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DRAFT ORDINANCES.

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.**

BE 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.	1 This Ordinance may be cited as "The Ceylon State Mortgage Bank Ordinance, 1931."
Commencement.	2 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.	3 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.	4 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.	5 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.	6 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.	7 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.	8 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.	9 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.	10 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.	11 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.	12 (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.

(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.

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

(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.

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.

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.

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.

(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.

Vacancies on the Board.

Chairman of the Board.

Meetings.

Quorum.

Minutes.

Appointment and salary of Manager and Assistant Manager.

Powers of Manager and Assistant Manager.

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.

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.

(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.

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.

(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.

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.

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.

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.

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.

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.

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.

Form of debentures.

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

Source for redemption of debentures.

Payment of interest.

Redemption and purchase of debentures.

Notice of drawing for redemption.

Mode of drawing.

Publication of result of drawing.

Payment of debentures drawn.

Cesser of interest after repayment is available.

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, re-vest 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 of 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, (i) _____ 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,
Colombo, February 4, 1931.B. H. BOURDILLON,
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.

J 1529/27

MINUTE.

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

No. 15 of 1898,
IV. 155.

An Ordinance to amend the Criminal Procedure Code, 1898.

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

Short title.

1 This Ordinance may be cited as the Criminal Procedure Code Amendment Ordinance, 1931.

Amendment of sections 99 and 100 of principal Ordinance.

2 Sections 99 and 100 of the principal Ordinance are amended by inserting the words "any Unofficial Police Magistrate" immediately after the words "Police Magistrate" wherever they occur in the said sections.

Amendment of section 101 of principal Ordinance.

3 Section 101 of the principal Ordinance is amended by inserting the words "or any Unofficial Police Magistrate of the district who resides within the local limits of such Police Magistrate's jurisdiction and who is present" between the word "present" and the word "or" in line 4.

Amendment of sections 102, 103, and 104 of principal Ordinance.

4 Sections 102, 103, and 104 of the principal Ordinance are amended by inserting the words "Unofficial Police Magistrate" immediately after the words "Police Magistrate" wherever they occur in the said sections.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, January 19, 1931.

B. H. BOURDILLON,
Colonial Secretary.

Objects and Reasons.

Section 84A of the Courts Ordinance, 1889, gives an Unofficial Police Magistrate all the powers that a Police Court has under the Criminal Procedure Code, 1898, except its right of trying cases summarily; but this delegation of authority does not enable an Unofficial Police Magistrate to exercise the administrative powers with which the Code invests a Police Magistrate. The Police Inquiry Committee of 1928 has urged the advisability of clothing Unofficial Police Magistrates with the same administrative powers for dispersing unlawful assemblies as is now enjoyed by a Police Magistrate by virtue of Chapter VIII. of the Code. The purpose of this Bill is to give effect to this recommendation.

Attorney-General's Chambers,
Colombo, November 22, 1930.

S. OBEYESEKERE,
Acting Attorney-General.

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Central Province will be holden at the court-house at Kandy on Tuesday, March 10, 1931, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Kandy, February 10, 1931.

T. A. HODSON,
Fiscal.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Kurunegala will be holden at the court-house at Kandy on Tuesday, March 10, 1931, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Kurunegala, February 9, 1931.

W. J. L. ROGERSON,
Fiscal.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Anuradhapura will be holden at the court-house at Kandy on Tuesday, March 10, 1931, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Anuradhapura, February 7, 1931.

W. S. JOSEPH,
for Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 4,360. In the matter of the insolvency of M. Simon Perera of 45, St. Joseph's street, Colombo.

WHEREAS M. Simon Perera has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by K. Don John Silva of Patterson lane, Wellawatta, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said M. Simon Perera insolvent accordingly; and that two public sittings of the court, to wit, on March 17, 1931, and on March 31, 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, February 7, 1931. for Secretary.

B 3

In the District Court of Colombo.

No. 4,362. In the matter of the insolvency of J. C. Jansen of Slave Island.

WHEREAS J. C. Jansen has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Thomas Perera of Nugegoda, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said J. C. Jansen insolvent accordingly; and that two public sittings of the court, to wit, on March 17, 1931, and on March 31, 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, February 7, 1931. for Secretary.

In the District Court of Colombo.

No. 4,363. In the matter of the insolvency of C. P. Anayappa Pillai of Galpotta street, Colombo.

WHEREAS C. P. Anayappa Pillai has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by A. Pius de Silva of Grandpass road, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said C. P. Anayappa Pillai insolvent accordingly; and that two public sittings of the court, to wit, on March 31, 1931, and on May 5, 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, February 7, 1931. for Secretary.

In the District Court of Negombo.

Insolvency In the matter of the insolvency of
No. 204. Minneripitiyage Don Anthony Karunaratna of Manaweriya, insolvent.

NOTICE is hereby given that the second sitting of this court in the above matter has been adjourned to March 6, 1931, at 10 A.M., for the examination of the insolvent.

By order of court, C. EMMANUEL,
Negombo, February 6, 1931. Secretary.

In the District Court of Negombo.

Insolvency In the matter of the insolvency of Mihidu-
No. 206. kulasuriya Joseph Fernando of
Negombo, insolvent.

NOTICE is hereby given that a meeting of this court in the above matter will be held at 10 A.M. on March 10, 1931, for the purpose of granting a certificate of conformity to the above-named insolvent.

By order of court, C. EMMANUEL,
Negombo, February 5, 1931. Secretary.

In the District Court of Kalutara.

No. 271. In the matter of the insolvency of Widanalage Peter Edwin de Mel of Horana.

WHEREAS Widanalage Peter Edwin de Mel has filed a declaration of insolvency, and a petition for the sequestration of the said estate has been filed by T. Charles Fernando of Moratuwa, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Widanalage Peter Edwin de Mel insolvent accordingly; and that two public sittings of the court, to wit, on February 20, 1931, and on March 20, 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. W. LUDEKENS,
February 4, 1931. Secretary.

In the District Court of Kandy.

No. 1,846. In the matter of the insolvency of Marasinghe Mudiyansele Heen Banda of Hurikaduwa in Udagampaha, Pata Dumbara.

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 13, 1931, for the purpose of appointing an assignee.

By order of court, GERALD E. DE ALWIS,
Kandy, February 6, 1931. Secretary.

In the District Court of Kandy.

No. 1,856. In the matter of the insolvency of Witanaarachige Robert Sirisene of Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 13, 1931, for the purpose of granting a certificate of conformity to the said insolvent.

By order of court, GERALD E. DE ALWIS,
Kandy, February 6, 1931. Secretary.

In the District Court of Kandy.

No. 1,864. In the matter of the insolvency of Don Joseph Gregory Ranasinghe of Siyam-balagastene, Katugastota, Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the special sitting of this court on March 13, 1931, for the purpose of proving the claims against the insolvent.

By order of court, GERALD E. DE ALWIS,
Kandy, February 4, 1931. Secretary.

In the District Court of Kandy.

No. 1,912. In the matter of the insolvency of Wijesingha Singho Appuhamy of Kandy.

WHEREAS Wijesingha Singho Appuhamy of Kandy has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Kukulage Fredrick Abeysekara of Kandy, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Wijesingha Singho Appuhamy insolvent accordingly; and that two public sittings of the court, to wit, on March 20, 1931, and on April 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, GERALD E. DE ALWIS,
Kandy, February 4, 1931. Secretary.

In the District Court of Kandy.

No. 1,913. In the matter of the insolvency of D. A. L. Ratwatte of Palle Mahaiyawa, Kandy.

WHEREAS D. A. L. Ratwatte of Palle Mahaiyawa, Kandy, has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Edwin Wijeratna Alahakoon of Kandy, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said D. A. L. Ratwatte insolvent accordingly; and that two public sittings of the court, to wit, on March 13, 1931, and on April 10, 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, GERALD E. DE ALWIS,
Kandy, February 9, 1931. Secretary.

In the District Court of Kandy.

No. 1,914. In the matter of the insolvency of Loku Palihakarage Andiris Appuhamy of Kumbiangoda in Matale.

WHEREAS Loku Palihakarage Andiris Appuhamy of Kumbiangoda in Matale has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Liyana Gamage Davith Appuhamy of Elwella, Matale, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Loku Palihakarage Andiris Appuhamy insolvent accordingly; and that two public sittings of the court, to wit, on March 13, 1931, and on April 10, 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, GERALD E. DE ALWIS,
Kandy, February 9, 1931. Secretary.

In the District Court of Galle.

No. 610. In the matter of the insolvency of Uralagamage Porolis of Galle.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 24, 1931, for examination of insolvent.

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

In the District court of Galle.

No. 625. In the matter of the insolvency of Mohidin Bawa Abdul Mohideen of Talapitiya.

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 5, 1931, for assignee's report.

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

In the District Court of Galle.

No. 633. In the matter of the insolvency of M. S. Marikkar of Galle.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 24, 1931, for assignee's report.

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

In the District Court of Matara.

No. 49. In the matter of the insolvency of Ahamadu Lebbe Marikkar Mohamedo Ibrahim of Weligama.

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 7, 1931, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, R. MALALGODA,
Matara, February 5, 1931. Secretary.

In the District Court of Matara.

No. 64. In the matter of the insolvency of Mohamed Abdulla Dawood Marikar of Kotuwegoda.

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 27, 1931, to appoint an assignee.

By order of court, R. MALALGODA,
Matara, February 4, 1931. Secretary.

In the District Court of Ratnapura.

No. 60. In the matter of the insolvency of Herbert Geoffrey Henman of Boscombe Estate in Balangoda.

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 7, 1931, for the grant of a certificate of conformity to the insolvent.

By order of court, A. WAIDYARATNE,
February 7, 1931. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Brown & Co., Ltd. Colombo Plaintiffs.

No. 22,454. Vs.

K. G. Silva of 61, Dean's road in Colombo : Defendant.

NOTICE is hereby given that on Tuesday, March 24, 1931, at 2 P.M., will be sold by public auction at the premises the right title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,146.91, with interest thereon at 9 per cent. per annum from January 27, 1927, till date of decree, July 20, 1927, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit Rs. 307.17, less a sum of Rs. 250, viz. :—

All that land called Paranamuna bearing Sanitary Board No. 485, situated at Welikada in the Palle pattu of Salpiti korale in the District of Colombo, Western Province; bounded on the north by land belonging to Kotte Vihare, on the south by high road leading to Kalapaluwawa, on the east by a river, and on the west by the land belonging to Kotte Vihare; containing in extent about 3 roods, together with buildings, trees, and plantations standing thereon.

R. O. DE SARAM,
Deputy Fiscal.
Fiscal's Office,
Colombo, February 11, 1931.

In the District Court of Colombo.

M. V. E. M. R. M. Periyannan Chettiar of Sea street in Colombo Plaintiff.

No. 37,307. Vs.

(1) N. Sam Wijesekera and (2) Lily Wijesekera, both of Montrose, Horton place, Colombo Defendants.

NOTICE is hereby given that on Monday, March 9, 1931, at 10 A.M., will be sold by public auction at 97A, Sea street, Colombo, the following mortgaged property declared specially bound and executable under the

decree entered in the above action and ordered to be sold by the order of court dated January 22, 1931, for the recovery of the sum of Rs. 13,729.17, with interest on Rs. 10,000 at 15 per cent. per annum from March 22, 1930, till November 21, 1930, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit, viz. :—

One gold necklace set with 154 brilliants, 1 gold ring set with brilliants, 1 necklace set with 228 pearls, 1 gold brooch set with 61 brilliants.

R. O. DE SARAM,
Deputy Fiscal.
Fiscal's Office,
Colombo, February 11, 1931.

In the District Court of Colombo.

Andrege Don George of Wellampitiya in Colombo Plaintiff.

No. 40,342. Vs.

(1) Ranawaka Aratchige Caroline Perera and (2) Liyana Aratchige Don Romanis Appuhamy both of Nawagomwa Defendants.

NOTICE is hereby given that on Friday, March 20, 1931, at 2 P.M., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 2,360 dated March 20, 1930, and attested by M. S. Akbar 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 dated December 8, 1930, for the recovery of the sum of Rs. 1,068.29, with further interest on Rs. 1,000 at 20 per cent. per annum from September 11, 1930, to date of decree, October 17, 1930, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs, viz. :—

An undivided 1/5 part or share of all that allotment of land called Millagahawatta, situated at Koratota in the Palle pattu of Hewagam korale in the District of Colombo, Western Province; bounded on the north by the land of J. Fonseka Muhandiram, on the east by the land of J. Fonseka Muhandiram and a minor road, on the south by field of Walgamage Daniel Perera and Ranawatta Atchige Johanis Perera, and on the west by the fields of Denawakage Haramanis and others; containing in extent 25 acres 2 roods and 10 perches, excluding however therefrom a portion in extent 5 acres. Prior Registration G 115/188.

R. O. DE SARAM,
Deputy Fiscal.
Fiscal's Office,
Colombo, February 11, 1931.

In the District Court of Colombo.

M. R. A. R. S. P. Suppramaniam Chettiar by his attorney S. S. M. Subramaniam Pullie of Sea street in Colombo Plaintiff.

No. 42,208. Vs.

M. Nadarajah of the Electric Plating and Iron Works in Hospital street, Fort, Colombo. Defendant.

NOTICE is hereby given that on Saturday, March 14, 1931, at 9 A.M., will be sold by public auction at 21, Hospital street, Fort, Colombo, the following movable property for the recovery of the sum of Rs. 2,800, with interest thereon at 12 per cent. per annum from December 1, 1930, to date of decree, January 28, 1931, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit, viz. :—

Two jak glass almirahs, 1 large jak show case, 1 small jak show case, 1 half size show case, 1 teakwood writing table, 1 jak table, 1 teakwood t:apoy, 1 jak table, 1 jak table, 5 jak chairs, 1 teakwood small box, 1 wall mirror, 10 pictures, 1 wall clock, 1 iron box, 1 nickel calendar, 1 oil engine, 1 copper bath, 1 nickel bath, 1 silver bath, 1 dynamo, 3 nickelplated cases, 2 boring machines, 3 vices, 1 copying press, 1 common wood counter, 1 jak almirah, 1 common wood almirah, 1 bellow with stone, 4 polishing machines, 1 scotch brush machine, 3 bull neck bobs, 1½ black bronze jars, 3½ sheets bronze tins, 10½ brown bronze tins, 58 florantine bronze tins, 1 dynamo brush, 15 circular fibre brushes

1 saw dust brush, 10 lb. copper salt, 3½ lb. cynide pottasi, 43 bars tripoli composition, 103 emery cloth, 5 bottles oxidising copper salt, 12 lb. copper wire, 7 packets emery powder, 12 swans down mops, 9 cork mops, 7 leather mops, 15 emery wheels, 2 nickel anodis, 3 nickel hooks, 28 lb. lyco, 28 oz. silver cynide, ¼ helico wax, 1 packet pearless polish, 10½ bars rouge composition B.B., 12 bars rouge composition A.A., 12 rouge bars, 2 bottles nickel carbonaté, 14 lb. glue sheets, 2 tins mandise, 1 tin varnish, 1 lacquer pot, 1 evaporating flask, 1 evaporating dish, 1 brass wire brush, 1 bar emery composition, 3 circular brass wire brushes, 3 bottom brass wire brushes, 2 cups brass wire brushes, 21 wool brushes, 1 frosting brush.

Fiscal's Office,
Colombo, February 11, 1931.

R. O. DE SARAM,
Deputy Fiscal.

In the District Court of Colombo.

C. F. de Mel of Melgreen of Moratuwa Plaintiff.
No. 40/357.

W. J. Soysa of Dibedda in Panadure totamune in Panadure Defendant.

NOTICE is hereby given that on Monday, March 9, 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 for the recovery of Rs. 771, with interest on Rs. 600 at the rate of 18 per centum per annum from September 8, 1930, till November 26, 1930, and thereafter on the aggregate amount at 9 per centum per annum till payment in full, and costs of suit (bill not taxed yet), viz. :—

All that allotment of land called Mariawatta with the buildings and plantations standing thereon, situated at Dibedda in Panadure; and bounded on the north by the land belonging to Anthony Soysa and presently of Henneidge Mendis Soysa and others, east by Kongahawatta belonging to Mendis Soysa, south by cart road, and on the west by a portion of this land belonging to Mendis Soysa and others; and containing in extent 1 rood 26 5/10 perches.

Deputy Fiscal's Office,
Kalutara, February 10, 1931.

H. SAMERESINGHA,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Nabadawewe Rajapaksa Herath Mudiyansele
Punchi Banda Hearath Pilapitiya of Pilapitiya
in Gangapalata of Yatinuwara Plaintiff.

No. 39,228. Vs.

Wattegama Walawwa Dassanayake Wijesinghe
Wasala Mudiyanselehamillage Abeyaratna
Banda Lekam Mahanaya of Kiribathkumbura in
Gangapalata of Yatinuwara Defendant.

NOTICE is hereby given that on Friday, March 13, 1931, at 12 noon, will be sold by public auction at the premises of the said defendant in the following property for the recovery of the sum of Rs. 2,352.25, with legal interest thereon at 9 per cent. per annum from March 21, 1930, viz. :—

Undivided ½ shares out of the land called Walawwewatta of 2 pelas and 5 lahas in paddy sowing extent, situated at Kiribathkumbura in Gangapalata of Yatinuwara in the Kandy District of the Central Province; and bounded in its entirety on the east by above the ella of Kiribatha, on the south by fence on the limit of Pallemullewatta, on the west by ditch of Paluwatamulla, and on the north by above the field called Kaladora; together with a like share of the houses, buildings, plantations, and everything standing

thereon; registered B, 89/123; and all the right, title, interest, and claim whatsoever of the defendant in, to upon, or out of the said premises mortgaged by the defendant upon bond No. 20,404 dated April 25, 1925, and attested by Mr. J. W. Illangantilleke, Notary Public.

Fiscal Office,
Kandy, February 10, 1931.

A. RANESINGHE,
Deputy Fiscal.

In the District Court of Kandy.

Kotalawala Wijesundera Wickremasinghe Mudiyanselehamillage Tikiri Bandara Doloswala of Doloswala in Nivitigala Plaintiff.

No. 39,385. Vs.

Walisundera Mudiyansele Dingiri Banda Aratchy of Kehelwela in Gangapalata of Yatinuwara Defendant.

NOTICE is hereby given that on Monday, March 9, 1931, commencing 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. 6,916.55, less Rs. 400, with legal interest on Rs. 6,663 at 9 per cent. per annum from May 5, 1930, till payment in full, and poundage, viz. :—

(1) All that southern aswedduma of 12 lahas paddy sowing and the adjoining high land in extent 2 pelas and 8 lahas paddy sowing from and out of all these contiguous lands called Gawarapatanehena now garden and Pinnagolleaswedduma, both of the aggregate extent of 3 amunams paddy sowing, situate at Walagama in Gangapalata of Yatinuwera in the District of Kandy, Central Province; which said southern aswedduma and high land are together bounded on the east by Delange Ukkuwa's land and field, south by fence of Delangewatta, west by ella of Dewayalagedeniya, and on the north by the boundary of the remaining portion of this land; together with everything thereon, save and except therefrom Pinnagolleaswedduma of 12 lahas, and registered in B 91/281.

(2) Getakohowatta alias Hapuange Kotuwewatta presently tea garden of 1 acreal rood and 13.3 perches, situate at Walagama alias Gwala in Gangapalata of Yatinuwara in the District of Kandy, Central Province; and bounded on the east by Hapuangewatta, south by W. M. Punchi Banda's land, west by Gansabhawa road which separates the land belonging to W. M. Punchi Banda, and on the north by the fence which separates another portion of this land and ditch which separates Girakangewatta. Registered in B 106/57.

(3) Pinnagollehena presently tea garden of 1 acre 1 rood and 13.3 perches in extent, situate at Walagama aforesaid; bounded on the east by lot marked B belonging to W. M. Punchi Banda, domba tree, and 2 daluk trees, south and west by ella, and on the north by ella; together with the buildings, plantations, and everything thereon. Registered in B 106/58.

(4) All that field called Medabittarapela of 12 lahas in paddy sowing extent, situate at Kehelwela in Gangapalata aforesaid; and bounded on the east by the limit of the field called Lindagawapela, south by below the ella of Lebichchwatta, west by the imaniyara of the field belonging to Ram Menika, and on the north by the limit of Angekumbura. Registered in B 88/193.

(5) All that land called Lebichchwatta of 3 pelas in paddy sowing extent appertenant to the said field and situate at Kehelwela aforesaid; and bounded on the east by ditch, south by the village limit of Edanduwwa, west by the fence of Udawatta and the limit of Bilinda's garden, and on the north by above the field called Medabittarapela; together with everything standing thereon. Registered in B 71/99.

(6) All that land called Amukotuwehena and its appertenant Amuketuwehena alias hena, both forming one property of the aggregate extent of 1 pela and a

thimba in paddy sowing, situate at Kehelwela aforesaid; and are together bounded on the east by the Mala-ela of Ankendagolle Aratchy's land, south by village limit, west by fence of Wattegama Nilame's hena, and north by ditch of the remaining portion; together with the buildings, plantations and everything thereon. Registered in B 81/206.

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 bonds Nos. 6,035 dated November 5, 1928, and 530 dated December 20, 1928, and attested by Mr. M. B. E. Seneviratne and Messrs. Abeykoon and Dias de Singhe, Notaries Public, respectively.

A. RANESINGHE,
Deputy Fiscal.

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

In the District Court of Kandy.

S. Sadadeen of 126, Colombo street, Kandy . . . Plaintiff

No. 39,746. Vs.

(1) W. E. Alwis (2) Mrs. W. E. Alwis, both of
Gampola . . . Defendants.

NOTICE is hereby given that on Friday, March 13, 1931, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 631.25, with legal interest thereon from June 14, 1930, till payment in full, and poundage, viz. :—

All that house and premises bearing assessment No. 26, situate at Molten street, Gampola, in Gangapahala korale of Udapalata in the District of Kandy, Central Province; and bounded on the east by wall of house bearing assessment No. 25, on the south by drain and space between houses, on the west by Nayapana Store, and on the north by Molten street; containing in extent 57 feet in length and 54 feet in breadth.

A. RANESINGHE,
Deputy Fiscal.

Fiscal's Office,
Kandy, February 10, 1931.

Southern Province.

In the Court of Requests of Galle.

W. G. D. Simon Appuhamy of Meepe . . . Plaintiff.

No. 10,492. Vs.

Akmeemana Palkyegummanalage Lewis de Silva
of Melagoda . . . Defendant.

NOTICE is hereby given that on Saturday, March 7, 1931, at 2 P.M. 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. :—

1. An undivided 96931/211680 shares of all the soil and trees together with the planters' undivided $\frac{1}{2}$ share of the new plantation made by H. A. de S. Wickramatileke and the 13 cubits tiled house and the kitchen and water closet and the other buildings standing thereon of the land called Mullewatta alias Mullegewatta, situated at Pedinoruwa in Melagoda in Talpe pattu of Galle District, Southern Province; and bounded on the north by Gangodagekumbura, east by Bomigahawatta, south by Kitulgahawatta, and west by Hippangewatta; and containing in extent 4 acres and 2 roods, subject to mortgage bond No. 29,644 dated November 6, 1929, attested by E. A. Gurusinghe, Notary Public,

for a sum of Rs. 900, with interest thereon at the rate of 16 per cent. per annum.

Amount of writ Rs. 286.29, with legal interest from September 24, 1930, till payment in full.

Fiscal's Office,
Galle, February 9, 1931.

E. F. EDRISINGHE,
Deputy Fiscal.

In the District Court of Galle.

S. S. L. Letchimanan Chettiyar, presently of
Colombo . . . Plaintiff.

No. 27,120. Vs.

P. M. Mohamed of Talapitiya in Galle . . . Defendant.

NOTICE is hereby given that on Tuesday, March 10, 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. :—

An undivided $\frac{1}{4}$ part of all the trees and soil and of all the buildings standing thereon of a portion of the land Weliwatta, in extent 1 acre 1 rood 38.84 perches, situate at Dangedara within the Four Gravets of Galle; bounded on the north by high road, east by Samsi Thambi Padinchiwatta, south by a portion of Weliwatta, west by a portion of Weliwatta.

Writ amount Rs. 983.62, with legal interest from August 21, 1929, and costs of suit Rs. 58.92, less Rs. 500.

Fiscal's Office,
Galle, February 3, 1931.

E. F. EDRISINGHE,
Deputy Fiscal.

In the District Court of Galle.

Uyanage Paulis de Silva, presently of Penang,
Straits Settlement, by his attorney Sextus Suddi-
rikku Jayawickrama Gunasekera of Galle. Plaintiff.

No. 28,116. Vs.

(1) Hendadura John de Zoysa and (2) Hendadura
Dolpy de Zoysa both of Balapitiya . . . Defendants.

NOTICE is hereby given that on Saturday, March 14, 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 defendants in the following property, viz. :—

1. All that undivided $\frac{1}{8}$, $\frac{1}{40}$, $\frac{1}{40}$, and $\frac{1}{4}$ parts of the soil and of soil share trees of the land called Timbirigahawatta, situated at Balapitiya in Galle District; and bounded on the north by Tanagodellewatta, east by high road, south by Dimbulgahapitiyewatta; and on the west Mandu-ganga; containing in extent 2 roods; and the house of 11 carpenter's cubits of Manglore tiled and whitewashed and the 9 cubits whitewashed house standing thereon.

Writ amount Rs. 1,336.17.

E. F. EDRISINGHE,
Deputy Fiscal.

Fiscal's Office,
Galle, February 10, 1931.

In the Additional Court of Requests of Matara.

N. A. Wickremasooriya of Moratuwa . . . Plaintiff.

No. 13,285. Vs.

J. M. Johanis Alwis of Pamburana . . . Defendant.

NOTICE is hereby given that on Saturday, March 14, 1931, at 4 o'clock in the afternoon, will be sold by public

at the premises the right, title, and interest of the said defendant in the following property for the recovery of a sum of Rs. 227.61 :—

All that lot K of Mahapelawatta *alias* Inginigahawatta, situated at Pamburana in the Four Gravets of Matara District, Southern Province; and bounded on the north by portion J of the same land, east by Ralahaminnewatta *alias* Walawwewatta, south by road leading from Galle to Matara, and on the west by portion L of the same land; and containing in extent 1 acre 2 roods and 13 $\frac{101}{256}$ perches.

E. T. GOONEWARDENE,
Deputy Fiscal.

Deputy Fiscal's Office,
Matara, February, 9, 1931.

In the District Court of Colombo.

A. R. A. Suppiah Pillai of Sea street, Colombo. Plaintiff.

No. 41,581.

(1) S. P. Arthur Gunawardene and (2) S. P. Stephen Gunawardene, both of Ahangama in Galle, executors of the estate of the late S. P. S. A. Gunawardene, deceased. Defendants.

NOTICE is hereby given that on the following days at the hours specified below, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of a sum of Rs. 10,008.36, with interest thereon at 9 per cent. per annum from November 21, 1930, till payment in full, and costs of suit as taxed :—

On Thursday, March 12, 1931, at 2 p.m.

(1) An undivided $\frac{1}{2}$ part of the soil and fruit trees of the land called Kahatagahahena, situated at Midigama in the Weligam korale of the Matara District, Southern Province; and bounded on the north by lot Q 192 and lot appearing in P. P. 586, east by lots appearing in title plans Nos. 137,043, 270,538, and 37,888, south by Crown land, west by lot appearing in title plan No. 174,878; and containing in extent 7 acres 3 roods and 32 perches.

(2) An undivided $\frac{1}{2}$ part of the soil and of fruit trees of Indurehena, Kalawiya, Rukgahahena or Moragahahena or Talduwehenewatta, Kalawiyadeniya, and Kalawiya or Indurehena or Rukgahahena or Moragahahena, all adjoining one another and forming one land, and situated at Midigama aforesaid; and bounded on the north by land belonging to the natives, lot No. 4408 appearing in title plan No. 10,033 and lands appearing in title plans Nos. 137,043 and 280,726, east by land claimed by natives and Crown land, south by Crown land, west by Crown land and land claimed by natives; and containing in extent 21 acres 2 roods and 37 perches.

(3) An undivided $\frac{1}{20}$ part of the soil and fruit trees of the land called Sahabanduwatta or Goiyyanawatta, together with an undivided $\frac{1}{2}$ part of the masonry tiled house of 7 cubits standing thereon, situated at Denuwala in the Weligam korale aforesaid; and bounded on the north by Denuwalbissewatta, east by Pelawatta and Mawalawatta, south by high toad, west by Goiyyanawatta, Metikandiyewatta, and Denuwalbissewatta; and containing in extent about 5 acres.

On Friday, March 13, 1931, at 2 p.m.

(4) The field called Uggodayakumbura, situated at Uduwe Bajjama in the Gangaboda pattu of the Matara District, Southern Province; and bounded on the north by Radawakumbura, east by Puwakgahakumbura, south by Kerawakketiya, west by ela; and containing in extent about 1 bag of paddy sowing.

(5) The field called Rajapaksa Pattekumbura, situated at Uduwe Bajjama aforesaid; and bounded on the north by Bandaramahadiwela, east by Kattadige Otuketiya,

south by Runakumbura, Kirindakumbura, and Golu-naidakumbura, west by Nambige Pattekumbura; and containing in extent about 1 bag of paddy sowing.

(6) The field called Kerawakketiya, situated at Uduwe Bajjama aforesaid; and bounded on the north by Uggodayakumbura, east by land appearing in plan No. 56,757 and Puwakgahamulana, south-east by lands appearing in plans Nos. 56,757 and 58,729 and Babaredduwa-ela, west by Babaredduwa-ela; and containing in extent about 3 bags of paddy.

(7) An undivided $\frac{1}{2}$ part of the field called Koskandaliyadda, situated at Uduwe Bajjama aforesaid; and bounded on the north-west and north-east by Waturabasma-ela, south-east by land appearing in plan No. 57,194 and Dandumariakumbura, south-west by Kattiriya-liadda, west by Ellenhena; and containing in extent about 3 bags of paddy.

E. T. GOONEWARDENE,
Deputy Fiscal.

Deputy Fiscal's Office,
Matara, February 9, 1931.

In the District Court of Tangalla.

Don Luwis Atapattu of Nakulugamawala. Plaintiff.

No. 3,122.

(1) Charles Appu Wickramayaka of Kahawatta,
(2) Kataluwe Singappuli Tantarige Arlin/Simno of Beliatta. Defendants.

NOTICE is hereby given that on Tuesday, March 10, 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 defendants in the following property mortgaged with the plaintiff :—

(1) All that undivided $\frac{3}{4}$ shares of the soil and of the plantations and the entirety of the thatched house of 7 cubits and the house of 21 cubits now being built standing thereon of the land called Borellakoratuwa; containing in extent 1 kuruny of kurakkan, situated at Kahawatta in West Giruwa pattu of Hambantota District; and bounded on the north by Julpandura, east by Aturumahapara, south by Subehamy Padinchiwasitiyawatte Weta, and west by Paranapara Iwra. Value Rs. 2,500.

(2) All that soil and plantations of the land called Nugagahakoratuwa depicted in T. P. No. 313,250; containing in extent 3 roods and 31 perches, situated at Kahawatta; and bounded on the north by lot 158 in P. P. No. 291; east by lots 192 and 172 in P. P. No. 291, and west by lot 155c in P. P. No. 291. Value Rs. 300.

(3) All that undivided $\frac{1}{2}$ share of the soil and of the plantations of the land called Nugehena; containing in extent about 4 acres, situated at Kahawatta; and bounded on the north by Dewata, east by Suwandahenedige Appubaba Pandinchiwatta, south by Nugagahakoratuwa and Gedarawatta, and west by Nonis Appu Padinchiwatta. Value Rs. 500.

(4) All that undivided $\frac{1}{2}$ share of the soil and of the plantations of the land called Puhugahakoratuwa; containing in extent about 1 acre, situated at Kahawatta; and bounded on the north by Suriyagahakoratuwa, east by Weddawekoratuwa, south by Carolis Padinchiwatta, and west by Walgama Kodituwakkuge Don Luwis Padinchiwatta. Value Rs. 100.

Writ amount Rs. 3,192.92 $\frac{1}{2}$, with legal interest on Rs. 2,500 at 15 per cent. per annum from March 19, 1930, to date, and with legal interest on aggregate amount from July 16, 1930, till payment, and poundage.

A. L. M. NOOR MOHAMED,
Additional Deputy Fiscal.

Deputy Fiscal's Office,
Tangalla, February 9, 1931.

In the District Court of Galle.

F. E. Abeyundara of Galle, doing business under the name and style of F. E. A. Vellamy . . . Plaintiff.

No. 26,960. Vs.

P. H. de Silva of Katalawa, now in Tangalla Defendant.

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 premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 5,132.68, and poundage, viz. :—

At Bedigama.

(1) All those contiguous lands called Hingurawela, Gurugodella, Kudagusbaneera, Godawanehena, Gurugodellayaya, and Kudagasare Bandarahena *alias* Gurugodellayaya, situated at Bedigama in West Giruwa pattu of the Hambantota District; and bounded on the north by T. P. 271,490, 230,005, and 219,715, east by T. P. 219,715 and 194,364, south by lots 55L, 355L, 213, and 55K, west by T. P. 271,490; containing in extent 21 acres 3 roods and 22 perches. Value Rs. 2,200.

(2) All that land called Konigahawatta, situated at Bedigama; and bounded on the north by T. P. 216,123, east by lot 278K, south by T. P. 216,123; west by T. P. 181,073; containing in extent 1 acre 1 rood and 8 perches. Value Rs. 200.

(3) All that land called Gonagala *alias* Komahena situated at Bedigama; and bounded on the north by footpath, T. P. 321,789, and lot 89, east by T. P. 320,178, south by lot 10G, 10K, and 11, west by lot 11A, 588B, T. P. 206,385, and footpath; containing in extent 24 acres 1 rood and 15 perches. Value Rs. 2,500.

(4) All that undivided $\frac{3}{4}$ share of the land called Kapuralagewela, situated at Bedigama; and bounded on the north by Kongahahena, east by road, south by Liyanagasaregawahena and Dangahahena, west by Hitgahahena; containing in extent 6 acres 2 roods and 28 perches. Value Rs. 760.

(5) All that land called Ambagahawatta and Areghawatta, situated at Bedigama; and bounded on the north by lot 175, T. P. 318,405, east by lot 55L, south by lot 55L-E, west by reservation along the road and lot 175 and 176; containing in extent 4 acres and 9 perches. Value Rs. 400.

(6) All that land called Ketakolagahahena, situated at Bedigama; and bounded on the north by reservation along the road, east by lot 286A, south by lot 286, west by lot 279B; containing in extent 1 acre 2 roods and 12 perches. Value Rs. 150.

(7) Undivided $\frac{1}{2}$ share of the land called Dangahahena, situated at Bedigama; and bounded on the north by T. P. 164,781, east by T. P. 174,979, south by T. P. 301,289 and lot 11,955 in P. P. 5,367, west by lot 11,955 in P. P. 5,367; containing in extent 4 acres 3 roods and 6 perches. Value Rs. 350.

(8) All that land called Dangahahena *alias* Kongahahena *alias* Liyanagasarehena, situated at Bedigama; and bounded on the north by Crown land, east by T. Ps. 164,781, 201,300, 201,289, 201,301, and 201,290, south by Crown land, west by Crown land and T. P. 181,073; containing in extent 3 acres and 20 perches. Value Rs. 450.

(9) Kolongahahena *alias* Welihena lot 10G, Gonagalahena *alias* Komahena lot 10J, Galgodahena lot 11A.S. situated at Bedigama; and bounded on the north by T. P. 206,385, footpath, T. P. 321,789, and lot 89, east by lot 10G4, T. Ps. 320,178, 320,188, and 315,945, south by lot 169 and 11, west by lot 10K and 11; containing in extent 60 acres 2 roods and 9 perches. Value Rs. 3,025.

(10) All that land called Rattagearehena, situated at Bedigama; and bounded on the north by village limit of Himbunna, east by Rattagearehena sold to K. M. de Silva, south by Rattagearehena sold to G. Don Deonis and others, west by Rattagearehena sold to L. Don

Andiris, Kajugahahena T. P. 324,948, Godakadujugahakoratuwa T. P. 324,947; containing in extent 21 acres and 30 perches. Value Rs. 2,100.

A. L. M. NOOR MOHAMED,
Additional Deputy Fiscal.

Deputy Fiscal's Office,
Tangalla, February 9, 1931.

North-Western Province.

In the District Court of Kurunegala.

M. M. Yoosof Saibo of Boyagane Plaintiff.

No. 14,366. Vs.

P. B. Wanduragala, Bernard's estate, Boyagane in Tiragandahe korale Defendant.

NOTICE is hereby given that on Monday, March 9, 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. 1,464.20, and poundage, viz. :—

All that land called Bernardwatta, situate at Boyagane in Tiragandahe korale west of Weudawilli hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by garden of Mr. Walter Silva and Reglanwatta, east by Reglanwatta, south by garden and field of Mr. Jayatileka, Boyagane Aratchi, and others, west by Colombo road, field, and pillewa of Boyagane Aratchi and others; containing in extent about 7 acres.

RUSSELL DE SOYSA,
Fiscal's Office, Additional Deputy Fiscal.
Kurunegala, February 4, 1931.

In the District Court of Kurunegala.

(1) S. P. K. S. Karuppen Chettiar and (2) ditto Sockalingam Chettiar, both of Kurunegala . . . Plaintiff.

No. 15,284. Vs.

(1) G. C. P. Senanayaka and (2) Annie Senanayaka, both of Wariyapola in Dewamedde korale, Defendant.

NOTICE is hereby given that on Tuesday, March 10, 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 defendants in the following property for the recovery of the sum of Rs. 706.80, with further interest on Rs. 570 at the rate of 18 per cent. per annum from August 19, 1930, to September 30, 1930, and thereafter equal interest on the aggregate amount till payment in full, and poundage, viz. :—

All that land called Amarawathiewatta, situate at Horombuwa in Dewamedde korale of Dewameddi hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by village limit of Bogammana, east by village limit of Bogammana and fence of the garden of Kristnam Kangany and others, south by road leading to Ganewatta, west by fence of the garden and limit of the chena of Hetuhamy Vidane; containing in extent about 50 acres, with the plantations and buildings thereon.

RUSSELL DE SOYSA,
Fiscal's Office, Additional Deputy Fiscal.
Kurunegala, February 9, 1931.

In the District Court of Negombo.

S. T. M. V. R. Arumugam Pulle of Negombo . . . Plaintiff.

No. 36,828. Vs.

Simon Wijeyesinghe Ekanyake of Kakkapalliya Defendant.

NOTICE is hereby given that on Tuesday, March 24, 1931, at 10 o'clock in the forenoon will be sold by public

at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 85, with interest on Rs. 50 at 30 per cent. per annum from February 13, 1930, till March 26, 1930, and thereafter at 9 per cent. per annum till payment, and poundage, viz. :—

1. The field called Asweddumakumbura and Godabima, situate at Kakkapalliya in Munnessaram pattu of Pitigal korale north in the District of Chilaw, North-Western Province; and bounded on the north by field of Mudalihamy Gamarala and others, east by lands of Hendrick Appu Vedarala and others, south by the field of Herathamy ex Headman and others, and west by the field of Wijesinghe Ekanayaka Nonchohamy and others; containing in extent about 10 parras of paddy sowing soil of field and 1 acre of high land, subject to mortgage bond No. 197 dated October 23, 1928.

2. The field called Godakumbura, situate at Kakkapalliya aforesaid; and bounded on the north by Bulugahakumbura, Subaseris Perera, east by the field of C. S. Gunetilleke, south by village limit of Pahalagama, and west by Godakumburapillewa; containing in extent about 6 parras of paddy sowing soil, subject to a mortgage bond No. 197.

3. An undivided $\frac{1}{2}$ share of the field called Ikilikumbura and Godabima, situate at Kakkapalliya aforesaid; and bounded on the north by field of Herathamy ex Vidane and others, east by the lands of Juwanis Perera Appuhamy and others, south by a portion of gala, Juwanis Perera Appuhamy and Hendrick Perera Appuhamy, and west by lands of Baba Etana and others; containing in extent 20 parras of paddy sowing extent of field and 4,000 tobacco plants plantable soil of high lands, subject to mortgage bond No. 197.

4. An undivided $\frac{5}{6}$ share of the land called Mahagala, situate at Kakkapalliya aforesaid; and bounded on the north by gala land of Juwanis Perera and others, east by high land and water-course, south by land formerly of Baba Etana but now of the debtor, and west by the land of Manis Perera; containing in extent 1 acre and 2 roods, together with the buildings and plantations standing thereon, subject to mortgage bond No. 197.

Deputy Fiscal's Office, F. G. DALPETHADO,
Chilaw, February 10, 1931. Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

James Van Danberg, Proctor, Ratnapura, Plaintiff.

No. 5,064.

Mohammad Small Notaris Abdul Caffoor of Katu-
wada in Kalutabadda, presently Old road,
Seruwala, Defendant.

NOTICE is hereby given that on Tuesday, March 10, 1931, at 9 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 4,758, together with interest on Rs. 4,168.17 at 12 per cent. per annum from March 19, 1929, till November 14, 1929, and thereafter on the aggregate sum at the rate of 9 per cent. per annum till payment in full and costs of suit and poundage under the order to sell, less Rs. 750 paid by the defendant to plaintiff, viz. :—

1. An undivided $\frac{1}{2}$ share of all those contiguous allotments of land called Niyakolahena of the extent of about 3 pelas of paddy sowing, Pahalollahehena of the extent of about 3 pelas of paddy sowing, Menerihena of the extent of about 3 pelas of paddy sowing, Andigehena of the extent of about 2 pelas of paddy sowing, Dummalehena of the extent of about 2 pelas of paddy sowing, and Batahena of the extent of about 2 pelas paddy sowing,

situated at Balibatgoda in the Pale pattu of Nawadun korale in the District of Ratnapura of the Province of Sabaragamuwa; and together bounded on the north by Pandeniyehehena and Jiperuwegawatta, east by Ihaladepela, Pahalollaha, Nugagahaliadda, Assedduma, Bandaraliadda, Batadombagahalidda, Medaliadda and Halgahaliadda, south by Naakarehena, and west by Diyakonthaele-dola and Patuwalehena (excluding however within the said boundaries the undivided lands called Pahalollahehena and Andigehena) and which said lands now bearing lot 6R in B. S. P. P. No. 51 are bounded on the north by Udahawatta, Delgahawatta, and Medaliaddekumbura, east by Higgaha-dola, Pahalollahehena-kumbura, and Pahalollahehena, south by Potgulkandemukaiana alias Indiwitiyehehena, and west by Pandeniyehehena; and containing in extent 17 acres 1 rood and 34 perches, together with the rubber plantation appertaining thereto, and registered at the Ratnapura Land Registry Office under registered mark B173/274.

2. An undivided $\frac{1}{2}$ share of the allotment of land called Pahalollahehena bearing lot 6R in B. S. P. P. No. 51, situated at Balibatgoda aforesaid; bounded on the north by Maha-dola, east by Ihaladepela, south by Maha-dola, and west by Amuhena; and which said lot 6R is bounded on the north by Maha-dola, Pahalollahekumbura claimed by H. Kirimanis, Ihaladepelakumbura claimed by Romial Vedarala and Meegahakumbura claimed by Saradialappu, east by Naakalehena belonging to the the Crown and Angurumelehehena alias Indiwitiyahena, south by Maha-dola, and west by Dummelehehena and Menerihena; and containing in extent 6 acres 3 roods and 14 perches, and registered at the Ratnapura Land Registry Office under registered mark B173/275.

3. On Wednesday March 11, 1931, commencing at 11 A.M., the two allotments of land marked D and E in plan No. 141 dated October 13, 1916, made by Mr. K. Vale Murukku, Licensed Surveyor, of Miriswelkanatt-mukalana, situated at Karawita in Meda pattu of Nawadun korale in the District of Ratnapura of the Province of Sabaragamuwa; bounded on the north by lot marked C in the said plan, east by Karawita-ganga, south by Ganga-addarahena and Lokadeniyehena, and west by Ginibokka-dola; and containing in extent 50 acres 2 roods 17 $\frac{8}{30}$ perches, together with the rubber plantation and the hungalows and machinery standing thereon and registered at Ratnapura Land Registry Office under registered marked B176/22.

4. All those allotments of land called Koladeeyankadahena marked lot 54N in B. S. P. P. No. 202 and Koladeeyankadahena marked lot 54P in the said plan, situated at Watupitiya in Meda pattu aforesaid; bounded on the north by Gansabhawa road, east by Gansabhawa road, lot 54Q called Koladeeyankadahena sold to Hewainne Rankiriya under the Waste Lands Ordinances, Gansabhawa road and lot marked 247 of Koladeeyankadawatta declared private, south by Karawita Gammama, and west by lots 54O and 54M of St. Anthonizwatta sold to Lazarus Motha and another under the Waste Lands Ordinances; and containing in extent 4 acres 1 rood and 17 perches, and registered at the Ratnapura Land Registry Office under registered mark B176/23.

R. E. D. ABEYRATNE,
Fiscal's Office, Additional Deputy Fiscal.
Ratnapura, February 6, 1931.

In the District Court of Kegallia
Deunugalpedige Menika of Dambulla, Plaintiff.

No. 8,101. Vs.

Ponnamperuma Hettiaratchige John Samarasinha of Dambulla, presently in Welikada Jail, Defendant.

NOTICE is hereby given that on March 10, 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, viz. :—

Sale on March 10, 1931, at 3 p.m.—All that land called Ethanaelagawahena now garden of about 2 pelas and 5lahas of paddy sowing in extent, situated at Dambulla in Walgam pattu of Galboda korale in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the north by murutha tree on the limit of Ukkugehena, on the east by hith tree on the limit of Pinhuduwewepillewa and makulla tree, on the south by kaduru tree on the limit of Elandigehena, and on the west by Wewehena belonging to the Crown.

For the recovery of the sum of Rs. 482.28, together with legal interest on Rs. 369.20 from September 29, 1927, till payment in full.

S. DE SILVA,
Additional Deputy Fiscal.

Deputy Fiscal's Office,
Kegalla, February 6, 1931.

In the District Court of Kegalla.

A. L. Somaweera Appuhamy of Rambodda. Plaintiff.

No. 9,297.

P. D. Lapaya of Gabbala. Defendant.

NOTICE is hereby given that on March 6 and 7, 1931, will be sold by public auction at respective premises the right, title, and interest of the said defendant in the following property, viz. :—

Sale on March 6, 1931, commencing at 10 A.M.

1. One-third share of Hitinawatta of 1 seer of kurakkan sowing in extent, situated at Parape in Walgam pattu of Kinigoda korale in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the east by Mudiyanse's chena, south by Sepala's garden, west and north by Paulis's land.

2. One-third share of Miriswelgollewatta of 2 lahas of paddy sowing in extent, situated at the same village as aforesaid; and bounded on the east by Hatana's garden, south by Mudiyanse's chena, west and north by Balis's garden.

Sale on March 6, 1931, at 1 P.M.

3. One-third share of Embalagodagewatta of 12 lahas of paddy sowing in extent, situated at Gabbala in Walgam pattu as aforesaid; and bounded on the east, south, and west by stone fence, north by Mala-ela and stone fence.

Sale on March 6, 1931, commencing at 2 P.M.

4. An undivided 1/54 share of Pinchibimehena, situated at Nehelme in Walgam pattu as aforesaid; and bounded on the west by rubber estate, east by Bohora-oya, south by Humbaha and Gaswetiya, and west by limit of Bandarahena.

5. An undivided 5/27 share of Moragollehena of 8 lahas paddy sowing in extent, situated at Nehelma; bounded on the north by endaru fence of Kalugalayalagewatta, east by limit of Kahatagahamulahena, south by Mala-ela, west by ela.

6. An undivided 5/27 share of duwa of 6 lahas paddy sowing in extent, situated in the aforesaid village; bounded on the north by limitary stones, east by Nehelmedeniya, south by limitary stones of Hapugahamulatenna, and west by Bohora-oya.

7. An undivided 5/27 share of Lindagawawatta of 12 lahas paddy sowing in extent, situated in the aforesaid village; bounded on the north by Murungagahamulawatta, east by ditto, south by stone fence of Kajugahamulawatta, and west by Andigearamba and Godigomugaramba.

8. An undivided 5/27 share of Bilinchagahamularamba of 12 lahas paddy sowing in extent, situated in the village aforesaid; bounded on the north by Mala-ela, east by Polgahamulahena, south by Ganpihille-ela, and west by Moragahamulawatta and Ganpilla.

9. An undivided 5/27 share of Galendaudahena of 5 lahas paddy sowing in extent, situated in the village aforesaid; bounded on the north by ela, east by limit of Thanahena, south by Mala-ela, and west by stone ridge.

10. An undivided 5/27 share of Moragahamulahena of 12 lahas paddy sowing in extent, situated in the village aforesaid; bounded on the north by endaru fence, east by stone fence, south by limitary stones, and west by stone ridge.

11. An undivided 5/27 share of Iikehena of 15 lahas paddy sowing in extent, situated in the village aforesaid; bounded on the north by Medapele-ela, east by Crown forest, south by limitary stones, and west by stone fence and limit of Thanahena.

Sale on March 7, 1931, commencing at 2 P.M.

12. An undivided 5/27 share of Naimemerudeniya-kumbura of 6 lahas paddy sowing in extent, situated at Kotawella; bounded on the north by bank, east by limitary dam, south by bank, and west by limitary dam of Hatnagodayalagekumbura.

13. An undivided 1/18 share of Kostennenindakanatikumbura of 1 pela of paddy sowing in extent, situated at Kotawella in Walgam pattu as aforesaid; and bounded on the north by ela, east by oya, south by limitary dam of Bandarakumbura, and west by high road.

14. Nagahamulamankadehena of 2 pelas of paddy sowing in extent, situated at Kostenna in Kotawella as aforesaid; and bounded on the north by endaru fence of land of Kirihapuwa and others, east by high road, south by limit of chena of Pincha Veda, and west by limit of Kalahugahamulawatta of Gunaya.

15. An undivided 1/4 share of Kalahugahamulawatta of 12 lahas of paddy sowing in extent, situated at Kotawella as aforesaid; and bounded on the north by ela, east by endaru fence, south by stone fence of land belonging to Kirihonda, and on the west by Elawella.

16. An undivided 1/12 share of Attikkagahamulakumbura of 2 pelas of paddy sowing in extent, situated at Kotawella as aforesaid; and bounded on the north by bank of Paluwatta, east by Elawella, south by limitary dam, and west by limitary dam of Galgahamulaliyadda.

17. An undivided 1/12 share of Paluwatta of 1 pela and 1 thimba of paddy sowing in extent, situated at Kotawella as aforesaid; and bounded on the north by endaru fence of Bandiralagewatta, east by endaru fence of Hanwathnagewatta, south by bank, and west by Banduwagekumburapillewa.

18. An undivided 5/12 share of Minimarudeniye-kumbura and pillewa of 1 thimba and 6 lahas of paddy sowing in extent, situated at Kotawella as aforesaid; and bounded on the north by bank, east by limitary dam, south by limitary of this field, and on the west by the limit of Banduwagehena.

For the recovery of the sum of Rs. 525, and poundage.

S. DE SILVA,
Additional Deputy Fiscal.

Deputy Fiscal's Office,
Kegalla, February 6, 1931.

I, GUY STANLEY WODEMAN, Fiscal for the Southern Province, do hereby appoint Mr. J. Arudpiragasam, Recordkeeper, Police Court, Balapitiya, to be Marshal for the Balapitiya District, for February 13, 1931, under the provisions in the Fiscals' Ordinance, 1897, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Fiscal's Office,
Galle, February 7, 1931.

G. S. WODEMAN,
Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo. Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Biyanwilage Don David Andrew Perera of 39, Galle road, Wellawatta in Colombo, deceased.

Biyanwilage Don Arthur Perera of 39, Galle road, Wellawatta in Colombo Petitioner.

- (1) Beruwalage Salming Fernando, (2) Biyanwilage Don Edwin Perera, (3) ditto Don Richard Perera, (4) ditto Don James Perera of 39, Galle road, Wellawatta in Colombo Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 11, 1930, in the presence of Mr. J. L. R. Shelton Perera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 10, 1930, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as eldest 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 January 29, 1930, show sufficient cause to the satisfaction of this court to the contrary.

December 11, 1930. G. C. THAMBYAH, District Judge.

The date for showing cause is extended to February 26, 1931.

January 24, 1931. G. C. THAMBYAH, District Judge.

In the District Court of Colombo. Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Timbiripolage Abraham Peiris of 93, Daniel's road, Madampitiya in Colombo, deceased.

Timbiripolage Edwin Peiris of 93, Daniel's road, Madampitiya in Colombo Petitioner.

Adambarage Catherine de Alwis of 93, Daniel's road aforesaid, widow of the deceased Respondent.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on January 23, 1931, in the presence of Mr. T. Canaga Rayar, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 23, 1931, having been read:

It is ordered that the petitioner be and he is declared entitled, as son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondent above named or any other person or persons interested shall, on or before February 26, 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 declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Eliza Jane Wyatt, late of No. 5,507, 31 Rutland Court, Knightsbridge in the County of Middlesex, England, widow deceased.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on February 5, 1931, in the presence of Mr. James van Langenberg, Proctor, on the part of the petitioner, Stanley Frederick de Saram; and (1) the affidavit of the said petitioner dated February 3, 1931, (2) the power of attorney dated November 20, 1930, and (3) the order

of the Supreme Court dated January 26, 1931, having been read: It is ordered that the will of the said Eliza Jane Wyatt, deceased, dated November 14, 1928, with a codicil thereto dated February 8, 1930, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Stanley Frederick de Saram is the attorney in Ceylon of the executors named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before February 26, 1931, show sufficient cause to the satisfaction of this court to the contrary.

G. C. THAMBYAH, District Judge.

February 5, 1931.

In the District Court of Colombo. Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Udage Achchige Abraham Appu of Wanaluwawa in Gangaboda pattu of Siyane korale, deceased.

Ganeachchige Ravistina Hamy of Wanaluwawa aforesaid Petitioner.

- (1) Udage Achchige Cecily Nona, (2) ditto Chandarasena, (3) ditto Emily Nona, minors, appearing by their guardian ad litem (4) Patti vidanelage Dange of Domppe in the Gangaboda pattu of Siyane korale Respondents

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 17, 1930, in the presence of Mr. J. Rowland Perera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 11, 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.

December 17, 1930. G. C. THAMBYAH, District Judge.

In the District Court of Colombo. Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Lebbe Marikar Adambo Natchiya of New Moor street in Colombo, deceased.

A. M. R. M. Chettiar of 172, Sea street in Colombo Petitioner.

- (1) Sinne Lebbe Marikar Mohideen, (2) Sinne Lebbe Marikar Mohamed Ismail, (3) Rahumath Beebee, wife of (4) L. M. Abdul Allim, all of New Moor street in Colombo Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on January 16, 1931, in the presence of Mr. S. Somasundaram, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 15, 1931, having been read:

It is ordered that Mr. P. H. de Kretser, as Secretary of the District Court of Colombo, be and he is hereby declared entitled to have letters of administration to the estate of the above-named deceased be 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 16, 1931. G. C. THAMBYAH, District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Mihindukulasuriya Abinge No. 2,790. Francis Fernando of 3rd Division, Udayartoppuwa, deceased.

Between

Jasentulianage Maria Fernando of 3rd Division, Udayartoppuwa, Petitioner.

(1) Mihindukulasuriya Abinge, Elene Belsie Rita Fernando (minor), (2) Wellparanciskige Christian Sovis of 3rd Division, Udayartoppuwa, Respondents. THIS matter coming on for disposal before M. H. Kantawala, Esq., District Judge of Negombo, on November 6, 1930, in the presence of Mr. D. A. P. Ranasinghe, Proctor, on the part of the petitioner; and the petition and affidavit of the said petitioner dated November 5, 1930, and September 16, 1930, respectively, having been read:

It is ordered that the said petitioner be and the same is hereby declared, as the widow of the above-named deceased, to have letters of administration to the said estate issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before November 27, 1930, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 2nd respondent above named be appointed guardian *ad litem* over the minor, the 1st respondent above named, for the purpose of these testamentary proceedings, unless the respondents above named or any other person or persons interested shall, on or before November 27, 1930, show sufficient cause to the satisfaction of this court to the contrary.

M. H. KANTAWALA, District Judge.

November 5, 1930.

Time for showing cause is extended to February 20, 1931.

M. H. KANTAWALA, District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Matara-aratchige Don Cornelis Appuhamy, deceased, of Dodangoda. No. 2,385.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on November 11, 1930, in the presence of Messrs. Fernando & Gunatilleka, Proctors, on the part of the petitioner, Matara-aratchige Don Jimonis Appuhamy of Dodangoda; and the affidavit of the petitioner dated August 7, 1930, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as brother, to have letters of administration to his estate issued to him, unless the respondents—(1) Omattepathirage Kachchohamy, (2) Matara-aratchige Arnolis Appuhamy, (3) ditto Samanis Appuhamy, (4) ditto Romanis Appuhamy—or any other person or persons interested shall, on or before December 15, 1930, show sufficient cause to the satisfaction of the court to the contrary.

N. M. BHARUCHA, District Judge.

November 11, 1930.

Date of showing cause is extended to February 16, 1931.

N. M. BHARUCHA, District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Amugoda Kankanange Dalis Appuhamy, deceased, of Bellana. No. 2,391/5,325.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on December 9, 1930, in the presence of Messrs. D. Alwis & Pararagama, Proctors, on the part of the petitioner, Amugoda

Kankanange Don Charles Appuhamy of Bellana; and the affidavit of the said petitioner dated July, 1930, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as father, to have letters of administration to his estate issued to him, unless the respondent, Budanegamaralalage Dona Cathirina de Silva Weerasinghe, Bellana, or any other person or persons interested shall, on or before January 27, 1931, show sufficient cause to the satisfaction of this court to the contrary.

N. M. BHARUCHA, District Judge.

December 9, 1930.

The date for showing cause has been extended to March 4, 1931.

N. M. BHARUCHA, District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Assana Marikar Ummu Isa Natchia, deceased, of Deenagoda. No. 2,297.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on March 19, 1930, in the presence of Messrs. Wijemanne & Ismail, Proctors, on the part of the petitioner, Mohamed Lebbe Marikar Hassan Marikar of Deenagoda; and the affidavit of the said petitioner dated March 18, 1930, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as husband, to have letters of administration to her estate issued to him, unless the respondents—(1) Idroos Lebbe Marikar Assana Marikar, (2) Sheika Marikar Maimoon Natchia, both of Deenagoda—or any other person or persons interested shall, on or before May 14, 1930, show sufficient cause to the satisfaction of this court to the contrary.

N. M. BHARUCHA, District Judge.

March 19, 1930.

Date for showing cause against the *Order Nisi* extended for May 14, 1930.

N. M. BHARUCHA, District Judge.

March 19, 1930.

Date for showing cause against the *Order Nisi* extended for July 2, 1930.

N. M. BHARUCHA, District Judge.

May 14, 1930.

Date for showing cause against the *Order Nisi* extended for July 30, 1930.

N. M. BHARUCHA, District Judge.

July 2, 1930.

Date for showing cause against the *Order Nisi* extended for September 10, 1930.

N. M. BHARUCHA, District Judge.

July 30, 1930.

Date for showing cause against the *Order Nisi* extended for October 15, 1930.

N. M. BHARUCHA, District Judge.

September 10, 1930.

Date for showing cause against the *Order Nisi* extended for November 19, 1930.

N. M. BHARUCHA, District Judge.

October 15, 1930.

Date for showing cause against the *Order Nisi* extended for December 17, 1930.

N. M. BHARUCHA, District Judge.

November 19, 1930.

Date for showing cause against the *Order Nisi* extended for February 16, 1931.

N. M. BHARUCHA, District Judge.

December 17, 1930.

In the District Court of Kalutara.

*Absolute or Discharging Order Nisi declaring
Will proved, &c.*

Testamentary In the Matter of the Last Will and
Jurisdiction. Testament of the late Richard Francis
No. 2,397. Goonaratne, Mudaliyar of the
Governor's Gate, deceased, of Pana-
duwe.

THIS matter coming on for final determination
before N. M. Bharucha, Esq., District Judge of Kalutara,
on January 30, 1931, in the presences of Messrs. Wijeye-
ratne & Martin, Proctors, on the part of the petitioner,
Gilbert Wilfred Goonaratne, Mudaliyar of Agalawatta in
Pasdum korale; and the affidavit of the said petitioner
dated January 30, 1931, having been read:

It is ordered that the will of Richard Francis Goona-
ratne, Mudaliyar, deceased, dated January 9, 1927, be
and the same is hereby declared proved, unless any
person or persons interested shall, on or before February
20, 1931, show sufficient cause to the satisfaction of this
court to the contrary.

It is further declared that the said Gilbert Wilfred
Goonaratne, Mudaliyar, is the executor named in the said
will, and that he is entitled to have probate of the same
issued to him accordingly, unless any person or persons
interested shall, on or before February 20, 1931, show
sufficient cause to the satisfaction of this court to the
contrary.

January 30, 1931. N. M. BHARUCHA,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late
No. 4,984. Angurukumbure Weerasekera Mudi-
anselage Walawwe Indajothi Therun-
nanse, deceased, of Pitiyegedera Vihare.

THIS matter coming on for disposal before Paulus
Edward Pieris, Esq., District Judge, Kandy, on January 12, 1931, in the presence of
Messrs. Beven & Beven, Proctors, on the part of the
petitioner, Walala Chandajothi Unnanse of Pitiyegedera
Vihare; and the affidavit of the said petitioner dated
December 22, 1930, having been read:

It is ordered that the petitioner, as a nephew 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)
Angurukumbure Weerasekera Mudienselage Medduma
Banda, (2) ditto Loku Banda, (3) ditto Ram Banda, (4)
ditto Ebithi Banda, (5) ditto Wije Banda, (6) ditto
Kapile Banda of Walala—shall, on or before February 16,
1931, show sufficient cause to the satisfaction of this
court to the contrary.

January 12, 1931. P. E. PIERIS,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late
No. 4,985. Welegedera Daiyanwala Nawaratna
Yapa Mudienselage Sumanawathi, of
Maswela, deceased.

THIS matter coming on for disposal before Paulus
Edward Pieris, Esq., District Judge, Kandy, on January 12, 1931, in the presence of Messrs.
Beven & Beven, Proctors, on the part of the petitioner,
Dassanayake Mudienselage Ukkum Mendiy Kumari-
hamy; and the affidavit of the said petitioner dated
January 6, 1931, having been read:

It is ordered that the petitioner, as sole heir 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 any person or
persons interested shall, on or before February 16, 1931,
show sufficient cause to the satisfaction of this court
to the contrary.

January 12, 1931. P. E. PIERIS,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Abdul Cader Lebbe Mohammado
No. 4,986. Hanifa, deceased, of Kandy.

THIS matter coming on for disposal before Paulus
Edward Pieris, Esq., District Judge, Kandy, on January
13, 1931, in the presence of Mr. P. Balasingam, Proctor,
on the part of the petitioner, Ana Abubackker Hadjar
of Trincomalee street, Kandy; and the affidavit of the
said petitioner dated December 20, 1930, having been
read:

It is ordered that the petitioner, as sole heir of the
deceased, be and he is hereby declared entitled to have
letters of administration issued to him, unless any person
or persons interested shall, on or before February 23,
1931, show sufficient cause to the satisfaction of the
court to the contrary.

January 13, 1931. P. E. PIERIS,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of the late Mohamed Haniffa Moha-
No. 6,731. med Ismail, deceased, of China garden,
Galle.

THIS matter coming on for disposal before T. W.
Roberts, Esq., District Judge of Galle, on November
19, 1928, in the presence of Mr. G. E. Abeyewardene,
Proctor, on the part of the petitioner, A. M. A. Latiff
of Galle; and the affidavit of the petitioner, Abdul
Hamid Mohamed Ismail of Galle, dated November 16,
1928, having been read:

It is ordered that the 7th respondent be appointed
guardian *ad litem* over the 6th respondents, unless
respondents—(1) Noor Naffa, (2) Mohamed Reyah,
both of China garden, Galle, (3) Pattu Muttu Nassuar,
(4) Sithe Shariffa, both of 18, Skinner's road, Colombo,
(5) Mohamed Ismail, (6) Sithe Nissubar, both of China
garden, Galle, (7) A. L. Abdul Hamid of 59, Ferry
street, Colombo—shall, on or before January 15, 1929,
show sufficient cause to the satisfaction of this court to
the contrary.

It is further declared that the said petitioner is entitled
to have letters of administration issued to him accord-
ingly, unless the respondents above named shall, on or
before January 15, 1929, show sufficient cause to the
satisfaction of this court to the contrary.

November 19, 1928. T. W. ROBERTS,
District Judge.
Order Nisi extended to February 6, 1931.

T. W. ROBERTS,
District Judge.
Order Nisi extended to March 6, 1931.

February 6, 1931. 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 Munasingha Misilin de Zoysa-
No. 7,187. hamine, deceased, of Pathegama in
Welitara.

THIS matter coming on for disposal before T. W.
Roberts, Esq., District Judge, Galle, on October 9, 1930,
in the presence of Mr. M. E. de Silva, Proctor, on the part
of the petitioner, Kaluhath Nicholas de Abrew of Pathe-
gama, Welitara; and the affidavit of the said petitioner
dated October 4, 1930, having been read:

It is ordered that the 2nd respondent be appointed
guardian *ad litem* over the 1st respondent, unless the
respondents—(1) Kaluhath Jeenan de Abrew, (2)
Mukundadan Seetu Perera Wijeratna, both of Pathe-
gama, Welitara—shall on or before December 4, 1930,
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 December 4, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 9, 1930.

T. W. ROBERTS,
District Judge.

Date for showing cause extended to March 5, 1931.

In the District Court of Matara.

No. 3,647. In the Matter of the Intestate Estate of Sembekuttige James de Silva, late of Kadeweediya.

Koggala Bulathge Sominona of Kadeweediya, Matara Petitioner.

- (1) Sembekuttige Salie Nona de Silva, (2) ditto Sominona de Silva, (3) ditto Anna Maria de Silva, (4) ditto Somipala de Silva, (5) ditto Titus de Silva, minors, by their proposed guardian *ad litem* (6) Nilaweera Patabendige Sardhatissa, all of Kadeweediya, Matara Respondents.

THIS matter coming on for disposal before M. Prasad, Esq., District Judge of Matara, on July 23, 1930, in the presence of Messrs. Balasuriya & Daluwatte, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 23, 1930, having been read:

It is ordered that the petitioner, Koggala Bulathge Sopi Nona above named, be and she is hereby declared entitled, as widow of the said deceased, to administer the said estate, and that letters of administration do issue to her accordingly, unless the respondents above named or any person or persons interested shall, on or before September 30, 1930, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 6th respondent, Nilaweera Patabendige Sardhatissa, be and he is hereby appointed guardian *ad litem* over 1st to 5th minor respondents, unless sufficient cause be shown to the contrary on September 30, 1930.

M. PRASAD,
District Judge.

The date for showing cause against this *Order Nisi* is extended till November 21, 1930.

September 30, 1930.

M. PRASAD,
District Judge.

The above *Order Nisi* is extended to February 5, 1931.

November 21, 1930.

M. PRASAD,
District Judge.

The above *Order Nisi* is extended to April 22, 1931.

February 5, 1931.

M. PRASAD,
District Judge.

In the District Court of Matara.

Testamentary Jurisdiction In the Matter of the Estate of Gamage Don Nikulas, Vel Vidane, of Beralapanatara, deceased.

No. 3,693. Wijanayaka Kankanamge Sampathamy of Beralapanatara Petitioner

- (1) Gamage Diwunnamy and husband (2) Don Juwanis Ranawaka, (3) Gamage Dochchobamy (4) ditto Don Jamis, (5) ditto Don Charles, (6) ditto Don Seadoris, (7) ditto Dona Cecilia, (8) ditto Harmanis, all of Beralapanatara, the 3rd to 8th minors by their guardian *ad litem* the 2nd respondent Respondents.

THIS matter coming on for disposal before Murari Prasad, Esq., District Judge of Matara, on December 2, 1930, in the presence of Mr. Samson Dias, Proctor, on the

part of the petitioner, Wijanayaka Kankanamge Sampathamy of Beralapanatara above named; and the affidavit of the said petitioner dated November 27, 1930, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled as widow of the said deceased, to administer the said estate and that letters of administration do issue to her accordingly, unless sufficient cause be shown to the contrary on February 4, 1931.

It is also ordered that the 2nd respondent, Don Juwanis Ranawaka of Beralapanatara, be and he is hereby appointed guardian *ad litem* over 3rd to 8th minor respondents, unless sufficient cause be shown to the contrary on February 4, 1931.

It is further ordered that the said minor respondents be produced before this court on February 4, 1931.

January 13, 1931.

M. PRASAD,
District Judge.

Date extended for April 21, 1931.

M. PRASAD,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary Case In the Matter of the Intestate Estate of the late Pontian Figurado of Deniyaya, deceased.

No. 3,702. Reverend Father W. Figurado of Kalutara Petitioner.

THIS matter coming on for disposal before Murari Prasad, Esq., District Judge of Matara, on January 10, 1931, in the presence of Mr. J. Abeyesundere, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 10, 1930, having been read:

It is ordered that the petitioner, Reverend Father W. Figurado above named, be and he is hereby declared entitled, as brother of the above-named deceased, to have letters of administration to the estate of the above-named deceased issued to him, unless any person or persons interested shall, on or before February 20, 1931, show sufficient cause to the satisfaction of this court to the contrary.

February 3, 1931.

M. PRASAD,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction In the Matter of the Estate of the late Ratnammah, wife of S. Kandiah of Vannarponne East, deceased.

No. 7,738. Sinnathamby Kandiah of Vannarponne East Petitioner.

Nallachy, widow of Thandayangorthy of Vannarponne East Respondent.

THIS matter of the petition of the above-named petitioner, praying that letters of administration of the estate of the above-named deceased be issued to the petitioner, coming on for disposal before D. H. Balfour, Esq., District Judge of Jaffna, on October 27, 1930, in the presence of Mr. A. Ratnasabapathy, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October 27, 1930, having been read:

It is ordered that letters of administration to the estate of the above-named deceased be issued to the petitioner, as her lawful husband, unless the respondent or any other person interested shall appear before this court on December 12, 1930, and show sufficient cause to the satisfaction of this court to the contrary.

November 16, 1930.

D. H. BALFOUR,
District Judge.

Extended for January 30, 1931.

Extended for February 27, 1931.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. V. Arumugam Kulanthaivelu of Vannarponnai East, Jaffna, deceased.

(1) Murugesu Kanagaretnam and wife (2) Muttupillai, both of Vannarponnai East Petitioners.

38
Rs 20/-
Vs.
Rs 16/-

(1) Annammah, widow of V. Arumugam Kulanthaivelu, (2) Arumugam Ariyadurai and wife (3) Saraswathiammah, and (4) Puvaneswari, daughter of V. Arumugam Kulanthaivelu, all of Vannarponnai East, Jaffna Respondents.

THIS matter coming on for disposal before J. C. W. Rock, Esq., District Judge, Jaffna, on July 2, 1930, in the presence of Mr. S. Patanjali, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated June 19, 1930, having been read:

It is ordered that the above-named 1st respondent be appointed guardian *ad litem* over the minor, the 4th respondent, for the purpose of representing her in this case and of protecting her interest, and that letters of administration be issued to the petitioner as a creditor of the said estate, unless the respondents shall appear before this court on or before August 8, 1930, and show cause to the contrary.

July 8, 1930.

J. C. W. ROCK,
District Judge.

The above Order Nisi is hereby extended to November 3, 1930.

D. H. BALFOUR,
District Judge.

The Order Nisi is extended to February 4, 1931.

D. H. BALFOUR,
District Judge.

The Order Nisi is extended to February 18, 1931.

D. H. BALFOUR,
District Judge.

In the District Court of Mannar.

Order Nisi.

Testamentary In the Matter of the Estate of the late Mohamadomuttalivava Habibumohamado of Periapullaichipotkeni, deceased.

Mohamadomuttalivava Asaneina Marikar of Periapullaichipotkeni Petitioner.

37
Rs 20/-

(1) Mohamadomeeranachia, widow of Habibumohamado, (2) Habibumohamado Mohaideenavava, (3) Seinamma, daughter of Habibumohamado, and (4) Habibumohamado Sahulhamidu, all of Periapullaichipotkeni Respondents.

THIS matter of the petition of Mohamadomuttalivava Asaneina Marikar of Periapullaichipotkeni, praying for letters of administration to the estate of the above-named deceased, Mohamadomuttalivava Habibumohamado of Periapullaichipotkeni, coming on for disposal before Richard Morgan Davies, Esq., District Judge, Mannar, on January 31, 1931, in the presence of Mr. A. L. Savundranayagam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated January 31, 1931, having been read: It is declared that the petitioner is the brother 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 12, 1931, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 1st respondent be appointed guardian *ad litem* of the 2nd, 3rd, and 4th respondents, unless the respondents shall, on or before March 12, 1931, show sufficient cause to the satisfaction of this court to the contrary.

January 31, 1931.

R. M. DAVIES,
District Judge.

In the District Court of Batticaloa.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Kandapper Annamuttoo of Valaikaddiravu, deceased.

Velupillai Ponpiah of Valaikaddiravu Petitioner.

31
Rs 16/-

Velupillai Thambiah of Valaikaddiravu Respondent.

THIS matter coming on for disposal before James Joseph, Esq., District Judge, Batticaloa, on December 1, 1930, in the presence of Mr. N. S. Rasiah, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated May 6, 1930, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as eldest son of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before January 13, 1931, show sufficient cause to the satisfaction of this court to the contrary.

December 1, 1930.

JAMES JOSEPH,
District Judge.

The above Order Nisi is extended to February 3, 1931.

January 13, 1931.

JAMES JOSEPH,
District Judge.

The above Order Nisi is extended to February 17, 1931.

February 3, 1931.

JAMES JOSEPH,
District Judge.

In the District Court of Puttalam.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Herathamige Peter Singho, late of No. 659. Puliankulama in Puttalam pattu in the District of Puttalam, deceased.

Between Heratmudiyansele Heratham, ex Korala, of Puliankulama in Puttalam pattu in the Puttalam District Petitioner.

38
Rs 20/-

And (1) Herathamige Rangmenika, assisted by her husband (2) Manchenayake Mudiyansele Appuhamy, Registrar (3) Herathamige Jayathamy, (4) Herathamige Okku Banda, (5) Herathamige Dingiri Banda, all of Puliankulama in Puttalam pattu in the Puttalam District Respondents.

THIS matter coming on for disposal before H. E. Peiris, Esq., Additional District Judge of Puttalam, on May—, 1930, in the presence of Mr. Ben Kanakasundara, Proctor, on the part of the petitioner; and the petitioner's affidavit and petition dated May 17, 1930, and May 23, 1930, respectively, having been duly read: It is hereby ordered that the petitioner above named be and he is hereby declared entitled to have letters of administration to the estate of the deceased above named, and that the same do issue to him, unless the respondents above named or anyone else on their behalf shall, on June 23, 1930, appear and show sufficient cause to this court to the contrary.

July 16, 1930.

H. E. PEIRIS,
Additional District Judge.

Order Nisi extended for publication returnable February 16, 1931.

February 2, 1931.

W. S. STRONG,
Acting Additional District Judge.

In the District Court of Puttalam.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Herathamyge Appuhamy, late of No. 658. Puliankulama in Puttalam pattu, deceased.

Between Heratmudilanelage Herathamy, ex Korala of Puliankulama in Puttalam pattu Petitioner.

- (1) Podi Nona of Koswatte in Kirimetiya in Chilaw District (2) Herathamyge Rana Menika, assisted by her husband (3) Alancherayake Mudianselage Appuhamy, Registrar, (4) Herathamige Jayatuhamy, (5) Herathamige Ukku Banda, (6) Herathamige Dingiri Banda, all of Puliankulama in Puttalam pattu Respondents.

THIS matter coming on for disposal before H. E. Peiris, Esq., Additional District Judge of Puttalam, on May —, 1930, in the presence of Mr. Ben Kanakasundra, Proctor, on the part of the petitioner; and the petitioner's affidavit and petition dated May 17, 1930, and May 23, 1930, respectively, having been duly read: It is hereby ordered that the petitioner above named be and he is hereby declared entitled to have letters of administration to the estate of the deceased above named, and that the same do issue to him, unless the respondents above named or anyone else on their behalf shall, on June 23, 1930, appear and show sufficient cause to this to the contrary.

H. E. PEIRIS, Additional District Judge. May 16, 1930.

Order Nisi extended for publication returnable February 16, 1931.

W. S. STRONG, Acting Additional District Judge. February 2, 1931.

In the District Court of Chilaw. Order Nisi.

Testamentary In the Matter of the Intestate Estate and Jurisdiction. Effects of the late Jayasekera No. 2,023. Mudalige Andiris Appuhamy of Metikotuwa, deceased.

Naranpiti Pathirannelage Sanchihamy of Metikotuwa Petitioner.

- (1) Jayasekera Mudalige Aron Appuhamy, (2) Jayasekera Mudalige Herath Singho Appuhamy, (3) Jayasekera Mudalige Velappuhamy, (4) Jayasekera Mudalige Gornas Appuhamy, (5) Jayasekera Mudalige Menikantya, (6) Jayasekera Mudalige Seda Nona, (7) Jayasekera Mudalige Podihamy, (8) Jayasekera Mudalige Sardi Appuhamy, all of Metikotuwa Respondents.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge of Chilaw, on October 14, 1930, in the presence of Mr. A. S. Ganesekera Proctor, on the part of the petitioner above named; and the affidavit of the above-named petitioner dated October 14, 1930, having been read:

It is ordered that the petitioner, Naranpiti Pathirannelage Sanchihamy, be and she is hereby declared entitled, as the widow of the said deceased, to have letters of administration to the estate of the deceased above named issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before November 7, 1930, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 8th respondent, Jayasekera Mudalige Sardi Appuhamy, be and he is hereby appointed guardian ad litem over the minors, the 2nd, 3rd, 4th, 5th, 6th, and 7th respondents, unless sufficient cause be shown to the contrary on or before November 7, 1930.

R. F. DIAS, District Judge. October 14, 1930.

Date for showing cause against this Order Nisi is extended to December 5, 1930.

J. E. M. OBEYASEKERA, District Judge. November 7, 1930.

Date for showing cause against this Order Nisi is extended for January 16, 1931.

December 8, 1930. R. F. DIAS, District Judge.

Date for showing cause against this Order Nisi is extended for February 20, 1931.

January 19, 1931. R. F. DIAS, District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate No. 2,028. of the late Abeyasekere Aratchige Peduru Appuhamy of Ilippedeniya, deceased.

Herath Hitihamilage Don Cashmere Appuhamy of Kandawela Petitioner.

- (1) Abeyasekere Aratchige Maria Marthahamy, (2) Abeyasekere, Stephen Appu, both of Ilippedeniya, by their guardian (3) Kandawalage Gabriel Perera of Kandawela Respondents.

THIS matter coming on for disposal before J. E. M. Obeyasekere, Esq., Acting District Judge of Chilaw, on November 14, 1930, in the presence of Mr. A. W. Corea, Proctor, on the part of the petitioner; and after reading the affidavit and petition of the said petitioner: It is ordered and decreed that the petitioner be appointed administrator over the estate of the late Abeyasekere Aratchige Peduru Appuhamy, and that such letters of administration do issue to him accordingly, and that the 3rd respondent be appointed guardian ad litem over the 1st and 2nd minor respondents for the purpose of these proceedings, unless any person or persons interested shall, on or before December 12, 1930, show sufficient cause to the satisfaction of this court to the contrary.

R. F. DIAS, District Judge.

This Order Nisi is extended and reissued for showing cause returnable March 11, 1931.

February 10, 1931. R. F. DIAS, District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the matter of the Last Will and Jurisdiction. Testament of Denipalle Araccillage No. 1,474. Punchi Menika of Nilwakka, deceased.

Liyana Hettirallage Dingiri Appuhamy of Nilwakka Petitioner.

- (1) Liyana Hettirallage Dingiri Menika of Nilwakka, (2) ditto Dingiri Banda of ditto; the 1st respondent being minor by her guardian ad litem the 2nd respondent Respondents.

THIS matter coming on for disposal before S. S. Nawaratnam, Esq., District Judge of Kegalla, on December 3, 1930, in the presence of Mr. E. A. Peries, Proctor, on the part of the petitioner; and his affidavit and petition dated November 18 and December 2, 1930, respectively, 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 that probate of the estate of the above-named deceased be issued to petitioner, unless the respondent or any other person or persons interested in the matter shall, on or before January 21, 1931, show sufficient cause to the satisfaction of this court to the contrary.

S. S. NAWARATNAM, District Judge. December 10, 1930.

This Order Nisi is extended for February 17, 1931.

S. S. NAWARATNAM, District Judge. January 21, 1931.