 600 at 12 per cent. per annum from August 13, 1913, till March 10, 1919, and thereafter at the rate of 9 per cent. per annum till payment in full, viz. :—

The undivided  $\frac{1}{2}$  share of the soil and of all therein of the northern portion of the land called Dummalawalawela, situated at Katukurunda, and bounded on the north by Madangahawatta alias Etambagahawattapaula and ela, on the east by Duwawatta, Elabodadelgahawatta, and ela, on the south by a portion of the same land belonging to Martin Naide Silva and Dona Gunasekera Hamine, and west by Welabodagorakagahawatta, Katukurundagahawatta, two portions of Madangahawatta, and Welipittaniya; containing in extent 9 acres 3 roods and 18 perches.

Deputy Fiscal's Office,  
Kalutara, July 17, 1922.

H. SAMERESINGHA,  
Deputy Fiscal.

In the District Court of Kalutara.

Ilekuttige Anthoniz Fernando of Marakkalahawatta  
in Maggonbadda, . . . . . Plaintiff

No. 9,673. Vs.

Ismail Lebbe Marikkar Asana Marikkar of Deena-  
goda, . . . . . Defendant.

NOTICE is hereby given that on Tuesday August 15, 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 mortgaged by the defendant with plaintiff and declared bound and executable for the decree entered in the said case for the recovery of Rs. 1,000, with interest thereon at the rate of 9 per cent. per annum from September 2, 1920, till payment in full, and costs Rs. 110, viz. :—

An undivided  $\frac{1}{2}$  share of the soil and of the remaining trees, together with planter's  $\frac{1}{2}$  share of the 4th plantation on the western side and the tiled house (excluding the

planter's share of the 1st plantation) of the land called Attadipitiyewatta *alias* Welabodaowita, situated at Deenagoda in Beruwalbadda; and bounded on the north by Kitulgahaowita and Mudaliangalapaula, east by Kahatagahawatta, south by river, and west by  $\frac{1}{2}$  share land of Attadipitiya; containing in extent about 3 roods.

Deputy Fiscal's Office,  
Kalutara, July 18, 1922.

H. SAMERESINGHA,  
Deputy Fiscal.

In the District Court of Colombo.

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

No. 52,593. Vs.

(1) Dewage Don Abraham Appuhamy of Walana, Panadure, (2) H. D. John Pieris of Hulitsdorp in Colombo, assignee of the estate of the 1st defendant, an insolvent; (3) Dewage Don Johannes Appuhamy of Walana in Panadure ..... Defendants.

NOTICE is hereby given that on Saturday, August 12, 1922, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property (mortgaged by the defendants with plaintiff and declared bound and executable for the decree entered in the said case) for the recovery of Rs. 14,800, with interest on Rs. 10,000 at the rate of 18 per cent. per annum from February 25, 1919, to July 7, 1919, and thereafter further interest on the aggregate amount at the rate of 9 per cent. per annum till payment in full, and costs, viz. :—

(1)  $\frac{1}{2}$  share of the soil of the trees and of the buildings standing thereon of a portion of Gorakagahawatta, situated at Walana in Panadurebadde; and bounded on the north by Delgahawatta and cart road, east by a portion of Gorakagahawatta, south by a portion of Gorakagahawatta, and west by the high road leading to Galle; and containing in extent about 3 roods.

(2)  $\frac{1}{2}$  share of the land, after excluding the planter's share, of a portion of Gorakagahawatta, situated at ditto; and bounded on the north by a portion of Gorakagahawatta purchased by Don Brampy Karunaratna, Notary, east by the old cart road, south by another portion of Gorakagahawatta, and west by another portion of this land; and containing in extent about 2 roods.

(3)  $\frac{1}{2}$  share of the land, after excluding the planter's share, of a portion of Gorakagahawatta, situated at ditto; and bounded on the north by a portion of the same land belonging to Dewage Don Pedrick Appuhamy and Dewage Don Arnolis Appuhamy, east by the old road, south by Maragahawatta *alias* Delgahawatta, and west by a portion of Gorakagahawatta wherein Dewage Saineris Appuhamy resides; and containing in extent 3 roods more or less.

(4)  $\frac{1}{2}$  share of the land, after excluding the planter's share, of a portion of Gorakagahawatta, situated at ditto; and bounded on the north by a portion of Bogahawatta and a portion of Gorakagahawatta, east by Maragahawatta *alias* Delgahawatta, south by Gorakagahawatta, and west by Bogahawatta; and containing in extent 1 acre more or less.

(5)  $\frac{1}{2}$  share of the land, after excluding the planter's share, of a portion of Gorakagahawatta, situated at ditto; and bounded on the north and east by the portions of the same land, south by Bogahawatta, and west by cart road; and containing in extent 1 rood more or less.

(6)  $\frac{1}{2}$  share of the land, after excluding the planter's share, of a portion of the land called Ketakelagahawatta, situated at ditto; and bounded on the north by cart road and a portion of land belonging to others, east by another portion of this land which has been sold, south by a portion of this land belonging to others, and a portion of this land belonging to Sarikkalige Agostinu Fernando and Nonohami, and Galpottewatta, and west by old road; and containing in extent about 8 acres.

(7)  $\frac{1}{2}$  share of the land, after excluding the planter's share, of a portion of Galpottewatta, situated at ditto; and bounded on the north by another portion of this land previously gifted, a portion of Ketakelagahawatta, and cart

road; east by Kahatagahawatta, Ketakelagahawatta, and Gedambugahawatta, south by a portion of Gedambugahawatta and Maragahawatta, and west by old road; and containing in extent 2 acres more or less.

Deputy Fiscal's Office,  
Kalutara, July 17, 1922.

H. SAMERESINGHA,  
Deputy Fiscal.

In the District Court of Colombo.

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

No. 52,594. Vs.

(1) Dewage Don Abraham Appuhamy of Walana in Panadure, (2) H. D. John Pieris of Hulitsdorp, Colombo, (3) Dewage Don Johannes Appuhamy of Walana in Panadure ..... Defendants.

NOTICE is hereby given that on Saturday, August 12, 1922, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property (mortgaged by the defendant with plaintiff and declared bound and executable for the decree entered in the said case) for the recovery of Rs. 6,800, with interest on Rs. 5,000 at the rate of 18 per cent. per annum from March 13, 1919, to July 7, 1919, and thereafter further interest on the aggregate amount at the rate of 9 per cent. per annum till payment in full, and costs of suit, viz.

1. Half share of the soil of the trees and of the buildings standing thereon of a portion of Gorakagahawatta, situated at Walana in Panadurebadde; and bounded on the north by Delgahawatta and cart road, east by a portion of Gorakagahawatta, south by a portion of Gorakagahawatta, and west by the high road leading to Galle; and containing in extent about 3 roods.

2. Half share of the land, after excluding the planter's share, of a portion of Gorakagahawatta, situated at ditto; and bounded on the north by a portion of Gorakagahawatta purchased by Don Brampy Karunaratna, Notary, east by the old cart road, south by another portion of Gorakagahawatta, and west by another portion of this land; and containing in extent about 2 roods.

3. Half share of the land, after excluding the planter's share, of a portion of Gorakagahawatta, situated at ditto; and bounded on the north by a portion of the same land belonging to Dewage Don Pedrick Appuhamy and Dewage Don Arnolis Appuhamy, east by the old road, south by Maragahawatta *alias* Delgahawatta, and west by a portion of Gorakagahawatta wherein Dewage Saineris Appuhamy resides; and containing in extent 3 roods more or less.

4. Half share of the land, after excluding the planter's share, of a portion of Gorakagahawatta, situated at ditto; and bounded on the north by a portion of Bogahawatta and a portion of Gorakagahawatta, east by Maragahawatta *alias* Delgahawatta, south by Gorakagahawatta, and west by Bogahawatta; and containing in extent 1 acre more or less.

5. Half share of the land, after excluding the planter's share, of a portion of Gorakagahawatta, situated at ditto; and bounded on the north and east by portions of the same land, south by Bogahawatta, and west by cart road; and containing in extent 1 rood more or less.

6. Half share of the land, after excluding the planter's share, of a portion of the land called Ketakelagahawatta situated at ditto; and bounded on the north by cart road and a portion of land belonging to others, east by another portion of this land which has been sold, south by a portion of this land belonging to others and a portion of this land belonging to Sarikkalige Agostinu Fernando and Nonohami and Galpottewatta, and west by old road; and containing in extent about 8 acres.

7. Half share of the land, after excluding the planter's share, of a portion of Galpottewatta, situated at ditto; and bounded on the north by another portion of this land previously gifted, a portion of Ketakelagahawatta, and cart road, east by Kahatagahawatta, Ketakelagahawatta, and Gedambugahawatta, south by a portion of Gedambugahawatta and Maragahawatta, and west by old road; and containing in extent 2 acres more or less.

Deputy Fiscal's Office,  
Kalutara, July 18, 1922.

H. SAMERESINGHA,  
Deputy Fiscal.



## 34 90/21 Central Province.

In the Additional Court of Requests of Kandy.

Muna Pana Vana Ena Muttu Palaniappa Chetty of  
Kandy ..... Plaintiff.

No. 1,398. Vs.

C. B. Galagoda of Empire Hotel, Kandy ..... Defendant.

NOTICE is hereby given that on Saturday, August 12, 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. 276.25, with interest on Rs. 250 at 9 per cent. per annum from March 11, 1922, till payment in full, and poundage, viz. :—

(1) The field called Mahakannaria of about 1 amunam in paddy sowing in extent, situate at Galgamuwa in Marassana in Hewawisse korale of Lower Hewaheta, in the District of Kady of the Central Province; and bounded on the east by Welidewetiya, south by Kannariyakumbura, west by wetiya, and on the north by the stone fence of Dembindi-ella.

(2) An undivided  $\frac{1}{2}$  share of Mahakumbure of 1 amunam in paddy sowing extent, situate at Hindagoda in Hewawisse korale of Lower Hewaheta, in the District of Kandy of the Central Province; and bounded in its entirety on the east by Kanneriya-ela, on the south by Otalawa, on the west by ela or water-course, and on the north by Tikiri Banda's field.

(3) All that land called Ududamma Muttetuwe Kehelwatta, of about 6 acres in extent, situate at Ududeniya in Hewawisse korale aforesaid; and bounded on the east by stone fence, on the south by Kandura, on the west by endaru fence of Naranghamullawatta, and on the north by Gansabha road leading to Mailapitiya; with everything thereon.

Fiscal's Office,  
Kandy, July 18, 1922.A. RANESINGHE,  
Deputy Fiscal.

In the District Court of Kandy.

Kawana Pana Lana Muna Supperamanian Chetty of  
Nawalapitiya ..... Plaintiff.

No. 29,948. Vs.

Muna Andiappen., Head Kangany of India, by  
his attorney Ammany of Rambukpitiya in Nawala-  
pitiya ..... Defendant.

NOTICE is hereby given that on Friday, August 18, 1922, at 12 noon, will be sold by public auction at the Fiscal's Office, Kandy, viz. :—

All the right, title, and interest of the defendant in and to all that usufructuary mortgage bond No. 126 dated July 14, 1906, and attested by J. A. Aiyadurai of Hatton, Notary Public, and in and to the sum of Rs. 16,000 and interest thereby secured and in and to the estate, plantations, and premises called and known as Hope estate thereby mortgaged, which is mortgaged with the plaintiff by bond No. 10,413 dated December 28, 1917, and attested by E. M. B. Seneviratne of Kandy, Notary Public, and decreed to be sold by the decree entered in favour of the plaintiff in the above action for the recovery of the sum of Rs. 12,575.45, with interest on Rs. 12,375 at 9 per cent. per annum from April 27, 1922, till payment in full, and poundage.

Fiscal's Office,  
Kandy, July 18, 1922.A. RANESINGHE,  
Deputy Fiscal.

## 65 90/21 Southern Province.

In the District Court of Matara.

Metaramba Bala Arachchige Bartholomeus de Silva  
of Nadugala ..... Plaintiff.

No. 9,764. Vs.

(1) Raigan Koralege Baron de Silva, (2) Raigan  
Koralege Maris de Silva *alias* Malis de Silva of Ahan-  
gama ..... Defendants.

NOTICE is hereby given that on Tuesday, August 15, 1922, at 12 noon, will be sold by public auction at the

premises the right, title, and interest of the said defendants in the following property, viz. :—

1. All the fruit trees and soil of lot No. 2 of Goyapana-watta, situate at Ahangama; bounded on the north by high road, east by lot No. 3 of the same land, south by sea-shore, west by lot No. 1 of the same land; extent 30.21 perches.

2. All the fruit trees and soil of lot No. 2 of Orutotawatta, situate at Ahangama; bounded on the north by Orutotawatta, east by lot No. 3 of Orutotawatta, south by high road, and west by lot No. 1 of the same land; extent 12  $\frac{5}{6}$  perches.

3. An undivided  $\frac{1}{2}$  part of the soil and trees of lot No. 6 of Hambanewatta, situate at Ahangama; bounded on the north by lot No. 5 of the same land, east by Dehigahakoratuwa, south by lot No. 7 of the same land, and west by a portion of Hambanewatta; extent about 1 rood.

4. An undivided  $\frac{1}{2}$  of 13/14 parts of the eastern portion of lot No. 7A of Hambanewatta and the tiled house of 13 cubits standing thereon, situate at Ahangama; bounded on the north by Salmanappugeidankebella and Goyapana-oya, east by lot No. 9 of Hambanewatta, south by Palutagahawatta and Mawatawatta, and west by the western portion of lot 7A of Hambanewatta; extent 1 acre.

5. An undivided 1/40 part of lot No. 3 of Hambanewatta, situate at Ahangama; bounded on the north by Wahutota-ela, east, south, and west by portions of Hambanewatta; extent 1 rood.

6. An undivided  $\frac{1}{2}$  part of the 7/60 portion of Hambanewatta, together with the planter's share of the 3rd plantation standing thereon, situate at Ahangama; bounded on the north by river, east, south, and west by Hambanewatta; extent 2 roods and 32 perches.

7. An undivided 1/10 part of the soil and trees of Pitakoratuwa, situate at Ahangama; bounded on the north by Metipolawatta, east by Puchimahadeniya, south by Dehigahakoratuwa, and west by Hambanewatta; extent about  $\frac{1}{2}$  acre.

8. An undivided 1/8 part of Metipalawatta, situate at Ahangama; bounded on the north by river, east by Puchimahadeniya, south by Pitakoratuwa, and west by Hambanewatta; extent about 1 acre.

All the above shares are subject to a mortgage bond No. 9,048 of July 21, 1915, in favour of Dassanayaka Liyanage Don Adirian Appuhamy of Atabage, for the balance sum of Rs. 750, with interest thereon from March 2, 1919.

9. The land called Kaduruketiyewatta, situate at Ahangama, together with all the buildings and chekku standing thereon; bounded on the north by Wahutota-ela, east by Puchimahadeniya, south by Hambanewatta, and west by Hambanewatta and a road; extent about 1 acre.

Amount of writ Rs. 2,343.80, together with legal interest on Rs. 1,913.75 from June 17, 1922, till payment in full.

Fiscal's Office,  
Galle, July 17, 1922.J. A. LOURENSZ,  
Deputy Fiscal.

In the District Court of Galle.

Kalupahanage Siman de Silva ..... Plaintiff.

Kalupahanage Milly Wickramasingha of Galle Fort and  
another ..... Substituted Plaintiffs.

No. 16,351.

Vs.

Weerasingha Arachchige Dona Martha of Kumbal-  
wella and another ..... Defendants.

NOTICE is hereby given that on Saturday, August 12, 1922, at 2 o'clock in the afternoon, will be sold by public auction at the spot the following property mortgaged, viz. :—

All the trees and soil of a defined portion of the land called Oliyaparangiyawatta, together with the houses which bore old Nos. 87, 88, and 89, and which bear the new Nos. 94, 95, and 96, and the other buildings standing in the said portion, situate at Colombo-Galle high road at Kumbalwella, within the Four Gravets of Galle, containing in extent 27.32 perches; and bounded on the north-east by the high road to Colombo, south-east by a portion of the same.

land lot No. 2, south-west by the seashore, and north-west by Dondynbergwatta. Writ amount. Rs. 6,247·65, with interest on Rs. 5,851·66 at 9 per cent. per annum from September 22, 1918.

Fiscal's Office,  
Galle, July 12, 1922.

J. A. LOURENSZ,  
Deputy Fiscal.

In the District Court of Galle.

Samuel Vitanatchi, Conductor of Nagahatenna estate,  
in Bentota ..... Plaintiff.

No. 18,117. Vs.

Suriyaratthige Lorensz Perera of Green street in  
Colombo ..... Defendant.

NOTICE is hereby given that on Saturday, August 12, 1922, at 12 noon, will be sold by public auction at the spot, in the following mortgage property, viz. :—

All that land called Halgahawelauturumananegodella, together with all the rights and titles of the defendant thereto, situated at Yatagala in Bentota-Walallawiti korale, in the District of Galle, Southern Province; and bounded on the north by Crown land and T. P. 152,722, east by lot No. 14147 in P. P. 5,789 and lot No. 26287 in P. P. 8,827, south by T. Ps. 227,764 and 266,490, and west by Crown land; and of the extent of 5 acres 3 roods and 35 perches. Writ amount Rs. 2,287·10.

Fiscal's Office,  
Galle, July 15, 1922.

J. A. LOURENSZ,  
Deputy Fiscal.

In the District Court of Matara.

Malawi Achchi Kankanange Don Babanis Veda Appu-  
nami of Getamanna ..... Plaintiff.

No. 6,587. Vs.

Don Adrian Abewardene Wickremasinghe, Registrar of  
Kongala ..... Defendant.

NOTICE is hereby given that on Thursday, August 17, 1922, at 9.30 in the forenoon, will be sold by public auction at this office the right, title, and interest of the said defendant in the following mortgaged property, viz. :—

(1) The field called Walgamayakumbura, in extent 2 pelas of paddy, situate at Kongala in the Kandaboda pattu of the Matara District, Southern Province; and bounded on the north by Motamura, east and south by high road and athmaga, west by Kamarankagaspitiya.

(2) An undivided  $\frac{1}{2}$  part of Wattegeirikonda, situate at Naiwela in ditto; and bounded on the north by Aliawetunarikonda, east by Rathninda, south by canal, west by Pinkumbura; in extent 1 amunan of paddy.

(3)  $\frac{3}{4}$  parts (undivided) of Baddiwela, in extent 2 acres 2 roods 38 perches, situate at Lalpe in ditto; and bounded on the north by Appuwaduwakumbura, Kalugamageliyaddakumbura, and Mulanakumbura, east by Irikondekumbura, south by Waturabasnawa, west by land appearing in plan No. 65,698.

(4) An undivided  $\frac{1}{2}$  part of Julgahakumbura, in extent 1 acre 3 roods 36 perches, situate at Kebiliyapola in ditto; and bounded on the north by Kongahakumburapuraneirikonda, east by Puraneirikonda and land appearing in plan No. 65,709, south by Mahawelakumbura, west by land appearing in plan No. 65,707.

(5) An undivided  $\frac{1}{2}$  part of Hallahaira (1 amunam of paddy), situate at Naiwela in ditto; and bounded on the north by Yodakandiyewalauwewatta, east by Mirisseirikonda, south by Kitulegodairikonda, west by Rathninda and Godairikonda.

(6) The land called Boraluwehena, in extent 8 acres 2 roods 27 perches, situate at Narawelpita in ditto; and bounded on the north by land appearing in title plan No. 187,356 and lot No. 232 of preliminary plan 2,136, east by land appearing in title plan No. 242,031 and a reserved footpath, south by a reserved footpath and lot No. 217 of preliminary plan 188, west by lands appearing in title plans Nos. 248,012, 248,017, 242,026.

Writ amount Rs. 5,046·17, with legal interest on Rs. 3,254·11 from October 29, 1920, till payment in full.

Deputy Fiscal's Office,  
Matara, July 13, 1922.

E. T. GOONEWARDENE,  
Deputy Fiscal.

In the District Court of Matara.

Nanayakkara Mahadange Don Bastian, *ex Vidane*  
Arachchi of Kapugama ..... Plaintiff.

No. 7,453. Vs.

Charlina Johana Amaradiwakara Hamine of  
Kirinda ..... Defendant.

NOTICE is hereby given that on Saturday, August 12, 1922, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following mortgaged property for the recovery of Rs. 2,149·93, with legal interest on Rs. 1,367·79 from May 5, 1922, viz. :—

The divided and separated middle portion of Giruwamullegodawatta *alias* Giruwamullegodagedarawatta, situate at Kirinda in Gangaboda pattu, Matara District, Southern Province, and all the buildings standing thereon, the said portion containing in extent about 3 acres; and bounded on the north by Giruwamullekoratuwa, east by Giruwamullegodawatta *alias* Giruwamullegodagederawattakoratuwa *alias* the fence called Kogahalangaweta belonging to Arachchi Mahatmaya, south by high road, west by Giruwamullegodawatta *alias* Giruwamullegodegederawattakoratuwa belonging to Arachchi Mahatmaya. Valuation, Rs. 5,000.

Deputy Fiscal's Office,  
Matara, July 11, 1922.

E. T. GOONEWARDENE,  
Deputy Fiscal.

In the District Court of Matara.

Don Abraham Abewardane Wickremasinghe of  
Kirinda ..... Plaintiff.

No. 8,925. Vs.

Charlina Johana Amaradiwakara Hamine of  
Kirinda ..... Defendant.

NOTICE is hereby given that on Saturday, August 12, 1922, at 10.30 in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 1,174·82, with legal interest on Rs. 950·03 from January 31, 1922, viz. :—

The divided and separated middle portion of Giruwamullegodawatta *alias* Giruwamullegodagedarawatta, situate at Kirinda in Gangaboda pattu, Matara District, Southern Province, and all the buildings standing thereon, the said portion containing in extent about 3 acres; and bounded on the north by Giruwamullekoratuwa, east by Giruwamullegodawatta *alias* Giruwamullegodagederawattakoratuwa *alias* the fence called Kogahalangaweta belonging to Arachchi Mahatmaya, south by high road, west by Giruwamullegodawatta *alias* Giruwamullegodegederawattakoratuwa belonging to Arachchi Mahatmaya; subject to the mortgage bonds sued in case No. 7,453, District Court, Matara. Valuation, Rs. 5,000.

Deputy Fiscal's Office,  
Matara, July 11, 1922.

E. T. GOONEWARDENE,  
Deputy Fiscal.

In the District Court of Matara.

Don Sadris Samarasinghe, late Registrar of Marriages  
of Pelena ..... Plaintiff.

No. 9,173. Vs.

Ranawakage Don Theodoris de Silva of Pol-  
watta ..... Defendant.

NOTICE is hereby given that on the following days at the hours specified below will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following mortgaged property for the recovery of a sum of Rs. 3,039·89:—

Tuesday, August 15, 1922, at 11 A.M.

(1) An undivided 30 kurunies of paddy sowing extent of the field Goluwakumbura, situated at Kadukanna; and bounded on the north by Geriwalaliadda, east by Iddagodayaketiya, south by Midigahakumbura, and west by Gologodawatta; containing in extent of 6 bags paddy sowing.

(2) An undivided 9 kurunies paddy sowing extent of the field Ranawakage Andakumbura, in extent 1 acre 2 roods and 10 perches, situated at Malimboda; and bounded on

the north and east by the land disputed to by Wattu and others and also, south and east also by the land described in plan No. 71,701, south and west by land disputed to by Ranawakage Don Carolis and others, north and west by land purchased by Ranawakage Jayanhami and others.

(3) An undivided 1 bag paddy sowing extent of the field Parawenidiwel Hakmanagegederakumbura, in extent 5 pelas of paddy sowing, situated at Malimboda; and bounded on the north by Bopagodaliadda, east by Ambagahakumbura, south by Hakmanagewatta, and west by Delgahakumbura.

Saturday, August 19, 1922, at 11 A.M.

(4) An undivided 20 kurunies extent of the field Diwelganekumbura, in extent 3 bags paddy sowing, situated at Henagama; and bounded on the north by Pinidiyagehela, east by Eramudugahamulla, south by Andakumbura, and on the west by Atalaha.

Saturday, August 26, 1922, at 11 A.M.

(5) An undivided 1/14 share of the soil, plantations, and the buildings of the divided portion B of the land Muttettuwatta, situated at Denepitiya; which divided portion is bounded on the north by the path and portion C, east by portion A, south by Sindattiriyawatta, and west by the road and portion G; containing in extent 1 rood and 10·6 perches.

(6) An undivided 1/14 share of the soil plantations of the divided portion N of the land called Muttettuwatta at Denepitiya; and bounded on the north by the divided portion O, east by road, south by divided portion M, and on the west by Gkanda; containing in extent 2 roods and 3 2/10 perches.

(7) All the soil and fruit trees of the land called Meegahawatta *alias* Padinchigederawatta, with all the buildings standing thereon, situated at Polwatta; and bounded on the north by Podigewatta and Pelene Lokulamayagewatta, east by Babungederawatta, south by Kurunegewatta and Diwelkoratuwa, and on the west by Gederawatta; containing in extent 2 roods and 12 perches.

Deputy Fiscal's Office, E. T. GOONEWARDENE,  
Matara, July 12, 1922. Deputy Fiscal.

In the District Court of Galle.

K. S. P. S. Kadirasan Chetty of Galle, presently in India ..... Plaintiff.

No. 19,593. Vs.

Tamby Saibo Lebbe Mohamed Lebbe Mathicham of Miella in Hakmana ..... Defendant.

NOTICE is hereby given that on Tuesday, August 22, 1922, at 10 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of a sum of Rs. 680·85, with legal interest on Rs. 566·93 from June 20, 1922, till payment in full, viz. :—

(1) An undivided 1/3 of 7/8 part of Emberellagahawatta and an undivided 1/3 of 1/3 part of the 13 cubits tiled house standing thereon, situated at Badabedda in Kandaboda pattu of Matara District, Southern Province; and bounded on the north by Wewuliadda and Galapottekumbura, east by Gamaetigeketakalagahawatta, south by the portion of the land sold by the Crown, and on the west by Dangahawatta; and containing in extent about 1 acre. Valuation, Rs. 250.

(2) An undivided 1/3 part of the high and low land of Wewuliadda and the tiled house of 7 cubits standing thereon, situated at said Badabedda; and bounded on the north by high road, east by Webodakumbura, south by Emberellagahawatta, and on the west by Galpottekumbura; and containing in extent 1 amunam of paddy. Valuation, Rs. 250.

(3) An undivided 1/14 part of the high and low land of Galpottekumbura, situated at said Badabedda; and bounded on the north by high road, east by Wewuliadda, south by Emberellagahawatta and Naipanichchiyadeniya, and on the west by Meegahakumbura; and containing in extent about 2 amunams of paddy. Valuation, Rs. 75

(4) An undivided 1/3 part of Kongahawatta *alias* Acharigewatta, situated at said Badabedda; and bounded on the north by village limit of Giruwa pattu, east by Bogahawatta, south by high road, and on the west by Malawigewatta; and containing in extent about 3 acres. Valuation, Rs. 200.

(5) An undivided 18 kurunies paddy sowing extent of Webodakumbura, situated at Miella in Kandaboda pattu of Matara District, Southern Province; and bounded on the north by Kahatagahakoratuwa, east by Lintotakumbura, south by Bediwetiya, and on the west by Bediwetiya; and containing in extent 3 amunams of paddy. Valuation, Rs. 135.

(6) The divided lot (D) of Radawakumbura, situated at said Miella; and bounded on the north by Mahamulana, east by portion E, south by Kankanagedeniya, and on the west by portion C; and containing in extent 1 pela of paddy. Valuation, Rs. 100.

(7) An undivided 1/12 part of the soil and fruit trees of Dodangahahena, exclusive of the planter's 1/2 share of the second plantation, situated at said Miella; and bounded on the north by village limit of Giruwa pattu, east by Pelawatta and Wattegekoratuwa, south by Ettakunawa, and on the west by Bulugahahena; containing in extent 12 kurunies of kurakkan. Valuation, Rs. 100.

(8) An undivided 1/3 part of six bags paddy sowing extent of the land Meegahakanda, situated at Panawela in Kandaboda pattu of Matara District, Southern Province; and bounded on the north by Bediwetiya, east by Pansalewatta and Potupitiya, south by Paradehiyakumbura, and on the west by Bediwetiya. Valuation, Rs. 90.

Deputy Fiscal's Office, E. T. GOONEWARDENE,  
Matara, July 18, 1922. Deputy Fiscal.

In the District Court of Colombo.

N. L. S. A. Visvanathan Chetty ..... Plaintiff  
No. 1,154/1921. Vs.

(1) P. Gunaratna and another ..... Defendant.

NOTICE is hereby given that on Saturday, August 12, 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 1st defendant in the following property for the recovery of Rs. 3,437·67½, together with interest thereon from January 1, 1921, at 12 per cent. per annum till June 10, 1921, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs Rs. 277·67½, viz. :—

At Etbatuwa.

70 acres extent from the cultivated northern portion of all that land called and known as Pallerote; and bounded on the north by Walawe-ganga, on the east by Liniyanarelebima and Ellegodagediyepalugaha, on the south by Karawugahawala, and west by Julgahapelessa.

Deputy Fiscal's Office, J. E. SENANAYAKE,  
Tangalla, July 14, 1922. Deputy Fiscal.

In the District Court of Tangalla.

Arukattu Patabendige Dinoris Appu. of Welipatanwila ..... Plaintiff.

No. 1,977. Vs.

(1) Don Thiyadoris Abewickrama of Tawaluwila and 2 others ..... Defendants.

NOTICE is hereby given that on Saturday, August 12, 1922, at 3 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendants in the following mortgaged property for the recovery of Rs. 2,338·45, poundage, and Fiscal's charges, viz. :—

At Tawaluwila.

(1) All that land called Kongahalanda; bounded on the north by a road, east by land claimed by natives, south by T. Ps. 207,072 and 207,071, and west by reservation along the road; containing in extent 3 acres and 1 rood.

(2) All that undivided 1/3 share of the soil and of the plantations of the land called Paranawatta; bounded on the north by Badanigewatta, east by Badanigewatta Badawetiya, south by Walawe-ganga, and west by Hilegawatteweta; containing in extent about 10 acres.

(3) All those undivided 1/12 and 1/72 shares of the land called Beliketimulana; bounded on the north by Beliwetiya, east by Kumbukgaha-ela, south by Hitawage-ela, and west by Beliatumullekandiya; containing in extent 12 amunams of paddy sowing.

(4) All that undivided 1/2 share of the soil and of the plantations of the land called Mahagedarawatta and the 9 cubit tiled house standing thereon; bounded on the north by Siyambalagahawatta, east by Walawe-ganga, south by Ukwatta, and west by minor road; containing in extent about 3 kurunies of kurakkan sowing.

Deputy Fiscal's Office,  
Tangalla, July 17, 1922.

J. E. SENANAYAKE,  
Deputy Fiscal.

### Northern Province.

In the District Court of Colombo.

S. T. Savundranayagam of New Chetty street,  
Colombo ..... Plaintiff.  
No. 54,234. Vs.

G. R. Savundranayagam ..... Defendant.

A. M. Muttunayagam of Havelock Town in Colombo  
(executor of the estate of G. R. Savundra-  
nayagam) ..... Substituted Defendant.

NOTICE is hereby given that on Friday, August 11, 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 substituted defendant in the following property for the recovery of Rs. 650, with legal interest thereon from June 28, 1920, till payment in full, poundage, and charges, viz. :-

1. All that portion of land with the foundation for a building thereon, situated at Main street, in the town of Jaffna, in the District of Jaffna, Northern Province, containing or reputed to contain in extent 7 perches; bounded or reputed to be bounded on the east by the house called and known as Aria Lodge, belonging to the heirs of the late Mrs. G. S. Arianayagam, on the south by the Main street, on the west by the house of M. J. Puvirajasinghe, and on the north by the remaining portion of the same land.

2. An undivided half share in all that portion of land to the north of the portion of land hereinbefore described, and to the north of the said house called Aria Lodge, situated at Main street, in the town of Jaffna, in the District of Jaffna, Northern Province, containing or reputed to contain in extent 1 rood; bounded or reputed to be bounded on the north by the property of Rasamma, wife of A. Bastiampillai, and of Cecil, wife of Ponniah, on the east by the portion of land called the Square, allotted to Mrs. G. S. Arianayagam by the decree in partition action No. 2,916, D. C., Jaffna, on the south by the house called and known as Aria Lodge, the said portion of land hereinbefore described, and on the west by the property of M. J. Puvirajasinghe and of Pilippah, wife of J. S. Puvirajasinghe.

Fiscal's Office,  
Jaffna, July 14, 1922.

A. VISVANADHAN,  
for Fiscal.

### Eastern Province.

In the District Court of Trincomalee.

Visuvanather Thamoterampillai ..... Plaintiff.  
No. 809. Vs.

Vinasitamby Supramaniyam ..... Defendant.

NOTICE is hereby given that on Saturday, August 19, 1922, at 4.30 in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said plaintiff in the following property, viz. :-

A piece of land with a tiled house of two rooms in the occupancy of the above-named plaintiff, with coconut trees, other plantations, well, well sweep, and posts, and all right relating thereto, situate at division No. 3, Trincomalee. Boundaries: north, sea beach; east, house and ground of

S. Chellan; south, road; and west house and ground of the heirs of the late Ampalavanapillai Vanniah; extent, length 80 cubits; breadth 25 cubits.

Writ amount, Rs. 137.72.

Fiscal's Office,  
Trincomalee, July 14, 1922.

C. VELUPILLAI,  
Deputy Fiscal.

In the District Court of Trincomalee.

K. Somasunderam of Division No. 8, Trinco-  
malee ..... Plaintiff.

No. 876. Vs.

Aasiyar Yaseen of Periyakinniyai ..... Defendant.

NOTICE is hereby given that on Monday, August 21, 1922, at 4 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. :-

A piece of land situate at Vanniamedu in Tamblegam pattu, Trincomalee District, Eastern Province, with 74 coconut trees and 1 jak tree, bounded on the north by the land of Mahat Hadjar Marikar, on the east by the land of S. E. Abdulrasool, on the south by the land of M. Mohamad Caseem, and on the west by the land of A. Sabapathipillai; extent 15 acres 2 roods and 8 square perches.

This property has been seized subject to the mortgage in favour of A. A. Sithamparapillai.

Writ amount Rs. 818.62, with interest on Rs. 701.69 at 9 per cent. from February 3, 1922.

Deputy Fiscal's Office,  
Trincomalee, July 17, 1922.

C. VELUPILLAI,  
Deputy Fiscal.

### North-Western Province.

In the District Court of Ratnapuram.

M. D. Maraliya, the duly appointed trustee of Ariella  
Nedun Vihare ..... Plaintiff.

No. 3,538. Vs.

Hettikandage Gabriel Fernando of Colpetty,  
Colombo ..... Defendant.

NOTICE is hereby given that on Saturday, August 26, 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, viz. :-

All that coconut estate called and known as Mudennapola estate, situate at Mudennapola in Dewamedikoralale of Dewamedik hatpattu, in the District of Kurunegala, North-Western Province; and bounded on the north by Moragahakele and Ihalsiyambalakele, on the east by Maguru-oya, on the south by Maguru-ela and lands of Nari Vidane, and on the west by the lands belonging to Wellagala temple and villagers; and containing in extent 482 acres 1 rood and 34 perches, with the buildings and plantations standing thereon.

Amount to be levied Rs. 32,000, with legal interest thereon from October 19, 1920, till payment in full, and poundage.

Fiscal's Office,  
Kurunegala, July 17, 1922.

S. D. SAMARASINHA,  
Deputy Fiscal.

### Province of Uva.

In the District Court of Badulla.

Don Henry Kotalawela of Badulla ..... Plaintiff.  
No. 3,613. Vs.

Don Appusingho Jayawardena and another of Le-  
mastota ..... Defendants.

NOTICE is hereby given that on Saturday, August 19, 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 defendants in the following property for the recovery of the sum of Rs. 712.74, with interest on Rs. 601.02 at 9 per cent. per annum from September 1, 1921, till payment in full, viz. :-

The land called Eluwantennekumburuyaya of about 10 amunams of paddy sowing extent, and Eluwantenne-wattuyaya of about 20 acres extent, together with the straw

and mana thatched 3 buildings and plantations standing thereon, situated at Eluwantennegama in Wellawaya, Kandapalle korale; bounded on the east by Galaudatala-wehenegallanda separating Crown land, south by malakandura separating the land belonging to the heirs of Allis Appu, west by galweta separating the land belonging to the heirs of Seneviratna, and north by galweta separating the Crown land; subject to mortgage bond No. 10,610 dated January 17, 1921.

Fiscal's Office,  
Badulla, July 11, 1922.

H. C. WIJESINHE,  
Deputy Fiscal.

Province of Sabaragamuwa.

In the Court of Requests of Avissawella.

Neina Lebbe Rabiya Umma of Asgangula . . . . . Plaintiff.  
No. 11,688.

Vs.

Sinna Tamby Lebbe Marikkar Lebbe of Napawala . . . . . Defendant.

NOTICE is hereby given that on Saturday, August 19, 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 mortgaged with the plaintiff and decreed to be sold by the decree entered in the above case for the recovery of the sum of Rs. 282-90, with legal interest on Rs. 280 from March 22, 1922, till payment, viz. :—

1. An undivided  $\frac{1}{2}$  share of Palesseowitawatta of about 1 pela of paddy sowing, situated at Wewala in Atulugam korale of Three Korales, in the District of Kegalla; and bounded on the east by the bank of Digapathekumbura, south by the bank of Karuketiyekumbura, west by live fence, north by live fence of Adam Lebbe's garden.

At 2.30 P.M.

2. All that land called Kumburabodamahawatta of about 2 pelas of paddy sowing, situated at Napawala in Atulugam korale aforesaid; and bounded on the east by ditch of Jainumbu's garden, south by ditch of Kudaowitawatta, west by Asseddumekumbura, north by ditch of Adam Lebbe's garden.

Fiscal's Office,  
Avissawella, July 13, 1922.

RICHARD F. PERERA,  
Acting Fiscal's Marshal.

I, HUMPHREY WILLIAM CODRINGTON, Fiscal for the Province of Sabaragamuwa, do hereby appoint Mr. D. S. de Costa to be a Marshal from July 17, 1922, for the divisions of Palle and Meda pattus of the Kuruwiti korale of the Ratnapura District, and of Three Korales and Lower Bulatgama of the Kegalla District.

under the provisions of "The Fiscals' Ordinance, No. 4 of 1867," and authorize him to perform the duties and exercise authority of Marshal, for which this shall be his sufficient warrant.

July 15, 1922.

H. W. CODRINGTON,  
Fiscal.

## LIST OF JURORS AND ASSESSORS.

### NORTH-WESTERN PROVINCE.—Puttalam District.

LIST of persons in the Puttalam District qualified to serve as Jurors and Assessors, under the provisions of the 257th section of Ordinance No. 15 of 1898, as amended by Ordinance No. 1 of 1910, for 1922-23.

The Jurors numbered in a separate series on the left of those indicating Ordinary Jurors are qualified to serve as Special Jurors.

#### ENGLISH-SPEAKING JURORS.

- |   |   |
|---|---|
| 1.. 1 David, Anthony, Puttalam, landed proprietor                           | 9 Lingappa, A., Mampuri, landed proprietor                              |
| 2.. 2 David, Timothy, Kattakadu, landed proprietor                          | 10 Roche, M. B., Madurankuli, notary public                             |
| 3 De Silva, Wikramatilaka, William Moses, Chenakudiripu, landed proprietor  | 11 Mohamado, Unis Seyado, Puttalam, landed proprietor                   |
| 4 Sego Madar Sinne Meera Palle, Puttalam, clerk, Kachcheri                  | 12 Scheriling, Basil Edwin, Segresta estate, Mundel                     |
| 5 P. J. Fernando, land clerk, Kachcheri                                     | 13 Anderson, Nathaniel Joseph Russel, Santhiakally estate, Santhiakally |
| 6 C. W. A. Beebee, clerk, Assistant Provincial Registrar's Office, Puttalam | 14 Vellaper, Katirgamapillai, clerk, Kachcheri                          |
| 7 Cecil Theodore Perera, head clerk, Kachcheri, Puttalam                    | 15 Visvanathan, Allirajah, clerk, Kachcheri                             |
| 8 Gnanamuttu, S., Daluwa, landed proprietor                                 | 16 Santhanam, Francis Xavier, clerk, Kachcheri                          |
|   | 17 K. W. S. Peiris, shroff, Kachcheri                                   |

#### SINHALESE-SPEAKING JURORS.

- 1 Nawagattegama, M. B., Nawagatagama korale

#### TAMIL-SPEAKING JURORS.

- |  |  |
|--|--|
| 1 Abdul Hamid Marikar Fallaloon Marikar, Puttalam, landed proprietor       | 10 K. N. Mohamado Siddick, Puttalam, landed proprietor                     |
| 2 Nagoor Pitche Hamido Ossen Marikar, Puttalam, landed proprietor          | 11 Neina Mohamado Lebbe Ibrahim Neina Marikar, Puttalam, landed proprietor |
| 3 Ibrahim Neina Paliyari Pitche Tamby, Puttalam, landed proprietor         | 12 Pakir Tamby Marikar, Puttalam, landed proprietor                        |
| 4 Wadakka Marikar Assan Ossen Ibrahim, Puttalam, landed proprietor         | 13 Nagur Pakir Tamby Palle, Puttalam, landed proprietor                    |
| 5 Pitche Muttu Marikar Mohamado Ossen Marikar, Puttalam, landed proprietor | 14 Sinna Mira Palle Sego Madar, Puttalam, landed proprietor                |
| 6 Ibrahim Neina Mohamado Lebbe, Puttalam, landed proprietor                | 15 Sina Ana Palle Marikar, Puttalam, landed proprietor                     |
| 7 Ibrahim Ahamado Mira Lebbe, Puttalam, landed proprietor                  | 16 U. S. M. Mohamado Cassim Marikar, Puttalam, landed proprietor           |
| 8 Eleva Tamby Kottuval Marikar, Puttalam, landed proprietor                | 17 Assena Marikar Sego Mira Neina, Puttalam, landed proprietor             |
| 9 Pitche Muttu Marikar Ahamado Neina Marikar, Puttalam, landed proprietor  | 18 Alla Pitche Hamido Ossen Marikar, Puttalam, landed proprietor           |
|  | 19 Unis Abdul Samad, Puttalam, landed proprietor                           |
|  | 20 Seka Marikar Abbas Marikar, Puttalam, landed proprietor                 |
|  | 21 N. L. M. Abdul Majeed Marikar, Puttalam, landed proprietor              |
|  | 22 S. M. A. Jalaldeen Marikar, landed proprietor                           |

- 23 R. M. Mohideen, Ibrahim, Puttalam, landed proprietor
- 24 Pitche Muttu Marika Cader Saibo Marikar, landed proprietor, Puttalam
- 25 Mohideen Pitche Mohamado Abdu, Cader, Puttalam, landed proprietor
- 26 Wawa Tamby Sahul Hamido, Puttalam, landed proprietor
- 27 Alla Pitche Mohamado Hanifa Marikar, landed proprietor, Puttalam
- 28 Ibrahim Abbul Hamido, Puttalam, landed proprietor
- 29 M. A. Abdul Rahiman, Puttalam, landed proprietor
- 30 A. M. Muttukumaru, Tetapola, landed proprietor
- 31 Santiago Pedro Pillai, Tetapola, landed proprietor
- 32 Sinna Tamby Mira Saibo, Viruthode, landed proprietor.
- 33 A. Gaspar Fernando, Punapitiya, landed proprietor
- 34 Swakino Fernando, Punapitiya, landed proprietor
- 35 S. M. T. A. Mohamado Neina Marikar, Kalpitiya, landed proprietor

- 36 Ena Kawana Ena Mohamado Elavatamby, Kalpitiya, landed proprietor
- 37 A. H. M. Mohamado Ibrahim Neina Marikar, Kalpitiya, landed proprietor
- 38 Cheena Ana Ibrahim Neina Marikar, Kalpitiya, landed proprietor
- 39 K. T. M. M. Hadjiyar Marikar, Kalpitiya, landed proprietor
- 40 M. N. M. Segalado Tamby Marikar, Kalpitiya, landed proprietor
- 41 Mira Lebbe Marikar Abubakkar Marikar, Kalpitiya, landed proprietor
- 42 Kawana Pina Sego Sickander, Alancuda, landed proprietor
- 43 M. Mohamado Ali Marikar, Nuracholai, landed proprietor
- 44 Sego Ussen Sulaima Lebbe, Nuracholai, landed proprietor
- 45 M. G. M. Mohideen Wawa Saibo Lebbe Lebbe Tamby Marikar, Teli, landed proprietor

Deputy Fiscal's Office,  
Puttalam, July 17, 1922.

S. M. P. VANDERKOEN,  
Deputy Fiscal.

**NOTICES IN TESTAMENTARY ACTIONS.**

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Kudasingapulige Reuben Cornelis No. 831. Gunawardena of Watareka, deceased.

Kudasingappullige Don Enis Gunawardena of Watareka ..... Petitioner.

And

Rajapaksapathirage Nona Babahamy of Watareka ..... Respondent.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Colombo, on May 29, 1922, in the presence of Mr. R. A. Dissanayake, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 12, 1922, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as father of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondent above named or any other person or persons interested shall, on or before June 22, 1922, show sufficient cause to the satisfaction of this court to the contrary.

ALLAN BEVEN,  
District Judge.

May 29, 1922.

The date for showing cause against this *Order Nisi* is extended to July 27, 1922.

June 22, 1922.

ALLAN BEVEN,  
District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Daluwattage Thomas Saparamadu No. 893. of Uswetakeiyawa in the Ragam pattu of Alutkuru korale, deceased.

Jayamahamudalige Martha Hanny of Uswetakeiyawa aforesaid ..... Petitioner.

And

- (1) Daluwattage Elias Saparamadu, (2) ditto Isabel Saparamadu, (3) ditto Aceline Saparamadu, (4) ditto Marsel Saparamadu, (5) ditto Maria Saparamadu, (6) ditto Cecilia Saparamadu, (7) ditto Alice Saparamadu, (8) ditto Rosa Maria Saparamadu and her husband (9) Daluwattage John Saparamadu, (10) Koswattage Robertina Perera, (11) Daluwattage Winifreda Saparamadu, (12) ditto Marianu Saparamadu, all of Uswetakeiyawa aforesaid .... Respondents.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Colombo, on June 29, 1922, in the presence of Mr. A. M. Rupesinghe, Proctor, on the part of

the petitioner above-named; and the affidavit of the said petitioner dated June 13, 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 July 27, 1922, show sufficient cause to the satisfaction of this court to the contrary.

ALLAN BEVEN,  
District Judge.

June 29, 1922.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Last Will and Testament of Maheswari Sagarajasingham, late No. 894. of Bagatelle road, Colombo, deceased.

- (1) Ratnasabapathy, Sagarajasingham of Ward place, Colombo, (2) Arunachalam Mahadeva of Horton place, Colombo, (3) Ratnasabapathy Dorasami of Kynsey road, Colombo ..... Petitioners.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Colombo, on June 29, 1922, in the presence of Mr. R. Mahadeva, Proctor, on the part of the petitioners above named; and the affidavits (1) of the said petitioners dated May 16, 1922; and (2) of the attesting notary dated May 30, 1922, having been read:

It is ordered that the last will of Maheswari Sagarajasingham, 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 of 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 July 27, 1922, show sufficient cause to the satisfaction of this court to the contrary.

ALLAN BEVEN,  
District Judge.

June 29, 1922.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Andrawaduge Don Robert Philips, No. 896. also known as A. D. Robert of Maradana in Colombo, deceased.

Weerapperuma Kankanage Nona Hanny of No. 9, Mohandara's road, Colpetty, in Colombo ..... Petitioner.

And

Andrawaduge Don Edwin, Government vaccinator, of Matale ..... Respondent.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Colombo, on July 3, 1922, in the presence of Messrs. Perera & Weerasinghe, Proctors, on

the part of the petitioner above named; and the affidavit of the said petitioner dated June 26, 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 respondent above named or any other person or persons interested shall, on or before July 27, 1922, show sufficient cause to the satisfaction of this court to the contrary.

July 3, 1922.

ALLAN BEVEN,  
District Judge.

In the District Court of Colombo.  
*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the  
Jurisdiction. late Nissanga Arachchi Appuhamillage  
No. 897. Appuhami of Koskandawala,  
the Meda pattu of Siyane korale,  
deceased.

Nissanga Arachchi Appuhamillage Podi Bempi *alias*  
Charles Appuhami of Koskandawala, afore-  
said ..... Petitioner.  
Vs.

(1) Nissanga Arachchi Appuhamillage Nonohami, wife  
of (2) Kankasachchi Kankanamalage Sedris, both  
of Waturugama in the Meda pattu of Siyane korale,  
(3) Nissanga Arachchi Appuhamillage Babahami,  
wife of (4) Wilaboda Kankanamalage Davith Sinno,  
both of Koskandawala aforesaid, (5) Nissanga  
Arachchi Appuhamillage Ranhami of Kirikittamulla  
in the Meda pattu of Siyane korale ..... Respondents.

THIS matter coming on for desposal before Allan Beven,  
Esq., District Judge of Colombo, on July 3, 1922, in the  
presence of Mr. J. H. Perera, Proctor, on the part of the  
petitioner above named; and the affidavit of the said  
petitioner dated June 22, 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 letter of administration to his estate issued to him,  
unless the respondents above named, or any other person or  
persons interested shall, on or before July 27, 1922, show  
sufficient cause to the satisfaction of this court to the  
contrary.

Colombo, July 3, 1922.

ALLAN BEVEN,  
District Judge.

In the District Court of Colombo.  
*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the  
Jurisdiction. late Ravenna Mana Moona Vengadasalam  
No. 902. Chetty of Karaikudy in Ramnad District,  
South India

Ravenna Mana Moona Veyna Somasundaram Chetty  
of Madamp ..... Petitioner.

THIS matter coming on for desposal before Allan Beven,  
Esq., District Judge of Colombo, on July 12, 1922, in the  
presence of Mr. C. T. Kandaiya Proctor, on the part of the  
petitioner above named; and the affidavit of the said  
petitioner dated July 11, 1922, and the order of the Supreme  
Court dated July 10, 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 his estate issued to him,  
unless any person or persons interested shall, on or before  
July 27, 1922, show sufficient cause to the satisfaction of  
this court to the contrary.

July 12, 1922.

ALLAN BEVEN,  
District Judge.

In the District Court of Colombo.  
*Order Nisi.*

Testamentary In the Matter of the Last Will and Testa-  
Jurisdiction. ment of Sinne Lebbe Idroos Lebbe  
No. 904. Marikar, deceased.

(1) Sesma Lebbe Abdul Majeed of St. Joseph's street,  
Colombo, and (2) Unoos Lebbe Mohamadoe Hasheem  
of Old Moor street, Colombo ..... Petitioners.

THIS matter coming on for desposal before Allan Beven,  
Esq., District Judge of Colombo, on July 12, 1922, in the

presence of Mr. N. M. M. Haniffa, Proctor, on the part of  
the petitioners above named; and the affidavits (1) of the  
said petitioners dated July 10, 1922, and (2) of the attesting  
witness dated July 11, 1922, having been read:

It is ordered that the last will of Sinne Lebbe Idroos  
Lebbe Marikar, 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 August 3, 1922, show sufficient cause to the  
satisfaction of this court to the contrary.

July 12, 1922.

ALLAN BEVEN,  
District Judge.

In the District Court of Colombo.  
*Order Nisi.*

Testamentary In the Matter of the Last Will and Testa-  
Jurisdiction. ment of Albert William Money, former  
No. 907. of 5, Trinity Gardens, Folkestone, Kent,  
in the County of Kent, England, deceased.

THIS matter coming on for desposal before Allan Beven,  
Esq., Additional District Judge of Colombo, on July 12,  
1922, in the presence of Mr. William Kevitt Smyth, Hughes  
of Colombo, Proctor, on the part of the petitioner Mr.  
Ernest Reed Williams of Colombo; and the affidavit of the  
said petitioner dated July 8, 1922, exemplification of probate  
of the will of the above-named deceased, as per attorney  
in favour of the petitioner, and Supreme Court's order dated  
July 3, 1922, having been read: It is ordered that the will  
of the said deceased dated March 28, 1911, of which an ex-  
emplification of probate has been produced and is now  
deposited in this court, be and the same is hereby declared  
proved; and it is further declared that the said petitioner  
is the attorney of the executor named in the said will, and  
that he is entitled to have letters of administration, with  
copies of the said will annexed, issued to him accordingly,  
unless any person or persons interested shall, on or before  
July 27, 1922, show sufficient cause to the satisfaction of this  
court to the contrary.

July 12, 1922.

ALLAN BEVEN,  
District Judge.

In the District Court of Colombo.  
*Order Nisi.*

Testamentary In the Matter of the Intestate Estate and  
Jurisdiction. Effects of Mahapihana Kankanamalage  
No. 7,163. Saradiel Appu of Kamburugoda, deceased.

Mahapihana Kankanamalage Singhappu of Kamburu-  
goda in the Meda pattu of Siyane korale ..... Petitioner.

And

1) Alagiyawanna Mohottalage Panchi Nona Hami of  
Kamburugoda, (2) Mahapihana Kankanamalage  
Podi Nona, wife of (3) Handinnapola Appuhamillage  
Mathes Appuhamy of Palliyapitiya in the Duna-  
gaha pattu of Alutkuru korale, (4) Mahapihana Kan-  
kanamalage Bempi, (5) ditto John, (6) ditto Welun,  
(7) ditto Nona Baba Hamy, wife of (8) ditto Pieris,  
all of Kamburugoda aforesaid, (9) ditto Jane Nona,  
wife of (10) Adicari Appuhamillage Daniel Appu-  
hamy of Wankepumulla, (11) Mahapihana Kanka-  
namalage Haramanis of Polgahawala ..... Respondents.

THIS matter coming on for desposal before Allan Beven,  
Esq., District Judge of Colombo, on June 27, 1922, in the  
presence of Mr. D. A. J. Goonewardhane, Proctor, on the  
part of the petitioner above named; and the affidavit of  
the said petitioner dated June 21, 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 his estate issued to him,  
unless the respondents above named or any other person  
or persons interested shall, on or before July 27, 1922, show  
sufficient cause to the satisfaction of this court to the  
contrary.

June 27, 1922.

ALLAN BEVEN,  
District Judge.

In the District Court of Negombo.

*Order Nisi.*

Testamentary In the Matter of the Estate and Effects of Jurisdiction. Walaliyadderallage Ausadahamy of No. 2,018. Kaleliya, Wellavilamulla in Yatigaha pattu of the Hapitigam korale, deceased.

THIS matter coming on for disposal before F. D. Peries, Esq., District Judge of Negombo, on June 23, 1922, in the presence of Mr. Samaratinga, Proctor, on the part of the petitioner Ratambalage Podinona of Kaleliya, Wellavilamulla; and the affidavit of the said petitioner dated May 23, 1922, having been read:

It is ordered that the 1st respondent be and he is hereby appointed guardian *ad litem* over the 2nd minor respondent for the purpose of the testamentary action, unless sufficient cause be shown to the contrary on or before July 24, 1922.

It is further ordered that the petitioner be and she is hereby declared entitled, as the widow of the said deceased, to administer the estate of the deceased above named, and that letters of administration do issue to her accordingly, unless the respondents—(1) Walaliyadderallage Sarnelis Gunadasa Wanigasekara of Maturata, Kandy, (2) ditto Punchihamy of Kaleliya, Wellavilamulla—or any other person or persons interested shall, on or before July 24, 1922, show sufficient cause to the satisfaction of this court to the contrary.

June 23, 1922.

F. D. PERIES,  
District Judge.

In the District Court of Negombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Kurukulasuriya Manuel Juan Fernando, Annavirala of St. Joseph's street, Negombo, deceased.

THIS matter coming on for disposal before F. D. Peries, Esq., District Judge of Negombo, on June 26, 1922, in the presence of Mr. F. W. Gooneratne, Proctor, on the part of the petitioner Kurukulasuriya Maria Perera of St. Joseph's street, Negombo; and the affidavit of the said petitioner dated June 19, 1922, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as the lawful wife of the said deceased, to administer the estate of the deceased above named, and that letters of administration do issue to her accordingly, unless the respondents—(1) Kurukulasuriya Mary Rosaline Elizabeth Fernando assisted by her husband, (2) Kurukulasuriya Francis Joseph Fernando, both of St. Joseph's street, Negombo, (3) ditto Mary Luisa Fernando assisted by her husband, (4) Albert Lorage, both of Baddegama, (5) R. C. Fernando, District Engineer, A.M.I.C.E., of Pallai, (6) Kurukulasuriya Adeline Mary Florence Fernando, (7) ditto Mary Josephine Fernando assisted by her husband, (8) ditto Manuel Joseph Fernando, all of St. Joseph's street, Negombo—or any person or persons interested shall, on or before July 18, 1922, show sufficient cause to the satisfaction of this court to the contrary.

June 26, 1922.

F. D. PERIES,  
District Judge.

The time for showing cause is hereby extended to August 14, 1922.

F. D. PERIES,  
District Judge.

In the District Court of Negombo.

*Order Nisi.*

Testamentary In the Matter of the Estate and Effects of Jurisdiction. Weerakkodirallage Punchappuhamy of No. 2,021. Hapugahagedara in Udugaha pattu of the Hapitigam korale, deceased.

THIS matter coming on for disposal before F. D. Peries, Esq., District Judge of Negombo, on June 28, 1922, in the presence of Mr. Samaratinga, Proctor, on the part of the petitioner, Thennakonrallage Podinona Hamine of Hapugahagedara; and the affidavit of the said petitioner dated May 29, 1922, having been read:

It is ordered that the 4th respondent be and he is hereby appointed guardian *ad litem* over the minors, 6th, 7th, and

8th respondents, for the purpose of the testamentary action, unless sufficient cause be shown to the contrary on or before July 28, 1922.

It is further ordered that the petitioner be and she is hereby declared entitled, as the widow of the said deceased, to administer the estate of the said deceased and that letters of administration do issue to her accordingly, unless the respondents—(1) Weerakkodirallage Podinona Hamine of Madurupitiya assisted by her husband, (2) Manchayanayakarallage Thomas Perera, Police Headman, of ditto, (3) Weerakkodirallage Arnolis Appuhamy of Hapugahagedara, (4) ditto Peter Appuhamy of ditto, (5) ditto Gunasekara Appuhamy of ditto, (6) ditto Podisinnor Appuhamy of ditto, (7) ditto Punchinilame of ditto, (8) ditto Peribanda of ditto—or any other person or persons interested shall, on or before July 28, 1922, show sufficient cause to the satisfaction of this court to the contrary.

June 28, 1922.

F. D. PERIES,  
District Judge.

In the District Court of Negombo.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Costapatabendige Gintana Dalpadadu of No. 2,023. 1st Division, Udayartoppuwa in Negombo, deceased.

THIS matter coming on for disposal before F. D. Peries, Esq., District Judge of Negombo, on June 29, 1922, in the presence of Mr. J. P. A. Caldera, Proctor, on the part of the petitioner Costapatabendige Gintana Dalpadadu of Bolawalana, Negombo; and the affidavit of the said petitioner dated June 29, 1922, having been read: It is ordered that the petitioner be and he is hereby declared entitled, as brother of the said deceased, to administer the estate of the deceased above named, and that letters of administration do issue to him accordingly, unless the respondents—(1) Kongodage Maria Fernando of 1st Division, Udayartoppuwa, (2) Costapatabendige Thresia Dalpadadu and husband, (3) Abinge Manuel Fernando, both of Tamitte, (4) Domingo Merinnage Benedict Fernando, (5) ditto Victorianu Fernando, both of Bolawalana, (6) ditto Martha Fernando of Katuneriya—or any person or persons interested shall, on or before July 27, 1922, show sufficient cause to the satisfaction of this court to the contrary.

June 29, 1922.

F. D. PERIES,  
District Judge.

In the District Court of Kalutara.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Umangey Eranonis de Silva, deceased, of No. 1,457. Poheddaramulla.

THIS matter coming on for disposal before W. H. B. Carbery, Esq., District Judge of Kalutara, on June 14, 1922, in the presence of Mr. L. O. K. Coonewardena, Proctor, on the part of the petitioner, Geekiyangew Dechanay de Silva Coonewardena of Poheddaramulla; and the affidavit of the said petitioner dated May 17, 1922, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled, as the widow of the said deceased, to have letters of administration to his estate issued to her, unless the respondents—(1) Umangey Linoris de Silva, Vedarala, (2) ditto Jayamris de Silva, (3) ditto Levonona and husband, (4) Seekkuaratchigey John Silva, all of Poheddaramulla, (5) Umangey Eginona and her husband, (6) Tikiriyadura Samaris Silva, both of Mahawaskaduwa, (7) Umangey Vegeenona and husband, (8) Jamuni Magiris Silva, (9) Umangey Leveris de Silva, (10) ditto Meminona de Silva, (11) ditto Aron de Silva, (12) ditto Lilinona de Silva; 11th and 12th minors by their guardian the 1st respondent, (13) Pannaloka Unnanse, all of Poheddaramulla or any other person or persons interested shall, on or before July 31, 1922, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 1st respondent be appointed guardian *ad litem* over the 11th and 12th respondents, minors, for all the purposes of this action, unless the



respondents or any other person or persons interested shall, on or before July 31, 1922, show sufficient cause to the satisfaction of this court to the contrary.

June 14, 1922.

W. H. B. CARBERY,  
District Judge.

In the District Court of Kandy.

*Order Nisi declaring Will proved, &c.*

Testamentary In the Matter of the Estate of the Last Will  
Jurisdiction. and Testament of Selembram Pillai's  
No. 3,851. son Mawanna Mariya Pillai Kangany,  
deceased, of Udugampaha in Lower  
Dumbara.

THIS matter coming on for disposal before Walter Sanford de Saram, Esq., Acting District Judge of Kandy, on January 23, 1922, in the presence of Messrs. Liesching & Lee, Proctors, on the part of the petitioner Mukka Pillai's son Anekuttiya Pillai of Nattarambatha; and the affidavit of the said petitioner dated July 3, 1922, and his petition having been read:

It is ordered that the will of the said deceased dated June 1, 1921, be and the same is hereby declared proved, unless the respondents—(1) Sellaiyah, (2) Mukkaya by their guardian *ad litem* Mawanna Muna Murugan Kangany—shall, on or before July 31, 1922, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that Kamaachchi, the executrix named in the said will, being reported dead, the petitioner be and he is hereby declared entitled to have letters of administration with copy of the will annexed issued to him, unless the respondents above named shall, on or before July 31, 1922, show sufficient cause to the satisfaction of this court to the contrary.

July 6, 1922.

W. S. DE SARAM,  
Acting District Judge.

In the District Court of Kandy.

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Malimbodage Dianeris Appuhamy of  
No. 3,894. Marukona in Matale, deceased.

THIS matter coming on for disposal before Walter Sanford de Saram, Esq., Acting District Judge of Kandy, on July 6, 1922, in the presence of Messrs. Wijayatilake & Wijayatilake, Proctors, on the part of the petitioner Ratnayakage Dona Loku Hamine of Marukona; and the affidavit of the said petitioner dated May 30, 1922, and his 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 to the deceased's estate issued to her accordingly, unless the respondents—(1) Ratnayakage Panchi Nona, (2) Malimbodage Simon Appoo, (3) ditto Maglin, (4) ditto Loura, (5) ditto Rosalin, the 3rd, 4th, and 5th by their guardian *ad litem* the 1st respondent—shall, on or before July 31, 1922, show sufficient cause to the satisfaction of this court to the contrary.

July 6, 1922.

W. S. DE SARAM,  
Acting District Judge.

In the District Court of Kandy.

Testamentary In the Matter of the Estate of David  
Jurisdiction. Raval Appaswamy, deceased, of Beau-  
No. 3,898. mont estate, Pussellawa.

THIS matter coming on for disposal before Walter Sanford de Saram, Esq., Acting District Judge of Kandy, on June 22, 1922, in the presence of Messrs. Silva & Coomaraswamy, Proctors, on the part of the petitioner Paul Appaswamy of Monaragalla, Pussellawa; and the affidavit of the said petitioner dated May 31, 1922, and petition having been read:

It is ordered that the said petitioner, as brother of the deceased above named, be and he is hereby declared entitled to have letters of administration to the estate of the deceased above named, unless the respondents—(1) Samuel Appaswamy, (2) Pakia Kanmani Raja Amma, the 1st respondent by her duly appointed guardian *ad litem* the 2nd respondent

above named—shall on or before July 6, 1922, show sufficient cause to the satisfaction of this court to the contrary.

June 22, 1922.

W. S. DE SARAM,  
Acting District Judge.

The above *Order Nisi* is extended till July 24, 1922, for showing cause.

July 6, 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. Jayaweera Arachchige Dona Sophia  
No. 3,903. Engeltina Perera Jayasundara,  
deceased, of Kandy.

THIS matter coming on for disposal before Walter Sanford de Saram, Esq., Acting District Judge of Kandy, on June 27, 1922, in the presence of Messrs. Weerasooria & Wijenaike, Proctors, on the part of the petitioner Don Mendis Perera Jayaweera of Katugastota in Kandy; and the affidavit of the said petitioner dated June 23, 1922, having been read: the said petitioner, as brother of the deceased above named, be and he is hereby declared entitled to have letter of administration to her estate issued to him accordingly, unless the respondents—(1) Jayaweera Arachchige Dona Clara Elice Perera Weerasinghe, (2) Jayaweera Arachchige Don Martin Perera Jayaweera, both of Katugastota—shall, on or before July 24, 1922, show sufficient cause to the satisfaction of this court to the contrary.

June 27, 1922.

W. S. DE SARAM,  
Acting District Judge.

In the District Court of Nuwara Eliya holden at Hatton.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the  
Jurisdiction. late Bata-aratchige Juliana Perera,  
No. 93. deceased, of Hatton.

THIS matter coming on for disposal before Norman Izat, Esq., District Judge, Nuwara Eliya-Hatton, on June 20, 1922, in the presence of Mr. Walter Jayawickreme, on the part of the petitioner; and the affidavit of Joseph Kenyon dated June 19, 1922, having been read:

It is ordered that Henry James Chandrawarnam, Secretary of this court, be appointed guardian *ad litem* over the minors—(1) John Perera and (2) Alice Perera—for the purpose of these proceedings, and that letters of administration to the estate of the intestate estate of Bata-aratchige Juliana Perera do issue to Joseph Kenyon, the petitioner, unless the respondents above named or any person interested shall, on or before July 28, 1922, show sufficient cause to the satisfaction of this court to the contrary.

July 14, 1922.

T. C. VAN ROOYEN,  
District Judge.

In the District Court of Galle.

Testamentary In the Matter of the Estate of the late  
No. 5,563. Abdul Rahiman Amina Umma, deceased,  
of Mahamodera, Galle.

THIS matter coming on for disposal before T. B. Russell Esq., District Judge of Galle, on June 16, 1922, in the presence of Mr. Adhihetty, Proctor, on the part of petitioner Cassim Lebbe Marikar Abdul Munaffu and the affidavit of the said petitioner dated June 16, 1922, 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, viz., (1) Unice, (2) Jebar Saibu Abdul Rahiman, both of Mahamodera, shall, on or before July 13, 1922, show sufficient cause to the satisfaction of this court to the contrary. It is further ordered that the said 2nd respondent be appointed guardian *ad litem* over the 1st respondent, unless the said respondents—(1) Unice, (2) Jebar Saibu

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Abdul Rahiman, both of Mahamodera—shall, on or before July 13, 1922, show sufficient cause to the satisfaction of this court to the contrary.

June 16, 1922.

T. B. RUSSELL,  
District Judge.

The date for showing cause has been extended to July 27, 1922.

T. B. RUSSELL,  
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Annammah, wife of Valuppillai Tharumalingam of Vannarponnai West, deceased. No. 4,771. Valuppillai Tharumalingam of Vannarponnai West ..... Petitioner.

Vs.

(1) Tharumalingam Yokarasah of Vannarponnai West, presently of Colombo, and (2) Nagammuttu, widow of Navasar Kandiah of Vannarponnai West; the 1st respondent is a minor appearing by his guardian *ad litem* the 2nd respondent ..... Respondents.

(1) Eliyatamby Vissuvlingam and wife (2) Chellammah of Vannarponnai West ..... Added Respondents.

THIS matter of the petition of Valuppillai Tharumalingam of Vannarponnai West, praying for letters of administration to the estate of the above-named deceased Annammah, wife of Valuppillai Tharumalingam, coming on for disposal before G. W. Woodhouse, Esq., District Judge, on May 24, 1922, in the presence of Mr. K. Ponnusamy, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated January 23, 1922, having been read: It is declared that the petitioner is the husband 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 June 13, 1922, show sufficient cause to the satisfaction of this court to the contrary.

May 24, 1922.

G. W. WOODHOUSE,  
District Judge.

Order Nisi extended for July 25, 1922.

June 13, 1922.

G. W. WOODHOUSE,  
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate and Effects Jurisdiction of Thankamma, wife of Thiagaraja, late of Madduvil North, deceased. No. 4,823. Kanagathandikai Kathirkamasekara Mudaliyar Thiagaraja of Manthuvil ..... Petitioner.

Vs.

(1) Kanesaratnam, daughter of Thiagaraja of Manthuvil and (2) Kanakaamma, daughter of Thiagaraja of ditto; the respondents are minors and appear by their guardian *ad litem* Sinnachippillai, widow Murugar of Madduvil North ..... Respondents.

THIS matter of the petition of the above-named petitioner, praying for grant of letters of administration to the estate of the above-named deceased, coming on for disposal before G. W. Woodhouse, Esq., District Judge, on June 14, 1922, in the presence of Messrs. Casippillai & Cathiravelu, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated April 24, 1922, having been read: It is declared that the petitioner is the husband of the said deceased, and is entitled to have letters of administration to the estate of the said deceased issued to him, unless the respondents or any other person shall, on or before July 25, 1922, show sufficient cause to the satisfaction of this court to the contrary.

June 16, 1922.

G. W. WOODHOUSE,  
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Thamboo Changarapillai of Inuvil, deceased. No. 4,834.

Sapatatippillai Sivasamboo of Inuvil ..... Petitioner.

Vs.

(1) Chinnachchi, widow of Thamboo Changarapillai; (2) Changarapillai Thambiraseh; (3) Kanmany Ammal, daughter of Changarapillai; (4) Thangammah daughter of Changarapillai; (5) Pooranam, daughter of Changarapillai; (6) Ulagattai, daughter of Changarapillai; and (7) Chinattangachchi, daughter of Changarapillai, all of Inuvil; the 2nd, 3rd, 4th, 5th, 6th, and 7th respondents are minors by their guardian *ad litem* the 1st respondent ..... Respondents.

THIS matter of the petition of Sapatatippillai Sivasamboo of Inuvil, praying for letters of administration to the estate of the above-named deceased Thamboo Changarapillai of Inuvil, coming on for disposal before G. W. Woodhouse, Esq., District Judge, on July 5, 1922, in the presence of Mr. T. Kumaraswamy, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated May 12, 1922, having been read: It is declared that the petitioner is the nephew 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 July 27, 1922, show sufficient cause to the satisfaction of this court to the contrary.

G. W. WOODHOUSE,  
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of Sinnathamby Jurisdiction. Seenivasagam of Kankasanturai, Jaffna, late of Taiping, Federated Malay States, deceased. No. 4,860.

Teywanaippillai, widow of Sinnathamby of Kankasanturai ..... Petitioner.

Vs.

(1) Veluppillai Selliah and wife (2) Annammah of Kankasanturai, (3) Veluppillai Arumalam of ditto, presently of Taiping, and wife (4) Urukumany of Kankasanturai, (5) Arulambalam Nesathurai (minor), and (6) Veerakatty Veluppillai of Karaitivu West ..... 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 minor, the above-named 5th respondent, and praying for letters of administration to the estate of the above-named deceased, coming on for disposal before G. W. Woodhouse, Esq., District Judge, Jaffna, on June 9, 1922, in the presence of Mr. T. Arumainayagam, Proctor, for petitioner; and the affidavit of the petitioner dated May 28, 1922, having been read: It is ordered that the above-named 6th respondent be appointed guardian *ad litem* over the 5th respondent; and it is declared that the petitioner is the mother and an heir of the above-named deceased, and is entitled to have letters of administration to the estate of the above-named deceased issued to her, unless the above-named respondents shall, on or before July 25, 1922, show sufficient cause to the satisfaction of this court to the contrary.

June 14, 1922.

G. W. WOODHOUSE,  
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Mary Anne, wife of Veluppillai Stanislaus No. 4,876. Thuraisingam of Jaffna town, deceased.

Hariette, widow of Bernard Charles of Jaffna town ..... Petitioner,  
Veluppillai Stanislaus Thuraisingam of Jaffna town ..... Respondent.

THIS matter of the petition of the petitioner, praying for letters of administration to the estate of the above-named deceased Mary Anne, wife of Veluppillai Stanislaus Thuraisingam, coming on for disposal before G. W. Woodhouse, Esq., District Judge, on July 4, 1922, in the presence of Messrs. Chelvadurai & Ramalingam, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated June 29, 1922, having been read: It is declared that the petitioner is the mother 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 August 3, 1922, show sufficient cause to the satisfaction of this court to the contrary.

July 17, 1922.

G. W. WOODHOUSE,  
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Sinappu Kudditamby of Achchuvely North, deceased No. 4,882.

Ramalingam Vaitialingam of Achchuvely North ..... Petitioner.

(1) Kudditamby Kunanayagam of Achchuvely North, minor, (2) Nagaratnam, widow of Sinnappu Kudditamby of ditto ..... Respondents.

THIS matter of the petition of the petitioner above named, praying that the 2nd respondent above named be appointed guardian *ad litem* over the minor, the 1st respondent, and for letters of administration to the estate of the above-named deceased Sinnappu Kudditamby of Achchuvely North, coming on for disposal before G. W. Woodhouse, Esq., District Judge, on July 10, 1922, in the presence of Messrs. Chelvadurai & Ramalingam, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated June 30, 1922, having been read:

It is ordered that the 2nd respondent above named be appointed guardian *ad litem* over the minor, the 1st respondent, for the purpose of protecting the minor's interest in this case, and it is declared that the petitioner is the father-in-law of the said intestate, and it 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 August 3, 1922, show sufficient cause to the satisfaction of this court to the contrary.

July 15, 1922.

G. W. WOODHOUSE,  
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Estate of Galisapitige Jurisdiction. Mithya Veda late of Karawitagara. No. 1,436.

Muthunayake Pedige Sitti of Karawitagara ..... Petitioner.

(1) Galisapitige Thambiya, (2) Galisapitige Kekula, (3) Galisapitige Puhuli, (4) Galisapitige Themia, (5) Wala-hakulpedige Alli, all of Karawitagara ..... Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Chilaw, on July 3, 1922, in the presence of Messrs. Corea & Anderson, Proctors, on the part of the petitioner; and the affidavit of the said petitioner dated June 27, 1922, and her petition dated July 3, 1922, having been read: It is ordered that the 1st respondent be

and he is hereby appointed guardian *ad litem* over the 4th respondent, who is a minor, and that the petitioner be and she is hereby declared entitled, as widow of the said deceased, to administer the said estate, and that letters of administration do issue to her accordingly for the limited purpose of paying estate duty under Ordinance No. 8 of 1919, unless the respondents above named or any other person or persons interested shall, on or before July 21, 1922, show sufficient cause to the satisfaction of this court to the contrary.

July 3, 1922.

N. M. BHARUCHA,  
District Judge.

In the District Court of Chilaw.

Testamentary In the Matter of the Intestate Estate and Jurisdiction. Effects of the late W. R. A. Puchihamy No. 1,432. Manamali of Ihala Walahapitiya, deceased.

(1) Wijesinghe Rajapaksa Aratchige Menike Manamali and husband, (2) Marasinghe Aratchige Banda Naide both of Ihala Walahapitiya ..... Petitioner.

And

(1) Wijesinghe Rajapaksa Aratchige Kanda Naide, (2) Marasinghe Aratchige Luis Sinno, both of Ihala Walahapitiya, (3) Marasinghe Aratchige Laisi Manamali and husband, (4) Davit Sinno, both of Kuttanaw in Kurunegala District, (5) Marasinghe Aratchige Puchi Nona, (6) ditto James Sinno, (7) ditto Meiya Nona, all of Ihala Walahapitiya; 5th, 6th, and 7th respondents are minors by their guardian *ad litem*. Marasinghe Aratchige Amaris Naide of Ihala Walahapitiya ..... Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Chilaw, on June 20, 1922, in the presence of Mr. E. C. S. Storer, Proctor, on the part of the petitioners above named; and the affidavit of the said 1st petitioner dated June 6, 1922, having been read: It is ordered that the 1st petitioner be and she is hereby declared entitled, as the daughter 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 August 1, 1922, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that Marasinghe Aratchige Amaris Naide of Ihala Walahapitiya, be and he is hereby appointed guardian *ad litem* over the said 5th, 6th, and 7th respondents, minors, for all purposes of this action, unless the said respondents or any other person or persons interested shall, on or before August 1, 1922, show sufficient cause to the satisfaction of this court to the contrary.

June 20, 1922.

N. M. BHARUCHA,  
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of late Herath Pathirennhelage Angohamy, deceased, of Tulawela. No. 1,437.

Adicari Mudalige Podisimno Appuhamy of Tulawela ..... Petitioner.

And

(1) Adicari Mudalige Ginosome Appuhamy of Tulawela, and (2) Herath Pathirennhelage Appusimno Appuhamy of Koswatta ..... Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Chilaw, on July 4, 1922, in the presence of the petitioner and the respondents appearing in person; and the petition and affidavit of the said petitioner, having been read: It is ordered that the 2nd respondent be and he is hereby appointed guardian *ad litem* of the 1st-named minor respondent for the purpose of this testamentary proceedings, and that the above named petitioner be and he is hereby declared entitled to have letters of administration to the estate of the said deceased, and that the same will be issued to him accordingly.

unless the respondents above named or any other person or persons interested shall, on or before July 31, 1922, show sufficient cause to the satisfaction of this court to the contrary.

July 4, 1922.

N. M. BHARUCHA,  
District Judge.

In the District Court of Badulla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Muttucumaru Sinnappu of Namunukula,  
No. B 650. in the District of Badulla, deceased.

Between.

Muttucumaru Mureethapillai of Dunedin in Madulsima  
in Badulla District..... Petitioner.

And

(1) Sinnamma, the daughter of the above-named  
deceased, of Vaddukkoddai in Jaffna, a minor, by her  
guardian *ad litem* (2) Suppramaniam Muttucumaru  
of Vaddukkoddai in Jaffna..... Respondents.

THIS matter coming on for disposal before Reginald  
Gibson Saunders, Esq., District Judge of Badulla, on June  
28, 1922, in the presence of Mr. S. Suppramaniam, Proctor,  
on the part of the petitioner; and his affidavit dated June 23,  
1922, having been read:

It is ordered (1) that the petitioner, as brother of the  
deceased, be and he is hereby declared entitled to have  
letters of administration to the estate of the deceased  
issued to him, (2) that the 2nd respondent be and he is  
hereby appointed guardian *ad litem* over the 1st minor  
respondent, unless any person or persons interested shall,  
on or before July 26, 1922, show sufficient cause to the  
satisfaction of this court to the contrary.

June 28, 1922.

R. G. SAUNDERS,  
District Judge.

In the District Court of Badulla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Arawagedera Dissanayeka Mudiyanse-  
No. B 666. lalage  
Abrahamy, late of Pinarawa in Badulla,  
deceased.

Between

Arawagedera Dissanayeka Mudiyanse-  
lages Loku Menika  
of Pinarawa in Badulla..... Petitioner.

And

(1) Dissanayeka Mudiyanse-  
lages Mutu Menika, (2)  
Dissanayeka Mudiyanse-  
lages Ukku Banda, and (3)  
Dissanayeka Mudiyanse-  
lages Hudu Menika, all of Pin-  
arawa, minors by their guardian *ad litem* (4) Weera-  
singha Mudiyanse-  
lages Appuhamy of Ulukewaka in  
Badulla..... Respondents.

THIS matter coming on for disposal before Reginald  
Gibson Saunders, Esq., District Judge of Badulla, on

June 22, 1922, in the presence of Mr. S. M. Jayasuriya,  
Proctor, on the part of the petitioner; and the affidavit of  
the petitioner dated June 19, 1922, having been read:

It is ordered (1) that the petitioner, as daughter of the  
said deceased, be and she is hereby declared entitled to  
have letters of administration to the estate of the said  
deceased issued to her, (2) that the 4th respondent be and  
he is hereby appointed guardian *ad litem* over the 1st, 2nd,  
and 3rd minor respondents, unless any person or persons  
interested shall, on or before July 26, 1922, show sufficient  
cause to the satisfaction of this court to the contrary.

June 22, 1922.

R. G. SAUNDERS,  
District Judge.

In the District Court of Badulla.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-  
Jurisdiction. ment of Samarakoon Mudiyanse-  
No. B 668. lages  
Banda Egodawela, late of Puwakgodamulla in Badulla, deceased.

Between

Samarakoon Mudiyanse-  
lages Gunatillaka Banda Ego-  
dawela of Puwakgodamulla in Badulla..... Petitioner.

And

(1) Samarakoon Mudiyanse-  
lages Jayatillaka Banda  
Egodawela, Aet' 19; (2) ditto  
Lalawati Kumari-  
hamy ditto, Aet' 16; (3) ditto  
Wijeratna Banda ditto  
Aet' 13; (4) ditto Senaratna  
Banda ditto, Aet' 6,  
all of Puwakgodamulla in  
Badulla, minors, by their  
guardian *ad litem* (5) H. M. S.  
Banda, Arachchi of  
Morahela..... Respondents.

THIS matter coming on for disposal before Reginald  
Gibson Saunders, Esq., District Judge of Badulla, on June  
29, 1922, in the presence of Mr. H. J. Pinto, Proctor, on the  
part of the petitioner above named; and the affidavits of  
(1) the said petitioner dated June 24, 1922, and (2) of the  
attesting Notary and the two witnesses dated June 26,  
1922, having been read:

It is ordered that the last will of Samarakoon Mudiyan-  
se- lages Banda Egodawela, 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 July 26, 1922, show sufficient  
cause to the contrary to the satisfaction of this court.

And it is further hereby ordered that the said H. M. S.  
Banda, the uncle of the above-named minor respondents,  
be appointed guardian *ad litem* over them, unless he, the  
said H. M. S. Banda, or the respondents or any other person  
or persons interested show sufficient cause to the contrary  
to the satisfaction of this court on or before July 26, 1922.

June 29, 1922.

R. G. SAUNDERS,  
District Judge.

## NOTICES OF FISCALS' SALES.

(Continued from page 651.)

### Western Province.

In the District Court of Colombo.

M. V. E. M. R. M. Coomarappa Chetty of Sea street,  
Colombo..... Plaintiff.

No. 1,981 of 1921. Vs.

(1) N. Ratnasabapathy and (2) R. Nadaratjah, both  
of Fort, presently of Cinnamon Gardens,  
Colombo..... Defendants.

NOTICE is hereby given that on Monday, August 14,  
1922, at 3.30 P.M., will be sold by public auction at the  
Jaffna House, Ward place, Colombo, the following movable

property for the recovery of the sum of Rs. 6,154, together  
with interest thereon at 9 per cent. per annum from July 14,  
1921, till payment in full, and costs of suit, viz.:

Twelve ebony carved chairs, 3 ebony carved couches,  
1 ebony carved chiffonier, 1 ebony table, 3 ebony tables  
with marble top, 2 mirrors, 6 pictures, 3 nadun settees, 11  
satinwood armchairs, 4 satinwood teapots, 1 screen,  
1 writing table, 6 armchairs, 1 ebony table, 2 pots (enamelled),  
1 nadun almirah fixed with mirror, 1 writing table, 1 toilet  
table, 3 glass almirahs, 1 clock with stand, 1 ebony lounge,  
40 pots with flower plants, 1 ebony couch, 1 writing table  
with pigeonhole, 1 motor car bearing No. 3568.

Fiscal's Office,  
Colombo, July 17, 1922.

W. DE LIVERA,  
for Fiscal, W P.