



THE  
CEYLON GOVERNMENT  
GAZETTE

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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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**NOTICES OF INSOLVENCY.**

In the District Court of Colombo.

No. 3,507. In the matter of the insolvency of A. R. A. R. S. M. Arunasalam Chettiar Sunderam Chettiar and Letchumanan Chettiar of Sea street, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above named insolvent will take place at the sitting of this court on February 17, 1931, for proof of claim of S. K. Lakshmidhand, S. T. Radhakishendas, and S. K. Jeshamal.

By order of court, A. E. PERERA,  
Colombo, January 29, 1931. for Secretary.

In the District Court of Colombo.

No. 3,592. In the matter of the insolvency of E. L. Weerpass of Mirihana.

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 May 12, 1931, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,  
Colombo, January 29, 1931. for Secretary.

In the District Court of Colombo.

No. 4,197. In the matter of the insolvency of T. A. Rajudin of Enderamulla, Hunupitiya.

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 May 5, 1931, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,  
Colombo, January 29, 1931. for Secretary.

In the District Court of Colombo.

No. 4,234. In the matter of the insolvency of M. B. Ahamat of Ward place, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 3, 1931, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,  
Colombo, January 29, 1931. for Secretary.

In the District Court of Colombo.

No. 4,279. In the matter of the insolvency of A. L. M. A. Hassan of New Urugodawatta road.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 10, 1931, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,  
Colombo, January 29, 1931. for Secretary.

In the District Court of Colombo.

No. 4,357. In the matter of the insolvency of E. S. R. Munieram Perumal of New Chetty street, Colombo.

WHEREAS E. S. R. Munieram Perumal has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by W. P. Casie Chetty of Colombo, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said E. S. R. Munieram Perumal insolvent accordingly ; and that two public sittings of the court, to wit, on March 3, 1931, and on March 17, 1931, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, A. E. PERERA,  
Colombo, January 30, 1931. for Secretary.

In the District Court of Colombo.

No. 4,358. In the matter of the insolvency of M. W. Robert de Silva and D. J. Abeysekera carrying on business with another under the name, style, and firm of Silva Brothers & Co. at 14, Main street, Colombo.

WHEREAS M. W. Robert de Silva and D. J. Abeysekera have filed a declaration of insolvency, and a petition for the sequestration of their estate has also been filed by A. R. Careem & Co. at 40 and 41, Main street, Colombo, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said M. W. Robert de Silva and D. J. Abeysekera insolvents accordingly ; and that two public sittings of the court, to wit, on March 10, 1931, and on March 24, 1931, will take place for the said insolvents to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, A. E. PERERA,  
Colombo, January 30, 1931. for Secretary.

In the District Court of Colombo.

No. 4,359. In the matter of the insolvency of A. J. Weneslaus Peiris of 166, Santiago road, Kotahena.

WHEREAS A. J. Weneslaus Peiris has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by P. Guneratne of Dehiwala, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said A. J. Weneslaus Peiris insolvent accordingly ; and that two public sittings of the court, to wit, on March 10, 1931, and on March 24, 1931, will take place for the said insolvent to surrender and conform to, agreeably to the provisions for the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, A. E. PERERA,  
Colombo, January 30, 1931. for Secretary.

In the District Court of Negombo.

Insolvency In the matter of the insolvency of John No. 211. Joseph Clarence de Croos of Clarendon, Main street, Negombo, insolvent.

NOTICE is hereby given that John Joseph Clarence de Croos of Clarendon, Main street, Negombo, has been adjudged an insolvent and has been directed to file his balance sheet on February 23, 1931.

By order of court, C. EMMANUEL,  
Negombo, February 2, 1931. Secretary.

In the District Court of Kalutara.

No. 251. In the matter of the insolvency of Warnage Peter Fonseka of Diyalagoda.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 27, 1931, to consider the grant of the certificate of conformity.

By order of court, A. W. LUDEKENS,  
January 31, 1931. Secretary.

In the District Court of Kalutara.

No. 253/I. In the matter of the insolvency of Meera Lebbe Marikar Abdul Rahiman Marikar of Alutgama.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 18, 1931, to examine the insolvent.

By order of court, A. W. LUDEKENS,  
January 28, 1931. Secretary.

## In the District Court of Kalutara.

No. 254/I. In the matter of the insolvency of Yacoub Hadjiar Abdul Salam of Totawatta.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 26, 1931, to consider the grant of certificate of conformity.

By order of court, A. W. LUDEKENS,  
January 29, 1931. Secretary.

## In the District Court of Kalutara.

No. 256/I. In the matter of the insolvency of Don Abraham Senaratna of Panapitiya.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 28, 1931, to consider the grant of certificate of conformity.

By order of court, A. W. LUDEKENS,  
January 29, 1931. Secretary.

## In the District Court of Kalutara.

No. 257/I. In the matter of the insolvency of Mahabaduge Edwin Fernando of Beruwala.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 10, 1931, to examine the insolvent.

By order of court, A. W. LUDEKENS,  
January 29, 1931. Secretary.

## In the District Court of Kandy.

No. 1,881. In the matter of the insolvency of Don Robert Seneviratna of Nawalapitiya.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 6, 1931, for the purpose of appointing an assignee.

By order of court, GERALD E. DE ALWIS,  
Kandy, January 30, 1931. Secretary.

## In the District Court of Galle.

No. 626. In the matter of the insolvency of Walpita-gamage Dias Singho of Walpita.

NOTICE is hereby given that examination of the above-named insolvent adjourned at the sitting of this court for April 27, 1931.

By order of court, C. W. GOONEWARDENE,  
Secretary.

## In the District Court of Galle.

No. 628. In the matter of the insolvency of K. G. Mahindapala Jayasekera of Ahangama.

NOTICE is hereby given that a certificate meeting of the above-named insolvent will take place at the sitting of this court on March 17, 1931.

By order of court, C. W. GOONEWARDENE,  
Secretary.

## In the District Court of Galle.

No. 631. In the matter of the insolvency of Semage Ebert Fernando of Dangedera.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 16, 1931, for assignee's report.

By order of court, C. W. GOONEWARDENE,  
Secretary.

## In the District Court of Matara.

Insolvency In the matter of the insolvency of Muham-Case No. 55. madu Omaru Mohamed of Mullatiyana.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 11, 1931, for examination of insolvent.

By order of court, R. MALALGODA,  
January 30, 1931. Secretary.

## In the District Court of Matara.

Insolvency In the matter of the insolvency of Porana Case No. 68. Palliye Guruge Simon of Pelena in Weligama.

NOTICE is hereby given that the 1st sitting in the above case has been adjourned for February 13, 1931.

By order of court, R. MALALGODA,  
January 30, 1931. Secretary.

## In the District Court of Puttalam.

No. 2. In the matter of the insolvency of P. S. Segu Alavudeen of Puttalam.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at 10 A.M. on March 24, 1931, to consider the grant of a certificate to the above-named insolvent.

Puttalam, February 2, 1931. C. CHELLIAH,  
Secretary.

## In the District Court of Badulla.

No. 12. In the matter of the insolvency of Thana Vana Seiyadu Ibrahim Saibo of Badulla.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 25, 1931, for the appointment of an assignee.

By order of court, B. J. ARASARATNAM,  
January 28, 1931. Secretary.

## In the District Court of Badulla.

No. 5. In the matter of the insolvency of Ana Kawenna Chena Seyadu Mohamado Rawther of Badulla.

NOTICE is hereby given that the adjourned meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 11, 1931, for the granting of a certificate of conformity to the insolvent.

By order of court, B. J. ARASARATNAM,  
January 30, 1931. Secretary.

## In the District Court of Avissawella.

No. 5. In the matter of the insolvency of John H. Arsacularatna of Harrifred estate, Dehigahapitiya.

WHEREAS John H. Arsacularatna of Harrifred estate, Dehigahapitiya, has filed a declaration of insolvency, and a petition for the sequestration of the estate of John H. Arsacularatna having been filed by David Solomon Leo Rajapakse of Kosgama, under the Ordinance No. 7 of 1853. Notice is hereby given that the said court has adjudged the said John H. Arsacularatna of Harrifred estate, Dehigahapitiya, insolvent accordingly; and that two public sittings of the court, to wit, on March 9, 1931, and on April 1, 1931, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, H. J. CHANDRAWARNAM,  
February 3, 1931. Secretary.

## NOTICES OF FISCALS' SALES.

## Western Province.

In the District Court of Colombo.

C. A. Hutson & Co., Ltd., Colombo..... Plaintiffs  
No. 31,416. Vs.

Semage Pieris, carrying on business as S. Pieris  
& Co., Fifth Cross street, Pettah, Colombo.. Defendant.

NOTICE is hereby given that on Saturday, February 28, 1931, at 10 A.M., will be sold by public auction at 21, now 105, Fifth Cross street, Pettah, Colombo, the following movable property for the recovery of the sum of Rs. 2,686.05, with interest thereon at 9 per cent. per annum from January 29, 1929, till August 26, 1929, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit (not taxed), and poundage, less a sum of Rs. 250, and less a further sum of Rs. 1,803.02, viz. :-

1 large show case, 2 glass almirahs fixed together, 7 glass almirahs ditto, 1 large show case, 1 cashier's counter, 1 nadun writing table.

Fiscal's Office, R. O. DE SARAM,  
Colombo, February 4, 1931. Deputy Fiscal.

In the District Court of Colombo.

Alexandrina Sophia de Silva of Pita Kotte in the  
Palle pattu of Salpiti korale..... Plaintiff.  
No. 34,354. Vs.

Andrew Perera Senarayaka of Pita Kotte  
aforesaid..... Defendant.

NOTICE is hereby given that on Monday, March 16, 1931, at 3 P.M., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 2,331 dated June 30, 1926, and attested by N. J. S. Cooray, Notary Public, Colombo, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated June 20, 1930, at the risk of the original purchasers, Ellage Arthur Peter Silva and Lokuliyanage Johana Hamy, for the recovery of the sum of Rs. 376.66, with interest thereon at 16 per cent. per annum from August 30, 1929, to date of decree March 19, 1930, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of this action, less Rs. 140.45, viz. :-

An undivided  $\frac{3}{5}$  of the land called Hickgahawatta and of the buildings, plantations standing thereon, situated at Pita Kotte in the Palle pattu of Salpiti korale in the District of Colombo, Western Province; bounded on the north by a portion of this land belonging to Pedru Kankanama, on the east by a portion of this land belonging to Baron de Alwis, on the south and west by Pansalawatta; containing in extent 2 roods and 32 perches. Prior registration, Colombo, M 255/154.

Fiscal's Office, R. O. DE SARAM,  
Colombo, February 4, 1931. Deputy Fiscal.

In the District Court of Colombo.

Messrs. Goodyear Tyre & Rubber Co. (India), Ltd.  
in Colombo..... Plaintiffs  
No. 39,806. Vs.

S. Peiris, carrying on business under the name, style,  
and firm of S. Peiris & Co. at Fifth Cross street,  
Pettah, Colombo..... Defendant.

NOTICE is hereby given that on Friday, March 6, 1931, at 10 A.M., will be sold by public auction at 21, now 105, Fifth Cross street, Pettah, Colombo, the following movable property for the recovery of the sum of Rs. 3,932.41, together with further interest thereon at 9 per cent. per annum from August 25, 1930, to the date of decree (December 19, 1930), and thereafter on

the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit, and poundage, less a sum of Rs. 1,774.16, viz. :-

24 motor tyres, 19 bicycle frames, 3 bicycles, 1 motor car battery, 1 set motor car buffers, 1 crank, 1 driving shaft, 8 one-gallon tins castor oil, 3  $\frac{1}{2}$ -gallon ditto, 2 four-gallon tins mobil oil, 3 one-gallon ditto, 4 one-gallon tins shell oil, 4 5-lbs. tins grease, 19 motor car horns, 22 horns without bulbs, 1 boy's bicycle, 3 barrels engine oil, 7 old gramophones without sound boxes, 1 bicycle without front wheel and chain, 200 one-gallon tins varnish, 7 four-gallon tins engine oil, 10 sets motor car buffers, 5 universal fittings, 25 one-gallon jars French polish.

Fiscal's Office, R. O. DE SARAM,  
Colombo, February 4, 1931. Deputy Fiscal.

In the District Court of Colombo.

Andrew Carswell Campbell of Lincoln Lodge,  
Altamont road, Bombay..... Plaintiff.  
No. 41,032. Vs.

E. S. B. M. Perera of Daisy Dale, New Chetty  
street, Colombo..... Defendant.

NOTICE is hereby given that on Thursday, March 19, 1931, at 3 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 5,066.67, with interest on Rs. 5,000 at 10 per cent. per annum from October 1, 1930, till date of decree December 5, 1930, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit, viz. :-

All that allotment of land bearing assessment No. 3A now No. 15, Lascorreen street, Kotahena, within the Municipality of Colombo and District of Colombo, Western Province; bounded on the north by house and ground of Morais, on the south by property formerly of Kotalawalage Nicholas Perera, and now belonging to Rev. S. W. Dias, on the east by Lascorreen street, and on the west by property of Abraham Casie Chetty; containing in extent 38 cubits in length and 18 cubits in breadth.

Fiscal's Office, R. O. DE SARAM,  
Colombo, February 4, 1931. Deputy Fiscal.

In the Court of Requests of Colombo.

E. C. Perera of Ratmalana..... Plaintiff.  
No. 55,869. Vs.

Walamuni Cecilia Foneka of Ratmalana.. Defendant.

NOTICE is hereby given that on Tuesday, March 17, 1931, at 3 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 71, with interest at 2 cents per rupee per month from September 20, 1929, till December 18, 1929, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit, Rs. 26.71, being incurred costs, and Rs. 4 prospective costs, viz. :-

An undivided  $\frac{1}{3}$  share of the land called Millagahawatta, and of the trees plantations and buildings standing thereon, situated at Watarappola alias Watumulla in the Palle pattu of Salpiti korale in the District of Colombo, Western Province; and bounded on the north by a portion of this land belonging to P. Sinihamy, on the south by land belonging to F. D. Andris, on the east by the property of Peace Officer of Watarappola, and on the west by high road; containing in extent 1 rood.

Fiscal's Office, R. O. DE SARAM,  
Colombo, February 4, 1931. Deputy Fiscal.

In the District Court of Negombo.

Werawattage Mariano Fernando of Dalupotha Plaintiff.

No. 3,507. Vs.

Werawattage Mariano Fernando of Dalupotha ..... Defendant.

NOTICE is hereby given that on Saturday, February 28, 1931, commencing 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, viz. :—

(1) The land called Keenagahawatta, situated at Dalupotha in Dunagaha pattu of Alutkuru korale in the District of Negombo, Western Province; and bounded on the north by Stork's estate or the estate of the heirs of the late Dr. Silva, east by land of Werawattage Kostantinu Fernando and the land of the heirs of Walentipura Siman Fernando, south by the land called Ambagahawatta belonging to Weeramundage Romel, Weerapura Jonia, and Werawattage Josiano Fernando; and on the west by elapara or water-course of Nandua's land; containing in extent about 1 acre 2 roods and 14½ perches.

(2) An undivided 5/6 share of the land called Ambagahawatta, situated at Dalupotha aforesaid; and bounded on the north by the land of Miko Fernando, east by another ¼ share of this land belonging to Romel Fernando and others, south by the land of Werawattage Girigoris Fernando and Handunpurage Thepanis Fernando, and on the west by the elapara of the land of Nandua and others; containing in extent about 1½ acres.

(3) The land called Erandugahawatta *alias* Bulugahawatta, situated at Dalupotha aforesaid; and bounded on the north by a portion of this land of Mr. Alutgamage Edwin Fernando, east by the land belonging to Mr. Edwin Fernando, south by cart road, and on the west by the land of Arumapurage Allis Fernando; containing in extent about 2 roods.

(4) An undivided 1/9 share of the land called Gorakagahawatta, situated at Dalupotha aforesaid; and bounded on the north by Stork's estate or the estate of the heirs of the late Dr. Silva, east by the estate of the heirs of the late Dr. Silva and land of Josiano Fernando, south also by the land of Josiano Fernando, and on the west by the land of Morawakage Miko Fernando; containing in extent about 1½ acres.

The land No. 1 and undivided 4/6 share of the 2nd mentioned land and the 3rd land are subject to a mortgage for Rs. 2,000, balance, principal, and interest.

Amount to be levied Rs. 1,000, with interest thereon at 12 per cent. per annum from April 12, 1928, till November 6, 1929, and thereafter at 9 per cent. per annum till payment, and plus costs Rs. 275.92, less Rs. 15 being the sum recovered as 1/10.

Deputy Fiscal's Office,  
Negombo, February 3, 1931.

M. EDIRIWIRA,  
Deputy Fiscal.

In the District Court of Negombo.

Seena Nana Seena Narayanan Chettiar of Negombo ..... Plaintiff.

No. 4,836. Vs.

Pattage Girigoris Fernando of Kondagamulla ..... Defendant.

NOTICE is hereby given that on Saturday, February 28, 1931, commencing at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following properties subject to the mortgage bond No. 2,118 dated February 8, 1930, attested by H. P. Silva, Notary, for Rs. 2,000 and interest thereon, viz. :—

(1) All that divided northern portion from and out of all that land called Meegahawatta *alias* Eladangahawatta *alias* Nugagahawatta, situated at Katiyala and Kondagammulla in Dunagaha pattu of Alutkuru korale in the District of Negombo, Western Province; the said divided portion being bounded on the north by lands

of the heirs of P. Abilinu Silva and by the land of the heirs of K. Pelis Silva and others, east by water-course and by the lands of Pattage Amaris Fernando and others, south by the land claimed by Marthelis Silva, and on the west by the land of Manikkuge Asanaris Silva and others; containing in extent about 4½ acres, together with the buildings and plantations standing thereon. Registered in E 221/158.

(2) All that divided southern portion from and out of the land called Meegahawatta *alias* Eladangahawatta *alias* Nugagahawatta, situated at Katiyala and Kondagammulla aforesaid; the said divided portion being bounded on the north by the land claimed by Mendis Hamy, east by the land of Pattage Amaris Fernando and others and by the land of Pattage Sokino Fernando, south by a portion in extent 2 roods allotted to Asanaris Silva Kankanama, and on the west by the lands of Pattage Pabilis Fernando and others; containing in extent 4 acres and 1 rood, together with the buildings and plantations standing thereon. Registered in E 221/159.

(3) All that land called Madangahawatta *alias* Ranawaragahawatta, situated at Kondagammulla aforesaid; bounded on the north by the land of the heirs of Baba Vidanerala, east by a portion of this entire land of the heirs of Kachchakaduge Kiristian Fernando Vedarala and others, south by a portion of this entire land of the heirs of Warnakulasuriya Dehiwalage Peduru Costa, and on the west by cart road; containing in extent about 7 acres, together with the buildings and plantations standing thereon. Registered in E 220/74.

(4) An undivided ½ share of the land called Katiyalagodella, situated at Katiyala aforesaid, in extent about 6 acres is now dividedly possessed the said half share; is bounded on the north by rubber estate belonging to Mr. John X. Fernando, east by cart road, south by the other half share of this land of Thomis Philippu and others, and on the west by the land of the heirs of Silvestry Silva and others; containing in extent 3 acres, together with the buildings and plantations standing thereon. Registered in E 134/173.

Amount to be levied Rs. 474.55, with interest on Rs. 350 at 30 per cent. per annum from October 22, 1930, till November 28, 1930, and thereafter at 9 per cent. per annum till payment.

Deputy Fiscal's Office,  
Negombo, February 3, 1931.

M. EDIRIWIRA,  
Deputy Fiscal.

In the District Court of Kalutara.

(1) Mary Senarat Gunaratne, and husband Gilbert Wilfred Gunaratne, Mudaliyar, of Agalawatta Plaintiff.

No. 15,790. Vs.

Joonus Lebbe Marikar Abdul Hamid Marikar of Veyangalla ..... Defendant.

NOTICE is hereby given that on Friday, March 6, 1931, at 4 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 by the defendant with plaintiffs and declared bound and executable for the decree entered in the said case) for the recovery of Rs. 4,384.37, with further interest on Rs. 4,000 at 12½ per cent. per annum from September 12, 1929, to August 26, 1930, and thereafter at the rate of 9 per cent. per annum on the aggregate till payment in full, viz. :—

The soil, trees, buildings and everything standing thereon of the land called Thutrigalakanda, situated at Mahagama in Gangabodapattuwa, Pasdun korale, east, Kalutara District, Western Province; and bounded on the north by the land in T. P. No. 293,415 and the reservation along the road, east by the reservation along the road, and on the south and west by Thutrigalakanda belonging to the Crown; and containing in extent 10 acres 1 rood and 2 perches.

Deputy Fiscal's Office,  
Kalutara, February 3, 1931.

H. SAMBRESINGHA,  
Deputy Fiscal.

In the District Court of Kalutara.

Kurukulasuriya Patabendige Domingo Silva of  
Katukurunda ..... Plaintiff.

No. 13,295. *23* Vs. *16/6*

(4) M. Pedru Fernando of Haldenuwa, (22) Bandu-  
wage Andrew Fernando, (24) George Vincent  
Gunawardene, both of Kalamulla in Katu-  
kurunda ..... Defendants.

NOTICE is hereby given that on Thursday, March 5,  
1931, at 4 o'clock in the afternoon, will be sold by public  
auction at the premises the right, title, and interest  
of the said 22nd and 24th defendants in the following  
property for the recovery of Rs. 308.50, viz. :—

All that soil trees and all the buildings standing  
thereon of the defined 7/16 portion of the land called  
Munamalgahawatta, situated at Kalamulla Kalutara-  
badda Kalutara totamune, Kalutara District, Western  
Province; and bounded on the north by the 9/16  
portion of the same land, east by Moratuwawatta, south  
by Liyannawatta, and west by high road; and con-  
taining in extent 1 rood and 30 perches.

Deputy Fiscal's Office, H. SAMERESINGHA,  
Kalutara, February 3, 1931. Deputy Fiscal.

In the District Court of Kalutara.

Illekuttige Arthur Abraham Fernando of Siri  
Medura in Beruwala ..... Plaintiff.

No. 16,371. *4-7* Vs. *Rs 24/6*

Bodiabaduge Andris Perera of Asutkale in Beru-  
wala ..... Defendant.

NOTICE is hereby given that on Wednesday, March 4,  
1931, commencing at 4 o'clock in the afternoon, will be  
sold by public auction at the respective premises the  
right, title, and interest of the said defendant in the  
following property (mortgaged by the defendant with  
plaintiff and declared bound and executable for the  
decree entered in the said case) for the recovery of  
Rs. 2,000, with interest at 9 per cent. per annum from  
June 13, 1930, till payment in full, and costs of suit,  
viz. :—

1. Undivided  $\frac{1}{4}$  share of the soil trees and buildings,  
of all that allotment of land called Paragahahena  
situated at Parawela in Iddagodapattuwa in Iddagoda-  
pattuwa in Pasdun korale west in the District of Kalutara,  
Western Province; and bounded on the north and  
north-east by the cultivated land called Henedeniya  
belonging to the Crown (rubber estate belonging  
to Mr. Massie), south-east by Crown land called Heliya-  
galadeniya, and the land purchased by W. Sama (south  
by the land purchased by W. Sama), on the south-west  
by the land (lands) claimed by W. Sama and Don  
Adirian and the land appearing in plan No. 90,045,  
on the west by the land claimed by Don Adirian, and  
on the north-west by land appearing in plan No. 90,044;  
containing in extent, exclusive of the path passing  
through the land, 16 acres 3 roods and 6 perches, accord-  
ing to the title plan No. 142,586, dated June 22, 1887,  
authenticated by Lieut. Colonel F. C. H. Clark, R.O.,  
Surveyor-General.

2. Undivided  $\frac{1}{4}$  share of the soil trees and everything  
thereon of the land called Paragahahawatta, situated at  
Henegama in Iddagodapattuwa aforesaid; and  
bounded on the north and east by lot 16,326 in prelimi-  
nary plan No. 12,395; south by the title plan No. 142,586  
west by title plan No. 90,044; containing in extent  
1 rood and 8 perches, according to plan No. 236,020,  
dated July 17, 1906.

Deputy Fiscal's Office, H. SAMERESINGHA,  
Kalutara, February 3, 1931. Deputy Fiscal.

Central Province.

In the District Court of Hatton.

Konègedera Appuhamy of Udagama in Medapone  
korale, Kotmalie ..... Plaintiff.

No. 1,977. *35*

Maswègedera Angiri Banda also of Udagama in  
Medapone korale, Kotmalie ..... Defendant.

NOTICE is hereby given that on Friday, March 6,  
1931, and the following day if necessary commencing  
each day at 12 noon, will be sold by public auction at  
the respective premises the following property mortgaged  
with the plaintiff and decreed to be sold under the decree  
entered in the above case for the recovery of the sum  
of Rs. 2,698, together with interest thereon from January  
24, 1930, at 12 per cent. per annum till date of decree,  
and thereafter at the rate of 9 per cent. per annum on  
the aggregate amount of decree till payment in full, and  
costs of suit (taxed at Rs. 126.07 $\frac{1}{2}$ ), and poundage,  
viz. :—

1. An undivided 1/5 part or share in and out of the  
eastern portion of the entire field called and known as  
Thambaykumbura which entire field is in extent of 3  
pelas paddy sowing, situated at Dimbulla Udagama in  
Udapone korale, now Medapone korale of Kotmalie  
in the District of Nuwara Eliya, Central Province;  
and which said eastern portion is in extent of 15 lahas  
paddy sowing; and bounded on the east by Yaddehige  
Ellegalweta, south by Meddebittarapelagalweta, west  
by the remaining portion of this same land, and on the  
north by ela.

2. An undivided 1/5 part or share in and out of the  
southern portion of the entire field called Pallewata-  
beddekumbura, which entire field is in extent of 1  
amunam paddy sowing, situated at Dimbulla Udagama  
aforesaid; and which said southern portion is in extent  
of 2 pelas paddy sowing; and bounded on the east by  
Rantungeliyaddeimveila, south by Katarandenaella-  
galbemba, west by Pallewatabeddeimveila, and on the  
north by the remaining portion of this same land.

3. An undivided 1/5 part or share in and out of the  
field called Dharandakumbura in extent 18 lahas paddy  
sowing, situated at Dimbulla Udagama aforesaid; and  
bounded on the east by Denipelaimveila, south by the  
Imveila of the remaining portion of this same land,  
west by Dorakadaliaddeimveila, and on the north by  
Koralaygederadarandakumburaimveila and ela.

4. An undivided 1/5 part or share in and out of the  
field called Peehella in extent 18 lahas paddy sowing,  
situated at Dimbulla Udagama aforesaid; and bounded  
on the east by the Imveila of the remaining portion of  
this same land, south by Asweddumaimveila, west by  
Kurukudawattegalweta, and on the north by ela.

5. An undivided 1/5 part or share in and out of the  
field called and known as Pattihelaliyadde in extent of  
1 pela paddy sowing, situated at Dimbulla Udagama  
aforesaid; and bounded on the east by Agala, south by  
Hantanekotuwagalbemba, west by Gederakumbura-  
galweta, and on the north by Galbemba.

6. An undivided 1/5 part or share in and out of the  
field called and known as Henaliyadde in extent of 2  
pelas paddy sowing, situated at Dimbulla Udagama  
aforesaid; and bounded on the east by Elahewalia,  
south by Wilinguamottenttegalpahure, west by  
Gansabhawa road, and on the north by Gedaidamagal-  
pahura.

7. An undivided 1/5 part or share in and out of the  
field called and known as Minuwandeniya in extent of  
12 lahas paddy sowing, situated at Dimbulla Methagama  
in Medapone korale, Kotmalie aforesaid; and bounded  
on the east by Darandakumbura-ela, south by ela of  
Minuwandeniyeekumbura belonging to Udagedera  
Menickrala, and on the west and north by Hathlahama.

8. All that land called Genegedera-ansalkotuwa and  
everything standing thereon in extent of about 2 seers  
paddy sowing, situated at Dimbulla Udagama aforesaid;  
and bounded on the east by Koholanegalbemba, south  
by the house known as Ranhami Aratchilage Gey, west  
by the Galbemba of the remaining portion of this same  
land, and on the north by Galbemba.

9. All that land called and known as Genegedera-watta, with the house and everything standing thereon in extent of about  $\frac{1}{2}$  seer kurakkan sowing, situated at Dimbulla Udagama aforesaid; and bounded on the east by ima of the land belonging to Maswelagedera Dingiri Banda, south by Kohlanegalgweta, west by Kohlanegalbemma, and on the north by ima of the land of PUNCHIRALA Aratchi.

10. All that land called and known as Genegedera-watta *alias* Atugepola in extent  $\frac{1}{2}$  seer kurakkan sowing, situated at Dimbulla Udagama aforesaid; and bounded on the east by Ranhami Aratchige Geypila, south by the ima of the remaining portion of this same land, west by the Galbemma of the remaining portion of this same land, and on the north by the Galmayama (stone fence) of the remaining portion of this same land.

11. All that land called and known as Magodatenneheha, with everything standing thereon, in extent of about 2 acres, situated at Dimbulla Udagama aforesaid; and bounded on the east and south by ela, west by Gansabhawa road, and on the north by the remaining portion of this same land.

12. All that land called and known as Dewagerituweltenna in extent  $1\frac{1}{2}$  acres, situated at Dimbulla Udagama aforesaid; and bounded on the east by the remaining portion of this same land, south by agala, west by Gansabhawa road, and on the north by Ganagerituweltenne-agala. And all the right, title, interest and claim whatsoever of the defendant into, upon, or out of the said several premises mortgaged by the defendant upon bond No. 36 dated June 23, 1926, attested by Victor Lester Sheldon Swan, Notary Public, of Hatton.

Fiscal's Office,  
Kandy, February 2, 1931.

A. RANESINGHE,  
Deputy Fiscal.

In the District Court of Kandy.

M. R. P. L. M. T. T. Muttu Chettiar of  
Kandy ..... Plaintiff.

vs.  
(1) Saibo Tamby's son Mohideen Abdul Cader, (2) Mana Kurup Nagudu Mohamadu's son Seiyadu Ibrahim Saibo, both of Uduwela in Gandeke korale in Uda Dumbara ..... Defendants.

NOTICE is hereby given that on Thursday, March 5, 1931, commencing at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property mortgaged with the plaintiff by bond No. 1,931 dated September 23, 1928, and attested by Mr. E. H. Wijenaike, Notary Public, of Kandy, and decreed to be sold under the decree entered in the above case for the recovery of the sum of Rs. 6,480, with interest thereon at the rate of 9 per cent. per annum from September 30, 1929, till payment in full, and poundage, viz. :—

1. All that and those the estate plantations and premises called and known as Harasululekele *alias* Fincham's land, containing in extent 116 acres and 7 perches according to the survey and description thereof made by C. D. Jayasinghe of Kandy, Licensed Surveyor, in the month of December, 1923, situate at Kandegama in the Gandeke korale of the Uda Dumbara division of the District of Kandy in the Central Province, and composed and made up of the following three allotments of land, to wit :—

(a) An allotment of land situate at Kandegama aforesaid; bounded on the north and north-east by oya and Ensalwatte estate, on the south and south-east by land claimed by villagers and ela, and on the west by Horakande estate; and containing in extent 59 acres and 34 perches.

(b) An allotment of land situate at Kandegama aforesaid; bounded on the north, north-east, and east by land claimed by villagers, on the south and south-west by oya and Kobonella estate, and on the west by Horakanda estate; and containing in extent 35 acres 3 roods and 10 perches.

(c) An allotment of land situate at Kandegama aforesaid; bounded on the north and east by land claimed by villages, and on the south and south-west by oya and Kobonella estate; and containing in extent 21 acres and 3 perches.

2. All that allotment of land called Katukitulehena, now a garden of about 6 acres in extent, situate at Kandegama aforesaid; and bounded on the east by Katukitule-ela, on the south by ela, on the west by the ela of Kolakolagolla, and on the north by ditch.

3. An allotment of land called Katukitule, situate at Kandegama aforesaid; and bounded on the north by a stream and land claimed by natives, on the east by an ela and a stream, on the south by a stream, and on the west by an ela and Watike-ela; and containing in extent 5 acres 3 roods and 30 perches according to the survey and description thereof bearing No. 217,577 dated October 3, 1904, and authenticated by P. D. Warren, Esq., Surveyor-General.

4. All that allotment of land called Gallassehena, now a garden of about 16 nellies in kurakkan sowing extent, situate at Udawelakanda in Gandeke korale aforesaid; and bounded on the east by Galkande Menikrала's hena, on the south by the limit of Wattuwa Dureya's chena, on the west by below the stone of patana, and on the north by ela.

5. All that allotment of land called Warawehena, now a garden of 30 nellies in kurakkan sowing extent, situate at Udawela aforesaid; and bounded on the east by the limit of Tikiri Menika's chena, on the south by the limits of Kurundugasmullehena and Mukkangehena, on the west by the limits of Ukkuwa Dureya's hena and Herath Hamigehena, and on the north by Elakandura.

6. All that allotment of land called Egodawewehena, now a garden of about 30 seers in kurakkan sowing extent, situate at Udawela aforesaid; and bounded on the east by the limit of Herat Hamy's chena and the Galkande in Ukkuwavidanegehena, on the south by ridge of stones in Ukkuwa Vidane's chena, on the west by the limit of Mukkagehena, and on the north by oya and the limit of Polgahakumburegerehena.

7. All that allotment of land called Kosgahamulakadullehena, now a garden of 30 nellies in kurakkan sowing extent, situate at Udawela aforesaid; and bounded on the east by oya, on the south by ela, on the west by the Hinikata on Gamagedera Menikrала's hena, and on the north by the limit of Tikirala's hena.

8. All that allotment of land called Egodawewehena, now a garden of about 40 nellies in kurakkan sowing extent, situate at Uduwela aforesaid; and bounded on the east by ela, on the west by the limit of Ensalwatta, on the north by ela, and on the south by Appuhamy Aratchila's hena (registered F 85/74 to 76, 81/215, 87/67 to 73.)

Fiscal's Office,  
Kandy, February 2, 1931.

A. RANESINGHE,  
Deputy Fiscal.

In the District Court of Kandy.

V. E. V. Palaniappa Chettiar of Kandy ..... Plaintiff.

No. 39,028. Vs.

(1) S. A. Manadasoniya of Teldeniya, (2) S. A. Pedrick Appuhamy of Kanastota ..... Defendants.

NOTICE is hereby given that on Friday, March 6, 1931, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said 2nd defendant in the following property for the recovery of the sum of Rs. 622.65, with legal interest on Rs. 544.25 from January 4, 1930, till payment in full, and poundage, viz. :—

All that allotment of land called Pallewalawwewatta of 4 acres and 21 perches in extent, situate at Ranawana in Kulugammanasiyapattu of Harisipattu in the District of Kandy, Central Province; and bounded on the north by Mudiyanse Banda's land and Wirasekera's land, on the east by temple land and Janis and Pedia's

land, Marikkar's land, Somittara Unnanse's land, Galagedera Aracci's land, property of the heirs of the late Ranawana, Proctor, on the south by Gansabhawa road, on the west by Wirasekera's land, Mutu Banda and Ran Banda's land, and temple land; together with the buildings, plantations, and everything thereon.

Fiscal's Office,  
Kandy, February 2, 1931.

A. RANESINGHE,  
Deputy Fiscal.

In the District Court of Kandy.

V. E. V. Palaniappa Chettiar of Kandy ..... Plaintiff.

No. 39,050. Vs.

(1) J. A. Halangoda, (2) C. W. Halangoda and (3) J. B. Halangoda, all of Kandy ..... Defendants.

NOTICE is hereby given that on Saturday, March 7 1931, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said first defendant in the following property for the recovery of the sum of Rs. 3,939.74, with legal interest on Rs. 3,779.99 from January 10, 1930, till payment in full, and poundage, viz. :—

The land called Medapathana of 18 acres 2 roods and 27 perches in extent, situate at Ethulgama in Gandahaye korale of Lower Hewaheta in the District of Kandy, Central Province; and bounded on the south by the stone fence of Agalkotuwe and Attanayakageidama, west by kandura leading from Getakohe, and east and north by the land claimed by natives; formerly described as follows: the land called Medapathana of 18 acres 2 roods and 27 perches, situate at Ethulgama aforesaid; and bounded on the south by Gansabha road, west by the land claimed by Mr. Warakaulle, on the east and north by the land claimed by the natives.

Fiscal's Office,  
Kandy, February 2, 1931.

A. RANESINGHE,  
Deputy Fiscal.

In the District Court of Kandy.

Bhai Halima Bhai and Ahamed Dada, carrying on business under the name, style, and firm of Ibrahim Abdul Latiff & Co. of 216, Keyzer street, Colombo, by their attorney, Abboobucker Dada of Colombo ..... Plaintiffs.

No. 40,746. Vs.

Abdul Gany Mohamed of 232 and 233, Colombo street, Kandy ..... Defendant.

NOTICE is hereby given that on Saturday, February 28, 1931, at 12 noon, will be sold by public auction at the defendant's shop, 232 and 233, Colombo street, Kandy, the following property mortgaged with the plaintiff and decreed to be sold under the decree entered in the above case for the recovery of the sum of Rs. 11,720.96, with interest thereon at the rate of 9 per cent. per annum till payment in full, and costs and poundage, viz. :—

All and singular the goods, wares, merchandise, stock-in-trade, furniture, fittings, chattles, effects, and things now being or lying in defendant's shop or place of trade or business at 232 and 233, Colombo street, Kandy, and those which the defendant shall or may from time to time during the continuance of these presents put place or bring into or upon the said shop or place of trade or business in lieu of or in addition to the same and the book and the other debts now or hereafter during the continuance of these presents be due and owing to the defendant on account of the said trade or business, and registered in Kandy, M. 959/112, and all the right, title, interest, and claim whatsoever of the said defendant, into, upon, or out of the said property mortgaged by the defendant upon bond No. 561 dated October 30, 1930, and attested by Mr. N. Ramachandra, Notary Public.

Fiscal's Office,  
Kandy, February 2, 1931.

A. RANESINGHE,  
Deputy Fiscal.

### Southern Province.

In the District Court of Galle.

Soloman Perera Gurusingha, Postmaster, Bentota ..... Plaintiff.

No. 27,157.

Mrs. Johna Ladduwabetty, Sankota, Gonagala, Induruwa ..... Defendant.

NOTICE is hereby given that on Friday, March 6, 1931, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, subject to the life interest of M. Podinona Hamine, viz. :—

1. An undivided  $\frac{2}{3}$  of  $\frac{1}{2}$  of the soil and soil share trees and an undivided  $\frac{2}{3}$  of the planter's share of the plantation made by the father of the late Ladduwahettige alias Mahawattege Don Hendrick Appuhamy of the land called Malapalutholayawatta alias Haburugawatta, situated at Haburugala in Pahalaganhaya, Bentota-Walallowiti korale, Galle District; and bounded on the north by Andukerawa, east by the field belonging to the Crown, south by Crown land and Vitana-gewatta, and on the west by paddy fields; containing in extent 11 acres 2 roods and 4.29 perches.

2. All that undivided  $\frac{2}{3}$  part of share of the paddy field called Kandegoda alias Kandegoda-addaragovipola, situated at Kandegoda, in Bentota-Walallowiti korale aforesaid; and bounded on the north by Crown land known as Koggasduwa-addaragovipola and the jungle land called Kandegodakele, on the north-east, east, and south-east by the Crown jungle lands called Kandegodakele and Niyakolahenekele, south and south-west by Crown lands called Niyakolahenekele, Kajjugahaduwa, Maddeduwa, Kukulunagahaduwa, and the land depicted in plan No. 136,343, on the west by Crown lands called Kajjugahaduwa, Maddeduwa, Kekunagahaduwa, Totagodakele and the lands depicted in plan Nos. 136,337, 136,339, and 136,340, and on the north-west by the Crown lands known as Totagodakele; containing in extent 18 acres and 17 perches.

3. An undivided  $\frac{2}{3}$  of  $\frac{1}{2}$  part or share from and out of all that allotment of paddy field called and known as Galpottagoda-addarakumbura, situated at Kandegoda aforesaid; and bounded on the north by land in P. P. 136,340 and the main drain (Dapa-ela), and on the north-east by Batadombagahaduwa, on the east by land in P. P. 136,339, Batadombagahaduwa, and Katuwabendahena, on the south-east by Batadombagahaduwa and Katuwabendahena, on the south by Niyakolahenegovipola alias Galparaudumulla, Galpottagodakele and the land in P. P. 136,341, south-west by Galpottagodakele, on the west by Galpottagodakele, lands in T. P. 136,341 and 136,340 and Gingaha-ela, and on the north-west by Gingaha-ela; and containing in extent 8 acres 3 roods and 22 perches.

4. An undivided  $\frac{2}{3}$  of  $\frac{1}{2}$  part or share from and out of all that allotment of land called and known as Batadombagahaduwa and of all the trees and plantations, standing thereon and depicted in T. P. 228,328, situated at Rantotawila aforesaid; and bounded on the north by the lands in T. Ps. 136,342 and 136,339, and on the east by lands in T. P. 136,339, on the south by lands in T. Ps. 136,339 and 136,342, on the west by land in T. P. 136,342; containing in extent 2 acres 3 roods and 15 perches.

5. An undivided  $\frac{2}{3}$  of an undivided  $\frac{3}{36}$  and  $\frac{1}{72}$  parts or shares from and out of all that allotment of land called and known as Landusigewatta and of all the trees and plantations standing thereon, situated at Pahurumulla aforesaid; and bounded on the north by Natanagepahalawatta, on the east by Malalagemahawatta, south by Malalagebogahawatta, and on the west by Hunukotuwegawatta of the Goigama people and Hunukotuwe of the dhobies; containing in extent 2 acres.

6. An undivided  $\frac{2}{3}$  part or share of an undivided  $\frac{5}{14}$  and  $\frac{1}{24}$  from and out of all that allotment of paddy field called and known as Totakumbura, situated at Haburugala aforesaid; and bounded on the north by Karijjadiyadda, east by Delgahawela, on the south by Sirimanageliyadda, on the west by Godatotakumbura; containing in extent about 2 pelas of paddy sowing.



7. An undivided  $\frac{3}{8}$  of an undivided  $\frac{9}{14}$  and  $\frac{1}{24}$  part or share from and out of all that allotment of paddy field called and known as Thupphigekumbura, situated at Tunduwelyaya in Haburugala aforesaid; and bounded on the north by Veralakumbura, on the east by Kuttikumbura, on the south by Thupphigekumbura of Kumara De Silva and others, and on the west by Gingahakumbura and Digahakumbura; containing about 2 kurunies of paddy sowing extent.

8. An undivided  $\frac{3}{8}$  part or share of an undivided  $\frac{1}{12}$  of the soil and soil share trees and of an undivided  $\frac{1}{4}$  of the planter's share of all that allotment of land called and known as Horagewatta, situated at Pita-aramba or Angagoda aforesaid; and bounded on the north by Malagewalwatta, east by high road, south by Anangiyawatta and Ganchipedigewatta, and on the west by low land (pattiya) and Panchipedigewatta; containing in extent 1 rood and 24  $\frac{1}{4}$  perches.

9. An undivided  $\frac{3}{8}$  part or share of an undivided  $\frac{1}{12}$  of all that allotment of land called and known as Janchipedigewatta *alias* Radagewatta and of all the trees and plantations standing thereon, situated at Pita-aramba or Angagoda aforesaid; and bounded on the north by Koragewatta and low land (pattiya), on the east by Ratmalane Appuhamylagewatta, on the south by Hettiarachchigewatta, and on the west by Hundawatta; containing in extent about 1 acre and 24 perches.

10. An undivided  $\frac{3}{8}$  part or share of an undivided  $\frac{1}{12}$  of all that allotment of land called and known as Janchipedigewatta-addarapaththiya and of all the trees and plantations standing thereon, situated at Pita-aramba or Angagoda aforesaid; and bounded on the north by Malalagekanatiya, east by Koragewatta, south by Janchipedigewatta, and on the west by field; containing in extent 1 acre.

11. An undivided  $\frac{1}{4}$  parts or shares of an undivided  $\frac{1}{4}$  and  $\frac{1}{5}$  of all that allotment of field called and known as Kudakurulekumbura and of everything standing thereon, situated at Elakake aforesaid; and bounded on the east by Malalagoda-addarakumbura of Don Hendrick Jayasekera, and on the south-east by Mahakulakumbura of L. Don Hendrick and others, on the south-west by Kurundugahaliyadda of Don Bastian Jayasekera and others, and on the west by footpath; containing in extent 3 roods and 34 perches.

12. An undivided  $\frac{1}{16}$  part or share from and out of all that allotment of land called and known as Totayawatta and of all the trees and plantations of the soil share thereof, situated at Haburugala aforesaid; and bounded on the north by Andukerawa, on the east by Crown land, south by Crown land and Witanagewatta, and on the west by paddy fields; containing in extent about 11 acres and 2 roods.

13. All that undivided  $\frac{1}{4}$  of the remaining soil 15 cubits building and other buildings and everything thereto on the northern side,  $\frac{1}{2}$  share or allotment of the land called Harankahawatta after excluding therefrom undivided extent of ground of 696 square feet sold previously, situated at Pahurumulla *alias* Malalagoda aforesaid; and bounded on the north and east by Lansigewatta, south by the southern allotment of the same land Harankahawatta, and west by high road; and containing within the said boundaries about 1 acre in extent.

14. An undivided  $\frac{1}{4}$  part or share of the entire southern part or allotment Dehigahawatta to the eastern side of the road of the said land called Hunukotuwewatta, situated at Pahurumulla aforesaid; and bounded on the north by Radagehunukotuwewatta *alias* wall of the house of Don Hendrick de Silva Abeynayake, east by Ladusingewatta, south by land called and marked herein as No. 1, and on the west by high road; containing within these boundaries about  $\frac{1}{4}$  acre.

Writ amount Rs. 2,500, with legal interest thereon from the date of decree till payment in full, and costs Rs. 165.57 plus Rs. 26.95.

Fiscal's Office,  
Galle, February 2, 1931.

E. F. EDIRISINGHE,  
Deputy Fiscal.

In the District Court of Galle.

A. Gunasekara of Nagahatenna estate, Elpitiya,  
and another ..... Plaintiffs.  
No. 27,693. 27 Vs.

Mrs. Johannes Ladduwahetty of Gonagala, Induruwa ..... Defendant.

NOTICE is hereby given that on Saturday, March 7, 1931, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

All those an undivided  $\frac{1}{160} + \frac{71}{360}$  part or share of the land called and known as Puchinawala, Tennapitahena, in extent 251 acres 3 roods and 14 perches, situate at Embalagedara in Hinidum pattu, Galle District; bounded on the north by Danawala Gamima and Ime-ela, east by Mavita Gamima and Ranketa-ela, south by Andanagala Okanda sold by Crown, reservation for a road, Andanagala Okanda sold by Crown, Andanagala Okandakumbura claimed by E. Don Pedris and others, west by Imaihalahenyaya belonging to Crown, Tennapitahene-ela and Danwala Gamima.

Writ amount Rs. 1,212.60, with legal interest on Rs. 1,079 from May 1, 1920.

Fiscal's Office, E. F. EDIRISINGHE,  
Galle, February 2, 1931. Deputy Fiscal.

In the District Court of Galle.

(1) K. P. Periya Nadar and 3 others, all of Ambalangoda, carrying on business under the name, style, and firm of Messrs. K. P. Periya Nadar & Bros. of Ambalangoda ..... Plaintiffs.

No. 29,234. 27 Vs.

A. S. Wimalasuriya of Elpitiya ..... Defendant.

NOTICE is hereby given that on Saturday, February 28, 1931, at 3 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. :—

An undivided  $\frac{1}{2}$  part of the soil and of soil share trees and the entirety of the newly built tiled and white-washed house standing thereon of the land called Ambagahawatta-addarakele; containing 1 acre and 7 perches in extent, situated at Batuwahena in Bentota-Walallawiti korale; and bounded on the north by land appearing in plan No. 137,357 Crown land and lot No. 558 in P. P. No. 1,241, east by lot No. 557 in P. P. No. 1,241 and lands appearing in plans Nos. 219,735 and 219,736, south by lot No. 9,897 in P. P. 1,241, and on the west by land appearing in plan No. 137,357.

Writ amount Rs. 1,258.99, with interest on Rs. 1,185.07 at the rate of 9 per cent. per annum from November 28, 1930.

Fiscal's Office, E. F. EDIRISINGHE,  
Galle, February 3, 1931. Deputy Fiscal.

In the District Court of Matara.

Jayawickrama Abeygunawardene Don Cornelis Appuhamy of Pitabeddara ..... Plaintiff.  
No. 3,834. 25 Vs.

(1) Ahamadu Lebbe Marikkar Mahammadu Ibrahim of No. 39, Fort, Galle and (2) S. M. Junaidu of Andikandehena at Pitabeddara ..... Defendants.

NOTICE is hereby given that on Saturday, February 28, 1931, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of a sum of Rs. 587.39, less a sum of Rs. 47.96 recovered, viz. :—

(1) An undivided  $\frac{1}{4}$  share of the soil and trees and buildings of the defined lot No. 1 of lot B of the land called Andikandehena *alias* Kudakandehena, situated at

Pitabeddara in the Morawak korale of the Matara District, Southern Province; and which said lot No. 1 is bounded on the north by lot reserved for the road, east by lot No. 2 in plan No. 2,799B, south by lots 40 1/2 and 57 in preliminary plan No. 8; and west by lot A of Tennehewatta; and containing in extent 72 acres 1 rood and 38 perches.

(2) An undivided 1/4 share of the soil and trees and buildings of lot No. 4 of the land called Andikandehena alias Kudakandehena aforesaid; and which said lot is bounded on the north and north-east by portion reserved for a road and on all the other sides by lot No. 3 in plan No. 2,729B; and containing in extent 1 1/2 acres. (Both the properties are subject to a mortgage on bond No. 390 of October 15, 1925, attested by C. L. Wickramasingha, Notary Public, and the decree in case No. 26,318 of the District Court of Galle.)

Deputy Fiscal's Office, E. T. GOONEWARDENE, Matara, January 29, 1931. Deputy Fiscal.

In the District Court of Matara.

M. H. Barnis de Silva of Gandara ..... Plaintiff. No. 3,253. Vs.

(1) Tuppahibaduge Nona, wife of (2) Thenuwarahennedige Appu Singha, (3) Tuppahibaduge Babanona, wife of (4) Yachewage Appusingho, all of Gandara, (5) Tuppahibaduge Mensiriona of ditto, wife of (6) Sellahewage Uparis Appu of Hakmana, (7) T. B. Charles Wijesiri of Magalla, Galle, (8) Caroline Jayawickrama of Fort, Galle, (9) T. B. Jayawickrama, Peter de Silva, both of Fort, Galle, (14) Thenuwarahennedige Sentis Singho, (15) ditto William Singho, (16) ditto Peeris Singho, (17) ditto Alice Nona, (18) ditto Nonahamy 2, 14th-18th defendants are heirs of deceased 1st defendant substituted, 14th-18th are minors represented by their guardian ad litem the 2nd defendant, ..... Defendants.

NOTICE is hereby given that on Tuesday, March 3, 1931, commencing at 2 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the defendants in the following property for the recovery of a sum of Rs. 1,008.05 :-

All the soil and trees, together with all the buildings thereon, of the divided lot B of the southern 1/2 of the land called Nugagahawatta, situated at Gandara in the Wellaboda pattu of the Matara District, Southern Province; which said lot B is bounded on the north by lot A of the same land, east by Tennehena, south by Gallegehena alias Thomissegewatta, west by footpath; and containing in extent 2 roods and 37 perches.

Deputy Fiscal's Office, E. T. GOONEWARDENE, Matara, February 3, 1931. Deputy Fiscal.

In the District Court of Matara.

Miss Charlotte Evelyn Mewiling of Fort, Matara ..... Plaintiff. No. 4,231. Vs.

Wilmot Balasuriya, Proprietor Matara ..... Defendant.

NOTICE is hereby given that on Saturday, March 21 1931, commencing at 2 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 for the recovery of a sum of Rs. 994.20, with legal interest from December 10, 1930, till payment in full, viz. :-

All that lots marked 5c6, 5c8, and 5H12 of the land called Vitiyalagodakele, situated at Beragama in the Kandaboda pattu of the Matara District, Southern Province; and bounded on the east and south by Kitullele estate, and north and west by Crown jungle; and containing in extent about 4 1/2 acres.

Deputy Fiscal's Office, E. T. GOONEWARDENE, Matara, February 2, 1931. Deputy Fiscal.

In the District Court of Matara.

(1) Mary Jane Silva, assisted by her husband Rev. J. E. Silva of Tangalla ..... Plaintiff. No. 5,423. Vs.

Catherine Emily Samatilleke Dodanwala, Colamba Walaiwa, Galle ..... Defendant.

NOTICE is hereby given that on Thursday, March 5, 1931, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following mortgaged property for the recovery of a sum of Rs. 3,618.75, with legal interest on Rs. 3,300 from December 10, 1930, till payment in full. -

1. All the trees and soil of, and all the buildings caused to have been built by the defendant on, Delgahakumburehena alias Millagasmullehena, situated at Molodduwa, in the Gangaboda pattu of the Matara District, Southern Province; and bounded on the north by Delgahakumbura and Millagasmulla, east by Delgahakumbura and Attikkagahakoratuwa, south by Attikkagahakoratuwehena; and on the west by Udakaludetta; and containing in extent 2 acres 2 roods and 26 perches.

2. The planter's half share of 7 jak trees and of 17 arecanut trees, and an undivided 43/80th parts of the soil and of the remaining fruit trees of Udakaludettehena, situated at Molodduwa aforesaid; and bounded on the north by Meheragasmullehena, east by Kahatagahawatta, south by Nagahakumburehena, and on the west by high road; and containing in extent about 1 acre and 2 roods.

3. An undivided 1/20 part of the fruit trees and soil (save and except planter's 1/4 share of the fruit trees of the 2nd plantation) of Kahatagahakoratuwa, situated at Molodduwa aforesaid; and bounded on the north by Meheragasmullehena, east by Mahakumbura, south by Dehigahawatta alias Geeganagewatta, and west by Udakaludettehena; and containing in extent 2 acres.

Deputy Fiscal's Office, E. T. GOONEWARDENE, Matara, January 31, 1931. Deputy Fiscal.

In the District Court of Matara.

Emaliya de Saa Abeyssekera Kodippily Lama Etani and husband, both of Meddewatta ..... Plaintiffs. No. 6,922. Vs.

(4) Godwin de Fonseka, Havelock town, Colombo ..... Defendant and debtor. Weerawarna Nilawarna Ranganathandige Karanchi Appu of Gandara, plaintiff in C. E., case No. 14,011 ..... Creditor.

NOTICE is hereby given that on Saturday, March 7, 1931, commencing at 4 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said 4th defendant in the following property for the recovery of a sum of Rs. 750, viz. :-

All that the soil and trees, together with all the buildings thereon, of the divided lot E of the land called Indikossewatta, situated at Gandara in the Wellaboda pattu of the Matara District, Southern Province; and which said lot E is bounded on the north by Mahapaluwatta, Andrahennedigewatta, Nelligahawatta, Andrahennedigewatta, Heenagewatta, Mahawatta, east by Tennakoonwatta, south by lots A, B, C, D or Gansabhawa road, and west by Punchipaluwatta; and containing in extent 4 acres 1 rood and 38.2 perches.

Deputy Fiscal's Office, E. T. GOONEWARDENE, Matara, January 28, 1931. Deputy Fiscal.

In the District Court of Galle.

A. L. R. M. S. Ramanathan Chettiar of Galle, presently in India ..... Plaintiff. No. 28,721. Vs.

(1) M. L. Mohamadul Assim and (2) M. L. M. Buhari, both of Dikwella ..... Defendants.

NOTICE is hereby given that on Saturday, March 7, 1931, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the

following property for the recovery of a sum of Rs. 720.76, with legal interest from September 24, 1930, and costs of suit, Rs. 48.92, viz.:—

(1) All that the soil and trees of the divided eastern  $\frac{3}{4}$  portion of the land called Netolgahawatta, situated at Dikwella in the Wellaboda pattu of the Matara District, Southern Province; and which said portion is bounded on the north by Palliyewatta, east by Hettiyagevatta, south by Patangiawatta, and west by the remaining portion of this land lying 4 yards towards the west of the house of 17 cubits standing on this property, together with the buildings thereon, and containing in extent about  $\frac{3}{4}$  of an acre.

(2) All that undivided 49/84 parts or shares of the soil and trees of the divided western  $\frac{1}{4}$  portion of the land called Netolgahakoratuwa, situated at Dikwella afore-said; and which said portion is bounded on the north by Palliyewatta and Kalugewatta, east by a portion of this land, south by Patangiawatta, and west by Kutapuwatta; and containing in extent about 1 rood.

Deputy Fiscal's Office, E. T. GOONEWARDENE,  
Matara, January 28, 1931. Deputy Fiscal.

In the District Court of Galle.

P. L. R. M. M. Manikkawasagam Chettiar of Galle,  
presently in India ..... Plaintiff.  
No. 28,849. Vs.

S. M. L. Mohamed Cassim of Matara ..... Defendant.

NOTICE is hereby given that on the following days, at the hours and places specified below will be sold by public auction the right, title, and interest of the said defendant in the following property for the recovery of a sum of Rs. 2,158.75, with legal interest thereon from September 30, 1930, till payment in full, and Rs. 73.92 for costs:—

On Monday, March 2, 1931, at 2 p.m. at this office.—  
The right title and interest of the defendant in and to mortgage bond No. 64, dated June 25, 1928, and attested by Mr. W. D. Ariyaratne, Notary Public of Matara, for a sum of Rs. 1,500, with interest thereon at the rate of 18 per cent. per annum from June 25, 1928, till payment in full, in respect of the following property, viz.:—

(1) All that undivided 1/24 part or share of the soil and paravani trees of the land called Ankendagodawatta, situated at Kahagala-akurugoda in the Gangaboda pattu of the Matara District, Southern Province; and bounded on the north by Diwela and Deira, east by the village limit of Kahagala, south by Nilajjahamulla and kumbura, and on the west by Nekatigekumbura and high road, and containing in extent about 5 acres, together with the stone built 9 cubit tiled house standing on the western side of the said land facing the high road, and the thatched kitchen adjoining the said house, the well, the cattle yard and the latrine, and an undivided  $\frac{1}{4}$  part of the planter's  $\frac{1}{2}$  share of the 3rd plantation and an undivided  $\frac{1}{4}$  part of the planter's  $\frac{1}{2}$  share of the 2nd plantation standing on the said land and all the buildings that will in the future be erected on the said land.

(2) On Saturday, March 14, 1931, at 2 p.m. at the premises.—The entire soil and fruit trees of the land called Joolgahakoratuwa, bearing assessment No. 216, (together with all the buildings standing thereon), situated at Kottiwageda within the Four Gravets of Matara, Matara District, Southern Province; and bounded on the north by river, east by road to the river, south by high road, and on the west by a portion of the same land; and containing in extent about  $\frac{1}{4}$  of an acre.

Deputy Fiscal's Office, E. T. GOONEWARDENE,  
Matara, February 2, 1931. Deputy Fiscal.

In the District Court of Tangalla.

Nakulugamuwegamage Don Juwanis Appuhamy  
of Ihalabeligalla ..... Plaintiff.  
No. 3,086. Vs.

Yatilaga Doremure Badalpe Menilhamy of Ihala-  
beligalla and another ..... Defendants.

NOTICE is hereby given that on Thursday, February 26, 1931, 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 mortgaged with the plaintiff, viz.:—

At Ihalabeligalla.

(1) Undivided  $\frac{1}{2}$  share and  $\frac{1}{4}$  share of all the soil and fruit trees and of the 9 cubit tiled house standing thereon, of the land called Talahena, in extent 1 acre 2 roods and 12 perches, situated at Ihalabeligalla in West Giruwa pattu of Hambantota District; and bounded on the north by allotment of land No. 70, east by the allotment of land No. 70L, south by the allotment of lands Nos. 50 and 49, and on the west by the allotment of land No. 7v. Valuation Rs. 1,400.

(2) Undivided 13/16 shares of the soil and fruit trees of the land called Pinnehenekella, in extent 3 acres 3 roods and 20 perches, situated at Ihalabeligalla; and bounded on the north by the allotment of land No. P7, east by the allotments of lands Nos. 13 and 12, south by the allotments of lands Nos. 7M and 7L, and on the west by the allotment of land No. 70. Valuation, Rs. 1,200.

Writ amount Rs. 954.41, with legal interest on Rs. 812.10 from November 21, 1930, and poundage.

Deputy Fiscal's Office, A. L. M. NOOR MOHAMED,  
Tangalla, February 2, 1931. Additional Deputy Fiscal.

In the District Court of Tangalla.

Hettihewage Podinona of Beliatta ..... Plaintiff.  
No. 3,180. Vs.

Naimana Vidanage Jandishamy of Getamanna ..... Defendant.

NOTICE is hereby given that on Saturday, February 28, 1931, commencing 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 at Getamanna, viz.:—

(1) All the soil and fruit trees of lot A which is a subdivided portion of lot B of the land called Delgahawatta alias Kondaramagewatta, situated at Getamanna in West Giruwa pattu of Hambantota District; bounded on the north by the path along Wewagawawatta and main road, on the east by lot B of the same land, south by Bataakulehena, and west by portion of this land partitioned in D. C., Tangalla case No. 1,837; containing in extent 1 acre 2 roods and 19 perches. Valuation Rs. 1,000.

(2) All the soil and fruit trees and the 7 cubits thatched house standing thereon of lot B which is a subdivided portion of lot B of the land Delgahawatta alias Kondaramagewatta, situated at Getamanna; and bounded on the north by Webodapurana, east by lot C of this land, south by Bataakulehena and Ketakalagahawatta, and west by lot A of this land; containing in extent 1 acre 2 roods and 18 perches. Value Rs. 1,000.

Writ amount Rs. 1,470 with legal interest on Rs. 1,200, from December 22, 1930, and poundage.

Deputy Fiscal's Office, A. L. M. NOOR MOHAMED,  
Tangalla, January 31, 1931. Additional Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

Sithamparappillai Sangarappillai of Karaitivu  
West ..... Plaintiff.  
No. 22,399. Vs.

Kanther Ampalavanat of Karaitivu West ..... Defendant.

NOTICE is hereby given that on Saturday, February 28, 1931, at 3 o'clock in the afternoon, will be sold by public auction at the respective spots the right, title, and interest of the said defendant in the following property for the recovery of Rs. 50 as damages for ouster and further damages at Rs. 50 a year from February 22, 1927, till possession is restored and costs Rs. 374.12, poundage and charges, viz.:—

1. A piece of land situated at Thankodai in Karaitivu West, Karaitivu parish Islands division of the Jaffna District, Northern Province, called Pallampamudaiyanseema and Chempadu; containing in extent  $\frac{1}{2}$  lachams varagu culture; and bounded on the east by the property of Kanapathy, on the north by the

property of Ampalavanar, on the west by lane, and on the south by the property of Sankarappillai.

2. A piece of land situated at Thankodai as aforesaid Nonkiliya Vathai and Aththai, containing in extent 27 lachams p. c.; and bounded on the east by the property of Sanmugam and shareholder and two others, on the north by the property of Ampalavanar and two others; on the west by the property of Eladchumy and another, and on the south by the property of Sankarappillai and two others.

3. A piece of land situated at Thankodai as aforesaid called Kallikkadu, containing in extent 4 lachams p. c.; and bounded on the east by the property of Thankamuttu, on the north by the property of Kandiah, on the west by the property of Packiam, and on the south by the property of Samuel.

4. A piece of land situated at Thankodai as aforesaid called Kaliyanai, containing in extent 3½ lachams varagu culture, with well cultivated and spontaneous plants; and bounded on the east by the property of Veluppillai and another, on the north by the property of Kanther and another, on the west by lane, and on the south by the property of Arumugam.

5. A piece of land situated at Thankodai as aforesaid called Pallampanthamudaiyanseema and Chempadu, containing in extent 3 lachams varagu culture with well, houses, cultivated and spontaneous plants; and bounded on the east by the property of Kanapathy and another, on the north by the property of Arumugam and shareholders, on the west by lane, and on the south by the property of Ampalavanar.

6. A piece of land situated at Thankodai as aforesaid called Urumathadai, containing in extent 1 lacham varagu culture with palmyras and Vadalias; and bounded on the east by the property of Kanapathy, on the north and west by the property of Sankarappillai, and on the south by the property of Pary.

Second to 6th lands are said to be under mortgage.

Fiscal's Office, S. THURAIYAPPAH,  
Jaffna, January 28, 1931. Deputy Fiscal.

In the District Court of Jaffna.

(1) Edward Mather, (2) W. E. D. Mather, both of Jaffna carrying on business under the name firm, and style of Edward Mather and Son . . . . . Plaintiffs.  
No. 25,316. Vs.

(1) Vaithiyalingam Sanmugam of Navaly, (2) Arumugam Kandiah of Navaly in his capacity as administrator of the estate of the late R. Thyalanayagy of Navaly . . . . . Defendants.

NOTICE is hereby given that on Friday, February 27, 1931, at 10 o'clock in the forenoon, will be sold by public auction at the Fiscal's Office, Jaffna, the right, title, and interest of the said 2nd defendant in the following property for the recovery of Rs. 4,546.35, with interest thereon at the rate of 9 per cent. per annum from May 23, 1930, poundage and charges, viz. :—

The right, title, claim and demand whatsoever of the late Thaiyalnayagy, wife of Nagalingam Ramachandran, in and to a mortgage bond executed by Moothathambay Vairamuttu Arumugam and wife Annapillai of Navaly in favour of the 2nd defendant Thaiyalnayagy, wife of Nagalingam Ramachandran of Vannarponnai West for Rs. 2,500 with interest thereon at 9 per cent. per annum from December 5, 1918, and attested by Mailyaganam Daniel Gnanamuttu, Notary Public, Navaly, under No. 2,334, dated December 5, 1918.

Fiscal's Office, S. THURAIYAPPAH,  
Jaffna, February 2, 1931. Deputy Fiscal.

In the District Court of Jaffna.

(1) Edward Mather, (2) W. E. D. Mather, both of Jaffna carrying on business under the name firm, and style of Edward Mather and Son . . . . . Plaintiffs.  
No. 25,316. Vs.

(1) Vaithiyalingam Sanmugam of Navaly, (2) Arumugam Kandiah of Navaly in his capacity as administrator of the estate of the late Ramachandran Thyalanayagy of Navaly . . . . . Defendants.

NOTICE is hereby given that on Saturday, February 28, 1931, at 10 o'clock in the forenoon, will be sold by

public auction at the respective spots the right, title, and interest of the said late Ramachandran Thaiyalnayagy in the following property for the recovery of Rs. 4,546.35 with interest thereon at the rate of 9 per cent. per annum from May 23, 1930, poundage, and charges, viz. :—

(1) A piece of land situated at Navaly in Manipay parish, Valigamam West division of the Jaffna District, Northern Province, called "Manakkai," containing in extent 12 lachams p. c. with well; and bounded or reputed to be bounded on the east by the property of Sivanayagy, wife of Jagarasasingam, on the north by Dutch road, on the west by the property of the heirs of Kanapathipillai Rajaku soorear, and on the south by the property of Nannian Ramalingam.

2. A piece of land situated at Navaly as aforesaid called "Koppiyan"; containing in extent 12½ lachams varagu culture with well, cultivated and spontaneous plants; bounded on the east by property of Velayuthan Marimuttu, on the north and west by lane, and on the south by the property of Ramalingam Chelliah.

Fiscal's Office, S. THURAIYAPPAH,  
Jaffna, February 2, 1931. Deputy Fiscal.

### Eastern Province.

In the District Court of Batticaloa.

In the matter of the estate of the late Nooguthambay Hadjiar, son of Naina Mohamadu of Kailpatnam, deceased . . . . . Plaintiff.

Testamentary Vs.  
Case No. 277.

Segu Abdull Cader Mohamadu Saibo of Puliantivu . . . . . Defendant.

NOTICE is hereby given that on Saturday, February 28, 1931, at 10 o'clock in the forenoon, will be sold by public auction at the Oddamavady market, the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,259.20 due as balance, estate duty with interest thereon at 4 per cent. per annum from June 21, 1930, viz. :—

The paddy land lot No. 3247 called Porucan Munmari, situated at Muravodai in Koralai pattu, Batticaloa District, Eastern Province; and bounded on the north by the property belonging to Nagalingham, south by the land called Porucan Munmari belonging to the Crown, east by the land mentioned in plans Nos. 159,518 and 159,519, west by the land mentioned in plan No. 148,702; containing in extent 14 acres 1 rood and 2 perches with all its rights.

Fiscal's Office, K. SOMASUNDERAM,  
Batticaloa, February 2, 1931. Deputy Fiscal.

### North-Western Province

In the Additional Court of Requests, Kurunegala.

R. W. Patirana of Kurunegala . . . . . Plaintiff.  
No. 5,432. Vs.

Mutunayakedurayalage alias Pooladurayalage Saiya of Gettuwana . . . . . Defendant.

NOTICE is hereby given that on Monday, March 2, 1931, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 173.55 with legal interest thereon from February 18, 1930, till payment in full, and poundage, viz. :—

(1) An undivided ¼ share of the high and low lands called Konmadepitiyakumbura of about 15 lahas paddy sowing extent and its adjoining Pillewa, now garden of about 15 lahas of paddy sowing extent, situate at Gettuwana in Mahagalboda Meeoda korale of Weudawilli hatpattu in the District of Kurunegala, North-Western Province, and bounded on the north by garden of Mutuwa and Lindalangakarandagaha, east by ridge on which the kon tree stands of Weedepelekumbura belonging to Ponna, south by field of Dinga, now garden, west by circular road.

(2) An undivided  $\frac{1}{2}$  share of Pahalakonmadekumbura of about 2 pelas paddy sowing extent, situate at Gettuwana aforesaid; and bounded on the north by Mahawewa, east by field of Tenna, south and west by field of Dinga.

(3) An undivided  $\frac{1}{2}$  share of Konmadewatta of about 2 lahas kurakkan sowing extent, situate at Gettuwana aforesaid; and bounded on the north by fence of Pitiyewatta of Dinga, east by field, south by field, west by Circular road.

(4) An undivided  $\frac{1}{2}$  share of Konmadekumbura of about 2 pelas paddy sowing extent, situate at Gettuwana aforesaid; and bounded on the north by liminary ridge of another field of Dinga, east by Kahatagahadalupotha and land belonging to Pansala, south by liminary ridge of the field of Ukkuwa, west by Konmadewatta.

(5) An undivided  $\frac{1}{2}$  share of Gedaragawawela of about 15 lahas paddy sowing extent, situate at Gettuwana aforesaid; and bounded on the north by fence of the field of Aruma, east by Diulgahamulakumbura, south by field of Lapaya, west by field of Sewwa and others.

Fiscal's Office, A. BASNAYAKE,  
Kurunegala, January 30, 1931. Deputy Fiscal.

In the District Court of Kurunegala.

S. P. A. V. Annamalay Chettiar by his attorney  
Rawanna Mana Dharmalingam Pulle of Kurunegala..... Plaintiff.

No. 11,855. Vs.

(5) K. N. K. S. Sappah Pulle of Kurunegala and others..... Defendants.

NOTICE is hereby given that on Tuesday, March 3, 1931, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 5th defendant in the following property for the recovery of the sum of Rs. 684.93 with further damages at the rate of Rs. 40 per annum from November 22, 1930, till plaintiff is restored to possession and poundage, viz.:

All that land called Elabadayaya and Henyaya, Kolongahamulahena, Bogahamulahena, Kolongahayehena and Kolongahayaye-elhena, all forming one property and now garden, situate at Bakmeegolla and Bolagama villages in Ihalawisideke korale of Hiriyala hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north and north-east by high road and ela, east by ela, south-west by land of Hajji Lebbe and Manel Appuhamy of Bolagama and Mineemerukumbura of Perera, containing in extent about 50 acres.

Fiscal's Office, A. BASNAYAKE,  
Kurunegala, January 30, 1931. Deputy Fiscal.

In the District Court of Kurunegala.

S. T. K. N. S. R. M. Ramanadan Chettiar of Kurunegala..... Plaintiff.

No. 15,462. Vs.

G. E. Abeysinghe of Gampola, presently of Kurunegala..... Defendant.

NOTICE is hereby given that on Friday, February 27, 1931, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 11,893.75 with further interest on Rs. 11,000 at 15 per cent. per annum from April 11, 1930 to November 17, 1930, and thereafter legal interest on the aggregate amount till payment in full and costs of suit and poundage, viz.:

Kohombagahalande Estate, situate at Meewewa Kohombagahalande, Meewewa Ullalagedara, Meewewa Bemmullegedara, Meewewa Pathiradamulla, and Ullalagedara villages in Dambadeni Udukaha korale west of Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by field of Charlis and oya, east by field of Juwan Naide and others, field of Ranhamy, garden of Ranhamy, Belinchagahamulawatta of Ukku Menika and Brampy Singho, garden of Menuhamy, oya garden of Ranhamy, field of Gunamal Etana, garden of the late Ukkuhamy, field of Dingiri Appu and Punchirala, south by garden of Podiya and others, and on the west by the garden of

Podiya and others and garden of Appuhamy, containing in extent 28 acres 2 roods and 33 perches. Registered in F 265/245.

The above property is under seizure under District Court, Kurunegala, writ No. 15,476 and 15,411.

Fiscal's Office, A. BASNAYAKE,  
Kurunegala, January 29, 1931. Deputy Fiscal.

In the District Court of Kurunegala.

S. P. K. S. Karuppen Chettiar, (2) S. P. K. S. Sockalingam Chettiar, both of Kurunegala..... Plaintiffs.

No. 15,476. Vs.

G. E. Abeysinghe of Gampola presently of Kurunegala..... Defendant.

NOTICE is hereby given that on Wednesday, March 4, 1931, 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 for the recovery of the sum of Rs. 5,308.75, with further interest on Rs. 5,000 at the rate of 15 per cent. per annum from November 10, 1930, to November 17, 1930, and thereafter legal interest on the aggregate amount till payment in full and poundage, viz.:

1. Kohombagahalande Estate, situate at Meewewa, Meewewa Kohombagahalande, Meewewa Ullalagedara, Meewewa Bemmullegedara, Meewewa Pathiradamulla, and Ullalagedara villages in Dambadeni Udukaha korale west of Dambadeni hatpattu, in the District of Kurunegala, North-Western Province; and bounded on the north by field of Charlis and oya, east by field of Juwan Naide and others, field of Ranhamy, garden of Ranhamy, Belinchagahamulawatta of Ukkuhenika and Brampysingho, garden of Menuhamy, oya, garden of Ranhamy, field of Gunamal Etana, garden of the late Ukkuhamy and field of Dingiri Appu and Punchirala, south by garden of Podiya and others, and on the west by the garden of Podiya and others, and garden of Appuhamy, containing in extent 28 acres 2 roods and 33 perches. Registered in F 265/245.

2. At 1 p.m.—All that land called Wattedgamawatta, situate at Wattedgama in Giratalana korale of Dewameeli hatpattu; in the District aforesaid and bounded on the north by village limit of Dothella and village limit of Hunnelembuwa, south by Kongahakumbura and amuna, east by village limit of Madulla, Gansabhawa road and Pinkumbura, west by village limit of Hunnelembuwa, containing in extent about 50 acres.

The 1st land is under seizure under District Court, Kurunegala, Nos. 15,462 and 15,411.

Fiscal's Office, A. BASNAYAKE,  
Kurunegala, February 3, 1931. Deputy Fiscal.

In the District Court of Kurunegala.

S. R. M. M. A. Kumarappa Chetty of Kurunegala..... Plaintiff.

No. 15,537. Vs.

(1) S. A. S. Seiyadu Mohammedu of Dambokka in Tiragandahe korale west of S. A. M. Hamedu Mohideen, (3) S. A. Ahamadu Meera Saidu both of Maraluwawa Estate, Maraluwawa, Kurunegala..... Defendants.

NOTICE is hereby given that on Saturday, February 28, 1931, at the times shown, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 2,541.25, with further interest on Rs. 2,500 at the rate of 16 per cent. per annum from December 12, 1930 to December 22, 1930, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs and poundage, viz.:

1. At 11 a.m.—All that and those the premises called and known as Maraluwawatta consisting of the 15 allotments registered in A 236/44 of the Kurunegala Land Registry in extent 40 acres according to the description in the said volume and folio situated at Maraluwawa of Mahagalboda Megoda korale in Weudawilli hatpattu, Kurunegala District, North-Western Province; and bounded according to the said description, on the north by the road to Pansala and land of Joseph Perera,

east by high road, south by land of Notary Abeyeagunaratne and land of Juwan Fernando, west by Andagala which said land is now called and known as Maraluwawagalpadikande Estate and is registered in A 339/83 of the said land Registry according to the said registration, the extent is 36 acres and 5 perches and the present northern boundary is Pansala road and field of Lazarus and the present southern boundary is garden of Dharmalingam Chettiar and the property of Notary Abeyeagunaratne.

2. At 12.30 p.m.—All that and those the tiled houses and premises now bearing assessment Nos. 12 and 13 and formerly Nos. 12, 13, 25, 26, and 27 in Bazaar street of Kurunegala town in Tiragudake korale of Weudawilli hatpattu in Kurunegala District of North-Western Province; and bounded on the east and north-east by lane, south by Main street, west by boundary wall of Isi Lebbe Marikkar's boutique marked Nos. 14 and 13, north by property of Bastian Silva, now of Paul Silva and part, boundary wall of Isi Lebbe Marikkar and registered in A 342/230 of the Kurunegala Land Registry; containing in extent about 24 perches.

3. At 2 p.m.—All that and those the premises called and known as Deniyewatta consisting of Polkotukandewatta of 19 lahas kurakkan registered in F 22/293 and Usgalagawahena, now garden of 3 lahas kurakkan, registered in F 54/109 forming together in extent 14 acres 2 roods and 35 perches; situated at Amunugama in Recopattu korale in Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by lots 76 and 77 in P. P. 1,492, east by lots 77 and 78 in P. P. 1,492, south by lots 79, 80, 82, 72, and 119A in P. P. 1,492, west by lots 73, 47, 46, and 76 in P. P. 1,492, and a road and registered in F 256/96 of the Kurunegala Land Registry.

Fiscal's Office,  
Kurunegala, February 2, 1931.

A. BASNAYAKE,  
Deputy Fiscal.

In the District Court of Negombo.

S. P. R. M. R. M. Ramanathan Chettiar of  
Negombo ..... Plaintiff.  
No. 3,453. Vs.

(1) Herathpathirannehelu, Punnay Sinno Appuhamy and another of Koswatta ..... Defendants.

NOTICE is hereby given that on Tuesday, March 17, 1931, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 566.65, with interest on Rs. 100 at 24 per cent. per annum from July 16, 1929, till September 17, 1929, and on Rs. 250 at 24 per cent. per annum from July 16, 1929, till September 17, 1929, and thereafter at 9 per cent. per annum till payment, and poundage:—

The land called Kolongahaowita, with the buildings and plantations standing thereon, situate at Koswatta in Meda palata of Pitigal korale south in the District of Chilaw, North-Western Province; and bounded on the north by land of Pintohamy and others, east by land of Arachchi Appuhamy, south by high road, and west by high road; containing in extent 1 acre and 2 roods.

Deputy Fiscal's Office,  
Chilaw, February 3, 1931.

F. G. DALPETHADO,  
Deputy Fiscal.

In the District Court of Colombo.

(1) Edgar Allan Vanderstraten, Flower road, Colombo, (2) Walter Horace Schokman of Matara ..... Plaintiffs.  
No. 39,561. Vs.

(1) Warnakula Weerasuriya Henry Fernando of Marawila, (2) Ona Lana Sena Kona Ramanathan Chettiar, (3) ditto Karappa Chettiar, both of 96, Sea street, Colombo ..... Defendants.

NOTICE is hereby given that on Saturday, March 21, 1931, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said first defendant in the following property mortgaged with the plaintiffs by bond No. 1,521, dated December 1, 1922; and attested by W. E. V. de Rooy of Colombo, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court, for the recovery of Rs. 13,000, with interest at 9 per cent. per annum from October 1, 1929, to November 5, 1930, and

thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, costs of suit and poundage. The following two contiguous allotments of land adjoining each other and now forming one estate and which from their situation as respects each other can be included in one survey, to wit:—

(1) All that allotment of land called Manaweriya-kattuwa in Kuda Manaweriya village in Anavilundan pattu of Pitigal korale north in the District of Chilaw, North-Western Province; and bounded on the north by reservation along Kuda Manaweriyawewa, east by reservation for a road and T. P. 202,952, south by reservation along the road, and west by reservation for a road; containing in extent 23 acres and 8 perches, according to the title plan No. 207,763, dated August 10, 1903.

(2) All that allotment of land called Manaweriyakele in Kuda Manaweriya village aforesaid; and bounded on the north by T. P. 207,763, east by T. P. 216,854, south by a road, and west by reservation for a road; containing in extent 2 acres 1 rood and 20 perches according to the title plan 216,853, dated September 16, 1904.

Deputy Fiscal's Office,  
Chilaw, February 3, 1931.

F. G. DALPETHADO,  
Deputy Fiscal.

North-Central Province.

In the District Court of Anuradhapura.

Mena Pena Reena Mena Mayyappa Chettiar of  
Anuradhapura ..... Plaintiff.  
No. 1,572. Vs.

Madana Saibu Muthu Sen Cader Umma of Anuradhapura ..... Defendant.

NOTICE is hereby given that on Saturday, March 7, 1931, at 4 o'clock in the evening, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 2,952.421, with interest on Rs. 2,816.85 at 9 per cent. per annum from July 29, 1930.

All that defined portion of land lot No. 473 in T. P. 134,587, situated in the Town of Anuradhapura in the District of Anuradhapura in the North-Central Province, which defined portion according to the figure of survey thereof No. 333 dated July 25, 1924, made by N. K. Muthuswamy, Licensed Surveyor, contains in extent 2 acres 2 roods and 10 perches; and is bounded on the north by channel and the remaining portion of lot No. 473, on the east by T. P. 134,566, on the south by the land of Kaliamma, and on the west by T. P. 134,588, with the buildings, trees, and plantations standing thereon.

Fiscal's Office,  
Anuradhapura, February 2, 1931.

W. S. JOSEPH,  
for Fiscal.

Province of Uva.

In the District Court of Badulla.

V. E. S. P. L. Letchimanam Chettiar of Badulla by  
his attorney V. Neelamegam of Badulla .... Plaintiff.  
No. 5,094. Vs.

B. M. Punchi Banda Basnayake of Yelverton estate,  
Badulla, presently of Patawatta estate, Madul-  
sima ..... Defendant.

NOTICE is hereby given that on Saturday, February 28, 1931, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,658.75, and interest, viz.:—

1. An undivided  $\frac{1}{2}$  share of the field called Waduwa alias Puwakgaha arawa, situated at Hanwellegama in Rilpola korale; and bounded on the north by ya, east by the ma of Deiyannearawa, south by water-course, west by Imaniyara of Galketiya; containing in extent 1 pela of paddy sowing.

2. An undivided  $\frac{1}{2}$  share of the field called Otalwekumbura bearing Nos. 1,584, 1,585, and 1,586, situated in the same village as aforesaid; and bounded on the north by oya, east and south by Imaniyara separating Siyatu Vederala's portion, west by the Imaniyara of the portion belonging to Korala; containing in extent 15 kurunies of paddy sowing.

3. All that eastern  $\frac{1}{2}$  share of the land called Banneka-gederawatta, situated in the same village as aforesaid; and bounded on the north by high road, east by high road and live fence, separating Silva's land, south by Karandagaswattagalweta, west by the land belonging to Wesleyan Mission and Arnolis Appuhamy and live fence; containing in extent about 5 kurunies of kurakkan sowing, together with an undivided eastern  $\frac{1}{4}$  share of the building standing thereon.

4. An undivided  $\frac{1}{2}$  share of the land called Karandagaswatta, situated in the same village as aforesaid, containing in extent 2 kurunies of kurakkan sowing; and bounded on the north and south by stone fence, east and west by live fences.

5. The field called Galketiye-kumbura bearing No. 1,624, containing in extent 2 pelas of paddy sowing, situated in the same village as aforesaid; and bounded on the north by the limit of Ellunkumbura, east by Hewaliya of Mahagalketiya, south by channel, west by limit of Henaya's field.

6. The land called Kannawatta of 3 roods and 12 perches in extent, situated in the same village as aforesaid; and bounded on the north by channel, east by lots G 451 and W 451 in P. P. 3,140 and a road, south by lot E 452 in P. P. 3,140, and west by lots D 452 and U 451 in P. P. 3,140 and a road.

Fiscal's Office, H. C. WIJESINHA,  
Badulla, February 3, 1931. Deputy Fiscal.

Province of Sabaragamuwa.

In the Court of Registrars of Kegalla.

Yodapedige Elandie of Hewadiwala ..... Plaintiff.  
No. 3,661 Vs.

Horatalpedige Elandie of Hewadiwala and two others ..... Defendants.

NOTICE is hereby given that on February 27, 1931, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz.:-

The land called Andaganagalagawawatta of 2 pelas of paddy sowing in extent, situated at Hewadiwala in Walgam pattu of Kinigoda korale in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the east by the field and fence, south by the ditch and stone fence, west by the Crown forest, and on the north by the endaru fence.

To recover a sum of Rs. 62.

Deputy Fiscal's Office, S. DE SILVA,  
Kegalla, February 2, 1931. Additional Deputy Fiscal.

In the District Court of Kegalla.

R. S. S. W. Meedeniya Tikiri Banda (dead) .. Plaintiff.  
C. H. Udalagama of Kegalla ..... Substituted Plaintiff.  
No. 8,406. Vs.

Rajakaruna Senanayaka Ganhi Wasala Mudiyanse-ralahamillage Tikiri Banda of Kumbalgama ..... Defendant.

NOTICE is hereby given that on February 28, 1931, at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, viz.:-

Sale on February 28, 1931, at 3 P.M.

1. An undivided  $\frac{1}{2}$  share of the land called Serugahamula-assedduma and Elewatta of about 2 amunams of paddy sowing in extent, situated at Bodawala in Otara pattu of Beligal korale in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the north by Beligala-oya, east by Wekumbure-ela, south by the rubber estate belonging to Mudiyanse Ralahamy, and on the west by oya.

2. An undivided  $\frac{1}{2}$  share of the land called Mala-weetennehena alias Beligastennewatta of 8 acres 2 roods and 32 perches in extent, situated at the same village as aforesaid; and bounded on the north by the land belonging to Punchi Banda, east by the Crown land, south and west by Beligala-oya.

3. An undivided  $\frac{1}{2}$  share of the land called Beligaswattenhena of 6 acres in extent, situated at the same

village as aforesaid; and bounded on the east by Galpara, west by the endaru fence, south by the field, and on the north by the endaru fence.

For the recovery of the sum of Rs. 1,135.45 and poundage.

Deputy Fiscal's Office, S. DE SILVA,  
Kegalla, February 2, 1931. Additional Deputy Fiscal.

In the District Court of Kandy.

(1) Kavana Ibram Saibo and 3 others, all of Kandy, carrying on business in partnership under the name and style of E. N. Cader Saibo & Co., Kandy ..... Plaintiffs.

No. 40,166. Vs.

Kawana Mohamadul Hassan of Rambukkana ..... Defendant.

NOTICE is hereby given that on Monday March 2, 1931, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged with the plaintiffs by bond No. 1,315 dated January 23, 1924, and attested by Mr. N. B. Jansze, Notary Public, and ordered to be sold by the order of court dated December 16, 1930, for the recovery of the sum of Rs. 1,600, with interest thereon at the rate of 9 per cent. per annum from October 8, 1930, till payment in full, and costs, viz.:-

An undivided  $\frac{1}{2}$  part or share of and in all that land called Wadiyakanattekongahamulahena, now garden of 12 lahas of paddy sowing in extent in the whole including a like share of the buildings and other things standing thereon, situated at Mottappuliya in Meddemedaliya pattu of Kinigoda korale in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the east by ditch of Jayanhmy's chena, south by Hettimanannakotuwepenna, west by the live fence on the limit of the chena belonging to Ajuwamananna, and on the north by the ditch of Iddawala Appuhamy's garden, exclusive however of the high road passing through the said land and dividing it into two portions.

Deputy Fiscal's Office, S. DE SILVA,  
Kegalla, February 2, 1931. Additional Deputy Fiscal.

I, THOMAS ARTHUR HODSON, Fiscal of the Central Province, do hereby appoint Mr. Edmund de Silva Gunawardena to be my Marshal for the District of Nuwara Eliya, under Ordinance No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Fiscal's Office, T. A. HODSON,  
Kandy, January 26, 1931. Fiscal.

I, THOMAS ARTHUR HODSON, Fiscal of the Central Province, do hereby appoint Mr. Puchi Banda Ellepola to be my Marshal for the District of Matale, under Ordinance No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Fiscal's Office, T. A. HODSON,  
Kandy, January 26, 1931. Fiscal.

I, THOMAS ARTHUR HODSON, Fiscal of the Central Province, do hereby appoint Mr. Akkarakuruppu Mahipala Dassanayaka Tennekoon Mudiyanse-lage James Beligaswatte to be my Marshal for the division of Gampola, under Ordinance No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Fiscal's Office, T. A. HODSON,  
Kandy, January 26, 1931. Fiscal.

I, THOMAS ARTHUR HODSON, Fiscal of the Central Province, do hereby appoint Mr. Thomas Albert Wijetunge to be my Marshal for the division of Hatton, under Ordinance No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Fiscal's Office, T. A. HODSON,  
Kandy, January 26, 1931. Fiscal.

**NOTICES IN TESTAMENTARY ACTIONS.**

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Hettiaratchige Benjamin Perera of No. 1,760. Panadure, deceased.

Hettiaratchige Benjamin Franklin Perera of Dematagoda ..... Petitioner.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on January 22, 1931, in the presence of Messrs. de Graetiaen, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 5, 1930, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the only son of the above-named deceased, to have letters of administration *de bonis non* to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before February 12, 1931, show sufficient cause to the satisfaction of this court to the contrary.

G. C. THAMBYAH,  
District Judge.

January 22, 1931.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late G. H. Charles de Silva of No. 5,056. Pussellawa, deceased.

Colomba Muhandiramage Cornelius de Silva of Nuwara Eliya ..... Petitioner.

And

- (1) George Edrundo de Silva of Kandy, (2) Solomon de Silva of Pundaloya, (3) Amalby de Silva of Nuwara Eliya, (4) Gregory W. de Silva of the Straits Settlements, (5) Justin Wickramatunga and her husband (6) S. C. Wickrematunga, both of Galle, (7) Rosaline Wickrematunga and her husband (8) W. D. S. Wickrematunga, both of Galle, (9) Lilian Weerakoon of Matara, (10) Porlentine Fernando, wife of (11) S. J. Fernando, both of Pussellawa ..... Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on April 10, 1930, in the presence of Mr. C. A. B. Wanigesooriya, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated April 8, 1930, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as brother of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before February 19, 1931, show sufficient cause to the satisfaction of this court to the contrary.

G. C. THAMBYAH,  
District Judge.

April 10, 1930.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Veyna Kana Nana Pana Panchacharam Chettiar who carried on business under the name, style, and firm of "Ravanna Mana Oona Lana" and "Ravanna Mana Kana Pana," deceased.

Raju Naidu, son of Panasamy Naidu of No. 200, Sea street, in Colombo ..... Petitioner.

And

- (1) Kannamai Atchi, (2) Ramasatha Chettiar, and (3) Sornawallie, all of Alavakottai, Ramnad District, South India ..... Respondents.

THIS matter coming on for final disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 27, 1930, in the presence of Mr. C. Sevaprakasam,

Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 27, 1930, having been read: It is ordered that the petitioner be and he is hereby declared entitled, as attorney of the widow of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before January 15, 1931, show sufficient cause to the satisfaction of this court to the contrary.

G. C. THAMBYAH,  
District Judge.

October 27, 1930.

The date for showing cause is extended to February 12, 1931.

G. C. THAMBYAH,  
District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late Albert Vernon Granville Ernest Perera of Hill street, Colombo, deceased.

James Lambert Reginald Shelton Perera of Kotehena in Colombo ..... Petitioner.

And

- (1) Clare Jayawardene, wife of (2) Stephen Jayawardene, both of Mount Lavinia, (3) Nona Dissanayake nee Perera, wife of (4) Felix Dissanayake, both of Dikoya, (5) Geraldine Perera of College street, Kotehena, Colombo, (6) Jackie Perera, appearing by his guardian *ad litem* (7) Arthur L. Perera of Kotehena, Colombo ..... Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on July 31, 1930, in the presence of Mr. S. R. Ameresekere, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 17, 1930, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as brother of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before February 12, 1931, show sufficient cause to the satisfaction of this court to the contrary.

G. C. THAMBYAH,  
District Judge.

July 31, 1930.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Last Will and Testament of Yena Soona Ana Sithamparam Chettiar late of Kulipurai in Pudukota State, South India, deceased.

Yena Seena Thana Sithamparam Chettiar of Kulipurai in Pudukota State, South India ..... Petitioner.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on September 4, 1930, in the presence of Messrs. Perumalpillai & Chelliah, Proctors, on the part of the petitioner above named; and the affidavit of Kannusamy Nayaker Suppamy Nayaker of Sea street, Colombo, the Agent in Ceylon of the petitioner above named, and the order of the Supreme Court dated July 8, 1930, having been read:

It is ordered that the last will of Yena Seena Ana Sithamparam Chettiar, deceased, of which a certified copy of 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 as sole legatee under the will of the above-named deceased is entitled to have letters of administration with copy of the will annexed, issued to him, unless any person or persons interested shall, on or before February 12, 1931, show sufficient cause to the satisfaction of this court to the contrary.

September 4, 1930.

G. C. THAMBYAH,  
District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. the late Vitharanage Matilda Rodrigo  
No. 5,334. of Divulapitiya, deceased.

Matuwaduge Benedict Alwis of Palagature in the  
Dunagaha pattu of Alutkuru korale in the District  
of Negombo . . . . . Petitioner.

(1) Malkankanamalage Sepoma Silva, (2) Vitharanage  
Samuel Rodrigo, (3) ditto Elizabeth Rodrigo, all of  
of Divulapitiya in the Negombo District, (4) ditto  
Engo Nona Rodrigo of Meewewa in the  
Kurunegala District . . . . . Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 2, 1930, in the presence of Mr. D. F. J. Perera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated August 5, 1930, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as widower of the above-named deceased, to have letters of administration to her estate, issued to him, unless the respondents above named or any other person or persons interested shall, on or before November 6, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 2, 1930.

G. C. THAMBYAH,  
District Judge.

This *Order Nisi* is extended for the respondents to show cause, if any, on February 12, 1931.

November 4, 1930.

G. C. THAMBYAH,  
District Judge.

In the District Court of Colombo.

*Order Nisi in Intestacy.*

Testamentary In the Matter of the Intestate Estate  
Jurisdiction. of William Alfred Morley of Kalkudah,  
No. 5,435 N.T. Batticaloa, in the Island of Ceylon,  
deceased.

Stanley Frederick de Saram of Messrs. F. J. & G. de  
Saram, Colombo . . . . . Petitioner.

(1) Alfred William Morley of 86, Bishop road,  
Chelmsford, Essex, England, (2) Mary Marguerite  
Morley, (3) Gertrude Ellen Morley, (4) Violet Amy  
Morley, (5) Kathleen Jane Morley, and (6) Edna  
Pauline Morley, all care of F. Morley, 273,  
Ladbroke Grove North, Kensington, London,  
W. 10, England, (7) Mendis of White House,  
Moratuwa . . . . . Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on January 31, 1931, in the presence of Mr. J. F. van Langenberg, Proctor, on behalf of the petitioner, Stanley Frederick de Saram of Colombo; and (1) the affidavit of the said petitioner dated January 22, 1931, (2) power of attorney dated June 25, 1930 of Kate Elsie Morley, the widow and one of the heirs and next of kin of the above-named William Alfred Morley, deceased, and (3) minute of consent of the 7th respondent dated January 24, 1931, having been read: It is ordered that the said Stanley

Frederick de Saram is the attorney in Ceylon of the said Kate Elsie Morley, the widow and one of the heirs and next of kin of the said deceased, and that as such he is entitled to have letters of administration (limited until the said Kate Elsie Morley, shall come in and obtained administration for herself) issued to him accordingly, unless the above-named respondents or any other person or persons interested shall, on or before February 12, 1931, show sufficient cause to the satisfaction of the court to the contrary. It is further ordered that the said 7th respondent be and he is hereby appointed guardian *ad litem* over the 1st, 2nd, 3rd, 4th, 5th, and 6th respondents above named for all the purposes of this action.

January 31, 1931.

G. C. THAMBYAH,  
District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Tudor Neville Suraweera of Wenna-  
No. 5,453. watta in the Ambatalenpahala of  
Alutkuru korale south, deceased.

Maud Maria Rajapaksa of Nittambuwa in Veyan-  
goda . . . . . Petitioner.

And

Lydia Augusta Dedigama de Suraweera of Maha-  
kande Walauwa, Nembadeniya, Korala . . . . . Respondent.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 15, 1930, in the presence of Mr. M. D. Goonetilleka, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 8, 1930, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as mother 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 February 12, 1931, show sufficient cause to the satisfaction of this court to the contrary.

December 15, 1930.

G. C. THAMBYAH,  
District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Amarasingha Arachchige Baby Nona  
No. 5,475. Hamine of Yatipahuwa, in the Meda  
pattu of Kuruwiti korale in the  
District of Ratnapura, deceased.

Punchihewage Don Arnas Sinno of Ingiriya in  
Rayigam korale . . . . . Petitioner.

(1) Amarasingha Arachchige Babbu Sinno, (2) Suda-  
singha Achchige Nannanamy, both of Yatipahuwa  
aforesaid . . . . . Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on January 19, 1931, in the presence of Mr. M. D. Goonetilleka, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 19, 1931, having been read:

It is ordered that the petitioner be and he is hereby declared entitled as widower of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before February 26, 1931, show sufficient cause to the satisfaction of this court to the contrary.

January 19, 1931.

G. C. THAMBYAH,  
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Swami Maria oassen of Mosque lane, No. 5,471. Colpetty in Colombo, deceased.

Maria Mariade 35A, Mosque lane, Colpetty, Colombo. Petitioner

(1) Sami Dassen, (2) Francis Kleyn, both of 35A, Mosque lane, Colpetty, Colombo. Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on January 15, 1930, in the presence of Mr. S. G. Watson, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 19, 1930, 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 February 26, 1931, show sufficient cause to the satisfaction of this court to the contrary.

January 15, 1931.

G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament and Codicil of Julia No. 5,489. Caroline Eliza Sandys of 30. East Saint Helen street, Abingdon in the county of Berks, spinster, deceased.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on January 26, 1931, in the presence of Mr. Joseph Francis Martyn of Colombo, Proctor, on the part of the petitioner, Mr. Oscar Percy Mount of Colombo; and the affidavit of the said petitioner dated January 21, 1931, a certified copy of probate, a certified copy of will and codicil of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated January 13, 1931, having been read: It is ordered that the will of the said deceased dated June 7, 1929, and a codicil thereto dated January 9, 1930, of which a certified copy has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said petitioner is the attorney of the executor named in the said will, and that he is entitled to have letters of administration with a copy of the said will and codicil annexed issued to him accordingly, unless any person or persons interested shall, on or before February 12, 1931, show sufficient cause to the satisfaction of this court to the contrary.

January 26, 1931.

G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Richard Gerald Anthonisz of Colombo, No. 5,490. deceased.

Maurits Maartenez Anthonisz of Colombo. Petitioner.

Dora Helena Koch of Colombo. Respondent.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on January 27, 1931, in the presence of Messrs. De Vos & Gratiaen, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 19, 1930, 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 February 12, 1931, show sufficient cause to the satisfaction of this court to the contrary.

January 27, 1931.

G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of John Murray of 102, Nicolson Jurisdiction. road, Durban, Natal, South Africa, No. 5,496. retired Master Mariner, deceased.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on February 2, 1931, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, John William Thompson of Colombo; and the affidavit of the said petitioner dated January 28, 1931, (2) the power of attorney dated October 20, 1930, and (3) the order of the Supreme Court dated January 23, 1931, having been read: It is ordered that the will of the said John Murray, deceased, dated December 4, 1926, a certified copy of which under the seal of the Master of the Supreme Court of South Africa (Natal Provincial Division) 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 John William Thompson is the attorney in Ceylon of the executrix named in the said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before February 12, 1931, show sufficient cause to the satisfaction of this court to the contrary.

February 2, 1931.

G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Magalage John Perera of Hendala, No. 5,467. deceased.

Magalage Aloysius Perera of 3, St. Lucia's street, Kotahena, Colombo. Petitioner.

(1) Munagama Hetta Arachchige Isabella Perera, (2) Magalage Peter Perera, and (3) ditto John Benedict Perera, all of 89, Layard's Broadway in Colombo. Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on January 15, 1931, in the presence of Mr. C. E. P. Jayanayake, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 9, 1931, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as brother of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before February 12, 1931, show sufficient cause to the satisfaction of this court to the contrary.

January 15, 1931.

G. C. THAMBYAH, District Judge.

In the District Court of Kalutara.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of the late Don Julius Weerakkody Wijegoonewardena, No. 2,288. Police Vidane, deceased of Karannagoda in Kalutara District.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, March 4, 1930, in the presence of Mr. S. L. de Silva, Proctor, on the part of the petitioner, Don Jacobus Weerakkody Wijegoonewardena of Karannagoda; and the affidavit of the said petitioner dated November 9, 1929, having been read:

It is ordered that the will of Don Julis Weerakkody Wijegoonewardena, Police Vidane, deceased, dated June 20, 1929, and now deposited in this court, be and the same is hereby declared proved, unless the respondents—(1) Dona Harriet Weerakkody Wijegoonewardena Hamine and husband, (2) Don Francis Senaratne, both of Panapitiya, (3) Dona Mary Nona Weerakkody Wijegoonewardena Hamine and husband (4) Don Brampy Jayasekara, both of Nauththuduwa, (5) Dona Nandawathi Weerakkody Wijegoonewardena Hamine of Karannagoda, (6) Jane Liddie Alwis Wijesekara Hamine of Induruwa, (7) Louisa de Abrew, (8) Nandawathi de Abrew, both of Karannagoda—or any other person or persons interested shall, on or before April 30, 1930, show sufficient cause to the satisfaction of this court to the contrary.

March 4, 1930.  
Time for showing cause extended till June 25, 1930.

April 30, 1930.  
Time for showing cause extended till August 20, 1930.

June 25, 1930.  
Time for showing cause extended till September 24, 1930.

August 20, 1930.  
Time for showing cause extended till November 26, 1930.

September 24, 1930.  
Time for showing cause extended till January 16, 1931.

November 26, 1930.  
Time for showing cause extended till February 27, 1931.

January 16, 1931.

In the District Court of Kalutara.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Last Will and Jurisdiction: Testament of the late Meemange No. 2,331. Charles Perera, deceased, of Delduwa in Kalutara District.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on August 26, 1930, in the presence of Mr. S. L. de Silva, Proctor, on the part of the petitioner, Tenna-koonmudalige Apalonia Silva of Delduwa; and the affidavit of the said petitioner dated September 11, 1929, having been read: It is ordered that the will of Meemange Charles Perera, deceased, dated March 20, 1929, and now deposited in this court, be and the same is hereby declared proved, unless the respondents—(1) Meemange Gabriel Perera of Delduwa in Kalutara, (2) ditto Albert Perera of Galle Face Hotel, Colombo, (3) ditto Cicynona Perera of Delduwa, (4) ditto Wennie Herance Perera of Galle Face Hotel, Colombo, (5) ditto Nily Nona Perera of Delduwa, (6) ditto Josaphine Hemawathie Perera of ditto, (7) ditto Wilbert Perera of Delduwa, (8) ditto Laura Nona Perera of Delduwa, a minor by her guardian *ad litem* the 1st respondent—or any other person or persons interested shall, on or before October 14, 1930, show sufficient cause to the satisfaction of this court to the contrary. It is further declared that the said Tenna-koonmudalige Apalonia Silva is the executrix named in the said will, and she is entitled to have probate of the same issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before October 14, 1930, show sufficient cause to the satisfaction of this court to the contrary.

N. M. BHARUCHA,  
District Judge.

And it is further declared that the 1st respondent be and he is hereby appointed guardian *ad litem* over the 8th minor respondent for all the purposes of this action, unless the respondents or any other person or persons interested shall, on or before October 14, 1930, show sufficient cause to the satisfaction of this court to the contrary.

August 26, 1930.  
Time for showing cause extended till November 11, 1930.

October 14, 1930.  
Time for showing cause extended till January 12, 1931.

November 11, 1930.  
Time for showing cause extended till February 23, 1931.

January 12, 1931.

In the District Court of Kalutara.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Jamuni Sodilis Silva, deceased, of No. 2,371. Pelapitiyagoda in Kalutara District.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on October 9, 1930, in the presence of Mr. S. L. de Silva, Proctor, on the part of the petitioner, Jamuni Pavatheris de Silva of Pelapitiyagoda; and the affidavit of the said petitioner dated September 14, 1930, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as son, to have letters of administration to his estate issued to him, unless respondent, Namunikankanange Rosa de Silva of Pelapitiyagoda, or any other person or persons interested shall, on or before November 14, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 9, 1930.  
Time for showing cause extended till December 12, 1930.

November 14, 1930.  
Time for showing cause extended till January 30, 1931.

December 12, 1930.  
Time for showing cause extended till March 13, 1931.

January 30, 1931.

In the District Court of Kalutara.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Mannel Xavier Motha of Tuticorin, and wife of Panadure deceased.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on January 15, 1931, in the presence of Mr. G. G. Perera, Proctor, on the part of the petitioner, Mariammal Motha *nee* Paiva, by her duly appointed attorney, Anthony Xavier Motha of Panadure; and the affidavit of the said petitioner dated November 26, 1930, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled to have letters of administration to his estate issued to her, as widow, through her attorney the above-named, unless the respondents—(1) Elizabeth Motha, (2) Roque Motha (minors by their guardian *ad litem* the 3rd respondent), (3) Henry Xavier Motha of Panadure, or any other person or persons interested shall, on or before February 26, 1931, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 3rd respondent be and he is hereby appointed guardian *ad litem* over the 1st and 2nd minor respondents for all the purposes of this action, unless the respondents or any other person or persons interested shall, on or before February 26, 1931, show sufficient cause to the satisfaction of this court to the contrary.

January 15, 1931.

N. M. BHARUCHA,  
District Judge.

In the District Court of Kalutara.

Testamentary In the Matter of the Estate of the late Jurisdiction. Mallowa-arachchige Simon Peter No. 2,393. Perera Samarasekara, deceased, of Malaboduwa Group in Gonapola.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on December 8, 1930, in the presence of Mr. S. L. de Silva, Proctor, on the part of the petitioner, Mallowa-arachchige Charles Peter Perera Samarasekara of Malamulla, Panadure; and the affidavit of the said petitioner dated November 26, 1930, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as the eldest son, to have letters of administration to his estate issued to him, unless the respondents—(1) Mallowa-arachchige Martinus Arthur Philip Perera Samarasekara, (2) ditto Eugene Agnes Perera, (3) Kusumawathie Margret Perera Samarasekara, all of Malamulla in Panadure, minors by their guardian *ad litem* (4) Romanis Peiris Malalasekara of Malamulla—or any other person or persons interested shall, on or before January 21, 1931, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 4th respondent be and he is hereby appointed guardian *ad litem* over the 1st to 3rd minor respondents for all the purposes of this action, unless the respondents or any other person or persons interested shall, on or before January 21, 1931, show sufficient cause to the satisfaction of this court to the contrary.

December 8, 1930.

N. M. BHARUCHA,  
District Judge.

Time for showing cause extended till February 11, 1931.

January 21, 1931.

N. M. BHARUCHA,  
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Neina Mohammado Saibo's son Cader No. 4,969. Samu Lebbe, deceased, of Matale.

THIS matter coming on for disposal before W. E. Barber, Esq., District Judge of Kandy, on December 3, 1930, in the presence of Messrs. Wijayatilake & Wijayatilake, Proctors, on the part of the petitioner, Loku Bandara Ellepola of Imbuldanda, and the affidavit of the said petitioner dated October 9, 1930, having been read:

It is ordered that Mr. Gerald E. Arwis, as the Secretary of the said court, be and he is hereby declared entitled to have letters of administration to the estate of the deceased above named issued to him accordingly, unless the respondents—(1) Mohideen Meera Saibo Asanalie and (2) Asen Mohideen Rahuthur, both of Matale town—shall, on or before January 12, 1931, show sufficient cause to the satisfaction of this court to the contrary.

December 3, 1930.

W. E. BARBER,  
District Judge.

Date for showing cause is extended to February 12, 1931.

January 12, 1931.

P. E. PEIRIS,  
Acting District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Muthuvaranam Savary Achchi, deceased, of Udahentenne, Uduwela. No. 4,977.

THIS matter coming on for disposal before Pauls Edward Pieris, Esq., District Judge, Kandy, on December 15, 1930, in the presence of Messrs. Liesching Lee, Proctors, on the part of the petitioner, Richard Savary Francis of Udahentenna; and the affidavit of the said petitioner dated December 15, 1930, having been read:

It is ordered that the petitioner, as the husband of the deceased, be and he is hereby declared entitled to have letters of administration to the estate of the deceased above named issued to him, unless the respondents—(1) Francis Richard Rosary, (2) Francis Arthur, (3) Francis Richard Anthony, (4) Francis Richard Mary, and (5) Francis Richard Christie; all of Udahentenna aforesaid—the 3rd, 4th, and 5th by their guardian *ad litem* the 1st respondent shall, on or before January 19, 1931, show sufficient cause to the satisfaction of this court to the contrary.

December 15, 1930.

P. E. PEIRIS,  
District Judge.

The date for showing cause is extended to February 16, 1931.

January 19, 1931.

P. E. PEIRIS,  
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Punchi Banda Ekanayake, deceased, of Matale. No. 4,933.

THIS matter coming on for disposal before Pauls Edward Peiris, Esq., District Judge, Kandy, on January 8, 1931, in the presence of Messrs. Abeykoon & Dias Desinghe, Proctors, on the part of the petitioner, Seelawathie Amunugama Kumarihamy of Harasgama, Matale; and the affidavit of the said petitioner dated January 8, 1931, having been read:

It is ordered that the petitioner, as the widow of the deceased, be and she is hereby declared entitled to have letters of administration to the estate of the deceased above named be issued to her, unless the respondents—(1) Walter Herbert Ekanayake, (2) Sumanawathie Ekanayake, (3) Anulawathie Ekanayake, (4) Somasiri Ekanayake, (5) Cyril Ratnapala Ekanayake, (6) Stanley Ariyaratne Ekanayake, by their guardian *ad litem* Loku Banda Amunugama of Kandy—shall, on or before February 9, 1931, show sufficient cause to the satisfaction of this court to the contrary.

January 8, 1931.

P. E. PEIRIS,  
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. The late Gonapura Hewawassan Gamage No. 7,123. Myadoris Dias, deceased, of Bope, Galle.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on July 24, 1930, in the presence of Mr. E. S. Jayawickrama, Proctor, on the part of the petitioner, Madawala Kumpanange Garnel Appu of Bope, Galle; and the affidavit of the said petitioner dated July 24, 1930, having been read:

It is ordered that the 3rd respondent be appointed guardian *ad litem* over 1st and 2nd minor respondents, unless the respondents viz—Gonapura Hewawassan Gamage Reginald Dias, Gonapura Hewawassan Gamage Darlin Dias and Pandigamage Albert all of Bope, Galle—shall, on or before September 15, 1930, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner, as nephew of the deceased above named, is entitled to letters of administration issued to him accordingly, unless the respondents above named shall, on or before September 15, 1930, show sufficient cause to the satisfaction of this court to the contrary.

July 24, 1930.

T. W. ROBERTS,  
District Judge.

Order Nisi extended to October 13, 1930.

September 15, 1930.

T. W. ROBERTS,  
District Judge.

Order Nisi extended to February 10, 1931.

September 15, 1930.

T. W. ROBERTS,  
District Judge.

Order Nisi extended to November 17, 1930.

October 13, 1930.

T. W. ROBERTS,  
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary. In the Matter of the Intestate Estate of Jurisdiction. the late Sammani Aratchige Dona No. 7,221. Cathirina, deceased, of Meepe.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on December 17, 1930, in the presence of Mr. Wickremasinghe, Proctor, on the part of the petitioner, Don Abraham Abayawardena Gunasekera of Meepe, and the affidavit of the said petitioner dated December 16, 1930, having been read :

It is ordered that the 6th respondent be appointed guardian *ad litem* over minors 1st to 7th respondents unless respondents object—(1) Cyril Abeyewardene Gunasekera, (2) Benjamin ditto, (3) Seetha ditto, (4) Cauldin ditto, (5) Leelawathie ditto, (6) Kemawathie ditto, (7) Willie ditto, all of Meepe, (8) Edward Nagahawatte of Kalahé—shall on or before February 17, 1931, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared 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 above named shall, on or before February 17, 1931, show sufficient cause to the satisfaction of this court to the contrary.

December 17, 1930.

T. W. ROBERTS,  
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary. In the Matter of the Estate of the late Jurisdiction. Chellamuttu, wife of Karagasabai of No. 7,633. Allarai, deceased.

Karthigesu Kanagasabai of Allarai . . . . . Petitioner.

(1) Sarusapathy, daughter of Kanagasabai of ditto (minor), (2) Kantheriyamuttu ditto. Respondents.

THIS matter of the petition of the above-named petitioner, praying that the above-named 2nd respondent be appointed guardian *ad litem* over the minor, the above-named 1st respondent, and that letters of administration to the estate of the above-named deceased be issued to the petitioner, coming on for disposal before J. C. W. Rock, Esq., District Judge of Jaffna, on July 7, 1930, in the presence of Mr. V. S. Karthigesu, Proctor, on the part of the petitioner, and on reading the affidavit and petition of the petitioner.

It is ordered that the above-named 2nd respondent be appointed guardian *ad litem* over the minor, the above-named 1st respondent, and that letters of administration to the estate of the above-named deceased be issued to the petitioner, as husband of the said deceased, unless the above-named respondents appear before this court on August 25, 1930, and show sufficient cause to the satisfaction of this court to the contrary.

July 31, 1930.

J. C. W. ROCK,  
District Judge.

Time extended till February 9, 1931.

D. H. BALFOUR,  
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary. In the Matter of the Estate of the late Jurisdiction. Soosabal, wife of Vary Nagan alias No. 7,681. Marusaleen of Neervely, deceased.

Vary Nagan alias Marusaleen of Neervely, Jaffna . . . . . Petitioner.

(1) Swamy Michael of Neervely, Jaffna, (2) Pakkianathan Marian of ditto, (3) Youan Maduthees of ditto, (4) and wife Arokkiam of ditto, (5) Murugesu Gnanamuttan of ditto, (6) and wife Elizabeth of ditto . . . . . Respondents.

THIS matter of the petition of the above-named petitioner, praying for letters of administration to the estate of the above-named deceased, coming on for disposal before D. H. Balfour, Esq., District Judge, on December 10, 1930, in the presence of Mr. S. Cumarasuriar, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated November 25, 1930, 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 respondent or any other person shall, on or before February 11, 1931, show sufficient cause to the satisfaction of this court to the contrary.

January 5, 1931.

D. H. BALFOUR,  
District Judge.

In the District Court of Jaffna.

Testamentary. In the Matter of the Estate of the late Jurisdiction. Eliathamby Coomaraswamy of No. 7,704. Vannarponnai West, deceased.

Nagalingam Subbiah of Vannarponnai West. Petitioner.

(1) Retnaesupary, daughter of Coomaraswamy of ditto, (2) Coomaraswamy Eliathamby of ditto, (3) Kathiravelupillai Kathirkamathamby of ditto . . . . . Respondents.

THIS matter of the petition of the above-named petitioner, praying that the above-named 3rd respondent be appointed guardian *ad litem* over the minors, the above-named 1st and 2nd respondents and that letters of administration to the estate of the above-named deceased be granted to the petitioner coming on for disposal before P. C. Villavarayan, Esq., District Judge of Jaffna, on September 19, 1930, in the presence of Messrs. Somasegaram & Subbiah, Proctors, on the part of the petitioner; and on reading the affidavit and petition of the petitioner.

It is ordered that the above-named 3rd respondent be appointed guardian *ad litem* over the minor, 1st and 2nd respondents, and that letters of administration to the estate of the above named be issued to the petitioner, as father-in-law of the above-named deceased, unless the above-named respondents appear before this court on December 12, 1930, and show sufficient cause to the satisfaction of this court to the contrary.

November 17, 1930.

D. H. BALFOUR,  
District Judge.

Extended for February 13, 1931.

D. H. BALFOUR,  
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary. In the Matter of the Estate of the late Jurisdiction. Ponnampalam Sethurajah of Kandarodai, No. 7,749. Ponnampalam Sethurajah of Kandarodai . . . . . Petitioner.

Valliammai, wife of Ponnampalam Sethurajah of Kandarodai . . . . . Respondents.

(1) Sethurajah Rajendiram of Kandarodai, (2) Kanapathiar Veluppillai of ditto, (3) Sotimany, daughter of Sethurajah of Matala, (4) S. S. Saravanamuttu of Aerated Water Manufactory, Matala . . . . . Respondents.

THIS matter of the petition of the above-named petitioner, praying that the above-named 2nd respondent be appointed guardian *ad litem* over the minor, the 1st

respondent, and the 4th respondent be appointed guardian *ad litem* over the minor, 3rd respondent, and for grant of letters of administration to the estate of the above-named deceased, Ponnampalam Sethurajah, coming on for disposal before D. H. Balfour, Esq., District Judge, Jaffna, on November 11, 1930, in the presence of Mr. S. Ilayathambi, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October 15, 1930, having been read: It is declared that the petitioner is the lawful widow of the said intestate, and is entitled to have letters of administration to the estate of the said deceased issued to her, and the 2nd respondent be appointed guardian *ad litem* over the minor, 1st respondent, and the 4th respondent be appointed guardian *ad litem* over the minor, the 3rd respondent, unless the respondents or any other persons shall, on or before January 16, 1931, show sufficient cause to the satisfaction of this court to the contrary.

November 28, 1930. D. H. BALFOUR, District Judge.

Order Nisi extended for February 12, 1931.

January 16, 1931. P. C. VILLAVARAYAN, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Kadirasippillai, wife of Appapillai No. 7,781. Thamothersampillai of Polikandy, deceased.

Veerakattippillai Senathirajah of Puloly East ..... Petitioner.

(1) Appapillai Thamothersampillai, (2) Thamothersampillai Ratnasabapathy (minor), both of Polikandy ..... Respondents.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge, on December 9, 1930, in the presence of Mr. K. Muttukumaru, Proctor, on the part of the petitioner; and the petition and affidavit of the petitioner having been read:

It is ordered that the 1st respondent be appointed guardian *ad litem* over the minor, the 2nd respondent, and that the petitioner be declared entitled to have letters of administration issued to him, as a creditor of the deceased, unless the respondents or any other person shall appear before this court on or before February 9, 1931, and show sufficient cause to the satisfaction of this court to the contrary.

January 5, 1931. D. H. BALFOUR, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Varaththaippillai, widow of Kandapillai Kathirhamar of Palaly, deceased.

Kathirhamar Sellamuttu of Palaly ..... Petitioner.

Kathirhamar Chellappah of ditto ..... Respondent.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge, on December 18, 1930, in the presence of Mr. R. R. Nalliah, Proctor, for the petitioner; and the affidavit of the petitioner dated December 18, 1930, having been read: It is ordered that letters of administration to the estate of the above-named deceased be granted to the petitioner, as one of the heirs, unless the respondent shall appear before this court on February 9, 1931, and show cause to the contrary.

January 5, 1931. P. C. VELLAVARAYAN, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. A. S. Kandiah of Karaitivu West, No. 7,795. deceased.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge, Jaffna, on December 22, 1930, in the presence of Mr. R. B. Nalliah, Proctor, for the petitioner; and the affidavit of the petitioner dated December 19, 1930, having been read: It is ordered that the 3rd respondent be appointed guardian *ad litem* over the minors, 1st and 2nd respondents, for the purpose of protecting their interests and of representing them in this case, and that letters of administration to the estate of the above-named deceased be issued to the petitioner as his lawful widow, unless the respondents shall appear before this court on February 25, 1931, and show cause to the contrary.

January 13, 1931. P. C. VILLAVARAYAN, District Judge.

In the District Court of Mannar.

Order Nisi.

Testamentary In the Matter of the Estate of Vinasi-Jurisdiction. thamby Sinnakkuddy late of Mannar, No. 452. deceased.

Sinnakkuddy Nadarasa of Manipay, now at Mannar ..... Petitioner.

(1) Sinnakkuddy Suppiramaniam of Manipay, now at Kulaseengore, Federated Malay States, (2) Sarasvathy, daughter of Kandiah Kandiah Guneratnam, both of Manipay, and (3) Thamma, widow of Kandiah of ditto ..... Respondents.

THIS matter of the petition of Sinnakkuddy Nadarasa praying for letters of administration to the estate of the above-named deceased, Vinasithamby Sinnakkuddy, coming on for disposal before R. M. Davies, Esq., District Judge, on January 16, 1931, in the presence of Mr. S. Anantham, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated January 9, 1931, having been read: It is declared that the petitioner is one of the heirs of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before March 2, 1931, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the 4th respondent be appointed guardian *ad litem* of the 2nd and 3rd respondents for the purpose of representing them in these proceedings, unless the respondents above named shall, on or before the said date show sufficient cause to the satisfaction of this court to the contrary.

January 16, 1931. R. M. DAVIES, District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Telesinghe Hithamy Mudiyansele No. 2,034. Garuhamy, Police Headman of Eliyaya, deceased.

Telesinghe Hithamy Mudiyansele Dingiri Bandappuhamy of Eliyaya ..... Petitioner.

(1) Telesinghe Hithamy Mudiyansele Gunerath-hamy, (2) Telesinghe Hithamy Mudiyansele Dingirimanika, (3) Telesinghe Hithamy Mudiyansele Menuhamy; 2nd and 3rd are minors by their guardian *ad litem* the 1st respondent ..... Respondents.

THIS matter coming on for disposal before R. F. Dias Esq., District Judge of Chilaw, on November 28, 1930 in the presence of Mr. C. V. M. Panditsekare, Proctor of the firm of Messrs. Cooke & Panditsekare, on the part of the petitioner; and the affidavit of the said

Petitioner dated November 6, 1930, having been read : It is ordered that the above-named 1st respondent be and he is hereby appointed guardian *ad litem* of the 2nd and 3rd respondents who are minors, and the petitioner declared entitled to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents or any person or persons interested shall, on or before January 16, 1931, show sufficient cause to the satisfaction of this court to the contrary.

November 28, 1930.

R. F. DIAS,  
District Judge.

Showing cause is extended to February 13, 1931.

January 28, 1931.

R. F. DIAS,  
District Judge.

In the District Court of Badulla.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Athaudage Dona Soiaha Seneviratna No. B 877. *nee* Perera of Nugatalawa, Welimada, deceased.

D. B. Seneviratna of Nuwara Eliya ..... Petitioner.

(1) Athaudage Samuel Perera, (2) Winnigamage Dona Mango Nona Haminae, both of Nugatalawa, Welimada ..... Respondents.

THIS matter coming on for disposal before A. G. Ranasinghe, Esq., District Judge of Badulla, January 19, 1931, in the presence of Mr. V. Ponnusamy, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated May 28, 1930, 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 above named or any other person interested in the estate of the deceased above named shall, on or before February 11, 1931, show sufficient cause to the satisfaction of this court to the contrary.

January 19, 1931.

A. G. RANASINGHE,  
District Judge.

In the District Court of Ratnapura.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Jurisdiction. of Kuruppu Achchige John Sinno No. 968. Appuhamy of Riverside road, Ratnapura, deceased.

Kanattege Kachchi Nona of Riverside road, Ratnapura ..... Petitioner.

(1) Kuruppu Achchige Dona Roseline Nona, wife of (2) Koswatte Arachchige PUNCHIMAHATMAYA, both of Etoya, (3) Kuruppu Achchige Don Cornelis Appuhamy, (4) Kuruppu Achchige Don Helenis Appuhamy, (5) Kuruppu Achchige Dona Missi Nona, wife of (6) Kangara Mudiyanseye Punchibandara Gamhatha, (7) Kuruppu Achchige Dona PUNCHI HAMINE, and (8) Kuruppu Achchige Porolis Appuhamy, all of Riverside road, Ratnapura, the 4th, 5th, 7th, and 8th are minors by their guardian *ad litem* the 3rd respondent above named. .... Respondents.

THIS matter coming on for disposal before C. J. S. Fritchett, Esq., District Judge, Ratnapura, on January 19, 1931, in the presence of Mr. P. A. Dharmadasa, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 19, 1931, having been read: It is ordered that the 3rd respondent above named be appointed guardian *ad litem* over the 4th, 5th, 7th, and 8th minor respondents above named for the purpose of these proceedings, unless any person or persons shall, on or before February 27, 1931, show sufficient cause to the satisfaction of the court to the contrary.

It is further declared that the said petitioner above named, is the widow of the deceased above named, and that she is entitled to have letters of administration to the estate of the said deceased, issued to her

accordingly, unless any person or persons interested shall, on or before February 27, 1931, show sufficient cause to the satisfaction of this court to the contrary.

January 19, 1931.

C. B. P. PERERA,  
Additional District Judge.

In the District Court of Kegalla.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Rajasekera Abeyesundara Dewanarayana Naidelagge Heen Amma of Danagama, deceased.

Abeyesundara Weerananarayana Pandita Mulachari Galladdalage Anuruppu of Danagama ..... Petitioner.

(1) Abeyesundara Weerananarayana Pandita Mulachari Galladdalage Muharirama of Danagama, (2) Abeyesundara Weerananarayana Pandita Mulachari Galladdalage Dignidappa of Waduwalawa in Tumpalata pattu ..... Respondents.

THIS matter coming on for disposal before G. S. Suraweera, Esq., Acting District Judge of Kegalla, on October 4, 1930, in the presence of Mr. R. E. Dedigama, Proctor, on the part of the petitioner; and his affidavit and petition dated September 30, 1930, having been read:

It is ordered and declared that the 2nd respondent above named be appointed guardian *ad litem* over the 1st minor respondent, and the letters of administration of the estate of the above-named deceased be issued to petitioner, unless the respondents or any other person or persons interested in the matter shall, on or before December 10, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 25, 1930.

S. S. NAVARATNAM,  
District Judge.

The date for showing cause is extended to January 6, 1931.

December 10, 1930.

S. S. NAVARATNAM,  
District Judge.

The date for showing cause is extended to January 27, 1931.

January 6, 1931.

S. S. NAVARATNAM,  
District Judge.

The date for showing cause is extended to February 18, 1931.

January 27, 1931.

S. S. NAVARATNAM,  
District Judge.

In the District Court of Kegalla.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Peramune Munasinghe Mudiyanseye No. 1,479. Appuhamy Munasinghe, retired (3) Korala of Dalivala, deceased.

Ratnayake Mudiyanseye Tikiri Banda Ratnayake of Anwarama ..... Petitioner.

(1) Anulawatie Loku Menike Ratnayake *nee* Munasinghe of Anwarama, (2) Loku Banda Munasinghe, presently in England (3) Wimalawathi Piyadum Menike Munasinghe, presently of Gampola; the 3rd respondent being a minor by her guardian *ad litem* the 1st respondent ..... Respondents.

THIS matter coming on for disposal before S. S. Navaratnam, Esq., District Judge, of Kegalla, on January 12, 1931, in the presence of Mr. R. V. Dedigama, Proctor, on the part of the petitioner; and the affidavit and petition dated December 8, 1930, and January 12, 1931, respectively, having been read:

It is ordered and declared that the 1st respondent above named be appointed guardian *ad litem* over the 3rd minor respondent and that letters of administration of the estate of the deceased be issued to the petitioner, unless the respondents or any other person or persons interested in the matter shall, on or before February 11, 1931, show sufficient cause to the satisfaction of this court to the contrary.

January 15, 1931.

S. S. NAVARATNAM,  
District Judge.

**DRAFT ORDINANCE.****MINUTE.**

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

**An Ordinance for Establishing and Regulating the Ceylon State Mortgage Bank.**

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**An Ordinance for Establishing and Regulating the  
Ceylon State Mortgage Bank.**

**B**E it enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:—

CHAPTER I.—PRELIMINARY.

Short title.	<b>1</b> This Ordinance may be cited as "The Ceylon State Mortgage Bank Ordinance, 1931."
Commencement.	<b>2</b> This Ordinance shall come into operation on a day to be fixed by the Governor in Council and to be proclaimed in the <i>Gazette</i> .
Interpretation.	<b>3</b> In this Ordinance except in so far as anything in the subject or context otherwise implies the following expressions shall have the meanings respectively assigned to them:—
The Bank.	"The Bank" means the Ceylon State Mortgage Bank. "Board" means the Board of Directors appointed under this Ordinance.
Director, Member of a Branch Board, Manager, and Assistant Manager.	"Director," "Member of a Branch Board," "Manager," and "Assistant Manager" mean the persons appointed to these offices under this Ordinance.
Branch Boards.	"Branch Board" means a board established under section 24. "Prescribed" means prescribed by this Ordinance or by rules made thereunder.

CHAPTER II.—ESTABLISHMENT.

Establishment of the Bank.	<b>4</b> A bank to be called "The Ceylon State Mortgage Bank" shall be established in Colombo for the purpose of granting long-term loans for agricultural purposes in accordance with the provisions of this Ordinance on the primary mortgage of landed property situated in Ceylon.
Legal status of the Bank.	<b>5</b> The Bank shall be a body corporate having perpetual succession and a common seal; it shall under the above-mentioned name be capable of suing and being sued; and it shall subject to the provisions of this Ordinance be capable of acquiring, holding, and alienating property movable and immovable and of doing all such acts and things as bodies corporate may do and perform.
Office of the Bank.	<b>6</b> The head office of the Bank shall be in Colombo, and such branch offices as are necessary may be established in the provinces as the Board considers necessary.
The law governing the Bank.	<b>7</b> The Bank shall be conducted and managed in accordance with the provisions of this Ordinance to the exclusion of the provisions of the Joint Stock Banking Ordinance, 1897, and any other law specially governing Banks.
Business of the Bank.	<b>8</b> The business of the Bank shall be the granting of loans and their recovery in accordance with the provisions of this Ordinance, and for this purpose the Bank may raise funds by the issue of debentures and do all such other matters and things as may be incidental or subsidiary to its business.

CHAPTER III.—MANAGEMENT.

(i.) *Board of Directors.*

The Board of Directors and its powers.	<b>9</b> The general supervision, control, and administration of the affairs and business of the Bank shall be entrusted to a Board of Directors consisting of five fit and proper persons appointed by the Governor, and this Board may exercise all such powers and do all such acts and things as may be necessary for carrying on the business of the Bank.
Directors' term of office.	<b>10</b> Every Director shall ordinarily be appointed for a term of five years and he shall hold office for that period unless he dies, retires, or is disqualified earlier.
Remuneration of Directors.	<b>11</b> Every Director shall in accordance with the prescribed scale be paid a fee for each day or portion of a day upon which he is engaged upon the business of the Bank.
Disqualification and removal of Directors.	<b>12</b> (1) The Governor may, for incapacity or misbehaviour, remove a Director from his office. (2) A Director shall become disqualified to retain his office and shall <i>ipso facto</i> cease to be Director— (a) If he becomes a Member of the Legislative Council; (b) If he becomes insolvent or assigns his estate for the benefit of his creditors, or makes an arrangement with his creditors or makes an assignment of his remuneration for their benefit; or (c) If he becomes of unsound mind, or is convicted of an offence and sentenced to imprisonment without the option of a fine; or

(d) If he is absent without leave from the Governor either from all the meetings of the Board during any two consecutive months or from all the meetings of the Board during any three months out of a period of twelve consecutive months.

Provided that a Director becoming disqualified to retain his office and *ipso facto* ceasing to be a Director under clause (d) of this section shall not thereby be deemed ineligible for reappointment.

13 (1) When a Director ceases to hold office by reason of the expiry of the period for which he was appointed, the Governor shall make a new appointment. The retiring Director shall be eligible for reappointment if not otherwise disqualified.

Vacancies on the Board.

(2) If a Director ceases to hold office before the expiry of the period for which he was appointed, the Governor shall make a new appointment for the remainder of the period for which such Director would have held office.

14 The Governor shall each year appoint from among the Directors the Chairman of the Board for the year. The Chairman shall preside at every meeting of the Board at which he is present and shall have a second or casting vote in all cases of an equality of votes. In the absence of the Chairman, the Directors present at a meeting shall choose one of their number to preside who shall for that meeting have all the powers of the Chairman including the right to a casting vote.

Chairman of the Board.

15 (1) A meeting of the Board shall be held at least once a month and oftener if the Chairman thinks it necessary.

Meetings.

(2) The Chairman shall upon a written requisition of two Directors call a special meeting. No such special meeting shall be held unless at least four days' notice specifying the time of such meeting and the purpose for which it is to be held has been given by written or printed notice to every Director.

16 Three members shall constitute a quorum at any meeting of the Board and all acts authorized or required to be done by the Board shall be decided by a majority of Directors present and voting at a meeting at which a quorum is present: Provided that when only three members are present no loan exceeding ten thousand rupees shall be sanctioned except by a unanimous resolution.

Quorum.

17 Minutes of the proceedings of every meeting of the Board shall be regularly drawn up and fairly entered in books to be kept for the purpose, and the books shall be so kept as to show properly tabulated details of the business transacted at each meeting. The minutes of the proceedings of each meeting shall be submitted at the next ensuing meeting, and if it is then passed as correct it shall be confirmed by the signature of the person presiding thereat, and shall thereafter be *prima facie* evidence that the proceedings as recorded in the minutes were proceedings of the first mentioned meeting.

Minutes.

18 The Board shall, subject to the approval of the Governor, appoint a person to be the Manager of the Bank, and may, subject to the approval of the Governor, remove such person from office and appoint another person in his stead. The Board may, subject to the approval of the Governor, also appoint a person to the office of Assistant Manager of the Bank, and subject to the approval of the Governor remove such person from office and appoint another person in his stead. The Manager and Assistant Manager shall be full-time officers of the Bank and shall receive such salary as may, with the approval of the Governor, be fixed by the Board.

Appointment and salary of Manager and Assistant Manager.

19 (1) The Manager shall be the Chief Executive Officer of the Bank and all acts which are directed by this Ordinance to be done by the Board may, unless the contrary intention appears from the context, be done by the Manager if, with the approval of the Governor, he is specially or generally authorized in writing thereto by the Board. He shall attend and take part in every meeting of the Board, but he shall not have the right to vote.

Powers of Manager and Assistant Manager.

(2) The Assistant Manager may do all such acts as he is required or permitted to do by the Manager in writing.

20 For the purpose of carrying out the provisions of this Ordinance, the Board may by resolution appoint and at its discretion remove such officers and servants other than those hereinbefore mentioned as it may think necessary. It may also from time to time fix and alter the salaries and allowances attached to such offices.

Subordinate officers.

- Valuators.** 21 The Board may from time to time appoint fit and proper persons to inspect and value properties for the purpose of this Ordinance, and prescribe the scale for their remuneration and travelling expenses.
- Legal advisers.** 22 The Board may from time to time appoint any duly qualified person to act as legal adviser to the Bank and prescribe the scale of fees for his remuneration.
- Agents.** 23 The Board may appoint any bank or any person as its agent in Ceylon or elsewhere to do any act on its behalf which it is authorized to delegate to another and it may enter into an agreement with such agent as to the duties to be performed and the remuneration therefor.

(iii.) *Branch Boards.*

- Establishment and members.** 24 The Board may from time to time establish Branch Boards for any area, and subject to the approval of the Governor it may from time to time appoint members to serve on the Branch Boards.
- Duties and powers.** 25 A Branch Board shall be subordinate to the Board and shall—  
 (a) Consider all applications submitted to it and transmit them to the Board with its recommendations thereon; and  
 (b) Advise and assist the Board in all matters in which its advice or assistance is sought.
- Constitution. Members: Chairman.** 26 Every Branch Board shall consist of two members and a Chairman who shall be specially indicated for each year by the Board.
- Term of office of members.** 27 A member of a Branch Board shall hold office for a period of two years, but he shall remain eligible for re-appointment at the end of his term unless otherwise disqualified.
- Qualification and disqualification for membership.** 28 A member of a Branch Board shall be removed from office and cease *ipso facto* to hold office on the same grounds and for the same reasons that a Director may be removed or cease to hold office.
- Quorum and procedure at meetings.** 29 Two members shall constitute a quorum of a Branch Board and all acts, matters, and things authorized or required to be done by a Branch Board shall be decided by a resolution of a meeting at which a quorum is present.
- Remuneration.** 30 Every member of a Branch Board shall in accordance with the prescribed scale be paid a fee for each day or portion of a day upon which he is engaged upon the business of the Bank, and also all reasonable expenses incurred by him for travelling and subsistence while so engaged at the request of the Board.

(iv.) *General.*

- Security from officers.** 31 The Board may require the Manager, Assistant Manager, Accountant, Shroff, or any other officer of the Bank to furnish security for the faithful discharge of his duties in such amount and in such manner as the Board thinks proper.
- Protection of officers.** 32 No Director and no officer of the Bank shall be liable, either civilly or criminally, in respect of anything which he may have done or may have omitted to do when acting in good faith in pursuance or in supposed pursuance of his powers under this Ordinance.
- Disabilities of Directors, officers, and servants.** 33 No Director and no officer or servant of the Bank shall be granted a loan under this Ordinance or be entitled to purchase any land sold under the provisions of this Ordinance.
- Declaration of fidelity and secrecy.** 34 Every Director, every member of a Branch Board, and every employee of the Bank shall, before entering upon his duties or exercising any power under this Ordinance, make before a Justice of the Peace a declaration of fidelity and secrecy in the prescribed form.

## CHAPTER IV.—DEBENTURES.

(i.) *Issue.*

- Power to raise money on debentures.** 35 The Board may raise from time to time by the issue of debentures funds necessary to carry on the business of the Bank.  
 (a) Provided that the total indebtedness of the Bank on the principal of the debentures shall never exceed the total sum loaned by the Bank upon the security of mortgages and remaining unpaid nor shall such total indebtedness exceed twenty-five million rupees.  
 (b) Provided further that monies repaid to the Bank on account of the principal of loans and retained by the Bank for the purpose of redeeming debentures shall for the

purposes of this section be calculated for a period not exceeding six months as a part of the total sum loaned by the Bank upon the security of mortgages and remaining unpaid.

36 Debentures shall be in the form prescribed and be authenticated by the seal of the Bank.

Form of debentures.

37 Debentures shall be for a sum of fifty rupees each and shall bear interest at a rate to be fixed at the time of issue; and subject to the rights of the Bank under section 40 to redeem them at any time they shall be redeemable twenty-five years from issue.

Amount of each debenture, rate of interest, and period of issue.

(ii.) *Payments.*

38 The interest and principal of debentures shall be paid as they fall due from the funds of the Bank in the manner hereinafter provided. Should such funds be insufficient to make any such payments, such interest and principal shall be paid from the general revenue of the Island upon which they are hereby constituted a charge, provided that the principal of any debenture the interest upon which has to be paid under this section from the general revenue of the Island may if so ordered by the Governor be at any time redeemed and the debenture cancelled although such debenture has not under any other provision of this Ordinance become due for redemption.

Source for redemption of debentures.

39 The interest due on a debenture shall run from the day named in the debenture and shall be paid half-yearly on the thirty-first day of March and the thirtieth day of September.

Payment of interest.

(iii.) *Redemption.*

40 All sums paid to the Bank during any half-year as part of the principal of the loans granted by it, shall be employed to redeem outstanding debentures.

Redemption and purchase of debentures.

For this purpose the Board may at any time redeem a sufficient number of debentures. Provided that no debenture shall be so redeemed until all debentures bearing an earlier date of issue have been redeemed. If after all debentures of earlier dates of issue have been redeemed there are more debentures of any issue than are required the Board shall advertise the number required, the date of the issue in question, and the total number of debentures of that issue outstanding, and shall invite the holders of any such debentures to surrender the same at par. If sufficient debentures are not surrendered in response to such invitation the Board shall determine by drawing which of such debentures shall be compulsorily redeemed.

Notice of drawing for redemption.

41 When debentures are to be redeemed by drawing under the last preceding section, the Board shall by advertisement in the *Gazette* and any two newspapers published in the Island, give not less than fifteen days' notice of the day, the hour, and the place at which the drawing will take place, and also the number of the debentures to be redeemed at that drawing.

Mode of drawing.

42 At the time and place so specified the drawing shall be done in the presence of any debenture holders who may choose to attend.

Publication of result of drawing.

43 The Board shall, by such advertisement as is provided in section 41, declare the distinguishing numbers of the debentures to be compulsorily redeemed under section 40 or drawn for such compulsory redemption under section 42 and shall appoint a day not less than three months after the date of such advertisement on which the principal monies secured by the said debenture and the interest due thereon will be repaid.

Payment of debentures drawn.

44 On or before the day so appointed the Board shall transfer to a special account kept for the purpose with a bank or banks in Colombo an amount equal to the principal of the debentures to be redeemed and the interest due upon them up to the appointed day, and upon the surrender of the said debentures to be redeemed payment of the principal and interest due shall be made out of this account on demand to the persons entitled to receive the same.

Cesser of interest after repayment is available.

45 From and after the day appointed for the repayment of any debentures all interest on the principal monies secured thereby shall cease and determine, whether payment of the principal is or is not demanded.

(iv.) *Transfer.*

46 A debenture holder may transfer all or any of his debentures in the manner prescribed by rules under this Ordinance.

Transfer of debentures.

## (v.) Register.

Register of debentures.

47 The Bank shall keep a register in which all debentures shall be entered together with their dates of issue and the names of their holders.

Validity of transfer.

48 No transfer of a debenture shall be legally valid until such transfer has been entered in the register and endorsed upon the debenture by an officer of the Bank thereto authorized in writing by the Board.

Transmission of debentures.

49 The executors or administrators or heirs of a deceased debenture holder shall be the only persons recognized by the Bank as having any title to the debentures of such deceased holder.

The register evidence of title.

50 The register shall be conclusive evidence that the persons entered therein as the holders of debentures are entitled to such debentures, of the dates of issue, redemption, cancellation, transfer, or transmission of debentures and of all other matters entered therein.

Trusts cannot be registered.

51 No notice of any trust in respect of any debenture shall be entered in the register or be receivable by the Bank.

## CHAPTER V.—LOANS.

## (i.) Granting.

Purpose for which loans may be granted.

52 The Bank may make loans for any of the following purposes and such purposes only—

- (a) The purchase or lease, development, and improvement of agricultural land.
- (b) Any purpose incidental, accessory, or ancillary to any of the above purposes.
- (c) The liquidation of debts already incurred for any of the above purposes on the security of agricultural land which will after the grant of the loan by the Bank continue to be the property of the borrower unincumbered by any mortgage except to the Bank.

Persons to whom loans may be granted.

53 (1) Loans may be granted only to individuals and to registered companies.

(2) Loans shall not be granted to a Director of the Bank or to any officer or servant of the Bank or to any company or society in which a Director of the Bank is interested as a Director. Provided that nothing in this section shall be construed as preventing the deposit of the funds of the Bank with another bank, or to the granting of a temporary advance of his salary or allowances, to any employee of the Bank as provided for by rules under sections 94 or 95 of this Ordinance.

Conditions on which loans may be granted.

54 Every loan granted by the Bank shall be subject to the following conditions and limitations, viz. :—

- (a) No loan shall exceed the sum of one hundred thousand rupees or be less than the sum of five thousand rupees.
- (b) No loan shall be granted for a period less than five years or exceeding twenty-five years.
- (c) No loan shall be granted unless its repayment is secured by a primary mortgage of immovable property in Ceylon, not being an undivided share, and until such mortgage executed substantially in the form in Schedule A is duly registered.
- (d) No loan shall exceed one-half the value of the property mortgaged as security.
- (e) No loan shall be granted at a rate of interest less than seven per centum per annum.

Requisites to be satisfied before loan is granted.

55 No loan shall be granted unless the Board shall have first satisfied itself—

- (a) That the security offered is adequate, regard being had to the market value of the property, to the annual income derived or likely to be derived from it in the future, to the possibility of its depreciation in the future and to the risks incidental to a forced sale;
- (b) That the title of the borrower to the land offered as security has been passed by the bank's legal adviser as valid;
- (c) That the purpose for which the loan is required is one contemplated by section 52; and
- (d) That there is no other good and valid reason why the loan should not be granted.

56 No loan shall be granted except by a resolution of the Board.

Provided that the Board may under section 19 empower the Manager to grant loans up to any sum not exceeding ten thousand rupees and in such cases the provisions of section 53 shall apply to the Manager.

Provided further that no loan exceeding ten thousand rupees shall be granted by a resolution passed by the favourable votes of less than three Directors.

57 At any time after the approval of a loan and before the actual payment of the money the Board may at its discretion and without assigning any reason therefor cancel or modify such approval and withhold payment of the whole or a portion of the money.

Withdrawal of the grant of a loan.

58 Where a loan is granted by the Bank, the property mortgaged as security for it shall from and after the date of the mortgage be charged with the payment of the loan with interest in priority to every other debt, mortgage, or charge affecting it, except an earlier duly registered mortgage debt due to a creditor who in good faith advanced the money before the loan was granted by the Bank.

Priority of charge created by loan.

(ii.) *Application.*

59 The Board may appoint in writing any person to hold such examination as it shall consider necessary to ascertain whether any loan is being applied to the purpose for which it was granted. Such person shall for the purpose of this examination have the same powers to require the attendance of persons and the production of accounts and other documents as a District Judge has in relation to matters within his jurisdiction.

Examination concerning the application of loans.

60 If after such examination the Board is of opinion that the loan or any part of it has not been applied for the purpose for which it was granted, the Board may by an order direct that within the time named therein either the loan be repaid in full with interest or a sum equal to the loan be applied to the said purpose.

Order of Board upon examination.

Any borrower who fails to comply with an order under this section shall be deemed to be in default in respect of the whole of the unpaid portion of his loan and the interest due thereon up to date and the Board may proceed to recover the same in the manner provided in part (iv.) of this chapter.

(iii.) *Repayment.*

61 Repayment of loans shall be made half-yearly by instalments or equated payments. An instalment shall consist of a fixed portion of the principal together with the interest due up to the date of payment. An equated payment shall consist partly of principal and partly of interest calculated in accordance with the prescribed tables which specify as to every one hundred rupees of the loan—

Payment by half-yearly instalments.

- (a) The number of the instalments.
- (b) The portion of each instalment which constitutes interest and the portion which is appropriated on account of principal.
- (c) The balance of principal still owing after each instalment has been paid.

62 (1) If at any time after the granting of a loan the Board is satisfied—

Recalling of loans.

- (a) That the land given as security has depreciated in value to such an extent as to endanger the safety of the loan; or
- (b) That the title of the borrower is such that it ought not to have been accepted as adequate; or
- (c) That owing to material misstatements by the borrower or misapprehension of the actual facts by the Board the loan was granted in circumstances in which it would not have been granted if the true facts had been known.

the Board shall, unless additional security which is adequate, in the opinion of the Board, is offered by the borrower, issue an order requiring the loan to be repaid either in full or in part by a date to be specified in the order.

(2) Any borrower who fails to comply with an order under this section shall be deemed to be in default in respect of the whole of the unpaid portion of his loan and the interest due thereon up to date, and the Board may proceed to recover the same in the manner provided in part (iv.) of this chapter.

63 The Board shall, if notice of three months is given by the borrower, accept payments in respect of a loan before they fall due.

Anticipation of payments.

Change of  
security.

64 The Board may accept new security in lieu of the whole or part of any security it has already accepted for a loan, if the security tendered in substitution is such that the Board would be entitled to accept it alone or together with the portion of the old security which is to remain, as the case may be, as security for a new loan equal to the total principal and interest still outstanding on account of the old loan.

(iv.) *Recovery.*

Procedure on  
default of  
payment.  
Seizure.  
Sale.

65 (1) Whenever any person makes default in the payment of any sum due on a loan whether on account of principal or interest or of both he shall be deemed to be in default in respect of the whole of the unpaid portion of his loan and the interest due thereon up to date, and the Board may and, if the default has continued for a period of over twelve months, shall by special resolution authorize any person in writing—

(a) To seize the land mortgaged as security for such payment together with the crop and movables thereon to whomsoever such land, crop, or movables may belong; and

(b) To sell the property so seized for the recovery of the whole of the unpaid portion of the loan and the interest due thereon up to the date of sale by public auction at any time not less than twenty-one days after the date of the seizure, provided that all things, exempted from execution under the Civil Procedure Code, 1889, shall be exempted from seizure and sale under this section.

(2) (a) Notice of every seizure under this section shall forthwith be despatched to the debtor at his registered address.

(b) The time and place of every sale shall be advertised in the *Gazette* at least fourteen days before the sale and copies of such notice shall be despatched to the debtor at his registered address posted on or near the land and affixed to the walls of the Kachcheri and the several District or Police Courts within whose jurisdiction the land is situated.

(3) If the amount due together with any costs incurred by the Bank under section 67 is tendered at any time before the sale the land shall not be sold.

(4) The Board may fix an upset price below which the property shall not be sold to any person other than the Bank.

Custody of  
property  
seized.

66 The person making the seizure may if so authorized by the Board place and keep a person in possession of the property seized pending the sale.

Costs of seizure  
and sale.

67 Besides the amount due on the loan, the Board may recover from the debtor or any person acting on his behalf the expenses of proceeding to seize the property, keeping a person in possession, advertising the sale, and selling the land. Provided that the costs incurred under this section shall not exceed the prescribed percentage of the loan.

Payment of  
excess.

68 If the property seized is sold, the Board shall, after deducting from the sale proceeds the amount due on the mortgage and the costs payable under section 67, pay the overplus, if any, either to the debtor or any person legally entitled to accept the payments due to the debtor, or into the District Court having jurisdiction over the land sold in case the Board is in doubt as to whom the money is to be paid.

Certificate of  
sale.

69 (1) If the land is sold the Board shall sign a certificate of sale and thereupon all the right, title, and interest of the debtor to and in the land shall vest in the purchaser, nor shall any person claiming through or under any disposition whatsoever of the debtor's right, title, or interest to and in the land made or registered subsequently to the mortgage of the land to the Bank be able in any Court of Law to move to invalidate the sale for any cause whatsoever or to maintain any right, title or interest to or in the land as against the purchaser.

Such certificate shall be conclusive proof with respect to the seizure and sale of any land that all provisions of this Ordinance have been observed.

(2) If the purchaser is some person other than the Bank the certificate shall be substantially in the form in Schedule B, and if the purchaser is the Bank the certificate shall be substantially in the form in Schedule C.

(3) Every certificate of sale shall be liable to the stamp duty and charges fixed for conveyance of immovable property, and to any registration or other charges authorized by law, all of which shall be payable by the purchaser.



70 If the land sold has been purchased on behalf of the Bank the Board may, at any time before it resells the land, cancel the sale by an endorsement to that effect on a certified copy of the Certificate of Sale, if the debtor or any one on his behalf pays the amount due in respect of the loan for which the land was sold (including the costs of seizure and sale) and interest on the aggregate sum at a rate not exceeding nine per centum per annum. Such an endorsement shall, upon registration in the office of the Registrar of Lands, revert the said land in the proprietor as though the sale under this Ordinance had never been made.

Cancellation of sale.

71 If the land so sold has been purchased on behalf of the Bank, and the sale is not cancelled under the last preceding section, the Board may, at any time, resell the land and transfer it to the purchaser by endorsement on a certified copy of the certificate referred to in sub-section (3) of section 69, all the right, title, and interest which would have been acquired by a purchaser at the original sale. The endorsement which shall be liable to the same stamp duty and charges as a certificate to a purchaser at the original sale, shall when it is registered in the office of the Registrar of Lands vest such right, title, and interest as aforesaid in the purchaser.

Resale by Bank.

72 If at any sale under section 65 the Bank has purchased any property sold for default in the repayment of a loan the Bank shall not hold such property for a longer period than is necessary to enable the Bank to resell the property for such a sum as will cover the total amount due to the Bank on account of loan, interest, and costs.

Limit of retention of property by the Bank.

73 Whenever the Board has, without recourse to a Court of Law, entered upon, taken possession of, or sold any immovable property, it may in order to give possession of that property to the purchaser give written directions to the Fiscal of the Province in which the property is situate summarily to eject any person in occupation thereof, and the Fiscal is hereby authorized and empowered through any Deputy Fiscal acting on his behalf to carry out the Board's directions. Provided that no such directions shall be given if the Board is served with a notice from a competent court to the effect that an action has been filed in respect of the ownership of or the right to possess the property in question and that the court is satisfied after inquiry that in the circumstances of the case such directions should not be issued.

Ejectment from property sold.

#### CHAPTER VI.—ACCOUNTS AND AUDIT.

##### (i.) *Accounts.*

74 (1) The Board shall keep two accounts of the funds of the Bank, viz., the Capital Account and the Revenue Account. These two accounts shall be kept entirely separate and distinct.

Capital Account and Revenue Account.

(2) All sums received by the Bank shall be deposited in such other bank or banks in Colombo as the Governor shall approve, sums on Capital Account being deposited in a bank account separate and distinct from a bank account in which sums are deposited on Revenue Account.

(3) Except as hereinafter provided, no sum shall be transferred from or to Revenue Account to or from Capital Account and neither the bank account of sums in the Capital Account nor the bank account of sums in the Revenue Account shall be overdrawn.

75 Into the Capital Account shall be paid—

- (a) The proceeds of the sale of all debentures;
- (b) All recoveries of the capital of loans; and
- (c) Monies credited to reserve fund as hereinafter provided;

Payments into and out of Capital Account.

and from the Capital Account shall be paid—

- (a) All monies paid in the redemption of debentures
- (b) All monies loaned on mortgages; and
- (c) Monies specially authorized to be transferred therefrom under this Ordinance.

76 The Capital Account shall not be overdrawn to the extent of a greater sum than is authorized by the Governor and the repayment of which is guaranteed by the Ceylon Government under the signature of the Colonial Treasurer.

Limit to which Capital Account may be overdrawn.

Payments into  
and out of  
Revenue  
Account.

77 Into the Revenue Account shall be paid—

- (a) All monies received on account of interest on loans;
- (b) All monies received on account of fees, fines, and penalties, or which may otherwise become due to the Bank but are not included within the purview of section 75;

and out of the Revenue Account shall be paid—

- (a) All monies expended in the issue and sale of debentures;
- (b) All interest due on debentures;
- (c) All monies paid on account of the working expenses of the Bank; and
- (d) All monies paid on any account other than such as are contained within the purview of section 75.

Limit to which  
Revenue  
Account may be  
overdrawn.

78. The Revenue Account shall not be overdrawn to the extent of a greater sum than is authorized by the Governor and the repayment of which is guaranteed by the Ceylon Government under the signature of the Colonial Treasurer.

Transfers to  
reserve fund.

79 Each half year the Board shall decide what sum shall be carried forward in the Revenue Account as a provision against any possible shortfall in receipts in that account during the ensuing period of six months. Any balance to the credit of the Revenue Account over and above such sum shall be credited in the books of the Bank to the reserve fund and shall be transferred to the Capital Account.

Transfers from  
Capital to  
Revenue  
Account.

80 Should the balance at any time available in the Revenue Account, including the undrawn portion of such overdraft as may have been authorized under section 78, be insufficient to meet any payments which must be made the Board may transfer funds from the Capital Account to the Revenue Account provided such funds transferred shall never exceed the balance to the credit of the reserve fund in the books of the Bank.

Report of  
shortage to the  
Governor.

81 Should the Board at any time anticipate that the funds provided under the provisions of section 80 are likely to be insufficient to meet the liabilities and working expenses of the Bank it shall immediately report such anticipated shortage to the Governor.

Action by the  
Governor.

82 Upon such report the Governor may authorize a further overdraft upon the Revenue Account and direct the Colonial Treasurer to sign and issue the necessary guarantee or may take such other action as to him may appear advisable.

Investment of  
the reserve  
fund.

83 Each half year the Board shall decide what portion of the reserve fund shall be carried forward in the Capital Account as a provision against any possible shortfall in receipts in that account during the ensuing six months. Any balance to the credit of the reserve fund over and above such sum may be invested outside the Bank in such readily realizable securities as are from time to time authorized by the Governor.

Provided that the Board shall be free at any time to realize all or any of such securities and retransfer the proceeds to the Capital Account should it anticipate that such funds will be necessary to meet payments to be made from that account.

84 Until the total to the credit of the reserve fund equals one-tenth of the total of the outstanding debentures no portion of the reserve fund shall be invested in mortgage loans except for such short period as may be necessary to raise money upon debentures to cover such loans.

85 When the total to the credit of the reserve fund exceeds one-tenth of the total of the debentures outstanding the Board may utilize such surplus or any portion thereof in the acquisition and purchase or erection of suitable land and buildings in which to carry on the business of the Bank or in the ordinary loan business of the Bank or for both of these purposes.

Report of  
shortage to the  
Governor.

86 Should the Board at any time anticipate that the balance in the Capital Account, including the whole of the balance to the credit of the reserve fund and the undrawn portion of such overdraft as may have been authorized under section 76, is likely to be insufficient to meet payments which will have to be made from the said account it shall immediately report such anticipated shortage to the Governor.

87 Upon such report the Governor may authorize a further overdraft upon the Capital Account and direct the Colonial Treasurer to sign and issue the necessary guarantee or may take such other action as to him may appear advisable.

Action by the Governor.

88 The books of the Bank shall be kept, the debentures and mortgages shall be registered, and measures taken for the safekeeping of mortgages and other securities in accordance with the prescribed rules.

Keeping of books and registers and safekeeping of securities.

89 The Board shall cause the books of the Bank to be balanced on every thirty-first day of March and every thirtieth day of September, and thereafter a statement in the prescribed form of the accounts of the Bank as upon that date to be prepared and audited. Such statement shall be signed by the Manager, the Accountant, a majority of the Directors, and the Auditor, and shall be sent to the Governor and published in the *Gazette* within two months of the said date.

Half-yearly statement of accounts.

(ii.) *Audit.*

90 The accounts of the Bank shall be audited in the prescribed manner every half-year by the Colonial Auditor or other person specially appointed for the purpose by the Governor in Council.

Half-yearly audit.

91 Every auditor shall be supplied with a copy of the half-yearly statement of accounts, and he shall examine it with the accounts and the documents relating thereto. He shall at all reasonable times have access to all books, registers, and documents kept by the Bank. And he may in relation to such accounts examine any Director or any officer of the Bank.

Auditor's right and duties.

92 The Auditor shall examine the books, registers, and documents of the Bank and shall forward to the Board a statement of the accounts in the prescribed form, together with a report thereon and a certificate signed by him, showing—

Auditor's statement, report, and certificate.

- (a) Whether the accounts contained a full and true account of everything which ought to be contained therein; and
- (b) Whether the books which by any rules made under this Ordinance are directed to be kept by the Bank have been duly and regularly kept; and
- (c) Whether the funds have been invested and securities have been kept in the manner prescribed by the Ordinance and any rules made thereunder; and
- (d) Whether all loans granted by the Bank have been granted in accordance with the requirements of the Ordinance and rules made thereunder; and
- (e) Whether the instalments on the loans have been paid when they fell due and, if not, the extent of overdue instalments; and
- (f) Whether, in his opinion, the statement of accounts is a full and fair statement containing the prescribed particulars and is properly drawn up so as to exhibit a true and correct view of the state of the Bank's affairs, and in case he has called for any explanation or information from the Board, whether it has been given and whether it is satisfactory.
- (g) Whether the accounts are deficient, and whether the Board or the officers of the Bank have failed to comply with this Ordinance or the rules made thereunder.

93 (1) Every auditor shall have the powers of a civil court under "The Civil Procedure Code, 1889"—

Auditor's power to summon witnesses and call for documents.

- (a) To summon any person whose presence he may think necessary to attend him from time to time; and
  - (b) To examine any person on oath to be by him administered; and
  - (c) To issue a commission for the examination on interrogatories or otherwise of any person; and
  - (d) To summon any person to produce any document or thing, the production of which appears to be necessary for the purposes of such audit or examination.
- (2) Any person who when summoned refuses or, without reasonable cause, neglects to attend, or to produce any document or thing, or attends and refuses to be sworn or to be examined, shall be deemed to have committed an offence within the meaning of sections 172 and 173 of the Ceylon Penal Code, 1883.

## CHAPTER VII.—RULES AND OFFENCES.

## (i.) Rules.

Rules made by  
the Board.

94 The Board may make rules not inconsistent with the provisions of this Ordinance for the following purposes:—

- (a) Prescribing the subordinate staff to be employed by the Bank, their salaries, allowances, conditions of service, duties, rights, and privileges and any other matters connected therewith;
- (b) Prescribing the fees to be paid by applicants for loans in respect of the valuation of land offered as security, the examination of their title thereto, the preparation, perfection, and registration of mortgage bonds and any other matters, in respect of which services are performed by any persons acting for or in the employ of the Bank in connection with the consideration or granting of loans to the said applicants;
- (c) Prescribing the forms upon which and the manner in which applications shall be made for loans and any other matters connected therewith;
- (d) Prescribing the principles upon which the valuation of property offered or accepted as security is to be carried out;
- (e) Prescribing any forms to be used for the purpose of this Ordinance;
- (f) For all other matters connected with the business of the Bank for which the Board may properly prescribe or for the information and guidance of the public dealing with the Bank or of its own officers, employees, or agents.

All rules made under this section shall be entered in a special book kept for the purpose in the office of the Board.

Copies of all rules under sub-section (a) of this section and such rules under sub-section (f) of this section as the Board shall decide shall be kept in some place on the Bank premises where they may be inspected by any officer, employee, or agent of the Bank whom they may concern.

All rules under sub-sections (b), (c), and (e) and such rules under sub-section (f) as the Board shall decide shall be published in the *Gazette* for general information.

Rules made by  
the Board with  
the approval of  
the Governor.

95 The Board may, subject to the approval of the Governor, make rules not inconsistent with the provisions of this Ordinance for the following purposes:—

- (a) Prescribing the powers and duties of the Manager and Assistant Manager of the Bank, their salaries and allowances and conditions of service and any other matters connected therewith;
- (b) Prescribing scales of remuneration for the various services performed by valuers, inspectors, legal advisers, and agents employed by the Bank and the scales of travelling charges which may be paid to such persons;
- (c) Prescribing the scale of travelling allowances to be paid to the Manager and Assistant Manager;
- (d) Prescribing the forms of debentures and the procedure to be followed in their issue, registration, transfer, redemption, and cancellation. Providing for the issue of certificates representing given numbers of debentures, for the cancellation of such certificates and the issue of fresh certificates representing different numbers of debentures and for the replacement of debentures lost, destroyed, worn out, or defaced. Prescribing the fees to be charged in respect of any of the aforesaid operations and consistently with the provisions of this Ordinance for regulating in all matters not specifically dealt with in this Ordinance the manner in which debentures may be dealt with in respect of anything to be done by the Bank or the purchasers, sellers, or holders of debentures;
- (e) Prescribing the rates of penal interest, the circumstances in which the same shall be charged, and other matters connected therewith;
- (f) Prescribing the costs that may be recovered under section 67;
- (g) Prescribing the books, registers, and records to be kept and the manner and form in which they are to be kept;
- (h) Prescribing the form of declaration to be made under section 34;

- (i) For establishing Branch Boards and defining their powers and the areas in respect of which they may act;
- (j) For establishing agencies and providing for their management;
- (k) Prescribing the manner in which the accounts are to be audited;
- (l) Prescribing the remuneration payable to agents of the Bank;
- (m) For providing for every other matter not herein specially provided for but necessary for the conduct of the business of the Bank, the regulation of its funds and generally for fully and efficiently carrying out and giving effect to its objects and purposes and guarding against violation of this Ordinance.

All rules made under this section shall be entered in a special book kept for the purpose in the office of the Board.

Copies of all rules made under sub-sections (a), (b), (c), (g), (j), (l), and such rules under sub-section (m) of this section, as the Board with the approval of the Governor shall decide, shall be kept in some place on the Bank premises where they may be inspected by any officer, employee, or agent of the Bank whom they may concern.

All rules made under sub-sections (d), (e), (f), (h), (i), (k), and such rules under sub-section (m) of this section, as the Board with the approval of the Governor shall decide, shall be published in the *Gazette*.

**96** The Governor in Council may, after consulting the Board, make rules not inconsistent with the provisions of this Ordinance for the following purposes:—

- (a) Prescribing the fees payable to Auditors and the fees and travelling allowances payable to the Directors and members of Branch Boards;
- (b) For regulating the meetings, proceedings, and business of the Board;
- (c) For regulating the institution and management of pensions and provident funds for the officers and servants of the Bank.

All rules made under this section shall be entered in a special book kept for the purpose in the office of the Board.

Copies of all rules made under this section shall be kept in some place on the Bank premises where they may be inspected by any officer, employee, or agent of the Bank whom they may concern.

All rules made under this section shall be published in the *Gazette*.

#### (ii.) OFFENCES.

**97** Every Director, every member of a Branch Board, and all officers and servants of the Bank, including agents, valuers, and inspectors shall, when acting in any such capacity, be deemed to be public servants within the meaning of the Ceylon Penal Code, 1883.

**98** Sections 21, 22, and 23 of "The Ceylon Paper Currency Ordinance, 1884," shall apply to debentures as if there were substituted in this section:—

- (a) The word "debenture" for the words "currency note" or "note"; and
- (b) The word "Directors" for the word "Commissioners."

**99** (1) Whoever, during any examination authorized by this Ordinance, makes upon oath a statement which is false, and which he either knows or believes to be false or does not believe to be true, shall be deemed to have intentionally given false evidence in a stage of a judicial proceeding and shall be punished therefor in accordance with the Ceylon Penal Code, 1883.

(2) Whoever makes a declaration required by this Ordinance or rules thereunder knowing it to be untrue in any particular shall be guilty of giving false evidence and shall be punished therefor in accordance with the Ceylon Penal Code, 1883.

**100** (1) If a loan is applied for any purpose other than that for which it was granted, the person to whom the loan was granted and any one entrusted with its application shall be guilty of an offence.

(2) The person responsible for the misapplication of a loan shall if he acted wilfully and knowingly be deemed to be guilty of criminal breach of trust and shall be punished in accordance with the Ceylon Penal Code, 1883.

(3) The punishments provided by this section are in addition to any other remedy provided by this Ordinance.

Rules made by the Governor.

Liability as public servants of Directors, members of Branch Boards, and employees.

Forgery of debentures and interest coupons.

False evidence.

Liability for misapplication of loan.

Liability of Directors, members of Branch Boards, and valuers for participating in the sanctioning of certain loans.

**101** (1) A Director or a member of a Branch Board who participates in the discussion on, or who votes upon, any resolution for the granting of a loan—

- (a) To a person who is related to him within the third degree of affinity or consanguinity;
- (b) To a person who is a debtor or creditor of his or is in partnership with him or is in his employ; or
- (c) On the security of any land in which he has a pecuniary interest—

shall be liable on conviction to a fine not exceeding five thousand rupees or, in default of payment to imprisonment of either description for a period not exceeding three months.

(2) A person who acts as valuator in respect of the application for a loan—

- (a) By a person to whom he stands in any of the relationships set out in sub-section (1); or
- (b) On security in which he has a pecuniary interest—

shall be liable to a fine of five hundred rupees.

#### CHAPTER VIII.—GOVERNMENT CONTROL AND MISCELLANEOUS.

Investigation by Governor.

**102** Once in every period of five years, and oftener if he thinks it necessary, the Governor shall appoint some person, other than the Auditor appointed under section 91, to investigate and report on the policy, general management and affairs of the Bank, and in respect of such investigation any person so appointed shall for compelling the attendance of witnesses, the production of documents and the administering of oaths to persons he examines be entitled to exercise the powers conferred on a Commissioner appointed under Ordinance No. 9 of 1872.

Governor's powers in case of mismanagement.

**103** (1) If at any time it appears to the Governor—

- (a) That the Board has failed to comply with any duty imposed on it either by this Ordinance or rules thereunder; or
- (b) That the Board is conducting the business of the Bank in a manner that is likely to endanger the solvency, safety, or credit of the Bank—

the Governor may take any of the following steps:—

- (a) By an order addressed to the Board issue directions for the proper management of the Bank and require compliance therewith within a time to be specified in the order;
- (b) Appoint new Directors to carry on the business of the Bank;
- (c) Direct the Manager or any other person whom he may appoint to carry on the business of the Bank;
- (d) Appoint an officer or officers to inquire and report upon the constitution, working, and financial condition of the Bank;
- (e) Make an order for the winding up of the Bank; or
- (f) Take any other steps which to him may appear necessary.

(2) An officer or officers appointed under the last preceding section shall for the purpose of the inquiry have the same powers to require attendance of persons and the production of accounts and other documents as a District Judge has in relation to matters within his jurisdiction.

Cost of proceedings.

**104** The remuneration to be paid to any person appointed under this chapter and the cost of carrying out the order shall be defrayed out of the funds of the Bank.

#### Miscellaneous.

Custody, and affixing of common seal.

**105** The common seal of the Bank shall be in the custody of the Manager, and shall not be affixed to any instrument, except in the presence of the Manager (or, in his absence, of the Assistant Manager) and two Directors, who shall sign their names to such instrument in token of their presence.

Penal interest in case of default.

**106** Any mortgage bond to secure a loan by the Bank may provide that if the borrower fails or neglects to pay on the due date the instalment and interest or to make the equated payment, as the case may be, then due in respect of the loan then interest shall be payable on the loan in respect of the half-year for which default has been made at such rate in excess of that at which the loan has been granted as may be prescribed by the rules under section 95 (e).

107 The Board shall have access without fee or charge to the valuation roll of any local rating authority, and the officers of every such authority shall upon application supply to the Board full particulars as to any valuation of rateable property in respect of which such local authority has power to levy rates.

Power to inspect valuation rolls of local rating authorities.

108 (a) Every debenture holder and every person who takes a loan from the Bank shall register with the Bank an address in Ceylon to which all notices to him may be addressed. Failure by any such debenture holder or person to register such address shall absolve the Bank from all responsibility in respect of the service of any notice required under this Ordinance to be served upon such debenture holder or person. Provided that if it is necessary to notice any person whose address is not registered under the preceding section the Board may publish a notice addressed to such person in the *Gazette* and a daily newspaper and such notice shall be deemed to be duly given to such person on the day on which such notice appears.

Registered address and notices.

Provided that this proviso shall not be construed by any court as imposing any duty upon the Board to make such publication

(b) Service of any notice under this Ordinance shall be deemed to be effected by properly addressing, prepaying, and posting a letter containing the notice to the address registered under this section of the person to be noticed, and the time at which the notice was served shall, unless the contrary is proved, be the time at which the letter would be delivered in the ordinary course of events.

#### CHAPTER IX.—TEMPORARY PROVISIONS.

109 The Bank shall be deemed to be established as from a date to be fixed by the Governor in Council and to be notified in the *Gazette*.

Date of establishment of Bank.

110 (1) The five Directors first appointed shall retire one annually in any order that they may agree to or in the order that they may determine by drawing lots.

Directors first appointed.

(2) The vacancy caused by each successive retirement shall be filled by a new appointment by the Governor, the retiring Director remaining eligible for reappointment, unless otherwise disqualified.

(3) The date for retirement shall be the thirty-first day of December in every year, provided that the first retirement shall not occur earlier than one year after appointment.

111 Interest shall be paid on the first issue of debentures at such rate as the Director may with the approval of the Governor in Council determine.

Rate of interest on first debentures.

112 If any difficulty arises in the establishment of the Bank and in its commencing to do business the Governor in Council may by order do all things which appear necessary or expedient for removing the difficulty and any such order may modify the provisions of this Ordinance so far as may appear to the Governor in Council to be necessary or expedient for carrying the order into effect.

Governor's power to remove difficulties.

#### SCHEDULE A

(Section 54 (c).)

#### Form of Mortgage Bond.

To all to whom these presents shall come \_\_\_\_\_ of \_\_\_\_\_ (hereinafter called "The Mortgagor," which expression shall, where the context so requires or admits, mean and include the said \_\_\_\_\_, his heirs, executors, and administrators) \_\_\_\_\_

Sends Greeting:

1. (a) Whereas the mortgagor is the lawful owner free from encumbrances of the land called \_\_\_\_\_, more fully described in the schedule hereto.

(b) And whereas the said mortgagor has applied to "The Ceylon State Mortgage Bank" (hereinafter called "The Bank," which expression shall, where the context so requires, mean and include the persons deriving title from the Bank) for a loan under the Ceylon State Mortgage Bank Ordinance, 1931, to be applied in or towards the following purposes, that is to say, (a) \_\_\_\_\_ (b) \_\_\_\_\_ and (c) \_\_\_\_\_

(c) And whereas the Bank has agreed to grant such loan to the mortgagor on having the repayment thereof with interest secured in the manner hereinafter appearing.

2. Now this bond witnesseth as follows:—

(a) In pursuance of the said agreement and in consideration of the sum of \_\_\_\_\_ Rupees now paid by the Bank to the mortgagor (the receipt of which sum the mortgagor hereby acknowledges) the mortgagor is held and firmly bound to the Bank in the said sum of \_\_\_\_\_ Rupees lawful money of Ceylon and interest thereon at the rate of \_\_\_\_\_ Rupees per centum per annum to be paid to the Bank, for which payment to be well and truly made the mortgagor is firmly bound by these presents.

(b) And for further securing to the Bank the payment of all the money payable by virtue of or in respect of these presents the mortgagor does hereby specially mortgage to the Bank as a first or primary mortgage free from all encumbrances the land called \_\_\_\_\_ and in the first schedule hereto fully described with all rights, privileges, easements, servitudes, and appurtenances whatsoever thereto belonging, or in any-wise appertaining or used or enjoyed, therewith or reputed or known as part and parcel thereof, and all the estate, right, title, interest, property, claim, and demand whatsoever of the mortgagor in, to, out of, or upon, the said land.

(c) And for better securing the said mortgage the mortgagor does herewith deposit in the hands of the said Bank the title deeds of the said property.

3. The mortgagor hereby covenants with the Bank as follows:—

(a) That the land mortgaged by these presents is in nowise encumbered either by a prior charge, fiscal's seizure, or claim and that the mortgagor has full power and legal right to mortgage the same and will warrant and defend title to the said land against all other claimants whatsoever.

(b) (i.) That the mortgagor will pay the said principal sum of Rupees \_\_\_\_\_ in half-yearly instalments of not less than \_\_\_\_\_ Rupees \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ and the \_\_\_\_\_ day of \_\_\_\_\_ in each and every year, the first of such payments to be made on the \_\_\_\_\_ day of \_\_\_\_\_, and shall on the same dates pay all interest due on the said sum of Rupees \_\_\_\_\_ or the balance thereof then outstanding at the rate of \_\_\_\_\_ per centum per annum or \_\_\_\_\_.

(ii.) That the mortgagor will pay the said principal sum of \_\_\_\_\_ Rupees and interest in the instalments and on the dates set out in the second schedule hereto. (Retain only the appropriate alternative.)

(c) That during the continuance of this security the mortgagor will pay and discharge and indemnify the Bank against all rates, taxes, duties, charges, assessments, impositions, and outgoings whatsoever which shall be assessed, charged, or imposed upon, or payable in respect of, the mortgaged premises or any part thereof by the mortgagor or the Bank or a receiver in respect thereof and that if the mortgagor shall at any time refuse or neglect to make such payments or to deliver the receipt therefor to the Bank on demand the Bank may pay the same, and all monies expended by the Bank under this provision shall be deemed to be properly paid by the Bank.

(d) That the mortgagor will from time to time so long as money remains owing on this security well and substantially repair and keep in good and substantial repair and condition all buildings and other improvements erected and made upon the said land, and the Bank may at all times be at liberty by itself, its agents or servants, to enter upon the said land to view and inspect the said buildings and improvements.

(e) That if the mortgagor fail or neglect to repair the said buildings and improvements or to keep them in good and substantial repair and conditions as aforesaid, then and in any such case and as often as the same shall happen it shall be lawful for, but not obligatory upon, the Bank, at the cost and expense in all things of the mortgagor, to repair the said buildings and improvements and keep them in good and substantial repair and condition.

(f) Insurance shall be effected as may be prescribed by regulations or instruction of the Bank. Every policy of insurance so effected or renewal thereof shall be in the name of the Bank.

(g) That all monies expended by the Bank in and about repairing or keeping in repair any of the said buildings and improvements as aforesaid, or in the insurance thereof, or in attempting to exercise or enforce any power, right, or remedy herein contained or implied, in favour of the Bank, shall be payable to the Bank by the mortgagor on demand, and until paid shall be charged on the said land together with interest at the rate of not more than the rate prescribed for the time being under the said Ordinance, or any amendment thereof, computed from the date or dates of such monies being expended.

(h) That the mortgagor will at all times cultivate and manage the lands hypothecated in a skilful and proper manner and according to the rules of good husbandry. Failure in the performance of this condition shall entail the immediate recovery of the advance should the Bank so desire.

(i) That the power of sale and incidental powers in that behalf conferred upon the Bank under the said Ceylon State Mortgage Bank Ordinance, 1931, or any amendment thereof shall be implied herein and that they may be exercised if and whenever the mortgagor makes default in the full and punctual payment of any instalment of interest or principal in accordance with the respective covenants for payment thereof herein contained, or if and whenever the mortgagor makes default in the faithful observance and performance of any other covenant or conditions on his part herein contained or implied.

(j) That if and whenever the mortgagor makes any such default as in the last preceding covenant mentioned, it shall be lawful for the Bank to call up and compel payment of all principal interest, and other monies for the time being owing under this security, notwithstanding that the time or times by these presents appointed for the payment thereof respectively may not have arrived.

4. Provided always that upon any sale under the statutory power a purchaser shall not either before or after conveyance be concerned to see or inquire whether any default has been made in payment of any such instalment or be effected by any notice that no such default has occurred or that the sale is otherwise unnecessary or improper.

5. Provided that this bond is subject to the provisions of the Ceylon State Mortgage Bank Ordinance, 1931, or any law amending or replacing the same and all regulations made thereunder so far as they are capable of applying it to the exclusion of the common law governing mortgages.

Witnesses: \_\_\_\_\_

(Notary's Attestation).

*The First Schedule above referred to.*  
Particulars of the land mortgaged.

*The Second Schedule.*

Table showing details of the number and amount of instalments to be paid.



## SCHEDULE B.

(Section 69 (2).)

## Form of Certificate of Sale—Section 69 (2).

Whereas the sum of \_\_\_\_\_ Rupees is due to the Ceylon State Mortgage Bank from \_\_\_\_\_ and the land called \_\_\_\_\_, hereinafter more fully described, has been mortgaged by the said \_\_\_\_\_ on bond No. \_\_\_\_\_ as security for its payment in the manner provided by the said bond:

And whereas a sum due in respect of the said bond has not been paid by the said \_\_\_\_\_:

And whereas the said land was seized in conformity with the Ceylon State Mortgage Bank Ordinance, 1931, and sold also in conformity therewith, on the \_\_\_\_\_ day of \_\_\_\_\_ and the same was purchased by \_\_\_\_\_ of \_\_\_\_\_ for the sum of \_\_\_\_\_ Rupees, which has been duly paid by the said \_\_\_\_\_:

Now know Ye that We, \_\_\_\_\_ (the Directors of the Ceylon State Mortgage Bank), by virtue and in the exercise of the power in us vested in this behalf and rules thereunder, do hereby certify that the following property, to wit, *(here describe the property with special accuracy by metes and bounds)*, has been sold to \_\_\_\_\_ and purchased by the said \_\_\_\_\_ for the sum of \_\_\_\_\_ Rupees, which he has duly paid, and that the said premises are and shall henceforward be vested in the said \_\_\_\_\_, his heirs, executors, administrators, and assigns.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(Signed) \_\_\_\_\_,

Director, The Ceylon State Mortgage Bank.

## SCHEDULE C.

(Section 69 (3).)

## Form of Certificate of Sale—Section 69 (3).

Whereas the sum of \_\_\_\_\_ Rupees is due to the Ceylon State Mortgage Bank from \_\_\_\_\_ and the land called \_\_\_\_\_, hereinafter more fully described, has been mortgaged by the said \_\_\_\_\_ on bond No. \_\_\_\_\_ as security for its payment in the manner provided by the said land:

And whereas a sum due in respect of the said bond has not been paid by the said \_\_\_\_\_:

And whereas the said land was seized in conformity therewith, on the \_\_\_\_\_ day of \_\_\_\_\_, and the same was purchased for and on behalf of the Ceylon State Mortgage Bank by \_\_\_\_\_ for the sum of \_\_\_\_\_ Rupees, which has been duly credited to the said Bank in part *(or full, as the case may be)* satisfaction, of the sum due as aforesaid:

Now know Ye that We, the Directors of the said Bank, by virtue and in exercise of the power in me vested in this behalf by the said Ordinance and rules thereunder, do hereby certify that the following property, to wit, *(here describe the property with special accuracy by metes and bounds)* has been sold and purchased by the said \_\_\_\_\_ for and on behalf of the said Bank for the sum of \_\_\_\_\_ Rupees, and that the said premises are and shall henceforward be absolutely vested in the said Bank.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(Signed) \_\_\_\_\_,

Directors, The Ceylon State Mortgage Bank.

By His Excellency's command,

Colonial Secretary's Office, B. H. BOURDILLON,  
Colombo, February 4, 1931. Colonial Secretary.

*Objects and Reasons.*

This Bill implements the recommendations of the Committee constituted in 1927 to frame a scheme for the establishment of a State Mortgage Bank in Ceylon, and seeks to give effect principally to the plan outlined in that Committee's report (Sessional Paper XXI—1929) subject however to a few minor modifications in matters of detail that Government has considered prudent to introduce.

2. The Bank that is to be established in Colombo under the provisions of this Bill is to confine its attention solely to the granting of long term mortgage loans for agricultural purposes and to abstain from all other forms of banking activities. This Bank is to be under the general supervision of a Board of five Directors appointed by the Governor, and in the charge as chief executive officer of a Manager appointed by the Board with the approval of the Governor. It is to have a staff of valuers, legal advisers and agents that is usual for such an institution and also the assistance of Branch Boards in the provinces to advise it in its business in those areas.

3. The Bank is permitted to provide the first capital for its activities by borrowing up to a maximum Rs. 25,000,000 by the sale of debentures. These debentures which are to be of the value of Rs. 50 each are to be redeemed within 25 years of issue. The assets of the Bank will form the primary security for this debenture debt, but to inspire confidence in investors the general revenue of the Island is pledged as a possible final source for its repayment.

Debentures are to be capable of transfer, and out of sums that have accrued to the Bank from its loans the oldest outstanding debentures for the time being are liable to be paid off at par once every half year.

4. Loans by the Bank which are to be made only for the purpose of purchasing, leasing, developing or improving agricultural land and purposes ancillary thereto (including the payment of debts incurred for any of these purposes) are to be granted at not less than 7 per cent. per annum on the primary mortgage of land in Ceylon. They may not be in sums less than Rs. 5,000 or greater than Rs. 100,000 or for periods below 5 years or beyond 25 years; and they are to be repaid in half-yearly instalments or equated payments as arranged at the time the loan is given. They are liable to be recalled if the grant was influenced by misrepresentations by the borrower or if the security depreciates sufficiently in value as to endanger the safety of the loan, and their recovery is regulated by rules of procedure less dilatory than those of an ordinary action.

5. The manner in which the bank is to keep its accounts is prescribed in more than usual detail, as in an institution where the maintenance of the balance between debentures and loans is vital it is advisable to make statutory provision for keeping Capital and Revenue entirely apart. As a check on its conduct of business however the bank's accounts are to be audited half-yearly by a person appointed by the Governor in Council, and there is besides to be at the instance of the Governor a more thorough investigation into the bank's affairs at least once in five years.

6. With the provisions necessary to give effect to the salient features of the scheme touched on above there are incorporated in their appropriate places in the bill the powers essential for the conduct of the business of the bank on sound lines. For instance there is a wide power to provide by statutory rules for the more important details of management, and some acts which are likely to endanger the credit and safety of the bank are made criminal offences. Among the latter it may be of interest to note is the offence of misapplying a loan for a purpose other than that for which it was granted by the bank.

S. OBEYSEKERE,  
Acting Attorney-General

Attorney-General's Chambers,  
Colombo, February 2, 1931.