



THE
CEYLON GOVERNMENT
GAZETTE

No. 7,863 – FRIDAY, JUNE 26, 1931.

Published by Authority.

PART II.—LEGAL.

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

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PRINTED AT THE CEYLON GOVERNMENT PRESS, COLOMBO.

525—J. N. 8277—646 (5/31)

B 1

PASSED ORDINANCES.

T 218/26

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

No. 15 of 1931.

No. 16 of 1908,
II. 840.

An Ordinance to amend the Ceylon Railway Benefit Association Ordinance, 1908.

GRAEME THOMSON.

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 Ceylon Railway Benefit Association Amendment Ordinance, 1931, and shall come into operation on such date as may be appointed by the Governor by proclamation in the Gazette.

Amendment of section 2 of the principal Ordinance.

2 Section 2 of the principal Ordinance is hereby amended by the insertion of the words “(hereinafter referred to as “the corporation”)” immediately before the word “and” in the seventh line thereof.

Repeal of section 3 of the principal Ordinance and substitution of new section.
General objects.

3 Section 3 of the principal Ordinance is hereby repealed and the following section is substituted therefor :—

3 The general objects for which the corporation is constituted are hereby declared to be to promote thrift, to give relief to the members in times of sickness or distress, and ultimately, on or after the death, or the retirement, resignation or dismissal from the public service, or the withdrawal from membership, of any member, to pay to such member or to his nominee or next of kin or heirs at law, such portion of his contributions to the funds of the corporation and such donation, if any, as may be authorized by the rules of the corporation made as hereinafter provided.

Repeal of sub-section (1) of section 4 of the principal Ordinance and substitution of new sub-section.

4 Sub-section (1) of section 4 of the principal Ordinance is hereby repealed, and the following sub-section is substituted therefor :—

(1) The affairs of the corporation shall, subject to the rules of the corporation made as hereinafter provided, be administered by a committee of management consisting of the following :—

(a) *Ex officio* members—

(i) the president of the corporation (hereinafter referred to as “the president”) elected each year by the members of the corporation from among their own number at the annual general meeting of the corporation ; and

(ii) the two senior clerks, according to the seniority list of the Ceylon Government Railway, being members of the corporation, who are employed respectively in the offices of the General Manager and the Chief Accountant of the Ceylon Government Railway, or the persons for the time being acting for them ;

(b) Elected members—

Twelve persons elected each year by the members of the corporation from among their own number at the annual general meeting of the corporation :

Provided that a member of the corporation who is not employed in Colombo shall not be eligible for election and shall not remain as the president, or as a member of the committee of management.

Amendment of section 5 of the principal Ordinance.

5 Section 5 of the principal Ordinance is hereby amended by the addition of the words “and dismissal” after the word “appointment” in the fifth line, and by the addition of the words “and to defray out of the funds of the corporation all expenses necessary for the purposes of such appointments and administration” immediately after the word “thereof” in the seventh line thereof.

6 The following section is hereby inserted in the principal Ordinance immediately after section 5 thereof :—

Insertion of
new section 5A
in the principal
Ordinance.

Secretary and
Treasurer.

5A (1) The committee of management shall select a person employed in the public service for appointment to the joint office of Secretary and Treasurer of the corporation.

(2) The appointment of such person as Secretary and Treasurer of the corporation shall be subject to the approval of the Governor, and after such approval has been obtained, he shall be seconded for service as Secretary and Treasurer, and appointed by the said committee in that capacity on such terms and conditions as may be agreed upon from time to time between the Government and the committee.

(3) If at any time it is not possible in the opinion of the said committee to appoint a suitable person in the public service to the joint office of Secretary and Treasurer, a person who is not employed in the public service may, subject to the approval of the Governor, be appointed by the said committee on such terms and conditions as may be approved by the committee.

(4) If at any time it is necessary provisionally to fill the joint office of Secretary and Treasurer any person may be appointed in that capacity for a period of three months by the said committee on such terms and conditions as may be agreed upon from time to time.

7 Section 6 of the principal Ordinance is hereby repealed and the following section is substituted therefor :—

Repeal of section 6
of the principal
Ordinance and
substitution of new
section therefor.

Duties of
Secretary and
Treasurer.

6 The person appointed to the joint office of Secretary and Treasurer (in this Ordinance and in any rules made thereunder referred to as "the Secretary and Treasurer") shall receive and keep account of all the monies and funds of the corporation and shall act as Secretary of the committee of management and shall pay, subject to the provisions of section 21 (2), all claims, loans, advances and expenses authorized by the said committee. He shall also prepare and submit monthly to the said committee an account of the transactions of the corporation and generally act under the direction of the *ex officio* members of the said committee.

8 Section 8 of the principal Ordinance is hereby repealed and the following section is substituted therefor :—

Amendment of
section 8 of the
principal
Ordinance.

Who shall
preside,
quorum, &c.

8 (1) The president shall, where possible, preside at all meetings of the said committee, and in his absence the *ex officio* members of the committee shall in order of seniority be entitled to preside. If the president and the *ex officio* members are absent, the members present shall elect a chairman for the occasion.

(2) The president, or in his absence the chairman, shall have a casting vote in addition to his original vote.

(3) Seven members of the said committee shall form a quorum at any meeting thereof.

9 Section 9 of the principal Ordinance is hereby amended by the substitution of the words "the Island of the president or any elected member" for the words "the colony of any member" in the first line thereof and by the substitution of the word "committee" for the word "corporation" in line four thereof.

Amendment of
section 9 of the
principal
Ordinance.

10 Section 11 of the principal Ordinance is hereby amended as follows :—

Amendment of
section 11 of the
principal
Ordinance.

(1) by the insertion of the words "commenced or" immediately before the word "ceased" in sub-section 2 (c) thereof; and

(2) by the addition of the following sub-section at the end thereof :—

(3) All members of the said association whose names are inscribed in the register shall be deemed to have been members of the corporation from the date referred to in sub-section (1).

11 Section 13 of the principal Ordinance is hereby amended by the deletion of the words "who may act as secretary or treasurer" in the fourth line thereof.

Amendment of
section 13 of the
principal
Ordinance.

12 Section 15 (1) of the principal Ordinance is hereby amended by the substitution of the words "the Secretary and Treasurer" for the words "the Secretary".

Amendment of
section 15 (1)
of the principal
Ordinance.

Repeal of section 16 of the principal Ordinance and substitution of new section.

Annual general meeting.

13 Section 16 of the principal Ordinance is hereby repealed and the following section is substituted therefor :—

16 (1) An annual general meeting of the members of the corporation shall be held not later than the thirty-first day of October in each year, at which there shall be submitted a balance sheet, containing a statement of the assets and liabilities of the corporation on the preceding thirtieth day of June and an account of the income and expenditure of the corporation during the twelve months ending on the said thirtieth day of June.

(2) The said balance sheet, statement and account shall—

- (a) be prepared by the Secretary and Treasurer ; and
- (b) be duly examined and audited and the correctness thereof certified, prior to the annual general meeting at which the same are submitted, by one or more auditors elected for that purpose by the members of the corporation at the preceding annual general meeting ; and
- (c) be forwarded in duplicate to the Governor within one month of the annual general meeting.

(3) If no auditor is elected under sub-section 2 (b), or if any auditor elected under that sub-section is unable to act as such through death or any other cause, or refuses or neglects to perform his duties, the committee of management may elect an auditor, who shall be deemed to have been duly elected under sub-section 2 (b).

(4) Every auditor elected by the members of the corporation or by the committee of management shall receive such remuneration for his services as may be fixed by the members of the corporation, or by the committee, as the case may be, at the time of his election.

(5) If no election of an auditor or auditors is made as aforesaid, the Governor may, on the application of any member of the corporation, appoint an auditor or auditors for the purpose of examining and auditing any such balance sheet, statement, and account as aforesaid, and may fix the remuneration to be paid to him or them by the corporation, and such remuneration shall be paid accordingly. Any auditor or auditors so appointed shall be deemed to have been duly elected under sub-section (2) (b).

(6) At every such annual general meeting all business shall be transacted of which due notice has been given, and there shall also be elected the president, and the required number of members of the committee of management, who shall respectively hold office as such until the next subsequent annual general meeting.

(7) No persons shall be appointed auditor under this section unless he is :

- (a) a member of the Institute of Chartered Accountants in England and Wales, or of any similar Society incorporated by Royal Charter whose members are entitled to use the designation "Chartered Accountant" ;
- (b) a member of the Society of Incorporated Accountants and Auditors of Great Britain ; or
- (c) a public auditor appointed under section 18 of The Societies Ordinance, 1891.

14 Section 17 of the principal Ordinance is hereby repealed and the following section is substituted therefor :—

17 The president shall, where possible, preside at all general meetings of the corporation and in his absence the members present shall elect a chairman for the occasion. The president, or in his absence the chairman, shall have a casting vote in addition to his original vote.

15 Section 21 of the principal Ordinance is hereby repealed, and the following section is substituted therefor :—

21 (1) The funds of the corporation shall be placed in the name of the corporation at one or more of the local banks, and it shall be lawful for the committee of management from time to time to invest such part of the said funds as is not required for loans, advances and other current expenses.—

- (a) in fixed deposits in one or more of the local banks, or in Indian Government Securities, or in securities of the Government of the United Kingdom or of any British Colony including Ceylon ; or

Repeal of section 17 of the principal Ordinance and substitution of new section.

Who shall preside at general meetings.

Repeal of section 21 of the principal Ordinance and substitution of new section.

Funds of the corporation how to be kept, paid out, and invested.

(b) in extraordinary loans to members of the corporation to be secured by mortgage of immovable property situated within eight miles of the municipal limits of the town of Colombo; or

(c) in such other manner as the Governor may from time to time approve.

(2) All cheques and orders against the said funds shall be signed by at least two of the following four persons:—

(a) the three *ex officio* members of the committee of management; and

(b) the Secretary and Treasurer of the corporation.

16 Section 23 of the principal Ordinance is hereby amended by the substitution of the words "at least two of the four persons mentioned in section 21 (2)" for the words "the president or of two members of the committee of management and of either the secretary or the treasurer" in the second, third and fourth lines thereof.

Amendment of section 23 of the principal Ordinance.

17 (1) All rules made by the corporation and confirmed by the Governor in Executive Council under section 14 of the principal Ordinance, which purport to have been made in accordance with the provisions of that section, prior to the commencement of this Ordinance, shall be deemed to have been validly made and confirmed.

Validation of rules, &c.

(2) All acts, matters or things done or omitted to be done in accordance with such rules, prior to the commencement of this Ordinance, shall be deemed to have been validly done or omitted to be done.

Passed in Council the Ninth day of April, One thousand Nine hundred and Thirty-one.

G. N. FARQUHAR,
Clerk to the Council.

Assented to by His Excellency the Governor the Seventeenth day of June, One thousand Nine hundred and Thirty-one.

G. N. FARQUHAR,
Clerk to the Council.

F 83/26

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

No. 16 of 1931.

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

GRAEME THOMSON.

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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.

1 This Ordinance may be cited as "The Ceylon State Mortgage Bank Ordinance, 1931."

Short title.

2 This Ordinance shall come into operation on a day to be fixed by the Governor in Council and to be proclaimed in the *Gazette*.

Commencement.

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:—

Interpretation.

"The Bank" means the Ceylon State Mortgage Bank.

The Bank.

"Board" means the Board of Directors appointed under this Ordinance.

"Director," "Member of a Branch Board," "Manager," and "Assistant Manager" mean the persons appointed to these offices under this Ordinance.

Director, Member of a Branch Board Manager, and Assistant Manager.

"Branch Board" means a board established under section 24.

Branch Boards.

"Prescribed" means prescribed by this Ordinance or by rules made thereunder.

CHAPTER II.—ESTABLISHMENT.

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.

Establishment 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.

Legal status 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.

Office of 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.

The law governing 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.

Business of the Bank.

CHAPTER III.—MANAGEMENT.

(i.) Board of Directors.

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.

The Board of Directors and its powers.

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 removed or 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 in Council may, for incapacity or misbehaviour, remove a Director from his office.

(2) No person shall be appointed to the office of Director who—

(a) has been adjudicated an insolvent and has not received a certificate; or

(b) is of unsound mind or has been convicted of an offence and sentenced to imprisonment without the option of a fine.

(3) A person appointed to the office of Director shall become disqualified to retain his office and shall *ipso facto* cease to be a Director if—

(a) he is adjudicated an insolvent, or assigns his estate for the benefit of his creditors, or enters into a deed of arrangement with his creditors or makes an assignment of his remuneration for their benefit;

(b) he is of unsound mind or is convicted of an offence and sentenced to imprisonment without the option of a fine; or

(c) he is absent without leave from the Governor from all the meetings of the Board during any two consecutive months.

(4) No member of the Legislative Council shall be appointed to or retain the office of Director.

Provided that a Director becoming disqualified to retain his office and *ipso facto* ceasing to be a Director under subsection 3 (c) of this section shall not thereby be deemed ineligible for reappointment.

Vacancies on the Board.

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.

(3) Where a Director is granted leave of absence the Governor may make a new appointment for the period for which such Director is granted leave.

Chairman of the Board.

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.

Meetings.

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.

Quorum.

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.

Minutes.

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 they are then passed as correct they shall

be confirmed by the signature of the person presiding thereat, and shall thereafter be *prima facie* evidence of the proceedings of which they are a record.

(ii.) *Officers of the Bank.*

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 in Council, be fixed by the Board.

Appointment and salary of Manager and Assistant Manager.

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

Powers of Manager and Assistant Manager.

(2) The Assistant Manager may do all such acts as he is required or permitted to do by the Manager in writing, provided the Manager may himself have done them.

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

Subordinate officers.

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.

Valuators.

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.

Legal advisers.

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.

Agents.

(iii.) *Branch Boards.*

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 persons to serve on the Branch Boards.

Establishment and members.

25 A Branch Board shall be subordinate to the Board and shall—

Duties and powers.

- (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.

26 Every Branch Board shall consist of two members and a Chairman who shall be specially appointed for each year by the Board.

Constitution. Members. Chairman.

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.

Term of office of members.

28 A member of a Branch Board shall be disqualified from holding office and shall be removed from office and cease *ipso facto* to hold office on the same grounds and for the same reasons that a Director is disqualified or may be removed from or cease to hold office.

Qualification and disqualification for membership.

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.

Quorum and procedure at meetings.

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.) <i>General.</i>
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 officer or servant of the Bank in receipt of a monthly salary and no Director 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.
Form of debentures.	36 Debentures shall be in the form prescribed and be authenticated by the seal of the Bank.
Amount of each debenture, rate of interest, and period of issue.	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 by the Board with the approval of the Governor in Council; 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.*

Source for redemption of debentures.	38 The interest on 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.
Payment of interest.	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.*

Redemption and purchase of debentures.	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
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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.

Notice of drawing for redemption.

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.

Mode of drawing.

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

Publication of result of drawing.

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.

Payment of debentures drawn.

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.

Cesser of interest after repayment is available.

(iv.) *Transfer.*

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

Transfer of debentures.

(v.) *Register.*

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.

Register of debentures.

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.

Validity of transfer.

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.

Transmission of debentures.

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.

The register evidence of title.

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

Trusts cannot be registered.

CHAPTER V.—LOANS.

(i.) *Granting.*

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

Purpose for which loans may be granted.

- (a) The purchase or lease of agricultural land, its development, and improvement and the incurring of capital expenditure necessary for the preparation of its produce for the market.
- (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 immovable property which after the grant of the loan by the Bank shall not be encumbered by the borrower except to the Bank so long as the loan exists.

Conditions on which loans may be granted.

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

- (a) The amount on loan from the Bank to any person at any one time shall not exceed the amount fixed by rules under section 92, and no loan shall 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 or in any other form prescribed under section 90 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 six and a half per centum per annum.

Requisites to be satisfied before loan is granted.

54 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.

55 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.

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.

Withdrawal of the grant of a loan

56 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.

Priority of charge created by loan.

57 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.

(ii.) *Application.*

Board's power to investigate application of loan.

58 (1) The Board may call upon any person to whom a loan has been granted to satisfy the Board that the loan has been or is being applied to the purpose for which it was granted, and the person so called upon may adduce evidence before any Director, appointed in writing for the purpose, to prove that the loan has been or is being applied for such purpose.

(2) If the Board is not satisfied that the loan has been or is being applied for the purpose for which it was granted it 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.

(iii.) *Repayment.*

Payment by half-yearly instalments.

59 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—

- (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.

60 (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.

61 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.

62 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.

Change of security.

(iv.) *Recovery.*

63 (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 by special resolution published in the *Gazette* authorize any person in writing to sell the land mortgaged as security for such payment in order to recover 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 publication in the *Gazette*.

Procedure on default of payment.

Sale.

(2) (a) Notice of every resolution 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 64 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.

(5) Nothing herein contained shall preclude the Board from recovering the amount due on a mortgage bond otherwise than in accordance with the provisions of this Ordinance.

64 Besides the amount due on the loan, the Board may recover from the debtor or any person acting on his behalf the expenses of advertising the sale, and selling the land. Provided that the costs incurred under this section shall not exceed the prescribed percentage of the loan.

Costs of sale.

65 If the land is sold, the Board shall, after deducting from the sale proceeds the amount due on the mortgage and the costs payable under section 64, 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.

Payment of excess.

66 (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

Certificate of sale.

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 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.

Cancellation of sale.

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

Resale by Bank.

68 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 66, 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.

Limit of retention of property by the Bank.

69 If at any sale under section 63 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.

CHAPTER VI.—ACCOUNTS AND AUDIT.

(i.) Accounts.

Capital Account and Revenue Account.

70 (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.

(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.

Payments into and out of Capital Account.

71 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;

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.

Limit to which Capital Account may be overdrawn.

72 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.

73 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 71;

Payments into and out of Revenue Account.

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 71.

74 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.

Limit to which Revenue Account may be overdrawn.

75 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 to reserve fund.

76 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 74, 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.

Transfers from Capital to Revenue Account.

77 Should the Board at any time anticipate that the funds provided under the provisions of section 76 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.

Report of shortage to the Governor.

78 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.

Action by the Governor.

79 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.

Investments of the reserve fund.

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.

80 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.

Do.

81 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.

Do.

Report of shortage to the Governor.

82 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 72 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.

Action by the Governor.

83 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.

Keeping of books and registers and safekeeping of securities.

84 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.

Half-yearly statement of securities.

85 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.

(ii.) *Audit.*

Half-yearly audit.

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

Auditor's rights and duties.

87 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 statement, report, and certificate.

88 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—

- (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.

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

No. 2 of 1899.

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

- (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.

No. 2 of 1883.

CHAPTER VII.—RULES AND OFFENCES.

(i.) Rules.

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

Rules made by the Board.

- (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.

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

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

- (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 64;
- (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*.

Rules made by
the Governor

92 (1) 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;
- (d) Prescribing the sum which the amount on loan to any person at any time may not exceed;
- (e) Prescribing the terms and conditions on which loans may be made to Societies registered under the Co-operative Societies Ordinance, 34 of 1921.

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

(3) 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.

(4) All rules made under this section shall be laid, as soon as conveniently may be, on the table of the Legislative Council at two successive meetings of the Council, and shall be brought before the Council at the next subsequent meeting held thereafter by a motion that the said rules shall not be disapproved; and if upon the introduction of any such motion, or upon any adjournment thereof, the said rules are disapproved by the Council, such rules shall be deemed to be rescinded as from the date of such disapproval but without prejudice to anything already done thereunder; and such rules if not so disapproved, shall continue to be of full force and effect. Every such disapproval shall be published in the *Gazette*.

(ii.) *Offences.*

93 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.

Liability as
public servants
of Directors,
members of
Branch Boards,
and employees.
No. 2 of 1883.

94 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."

Forgery of debentures and interest coupons.
No. 32 of 1884.

95 (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.

False evidence.

No. 2 of 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.

No. 2 of 1883.

96 (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 a debtor or creditor of his or is in partnership with him or is in his employ; or
- (b) On the security of any land in which he has a pecuniary interest—

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

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.

97 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 86, 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.

Investigation by Governor.

98 (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—

Governor's powers in case of mismanagement.

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.

99 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.

100 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.

101 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 91 (e).

Power to inspect valuation rolls of local rating authorities.

102 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.

Registered address and notices.

103 (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 shall 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.

(b) Service of any notice under this Ordinance shall be deemed to be effected by properly addressing, registering 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.

Loans to Co-operative Societies.

104 In accordance with such terms and conditions as the Governor in Council may in consultation with the Board from time to time prescribe, the Bank may notwithstanding anything to the contrary in this Ordinance make loans to any society registered under the Co-operative Societies Ordinance, No. 34 of 1921, whose object is the granting of long-term loans for purposes substantially the same as those specified in section 52.

CHAPTER IX.—TEMPORARY PROVISIONS.

Date of establishment of Bank.

105 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*.

Directors first appointed.

106 (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.

(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.

Governor's power to remove difficulties.

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

SCHEDULE A

(Section 53 (c).)

Form of Mortgage Bond.

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

Sends Greeting:

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

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

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

2. Now this bond witnesseth as follows:—

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

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

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

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

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

(b) (i.) That the mortgagor will pay the said principal sum of Rupees _____ in half-yearly instalments of not less than _____ Rupees _____ on the _____ day of _____ and the _____ day of _____ in each and every year, the first of such payments to be made on the _____ day of _____, and shall on the same dates pay all interest due on the said sum of Rupees _____ or the balance thereof then outstanding at the rate of _____ per centum per annum or _____ in each and every year, the first of such payments to be made _____ 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 66 (2).)

Form of Certificate of Sale—Section 66 (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 sold in conformity with the Ceylon State Mortgage Bank Ordinance, 1931, 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 66 (2).)

Form of Certificate of Sale—Section 66 (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 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 sold in conformity with the Ceylon State Mortgage Bank Ordinance, 1931, 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 us 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.

Passed in Council the Ninth day of April, One thousand Nine hundred and Thirty-one.

G. N. FARQUHAR,
Clerk to the Council.

Assented to by His Excellency the Governor the Seventeenth day of June, One thousand Nine hundred and Thirty-one.

G. N. FARQUHAR,
Clerk to the Council.

R 165/30

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

No. 17 of 1931.

The Saiva Paripalana Sabhai Ordinance.

GRAEME THOMSON.

WHEREAS an Association called and known as the "Saiva Paripalana Sabhai" was established in Jaffna on 30th April, 1888 for the purpose of effectually carrying out and transacting all matters connected with the said Sabhai according to the rules and regulations agreed to by its members.

Preamble

And whereas the said Sabhai has heretofore successfully carried out and transacted the several objects and matters for which it was established and has applied to be incorporated and it will be for the public advantage to grant the application.

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

1 This Ordinance may be cited for all purposes as the Saiva Paripalana Sabhai Ordinance, 1931.

Short Title.

2 From and after the passing of this Ordinance the President, Vice-Presidents, Secretary, Assistant Secretary, Treasurer and other members of the Executive Committee for the time being, of the Saiva Paripalana Sabhai and such and so many persons as now are members of the said Saiva Paripalana Sabhai or shall hereafter be admitted members of the Corporation hereby constituted shall be and become a Corporation with continuance for ever under the style and name of the "Saiva Paripalana Sabhai" hereinafter referred to as the Sabhai and by that name shall and may sue and be sued in all courts with full power and authority to have and use a common seal and alter the same at their pleasure.

Incorporation of the Saiva Paripalana Sabhai.

General Objects
of the Sabhai.

3 The general objects for which the Sabhai is constituted are hereby declared to be :

- (a) To promote and propagate the Saiva Religion.
- (b) To establish, repair and renovate Saiva Temples, to take over and manage such temples and supervise the management of such temples as may come under the control and authority of the Sabhai.
- (c) To take over and manage Saiva Madams, and properties belonging thereto and to devote their funds for the purpose for which they were established.
- (d) To establish, maintain and manage Saiva schools and to publish readers and other books necessary for Saiva Education.
- (e) To establish, finance, maintain and manage newspapers to safeguard the interests of the Saiva Community, and to take all other measures necessary for the attainment of such object.
- (f) To establish, maintain and manage crematoriums and hospitals, and to take charge of such establishments as are handed over to their management.
- (g) To encourage and promote Thamil Literature, Art and Drama.

Board of
Management.

4 (a) The affairs of the Sabhai shall, subject to the rules in force for the time being of the Sabhai as hereinafter provided in Schedule II, be administered by a Board of Management consisting of a President, Vice-Presidents, the Secretary, the Assistant Secretary and the Treasurer and not less than 15 and not more than 20 other members to be elected respectively in accordance with the rules and regulations for the time being of the Sabhai.

(b) All members of the Sabhai shall be subject to the rules in force for the time being of the Sabhai.

(c) The first Board of Management shall consist of the members whose names appear in Schedule I hereto—and their successors shall be elected in the manner provided by rules and regulations in Schedule II.

Power to make
Rules.

5 It shall be lawful for the Board of Management of the Sabhai from time to time and by a majority of votes to make rules for the admission, withdrawal or expulsion of members ; for the conduct of the duties of the Board of Management and of the various officers, agents and servants ; for the procedure in the transaction of business ; and generally for the management of the affairs of the Sabhai and the accomplishment of its objects. Such rules when made may be altered, added to, amended or cancelled subject however to the requirements of section 7.

The Rules in
the Schedule
to be Rules of
the Sabhai.

6 Subject to the provisions in the preceding section contained, the rules set forth in the Schedule hereto, shall for all purposes be the rules of the Sabhai, provided however that nothing in this section contained shall be held or construed to prevent the Sabhai at all times hereafter from making fresh rules or from altering, amending, adding to or cancelling any of the rules in the said Schedule or to be hereafter made by the Sabhai.

Power to
Amend Rules.

7 No rule in the schedule hereto nor any rule hereafter made by the Board of Management shall be altered, added to, amended or cancelled except by a vote of two-thirds of the members of the Board of Management present at a meeting of the Board of Management.

Property vested
in the Sabhai.

8 On the coming into operation of this Ordinance all and every property belonging to the said Sabhai whether held in the name of the Sabhai or in the name or names of any person or persons, or body of persons in Trust for the said Sabhai, shall be and the same are hereby vested in the Corporation hereby constituted and the same together with all after acquired property both movable and immovable and all subscriptions, contributions, donations, amounts of loan or advance received or to be received and all monies legally due to the said Sabhai shall be held by the said Corporation for the purposes of this Ordinance and subject to the rules and regulations in force for the time being of the said Corporation.

The Sabhai
may hold
Property
Movable and
and Immovable.

9 The Sabhai shall be able and capable in law to take and hold any property movable or immovable which may become vested in it by virtue of any purchase, grant, gift, testamentary disposition or otherwise and all such property

shall be held by the Sabhai for the purposes of this Ordinance and subject to the rules and regulations for the time being of the Sabhai with full power to sell, mortgage, lease, exchange or otherwise dispose of the same for the purposes of the Sabhai.

Provided that every disposition of property shall have the consent of at least two-thirds of the members of the Board of Management present at a duly convened meeting and provided further that every such disposition affecting movable property of over the value of Rs. 1,000 or immovable property shall have in addition to the consent aforesaid of the Board of Management the consent of at least two-thirds of members present at a general meeting of the Sabhai specially convened for the purpose.

Debts due to
and payable
by the Sabhai.

10 All debts and liabilities of the Saiva Paripalana Sabhai existing at the time of the coming into operation of this Ordinance shall be paid by the Corporation hereby constituted and all debts, subscriptions or contributions payable to the said Saiva Paripalana Sabhai shall be paid to the corporation hereby constituted for the purposes of this Ordinance.

How the seal of
the Corporation
is to be affixed.

11 The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of the President, or a Vice-President, and the Secretary who shall sign their names to the instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.

Saving Clause

12 Nothing in this Ordinance contained shall prejudice or affect the rights of his Majesty the King, his heirs and successors or of any body politic or corporate or any of other persons except such as are mentioned in this Ordinance and those claiming by from or under them.

SCHEDULE I.

First Board of Management.

The Hon. Mr. W. Duraiswamy	Mr. V. T. Sambandhan
Mr. A. Ambalawanan	Mr. S. Shivapadhasundaram
Mr. C. Arulambalam	Mr. V. Nagalingam
Mr. A. Chellappa	Mr. E. Murugesampillai
Mr. S. U. Somasegaram	Mr. E. Kathiravelu
Mr. S. T. M. P. Sithampara- natha Chettiar	Mr. R. R. Nalliah
The Hon. Mr. S. Rajaretnam	Mr. S. Patanjali
Mr. R. Sivagurunathar	Mr. V. Ramalingam
Mr. V. K. Gnanasundaram	Mr. V. Ramasamy
Mr. P. K. Somasundaram	Mr. T. Cumarasamy
Mr. M. Sabaretnasinghe	Mr. V. S. Kartigesu
Mr. S. Adchalingam	Mr. R. Kandiah
Mr. M. S. Rasaratnam	Mudaliyar S. Chittampalam

SCHEDULE II.

Rules of the Saiva Paripalana Sabhai.

1. *Designation.*—This Association which was founded in 1888 shall continue to be called the "Saiva Paripalana Sabhai".

2. *Objects.*—The objects of this Sabhai shall be :

(a) To promote and propagate the Saiva Religion.
(b) To establish, repair and renovate Saiva temples, to take over and manage such temples and supervise the management of such temples as may come under the control and authority of the said Sabhai.

(c) To take over and manage Saiva Madams and properties belonging thereto and to devote their funds for the purpose for which they were established and to utilise the surplus income of such Madams for the promotion and propagation of the Saiva Religion.

(d) To establish, maintain and manage Saiva Schools and to publish readers and other books necessary for Saiva Education.

(e) To establish, finance, maintain and manage newspapers to safeguard the interests of the Saiva Community and to take all other measures necessary for the attainment of such object.

(f) To establish, maintain and manage crematoriums and hospitals, and to take charge of such establishments as are handed over to its management.

(g) To encourage and promote Tamil Literature, Art and Drama.

3. *Membership.*—(a) Men of Saiva Faith not less than eighteen years of age, having all the above objects in view are eligible for membership.

(b) Members of the Board of Management shall each pay a sum of rupees ten annually within six months of their election and any one of them failing to pay his subscription within the said period shall cease to be a member of the Board of Management.

(c) Members other than those of the Board of Management and who are not subscribers to the "Hindu Organ" or the "Inthusathanam" shall pay an annual subscription of Rs. 3.

(d) Members who are subscribers to either the "Hindu Organ" or the "Inthusathanam" and who are not in arrears shall pay an annual subscription of Re. 1.

(e) Every application for membership shall be forwarded to the secretary in writing with the annual subscription in advance and the Board of Management shall make such order on such application as it shall think fit.

(f) Every member who shall have been a member of the Sabhai for six months just preceding a general meeting and which subscription shall not have been in arrears shall have the right to vote at the General Meeting.

(g) Any member whose conduct is found to be detrimental to the interests of the Sabhai may after investigation be suspended or his name be removed from the roll by the Board of Management at a meeting of the same specially convened for the purpose, if two-thirds of those voting approve of such suspension or removal, voting being by ballot.

4. *Management.*—(a) The General administration and control of the Press, the "Hindu Organ," "Inthusathanam," all publications, schools, temples and madams which now are or hereafter may be under the management of the Saiva Paripalana Sabhai and all their affairs shall be vested in a Board of Management consisting of a President, two Vice-Presidents, the Secretary, the Assistant Secretary, and the Treasurer who shall be ex-officio members of the Board of Management and not less than fifteen and not more than twenty other members to be elected at the annual general meeting of the Sabhai and hold office for one year or until their successors shall have been elected and have entered upon their duties. The retiring members shall be eligible for re-election.

(b) The President or in his absence one of the Vice-Presidents shall be the Chairman at the meetings of the Sabhai. If none of them be present a member shall be voted to the Chair. The Chairman shall also have a casting vote.

(c) In the case of any vacancies occurring during their term of office, the remaining members of the Board of Management shall have power to fill such vacancies for the unexpired term.

5. *Meetings.*—(1) The Annual General Meeting of the Sabhai shall be held in the month of Chitirai of each year and at such time and place as the Board of Management shall determine, seven days' notice in writing being given by the Secretary to each of the members. The quorum for this meeting shall be twenty-one.

(2) The Board of Management shall meet at least once a month to transact business, 3 days' notice in writing being given by the Secretary to the members. The quorum for a meeting of the Board of Management shall be seven.

(3) At the instance of the Board or at the requisition of not less than twenty members who are not in arrears a Special General Meeting shall be called of which 7 days' notice at least shall be given to the members specifying the business to be transacted, in writing and by publication of the notice in the "Hindu Organ" and "Inthusathanam."

6. *Duties of the Secretary.*—The Secretary shall keep a record of all meetings of the Sabhai and of the Board of Management, a register of members and any other record that may be necessary. He shall at every Annual General Meeting present the report of the Board of Management regarding work done and of the general state of the Sabhai.

7. *Duties of the Treasurer.*—The Treasurer shall receive and keep accounts of all moneys and funds belonging to the Sabhai and shall make such payments as are authorized by the Board of Management, personally or through any other agent or agents approved by the Board. He shall prepare and submit a duly authorised and audited statement of accounts at the Annual General Meeting of the Sabhai.

8. The members of the Sabhai shall elect at the Annual General Meeting a qualified Auditor or Auditors who shall audit the accounts of the Sabhai for the ensuing year. In the event of an Auditor or Auditors so appointed not being able to act through any cause the Board of Management shall have power to elect others instead.

9. The Board of Management shall be empowered to appoint whenever necessary Standing Committees from among them not exceeding 5 members in each to manage any branch of their activities.

Passed in Council the Ninth day of April, One thousand Nine hundred and Thirty-one.

G. N. FARQUHAR,
Clerk to the Council.

Assented to by His Excellency the Governor the Seventeenth day of June, One thousand Nine hundred and Thirty-one.

G. N. FARQUHAR,
Clerk to the Council.

V 20/30

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

No. 18 of 1931.

An Ordinance to amend the Explosives Ordinance, 1902.

No. 8 of 1902.
II. 574.

GRAEME THOMSON.

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

1 This Ordinance may be cited as the Explosives Amendment Ordinance, 1931.

Short title.

2 Section 10 of the principal Ordinance is amended by the deletion of the words "or the principal" in the tenth line thereof.

Amendment of section 10 of the principal Ordinance.

3 Section 11 of the principal Ordinance is amended by the addition of the following paragraph at the end thereof:—

Amendment of section 11 of the principal Ordinance.

Every police officer of and above the rank of sub-inspector shall in respect of the area for the time being under his jurisdiction be deemed to be an inspector of explosives duly appointed under this section.

4 Section 15 of the principal Ordinance is amended by the substitution of the words "except on a licence granted by the Governor with the advice of the Executive Council" for the words "except with the license of the Governor under the hand of the Colonial Secretary" in the third and fourth lines thereof.

Amendment of section 15 of the principal Ordinance.

5 The following new section is inserted in the principal Ordinance immediately after section 24 thereof:—

Insertion of new section 24A in the principal Ordinance.

24 A The amount of explosive exposed for sale shall not exceed one pound, provided (a) that in the case of safety cartridges the amount may be a quantity containing of gunpowder or of small-arm nitro-compound not more than five pounds, and (b) in the case of manufactured fireworks the amount shall not exceed five pounds.

To be exposed for sale in limited quantities.

If any explosive is exposed for sale in contravention of this section, the person exposing it for sale shall be liable to a penalty not exceeding twenty rupees, and all or any part of the explosive so exposed may be forfeited.

6 Section 25 of the principal Ordinance is repealed and the following is substituted therefor:—

Amendment of section 25 of the principal Ordinance.

25 The amount of explosive sold otherwise than in a substantial case, canister, or other receptacle made and closed so as to prevent any explosive from escaping, shall not exceed one pound, provided (a) that in the case of safety cartridges the amount may be a quantity containing of gunpowder or of small-arm nitro-compound not more than five pounds, and (b) in the case of manufactured fireworks the amount shall not exceed five pounds; and except when the same is sold to any person employed by or on the property occupied by the vendor for immediate use in the service of the vendor or on such property, the outermost receptacle containing such explosive shall have affixed the word "explosive" and the name of such explosive in conspicuous characters by means of a band or securely attached label or other mark.

To be sold in canisters, etc. or in limited quantities.

If any explosive is sold in contravention of this section the person selling it shall be liable to a penalty not exceeding twenty rupees.

Passed in Council the Seventeenth day of March, One thousand Nine hundred and Thirty-one.

G. N. FARQUHAR,
Clerk to the Council.

Assented to by His Excellency the Governor the Twentieth day of June, One thousand Nine hundred and Thirty-one.

G. N. FARQUHAR,
Clerk to the Council.

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Tangalla will be holden at the Court-house at Tangalla on Wednesday, July 1, 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.

Deputy Fiscal's Office, A. L. M. NOOR MOHAMED,
Tangalla, June 19, 1931. Additional Deputy 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 Chilaw will be holden at the Court-house at Hulftsdorp on Friday, July 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.

Deputy Fiscal's Office, F. G. DALPETHADO,
Chilaw, June 22, 1931. Deputy Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 4,200. In the matter of the insolvency of M. Dharmadasa of Station road, Bambalapitiya.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on August 4, 1931, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,
Colombo, June 18, 1931. for Secretary.

In the District Court of Colombo.

No. 4,204. In the matter of the insolvency of M. S. Subramania Pillai, M. S. Arumugam Pillai, and S. M. S. Veeravahu Pillai carrying on business under the name, style, and firm of M. S. S. at 5th, Cross street, Pettah, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvents will take place at the sitting of this court on July 14, 1931, for proof of claim of the Imperial Bank of India.

By order of court, A. E. PERERA,
Colombo, June 23, 1931. for Secretary.

In the District Court of Colombo.

No. 4,258. In the matter of the insolvency of S. Nagendra of Kynsey road, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on August 4, 1931, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,
Colombo, June 20, 1931. for Secretary.

In the District Court of Colombo.

No. 4,271. In the matter of the insolvency of S. M. Ismail of Ferry street, Colombo.

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

By order of court, A. E. PERERA,
Colombo, June 18, 1931. for Secretary.

In the District Court of Colombo.

No. 4,297. In the matter of the insolvency of M. M. Mohamed Ali of Stuart street, Slave Island.

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 July 7, 1931, for proof of claim of V. R. S. T. Sathappa Chettiar.

By order of court, A. E. PERERA,
Colombo, June 17, 1931. for Secretary.

In the District Court of Colombo.

No. 4,309. In the matter of the insolvency of P. de S. Wijetunga of Kotahena.

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 July 14, 1931, for proof of claim of A. P. Casie Chetty.

By order of court, A. E. PERERA,
Colombo, June 24, 1931. for Secretary.

In the District Court of Colombo.

No. 4,341. In the matter of the insolvency of C. A. L. Amarasekera of Albert place, Dehiwala.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on August 4, 1931, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,
Colombo, June 20, 1931. for Secretary.

In the District Court of Colombo.

No. 4,350. In the matter of the insolvency of W. James Perera of Hulftsdorp.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on August 4, 1931, for the grant of a certificate of conformity to the insolvent.

By order of court A. E. PERERA,
Colombo, June 18, 1931. for Secretary.

In the District Court of Colombo.

No. 4,356. In the matter of the insolvency of T. D. Cuttilan of 37, Dawson street, Slave Island.

NOTICE is hereby given that a meeting of the creditors of the above named insolvent will take place at the sitting of this court on August 4, 1931, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,
Colombo, June 18, 1931. for Secretary.

In the District Court of Colombo.

No. 4,368/4,376. In the matter of the insolvency of Esouderberg & Co. of Fort, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvents will take place at the sitting of this court on July 21, 1931, for the appointment of an assignee.

By order of court, A. E. PERERA,
Colombo, June 23, 1931. for Secretary.

In the District Court of Colombo.

No. 4,417. In the matter of the insolvency of B. F. Rodrigo of 59/37, Bloemendahl road, Colombo.

WHEREAS B. F. Rodrigo has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by M. L. M. Haniffa of 12, Keyser street, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said B. F. Rodrigo insolvent accordingly; and that two public-sittings of the court, to wit, on July 28, 1931, and on August 25, 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, June 16, 1931. for Secretary.

In the District Court of Colombo.

No. 4,416. In the matter of the insolvency of E. Paramasivam Pillai and S. V. Sithamparam Pillai, both carrying on business under the name, style, and firm of E. P. Sithamparam Pillai & Co., at 4th Cross street, Pettah, Colombo.

WHEREAS E. Paramasivam Pillai and S. V. Sithamparam Pillai have filed a declaration of insolvency, and a petition for the sequestration of their estate has also been filed by Ana Muna Mana & Brothers, at 4th Cross street, Pettah, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said E. Paramasivam Pillai and S. V. Sithamparam Pillai insolvent accordingly; and that two public sittings of the court, to wit, on August 4, 1931, and on August 25, 1931, will take place for the said insolvents to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, A. E. PERERA,
Colombo, June 20, 1931. for Secretary.

In the District Court of Colombo.

No. 4,418. In the matter of the insolvency of S. Somasunderam Pillai, S. Ponniah Pillai, and S. Arumugam Pillai, all carrying on business under the name, style, and firm of Avenna Sana at Fifth cross street, Colombo.

WHEREAS S. Ponniah Pillai has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by S. S. Arumugam Pillai of Sea street, Colombo, under the Ordinance No. 7 of 1853; Notice is hereby given that the said court has adjudged the said S. Ponniah Pillai insolvent accordingly; and that two public sittings of the court, to wit, on July 21, 1931, and on August 4, 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, June 18, 1931. for Secretary.

In the District Court of Kalutara.

No. 258. In the matter of the insolvency of Mohamed Lebbe Marikar Mohamed Abdul Cader of Kalutara.

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

By order of court, A. W. LUDEKENS,
June 22, 1931. Secretary.

In the District Court of Kalutara.

No. 266. In the matter of the insolvency of Mohamed Lebbe Marikar Abdul Hamid of Mahagoda.

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

By order of court, A. W. LUDEKENS,
June 22, 1931. Secretary.

In the District Court of Galle.

No. 645. In the matter of the insolvency of Mohamed Cassim Hadjar Mohamed Salley of Main street, 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 July 20, 1931, for the filing of balance sheet.

By order of court, P. E. S. DHARMASEKHARA,
Acting Secretary.

In the District Court of Galle.

No. 651. In the matter of the insolvency of Mohamed Ossen Mohamed Samsadeen 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 August 24, 1931, for assignee's report.

By order of court, P. E. S. DHARMASEKHARA,
Acting Secretary.

In the District Court of Galle.

No. 653. In the matter of the insolvency of A. P. Endiris de Vas of Patabendimulla in Ambalangoda.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on August 6, 1931, for assignee's report.

By order of court, P. E. S. DHARMASEKHARA,
Acting Secretary.

In the District Court of Matara.

Insolvency In the matter of the insolvent estate of Ismail Case No. 41. Lebbe Marikar Abdul Majeed 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 August 21, 1931, for examination of insolvent.

By order of court, R. MALALGODA,
June 18, 1931. Secretary.

In the District Court of Badulla.

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

NOTICE is hereby given that the adjourned meeting of the creditors of the above-named insolvent will take place at the sitting of this court on July 1, 1931, for the granting of a certificate of conformity to the insolvent.

By order of court, J. N. CULANTHAIVALU,
Secretary.

In the District Court of Badulla.

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

NOTICE is hereby given that the adjourned meeting of the creditors of the above-named insolvent will take place at the sitting of this court on July 22, 1931, for consideration of the assignee's report.

By order of court, J. N. CULANTHAIVALU,
Secretary.

In the District Court of Badulla.

No. 13. In the matter of the insolvency of V. M. Muttusamy of Nugatalawa in Badulla District.

NOTICE is hereby given that the adjourned meeting of the creditors of the above-named insolvent will take place at the sitting of this court on July 22, 1931, for the filing of the balance sheet by the insolvent.

By order of court, J. N. CULANTHAIVALU,
Secretary.

In the District Court of Kegalla.

Insolvency In the matter of the insolvency of Segu Jurisdiction Amala Marikar Hadjar Uduma Lebbe No. 62. Marikar of Mawanella, Kegalla.

NOTICE is hereby given that the first sitting of this court on the above matter has been adjourned to July 21, 1931.

By order of court, L. B. CASPERSZ,
Kegalla, June 17, 1931. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

S. N. M. Mohamed Syraideen of Pettah, Colombo. Plaintiff.

No. 27,021. 30 Vs.

W. M. Usoof of Matugama in Kautara, presently of Maradana in Colombo. Defendant.

NOTICE is hereby given that on Tuesday, July 28, 1931, at 3 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the balance sum of Rs. 750 and cost of execution, viz. :—

All that premises bearing assessment No. 139, situated at Dematagoda in Colombo, within the Municipality and District of Colombo, Western Province; bounded on the north by road, on the east by land described in plan No. 67,361, on the south by land described in plan No. 71,327, and on the west by reservation; containing in extent 1 acre and 27 perches.

This land is now described as follows :—All that premises bearing assessment No. 139, now Nos. 324, 326, 328, 330, 332, 334, 336, 336/1, 336/2, 336/3, 336/4, 336/5, 336/6, 336/7, 336/8, 336/9, 336/10, 336/11, 336/12, 336/13, 336/20, 336/21, 336/22, 336/23, 336/24, 336/25, 336/26, 40, 42, and 44, situated at Dematagoda in Colombo; bounded on the north by Dematagoda road, east by land described in plan No. 67,361 belonging to P. T. Meera Lebbe, south by land described in plan No. 71,327 now belonging to Municipal Council, and west by Temple lane; containing in extent 1 acre and 27 perches.

Fiscal's Office,
Colombo, June 24, 1931.CARL E. ARNDT,
Deputy Fiscal.

In the District Court of Colombo.

(1) Mohamadul Lebbe Setu Mohudeen, (2) Mohammadul Lebbe Abdul Rahim, both of Pasyala in Udugaha pattu of Siyane korale. Plaintiffs.

No. 40,617. 41 Vs.

Seyna Nawanna Muna Mohammed Sully of 22, Second Cross street, Pettah, Colombo administrator *de bonis non* of the estate and effects of the late Seyna Kawanna Moona Mohamed Sekadiyar. Defendant.

NOTICE is hereby given that on Thursday, August 6, 1931, will be sold by public auction at the respective premises the following property mortgaged with the plaintiffs by bond No. 19,073 dated July, 1921, and attested by J. B. Jayaratne, 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 March 11, 1931, for the recovery of the sum of Rs. 945, with interest thereon at 9 per cent. per annum from January 19, 1931, till payment in full, and costs, viz. :—

1. At 2 p.m.—All that land called Oyaboda Imbulowita, together with the buildings thereon including the boutique and trees and plantations thereon, situated at Pasyala in Udugaha pattu of Siyane korale in the District of Colombo, Western Province; and bounded on the north by the boutique house purchased by Sadiris Appu, east by the high road leading from Colombo towards Kandy, south by land which was of Induruwage Joranis Perera and presently of Siyaneis Perera, and west by land of Isibu Lebbe; containing in extent about 1 rood and 10 yards in length along the road.

2. At 2.30 p.m.—All that remaining land together with the trees and plantations thereon from and out of the land called Ketakelagahawatta, situated at Pasyala aforesaid; and bounded on the north by Elawella and the land of Sanchi Appu, and east and south and west by the lands of Induruwage Joranis Perera; containing in extent about 3 pecks of paddy sowing (after excluding therefrom the road running through the said land towards Kelaniya. Prior Registration F 61/5, 61/103.

Fiscal's Office,
Colombo, June 24, 1931.CARL E. ARNDT,
Deputy Fiscal.

In the District Court of Colombo.

Alutweediya Korallage Don Carols Appuhamy of Walgama in Adikari pattu of Siyane korale. Plaintiff.

No. 41,439. Vs.

(1) Vitana Arachige Don Carols Gunasekera Appuhamy, (2) Dona Tesona alias Tikona Gunasekera Hamina, both of Walgama aforesaid. Defendants.

NOTICE is hereby given that on Friday, July 31, 1931, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 9,352 dated November 5, 1925, and attested by D. C. P. Abeyawardena 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 March 24, 1931, for the recovery of the sum of Rs. 1,255.96, with further interest on Rs. 800 at 20 per cent. per annum from November 11, 1930, to date of decree (January 16, 1931), and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit, viz. :—

(1) At 9 a.m.—An undivided 9/140 share of the land called Delgahawatta, situated at Walgama in the Adikari pattu of Siyane korale in the District of Colombo, Western Province; bounded on the north by live fence separating Pokunelandewatta, on the east by the live fence separating garden of Rajathejapathirage people, on the south by the live fence separating the garden of Vitanage Esan Appu and hilly rock (Galkanda), and in the west by the live fence separating the land of Don Pauluaratchige Seneris Silva and others; within this about 10 bushels of paddy sowing.

(2) At 9.15 a.m.—An undivided 9/140 share of the land called Tunhaulpelengahawatta, situated at Walgama aforesaid; bounded on the north by the portion of land gifted to Hinchu Appu, on the east and south by ditch between Pelengahawatta, and west by ditch between the garden of Ahamadul Lebbe; within this about 8 bushels of paddy sowing.

(3) At 9.30 a.m.—An undivided 9/28 share of the land called Kohilakumbura and wanata, situated at Walgama aforesaid; bounded on the north by the liminary ridge between the field of Galdeniya people, on the east by the liminary ridge between the field of Dharmapala Kankanama-lage people, on the south by liminary ridge between field of Colombage people's ditch and live fence between Godapillewa, and on the west by liminary ridge between the field of Hadji Lebbe Abdu Lebbe and others; within this about 3 bushels or 6 bushels of paddy sowing.

(4) At 9.45 a.m.—Undivided 9/28 share of the field Dangahakumbura, situated at Walgama aforesaid; bounded on the north by liminary ridge of the field purchased by Don William Gunasekera, retired Vidane Arachchi, on the east by Muttettuwekumbura and liminary ridge between Welitotuwakumbura, on the south by Pelengahakumbura, and on the west by liminary ridge between Malgahakumbura; within this about 6 bushels of paddy sowing.

(5) At 10 a.m.—Undivided 3/28 shares of the field Galabodakumbura, situated at Walgama aforesaid; bounded on the east by ela, on the south by field of Don Jacovis Vedarala; and on the west by Nekatigewatta, on the north by liminary ridge between Hiriliyaddekumbura; within this about 2 bushels of paddy sowing.

(6) At 10.15 a.m.—Undivided 3/28 share of the field Galakumbura, situated at Walgama aforesaid; bounded on the north by liminary ridge between Herathgekumbura, on the east by high land, on the south by Ganegekumbura, and on the west by ela; within this about 3½ bushels of paddy sowing.

(7) At 10.30 a.m.—Undivided 9/140 share of the field Pitiyakumbura alias Kebellagahakumbura, situated at Walgama aforesaid; bounded on the north by ela and liminary ridge of Ganaykumbura, on the east by Tuntotakanattayawatta or Pansalawatta, on the south by high land, and on the west by liminary ridge of Dampiyakumbura of Hajji Lebbe Mamma Lebbe; within this about 4 bushels of paddy sowing.

(8) At 10.45 a.m.—Undivided 3/14 share of the field called Kannakawelayekumbura or Millagahakumbura, situated at Walgama aforesaid; bounded on the north by liminary ridge of the land of Don William Gunasekera Vidane Arachchi and Alagiyawannamohottige Carthelis Appuhamy and others, on the east by Depa-ela, on the south and west by liminary ridge of Millagahakumbura; within this about 3 bushels of paddy sowing.

(9) At 11 a.m.—Undivided 3/14 share of the field Millagahakumbura, situated at Walgama aforesaid; bounded on the north by Dehigasmullagodabima and

wailla (water-course), on the east by Kanackawela-kumbura and liminary ridge of Millagahakumbura, on the south by Dangahakumbura, and on the west by liminary ridge of the field of Vithanage Mohotti Appu and others; within this in extent 2 bushels of paddy sowing.

(10) *At 11.15 a.m.*—Undivided $\frac{3}{4}$ share of the field Millagahakumbura, situated at Walgama aforesaid; bounded on the north by Kanackawelaykumbura and liminary ridge of Millagahakumbura, on the east by liminary ridge of Mut-tettuwakumbura of D. Welun Appu and others, on the south by liminary ridge of Dangahakumbura, and on the west by liminary ridge of Millagahakumbura; within this about 2 bushels of paddy sowing.

(11) *At 11.30 a.m.*—Undivided $\frac{4}{8}$ share of the land Tunhaulkuranduwa, situated at Walgama aforesaid; bounded on the north by Tunhaupelengahawatta, on the east by Pelengahawatta, on the south by land called Pokunelanda of Dimunge Petera Appu and others, and on the west by land of Gawsuge people and land of Esubu Lebbe; within this about $2\frac{1}{2}$ acres in extent.

(12) *At 12.30 p.m.*—Undivided $\frac{3}{7}$ share of the entire land lot bearing letter "D" of Pelengahawatta, situated at Walgama aforesaid; bounded on the north by lot bearing letter "A" of this land, on the east by lots bearing letters "E" and "L," on the south by Pelengahawatta, and on the west by Tunhaupelengahawatta of W. Gunasekera and others; within this in extent about 1 acre 1 rood and $27\frac{10}{100}$ perches.

(13) *At 12.45 p.m.*—The lot bearing letter "J" of Pelengahawatta, situated at Walgama aforesaid; bounded on the north by lot bearing letter "A" of this land, on the east by lot bearing letter "K" of this land, on the west by lot bearing letter "I" of this land, and on the south by land reserved for a road; within this in extent 1 rood and $16\frac{7}{100}$ perches.

(14) *At 1 p.m.*—The lot bearing letter "H" of Pelengahawatta, situated at Walgama aforesaid; bounded on the north by lot bearing letter "A" on the east by lot bearing letter "I," on the south by land reserved for a road, and on the west by lot bearing letter "G" of this land; within this in extent $28\frac{38}{100}$ perches.

(15) *At 1.15 p.m.*—The lot bearing letter "I" of Pelengahawatta, situated at Walgama aforesaid; bounded on the north by lot bearing letter "A" of this land, on the east by lot bearing letter "J," on the west by lot bearing letter "H," and on the south by land reserved for a road; within this in extent $28\frac{38}{100}$ perches.

(16) *At 1.30 p.m.*—The lot bearing letter "E" of Pelengahawatta and the tiled roofed house thereon, situated in the said village; bounded on the north by lot bearing "A" of this land, on the east by lot bearing "F," on the south by land reserved for a road, and on the west by lots bearing letters "D" and "A" of this land; within this in extent 2 roods and $33\frac{55}{100}$ perches.

(17) *At 1.45 p.m.*—The lot bearing letter "M" of Pelengahawatta, situated at Walgama; bounded on the north by land reserved for a road, on the east by lot bearing letter "N" of this land, on the south by Pelengahawatta, and on the west by lot bearing letter "L" of this land; within this in extent 2 roods and $33\frac{55}{100}$ perches, together with all the rights and powers held by the said defendants in respect thereof. Prior Registration C 148/226, 232, 230, 231, 227 and 235.

Fiscal's Office,
Colombo, June 24, 1931.

CARL E. ARNDT,
Deputy Fiscal.

In the District Court of Colombo.

Mrs. Frances Vanderstraaten of Kandy Plaintiff.
No. 42,640. Vs.

Mrs. R. Saravananth of Brenclan, Kensington
Gardens, Bambalapitiya Defendant.

NOTICE is hereby given that on Thursday, July 30, 1931, at 9 A.M., will be sold by public auction at Brenclan, Kensington Gardens, Bambalapitiya the following movable property for the recovery of the sum of Rs. 1,092.50, and costs of suit and poundage, viz. :-

Two loungers, 2 teakwood arm chairs, 2 chairs, 1 hat stand fixed with mirror, 1 brass flower vase, 3 loungers, 1 teapoy, 2 easy chairs, 2 ebony couches, 3 ditto cushioned arm chairs, 3 ditto chairs, 1 statue with ebony stand, 1 cheffonier, 1 small stand, 1 ebony table, 1 silver table, 1 silver cup, 8 silver ornamental articles, 6 pictures, 1 statue, 1 teapoy, 1 brass flower vase, 1 dining table, 4 teakwood chairs, 2 ditto arm chairs, 2 brass lamps, 1 teakwood couch, 1 whatnot, 1 wall clock, 1 piano stool, 1 teakwood almirah, 1 toilet table, 1 stand fixed with mirror, 1 table, 1 hand sewing machine, 1 almirah, 1 brass lamp, 1 round teapoy with marble top, 1 almirah fixed with mirror, 1 teakwood almirah, 1 common wood box, 1 stand, 1 glass almirah, 1 carpet.

Fiscal's Office,
Colombo, June 24, 1931.

CARL E. ARNDT,
Deputy Fiscal.

B 6

In the District Court of Colombo.

Yaatramullage Simon Perera of Parakandiya in
Meda pattu of Siyane korale. Plaintiff.
No. 42,653. Vs.

Suri Aratchige Don Paulis Gunawardene, ex Police
Aratchi, of Mahara Suripaluwa in the Adikari pattu
of Siyane korale. Defendant.

NOTICE is hereby given that on Monday, August 3, 1931, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 6,163 dated January 6, 1927, attested by G. D. W. S. Seneviratne of Biyanwila, Notary Public, and bond No. 6,496 dated April 26, 1927, and attested by the said G. D. W. S. Seneviratne, 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 May 11, 1931, for the recovery of the sum of Rs. 1,637.11, together with interest on Rs. 1,000 at 16 per cent. per annum, from January 27, 1931, till February 18, 1931, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs of this action taxed at Rs. 252.35, viz. :-

1. *At 2 p.m.*—An undivided $\frac{1}{4}$ part or share of the land called Parana Sambuddi Meegahawattekebella, situated at Mahara Suripaluwa in the Adikari pattu of Siyane Korale in the District of Colombo, Western Province; and bounded on the north and east by Millagahawatta belonging to Suri Aratchige Don Paulis Appuhamy and others, on the south and west by the land belonging to Ranatunga Aratchige Don Juwanis Appuhamy; and containing in extent about 6 acres, and the entirety of the tiled and thatched boutique house standing thereon built by the defendant, held and possessed by the defendant upon deed No. 3,803 dated October 26, 1907, and attested by M. F. A. Jayawardene, Notary Public.

2. *At 2.30 p.m.*—An undivided $\frac{1}{4}$ part of another portion of Meegahawatta, situated at Mahara Suripaluwa aforesaid; and bounded on the north by the ditch of the land belonging to Suri Aratchige Don Simon Appuhamy, east by portion of the same land belonging to Don Paulu Appuhamy, south by portion of the same garden belonging to Adirian Silva, Police Vidanerala, and west by lands in the name of Svegu Appuhamy; containing in extent about $1\frac{1}{2}$ acres held and possessed by the said defendant under the said deed No. 3,803. Prior Registration C167/216 and 217.

Fiscal's Office,
Colombo, June 24, 1931.

CARL E. ARNDT,
Deputy Fiscal.

In the District Court of Colombo.

M. R. P. L. M. M. R. Murugappa Chettiar of Sea street,
Colombo Plaintiff.
No. 42,913. Vs.

(1) Malwattage Don Manuel Appuhamy, (2) Weerasinghe Mohottige Dona Maria Hamine, both of Alutkawata, (3) Weerasinghe Mohottige Dona Josephina Hamine of Kotuwila in Colombo. Defendants.

NOTICE is hereby given that on Tuesday, August 4, 1931, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 467 dated April 10, 1930, and attested by J. H. Rasiah Joseph 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 May 5/13, 1931, for the recovery of the sum of Rs. 2,904.87, together with interest on Rs. 2,500 at 21 per cent. per annum from February 14, 1931, to March 23, 1931, and thereafter on the aggregate amount at 9 per cent. per annum up to date of payment in full, and costs of suit, viz. :-

1. *At 2 p.m.*—A divided part of the land called Bogahawatta, situated at Welikumbura in Kotuwila in Ambatalenpahala of Alutkuru korale south in the District of Colombo, Western Province; bounded on the north by Bogahawatta of Agida Silva and others, east by garden of Magalage Marthelis Perera and Magalage Paulu Perera, south by road from Colombo to Avissawella, and on the west by Bogahawatta of A. Maria Perera; containing in extent 3 roods and 28 perches, and registered in B 263/300.

2. *At 2.30 p.m.*—An allotment of land called Talgahawatta, situated at Kotuwila in the Adikari pattu of Alutkuru korale aforesaid; and bounded on the north by property of Hanwellage Miguel Perera, north-east by high road from Colombo to Avissawella, cemetery, and the property of Singho Boteju, south by the property of Hanwellage Daniel Perera, and on the west by the property of Kodikarage Coranis Perera now of Don John Perera Weerasinghe Appuhamy; containing in extent 2 roods and 38 perches, and registered in B 264/1.

Fiscal's Office,
Colombo, June 24, 1931.

CARL E. ARNDT,
Deputy Fiscal.

In the District Court of Colombo.

Koona Mana Navenna Soona Pana Natchiappa Chettiar
of 94, Sea street, Colombo Plaintiff.

No. 44,295. Vs.

(1) Cadija Umma and her husband (2) Cassie Lebbe
Marikar Abdul Mahammad, both of 26, Avondale
road, Maradana in Colombo, (3) Mohamed Tamby
Jamaldeen, also of 26, Avondale road afore-
said Defendants.

NOTICE is hereby given that on Friday, July 17, 1931,
at 9 A.M., will be sold by public auction at the premises the
following property mortgaged with the plaintiff by bond
No. 1,419 dated March 7, 1929, and attested by N. M.
Zahood 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
June 19, 1931, for the recovery of the sum of Rs. 3,958.23,
with interest on Rs. 3,500 at 18 per cent. per annum from
May 26, 1931, to date of decree (June 8, 1931), and thereafter
on the aggregate amount of the decree at 9 per cent. per
annum till payment in full, and costs of suit, viz. :—

All that part of a garden shaded pink and marked letter
"A" in the survey plan hereinafter mentioned, with a
house standing thereon from and out of all that allotment
of land shaded pink in the survey plan, called Indurupattala-
kumbura bearing assessment No. 2703/1A, situated to the
north of Forbes road within the Municipality and District
of Colombo, Western Province; which said portion marked
letter "A" presently bearing Municipal assessment No. 69,
Forbes road, is bounded on the north by a passage 4 links
wide separating this property from another property
belonging to the estate of late P. T. Mohamado Tamby,
on the east by a portion of the said premises No. 2073/1,
Forbes road, marked "B" in the said plan allotted to
Pathu Umma, on the south by Forbes road, and on the
west by property bearing assessment No. 2072/1B of Raliya
Umma; containing in extent 3 19/100 perches according
to the survey plan dated March 26, 1904, made by Chas.
Schwallie, Registered Land Surveyor. Prior Registration
A 182/273.

Fiscal's Office,
Colombo, June 24, 1931.

CARL E. ARNDT,
Deputy Fiscal.

In the District Court of Kalutara.

Nanayakkara Liyanage Marshal Perera of Molligoda Plaintiff.

No. 14 943. Vs.

Wellawattage Robert de Silva of Katukurunda Defendant.

NOTICE is hereby given that on Monday, July 20, 1931,
commencing at 4 o'clock in the afternoon, will be sold by
public auction at the respective premises the right, title,
and interest of the said defendant in the following property
for the recovery of Rs. 817.10, viz. :—

1. The entire soil trees and buildings thereon of the land
called Kiripallagahawatta, situated at Molligoda in Was-
kadubadde; and bounded on the north by a portion of the
same land belonging to Liyanage Thegis Perera, east by the
rail road, south by a portion of the same land belonging to
Liyanage Hendrick Perera, and west by seashore; contain-
ing in extent 2 acres and 10 72/100 perches.

2. The entire soil trees and buildings thereon of the
undivided southern 5/6 share of the land called Kiripella-
gahawatta, situated at Molligoda as aforesaid; and bounded
on the north by Nakandalage Karandagahawatta, east by
the abandoned old road now belonging to Liyanage Simon
Perera Appuhamy, south by a portion of the same land, and
west by seashore; and containing in extent about 2 acres.

Deputy Fiscal's Office,
Kalutara, June 23, 1931.

D. J. JAYASUNDERA,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

S. P. R. M. L. Letchimanen Chettiar of Browrigg
street, Kandy Plaintiff.

No. 33,212.

A. Vallipuram of Trincomalee street, Kandy Defendant.

(1) Muttukumaran Arulampalam (2) Aramogam
Vallipuram's son Subrayar, both of Negombo,
executors of the last will and testament of A. Valli-
puram, deceased Substituted defendants.

NOTICE is hereby given that on Friday, July 17, 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. 1,804.80, with interest on Rs. 1,652 at the rate of
9 per cent. per annum from November 10, 1925, till
payment in full, and poundage, less Rs. 1,100 paid, viz. :—

All that estate called Aspokuna estate of 70 acres
3 roods and 30 perches in extent, situate at Attaragalla
in Uda Gampaha of Pata Dumbara in the District of
Kandy, Central Province; and bounded on the east by
lands belonging to G. Appuhamy, Veeraiah Kangany,
and Kotandeniya Korala, on the south-east by Raja-
wella estate, on the south by Rajawella estate, Tenne-
gedera Ukkuwa's land, Kannappa Pulle's land, and
high road, on the south-west by high road, on the west
by lands belonging to K. C. C. M. Seneviratne, N.
Rengasamy, V. C. Selambaram, and Rajawella estate,
and on the north by Gansabhawa road, Rajawella estate,
Meiyan and Ran Naide's land; together with everything
thereon.

Fiscal's Office,
Kandy, June 23, 1931.

A. RANESINGHE,
Deputy Fiscal.

Southern Province.

In the District Court of Matara.

Galappathiguruge Don Andiris de Silva of Ahan-
gama Plaintiff.

No. 6,128. Vs.

Hapugoda Atchi Kankaranga Panchiappuhamy of
Kotapola Defendant.

NOTICE is hereby given that on Saturday, July 18, 1931,
commencing at 2 o'clock in the afternoon, will be sold by
public auction at the spot the right, title, and interest
of the said defendant in the following mortgaged property
for the recovery of a sum of Rs. 686, together with legal
interest on Rs. 600 from January 15, 1931, till payment in
full :—

All that the undivided 87 kurunies of paddy sowing
extent (exclusive of the seed paddy and cultivator's share
thereof) of the field called Talgahahenakumbura, situated
at Wahala Kananka in Weligam korale of the District of
Matara, Southern Province; and bounded on the north
by oita, east by duwa and Pahalamulana, south by
Talgahahenewatta, and west by Wadugewatta; and
containing in extent 6 acres and 32 perches.

Deputy Fiscal's Office,
Matara, June 19, 1931.

E. T. GOONEWARDENE,
Deputy Fiscal.

In the District Court of Galle.

P. L. R. M. M. Manikkawasagam Chettiar of
Galle Plaintiff.

No. 28,849. Vs.

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

NOTICE is hereby given that on Tuesday, July 21,
1931, commencing at 3.30 P.M., will be sold by public
auction at the spot the right, title, and interest of the
said defendant in the following property for the recovery
of a sum of Rs. 2,158.75, with legal interest thereon from
September 30, 1930, till payment in full, and Rs. 73.92 for
costs, less Rs. 910 recovered :—

The entire soil and fruit trees of the land called Joolgaha-
koratuwa, bearing assessment No. 216 (together with
all the buildings standing thereon), situated at Kotuwegoda
within the Four Gravets of Matara, Matara District,
Southern Province; and bounded on the north by river,
east by road to the river, south by high road, and on the
west by a portion of the same land; and containing in
extent about 1/4 of an acre.

Deputy Fiscal's Office,
Matara, June 19, 1931.

E. T. GOONEWARDENE,
Deputy Fiscal.

In the District Court of Galle.

K. M. R. M. Ramanathan Chettiar of Galle Plaintiff.

No. 29,661. Vs.

(1) S. W. Salmon and wife (2) Josiahamy, both of
Tudawa in Matara, and (3) S. M. L. Mohamed
Cassim of Matara Defendants.

NOTICE is hereby given that on Friday, July 31, 1931,
commencing at 2 o'clock in the afternoon, will be sold by
public auction at the spot the right, title, and interest
of the said defendants in the following property for the

recovery of a sum of Rs. 1,081, with legal interest thereon from April 20, 1931, till payment in full, and Rs. 73.92 for costs:—

All that field called Weragampitaralagegodella and the plantations thereon, situated at Nadugala in the Gangaboda pattu of the Matara District, Southern Province; and bounded on the north by Keppu-ela, east by river, south by Weragampitaralagegodella, and west by Pahatiyekumbura and Kudaluhena; and containing in extent 8 bags of paddy sowing, and registered in C 200/150.

Deputy Fiscal's Office,
Matara, June 22, 1931.

E. T. GOONEWARDENE,
Deputy Fiscal.

In the District Court of Tangalla.

Samuel Arthur Wickramasuriya of St. Aloysius' College, Galle Plaintiff.
No. 2,953. **63** Vs.

(1) Edward Wiraratna of Tangalla (lunatic) (2) Caroline Wiraratne of Tangalla; the 1st being a lunatic, the 2nd is appointed guardian and manager of his estate Defendants.

NOTICE is hereby given that on Saturday, July 18, 1931, commencing at 9 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property mortgaged with the plaintiff, viz.:—

(1) Undivided $\frac{1}{4}$ part of all the soil and fruit trees and of the 13 cubits tiled house standing thereon of the land called the $\frac{1}{4}$ portion of Gulugahawatta alias Kongahawatta, in extent about 20 perches, situated at Kotuwegoda in Tangalla in West Giruwa pattu of Hambantota District; and bounded on the north by high road, east by land belonging to Mr. Classen, south by the divided portion of the same land, and west by road leading to the land wherein Sadiris de Silva Wiraratna resides. Value, Rs. 300.

(2) Undivided $\frac{1}{4}$ part of all the soil and fruit trees and of the building standing thereon of the land called Nugagahawatte-Negenairadekenpangukobella, situated at Tangalla; and bounded on the north by minor road, east by Ambagahawatta, south by Mahawatta, and west by Nugagahawatte-Anithdekenpangukobella; containing in extent about 1 acre. Value, Rs. 500.

(3) Undivided $\frac{1}{4}$ part of the soil and fruit trees of lot B of the contiguous lands called Katuwanagewatta, Mahahena, Boraluwehena, Ennapitiyegalkemehena, and Ennapitiyewatta, situated at Polommaruwa; and bounded on the north by Boraluwehena alias Mahahena and dewata, east by Ennapitiyewatta and dewata, south by Kajjugahakoratuwa, and west by lot A of this land; containing in extent 2 acres 3 roods and 14 perches. Value, Rs. 250.

(4) Undivided one-half part of all the soil and fruit trees of the divided portion marked lot A, in extent 22 acres and 20 perches, of the land Nalawanneyaya, whole in extent 44 acres 3 roods and 22 perches, situated at Marakolliya; and bounded on the north by reservation along the high road and lands in T. P. Nos. 171,270, 14,189, 175,013, and 175,012, east by Illukaturelebima, south by lot B of the same land and the portion of land reserved, and west by portion of land reserved and Tengaturehena. Value, Rs. 275.

(5) Undivided $\frac{1}{4}$ part of all the soil and fruit trees of lot C of Kajjugahawatta and Borahwewatta, situated at Goyambokka; and bounded on the north by high road, east by lot D, south by Achariyagewattehena, and west by lot B of this land; containing in extent 1 rood and 27 perches. Value, Rs. 300.

(6) Undivided $\frac{1}{4}$ parts of all the soil and fruit trees of the land called Ketangahawatta, situated at Kotuwegoda in Tangalla; and bounded on the north by Ubesekarawalawwewatta, east by Dirasekaragewatta, south by road leading to Kadurupokuna, and west by Ekanayakawalawwewatta; containing in extent about $\frac{1}{4}$ acre: Value, Rs. 400.

Write amount Rs. 1,183.30, together with legal interest on Rs. 910 from April 30, 1931, till payment in full, and poundage.

Deputy Fiscal's Office,
Tangalla, June 17, 1931.

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

In the District Court of Tangalla.

Lucien Godfrey Poulrier of Tangalla Plaintiff.
No. 3,034. **23** Vs.

Wickrama Kalutotage Jayaraj de Silva of Tangalla Defendant.

NOTICE is hereby given that on Saturday, July 25, 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 mortgaged with the plaintiff:—

At Medaketiya.—(1) All that land called Inginigahawatta and Kongahawatta consisting of those contiguous lots marked A, B, C, D, capable of being included in one and the same survey plan, containing in extent 1 rood and 3 perches, situated at Medaketiya in West Giruwa pattu of Hambantota District; and bounded on the north by Mawelaralagewatta, east by abandoned road, south by lane, and west by old road. Value Rs. 1,500.

Amount of writ Rs. 2,742.84, with legal interest on Rs. 2,382.24 from February 17, 1931, till payment in full, and poundage.

Deputy Fiscal's Office, A. L. M. NOOR MOHAMED,
Tangalla, June 17, 1931. Additional Deputy Fiscal.

In the Court of Requests of Tangalla.

D. T. Jayasuriya of Elpitiya Plaintiff.
No. 12,965. **19** Vs.

D. C. A. Jayawardana and another of Bowala Defendants.

NOTICE is hereby given that on Saturday, August 1, 1931, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 257.80, with legal interest from September 3, 1930, and poundage:—

At Walasmulla.—(1) Undivided $\frac{11}{18}$ shares of the allotment of land bearing lot No. 2691 in T. P. 69,970, situated at Walasmulla market, containing in extent 35 perches; and bounded on the north by land appearing in T. P. 69,969, east by road leading from Walasmulla to Kirama, south by T. P. 69,971, and west by T. P. 69,874. Value Rs. 1,100.

Deputy Fiscal's Office, A. L. M. NOOR MOHAMED,
Tangalla, June 17, 1931. Additional Deputy Fiscal.

North-Western Province.

In the District Court of Colombo.

Brown & Company, Limited, in Colombo Plaintiffs.
No. 39,029. **23** Vs.

Muna Muna Chena Mohammad Tamby Marikar of 48, Wolfendhal street in Colombo Defendant.

NOTICE is hereby given that on Saturday, July 25, 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 mortgaged with the plaintiff by bond No. 453 dated June 15, 1929, and attested by Clement A. S. Mather of Colombo, Notary Public, and declared specially bound and executable under the decree dated August 4, 1930, entered in the above action and ordered to be sold by the order of court dated August 8, 1930, for the recovery of the sum of Rs. 3,242.37, with interest thereon at the rate of 9 per cent. per annum from June 30, 1930, to August 4, 1930, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit and poundage, viz.:—

All that land called Nugagahamulahenyaya, together with the trees, buildings, and plantations standing thereon, situated at Diyamalankawa in Elatalawa in the Katugampola korale of Katugampola hatpattu in the District of Kurunegala, North-Western Province; bounded on the north by the land called Mukalana belonging to the Government, on the east by Wekanda (bank) of Pambawewa, on the south by Gansabhawa road separating the land belonging to Kapuruhamy and others and the land belonging to Hendrick Appuhamy, and on the west by Old Wekanda (bank); containing in extent about 1 pela of kurakkan sowing in extent or 12 acres in extent. Registered C 516/259.

Fiscal's Office,
Kurunegala, June 23, 1931.

A. BASNAYAKE,
Deputy Fiscal.

In the District Court of Colombo.

Eugene Matilda Sarah Corea of Nattandiya Plaintiff.
No. 30,948. **36** Vs.

(1) Constance Valerie Attygalle, executrix of the last will and testament of T. P. Attygalle, deceased,
(2) Constance Valerie Attygalle (in her personal capacity) of Buller's road, Colombo Defendants.

NOTICE is hereby given that on Tuesday, July 28, 1931, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of

the sum of Rs. 3,266.92, with legal interest thereon from July 17, 1929, till payment in full, and costs of suit, and poundage, viz. :—

1. The life interest of the defendant in and to the undivided 1/7 share of the land called Henepolawatta, situated at Dummalasuriya in Yagam pattu of Pitigal korale north in the District of Chilaw, North-Western Province; and bounded on the north by land belonging to Mr. J. Panditesekere, east by Kadupiti-oya, south by land belonging to J. C. H. Seneviratne Mudaliyar, and west by Hettiyawatta belonging to John Croos; containing in extent 95 acres, and of the plantations and of the buildings standing thereon.

2. The life interest of the defendant in and to the undivided 1/7 share of the land called Kopiwatta, situated at Galmuruwa in Yagam pattu aforesaid; and bounded on the north by land belonging to H. M. G. Herath Gunaratne Vidana Muhandiram, east by road, south by lands belonging to H. M. E. Herath Gunaratne Muhandiram and others, and west by land belonging to H. M. G. Herath Gunaratne Muhandiram; containing in extent 24 acres, and of the plantations and of the buildings standing thereon.

Deputy Fiscal's Office, Chilaw, June 23, 1931. F. G. DALPETHADO, Deputy Fiscal.

In the District Court of Colombo.

A. R. A. Suppiah Pillai of Sea street, Colombo... Plaintiff.
No. 38,534. Vs.

(1) Wickramasinghe Kuruppu Mudiyansele Simon Wickremesinghe, Constable Arachchi and 2 others of Nattandiya... Defendants.

NOTICE is hereby given that on Tuesday, July 21, 1931, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following mortgaged property for the recovery of Rs. 2,908.75, with interest on Rs. 2,600 at 15 per cent. per annum from June 9, 1930, till July 3, 1930, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment, and poundage, less a sum of Rs. 112.70 :—

1. An undivided 1/4 share of the land called Nebodagahakumbura bearing No. M 168 in plan No. 117,782 of November 4, 1880, situate at Nattandiya in Medapalata of Pitigal korale south in the District of Chilaw, North-Western Province; and bounded on the north by land appearing in plan No. 115,874 now belonging to Dr. Sarawanamuttu, east by lands of Singho Appu and others and of H. K. Punchappu, Vedarala, south by land appearing in plan No. 117,783, south-west by a strip of land appertaining along the stream, north-west by lands of H. Herath Hamy and others; containing in extent 6 acres and 35 perches.

2. An undivided 1/4 share of the land bearing No. 2,312 appearing in plan No. 115,874 dated March 22, 1880, situate at Nattandiya aforesaid; and bounded on the north-east by Crown land, east by land of Punchappuhamy, Vedarala and others, south and south-west by land claimed by D. Dona Anodarahamy; containing in extent 1 acre and 34 perches, together with the buildings and plantations standing thereon.

3. An undivided 1/4 share out of an undivided 15/16 share of the field called Uliyanpanguwa hearing No. J 168, situate at Nattandiya aforesaid; and bounded on the north by field of Sardial Appu and others, east by land now of Dr. Sarawanamuttu, south by liminary dam of the field belonging to Punchappuhamy and others, and west by Elakanda; containing in extent 2 beras of paddy sowing or 4 acres and 13 perches, subject as regards an undivided 1/4 share of the said entire land to a primary mortgage in favour of the Secretary of the District Court of Colombo in case No. 29,946 of the District Court of Colombo.

Deputy Fiscal's Office, Chilaw, June 23, 1931. F. G. DALPETHADO, Deputy Fiscal.

North-Central Province.

In the District Court of Anuradhapura.

S. T. K. M. V. Sidambaram Chettiar by his attorney S. T. K. M. V. Chakkalingam Chettiar, of Anuradhapura... Plaintiff.
No. 1,625.

M. M. Muhammadu Mevadeen of Nochchiyagama... Defendant.

NOTICE is hereby given that on Wednesday, July 22, 1931, at 11 o'clock in the morning, will be sold by public

auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of Rs. 1,075.50, with legal interest from February 1, 1931, and commission at 3 per cent. :—

All those two lands lying in contiguity and forming one property called and known as Kohombagahawatta and Dambagahakumbura respectively, situated at Nochchiyaganara; and bounded on the north by jungle, south by land of Mudalinamy, Vel-Vidane, east by tank bund, and west by the field of Mudalinamy, Vel-Vidane; containing in extent 8 acres.

Fiscal's Office, Anuradhapura, June 17, 1931.

W. S. JOSEPH, for Fiscal.

Province of Sabaragamuwa.

In the District Court of Avissawella.

W. A. William Singho of Deraniyagala... Plaintiff.
No. 1,138. Vs.

Alankarege Thegis Appuhamy of Deraniyagala (administrator of the estate of A. Magris Appu)... Defendant.

NOTICE is hereby given that on Saturday, July 25, 1931, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 528.86, to wit, Rs. 441.66 with further interest thereon at 9 per cent. per annum till payment in full from date of action, January 31, 1931, and costs taxed at Rs. 87.20, viz. :—

An undivided 1/4 share of the land called Paragahaowitena, situated at Deraniyagala in Atulugam korale of Three Korales in the District of Kegalle, Province of Sabaragamuwa; and bounded on the north by Veli-ela, east by Metiganna-oya, south also by Metiganna-oya, west by Veli-ela; containing in extent within these boundaries 4 acres 3 roods and 5 perches, including the two cadjan-thatched houses standing thereon.

Valuation : Rs. 1,500.

Fiscal's Office, Avissawella, June 23, 1931.

CHARLES DE SILVA, Additional Deputy Fiscal.

In the Court of Requests of Avissawella.

(1) Meewala Arachillage Manuwel Singho, (2) Punchi Hewayalage Podi Hamy and husband (3) Wellallegodage Panis Appuhamy of Uda Yogama... Plaintiffs.
No. 14,832. Vs.

(1) Kandenehetti Kankamahalage Martinahamy, (2) Kulathungage Correllis, both of Uda Yogama... Defendants.

NOTICE is hereby given that on Friday, July 24, 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. 250 (Rs. 150 being damages awarded and Rs. 100 being damages from date of action till May 23, 1931) plus Rs. 37.25 + Rs. 2 being costs of this action and further damages at Rs. 25 per mensem till restoration of possession, viz. :—

The land called Donpedurugedeniya appertaining to Donpedurugalladdalagegammasama, situate at Udayogama in Panawal korale of Three Korales in the District of Kegalle, Province of Sabaragamuwa; and bounded on the east, south, and north by Maimpara, west by Hettigedam and Wahumpurainneidam; containing in extent about 2 amunams paddy sowing which the judgment-debtors hold by virtue of planting agreement No. 490 dated March 1, 1909, and attested by S. D. J. Senaratna.

Valuation : Rs. 8,000.

Fiscal's Office, Avissawella, June 22, 1931.

CHARLES DE SILVA, Additional Deputy Fiscal.

I, MAXWELL MACLAGAN WEDDERBURN, Fiscal for the Western Province, do hereby appoint Mr. R. C. Wickramasingha to be Marshal for the division comprising the Gampaha peruwa of Ragam pattu in Alutkuru korale south, the Meda pattuwa of Siyane korale west, the Udagaha pattuwa of Siyane korale east, the following peruwas, viz., Radawana, Keragala, Dompe, and Welgama of Gangaboda pattuwa of Siyane korale east, and the Hapitigam korale, under the provisions of the Fiscals' Ordinance, No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal for June 25, 1931, for which this shall be his warrant.

Fiscal's Office, Colombo, June 23, 1931.

M. M. WEDDERBURN, Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Francina de Silva Weerasooriya *nee* Jayawardena of Palm Grove, Dodan-tuwa, deceased.

Henry David Weerasooriya of Orange Isle, Mora-tuwa Petitioner.

And

(1) Gorgina Felicia Wijayanayaka *nee* Weerasooriya, wife of (2) Theodore Harold Wijayanayaka, (3) Lili Francina Fernando *nee* Weerasooriya, wife of (4) Richard A. Fernando, all of Moratuwa Respondents.

THIS matter coming on for disposal before J. W. R. Ilangakoon, Esq., District Judge of Colombo, on May 20, 1931, in the presence of Messrs. Goonawardena & Samara-weera, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 3, 1931, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before July 2, 1931, show sufficient cause to the satisfaction of this court to the contrary.

May 20, 1931.

J. W. R. ILANGAKOON,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Munasinghe Appuhamillage Don Yohanis No. 5,677. Munasinghe of Pahalayagoda in the Meda pattu of Siyane korale, deceased.

Rupasinghe Aratchige Bastian Perera of Pahalayagoda aforesaid Petitioner.

And

(1) Munasinghe Appuhamillage Don Harmanis Munasinghe, (2) Munasinghe Appuhamillage Don Hendrick Munasinghe, (3) Munasinghe Appuhamillage Dona Isabella Munasinghe and her husband (4) Vithana Kankanige Gregoris Appu, (5) Munasinghe Appuhamillage Don Lucihamy Munasinghe, (6) Munasinghe Appuhamillage Dona Sometcha Hamy Munasinghe, (7) Munasinghe Appuhamillage Dona Punchi Nona Munasinghe, (8) Munasinghe Appuhamillage Don Seemon Munasinghe, (9) Munasinghe Appuhamillage Don Karthelis Munasinghe, all of Pahalayagoda in the Meda pattu of Siyane korale; the 5th to the 9th respondents are minors appearing by their guardian *ad litem* the 1st respondent above named Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on May 26, 1931, in the presence of Mr. C. V. Wickremasinghe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 15, 1931, having been read: It is ordered that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before July 9, 1931, show sufficient cause to the satisfaction of this court to the contrary.

May 26, 1931.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa- Jurisdiction. ment of Alfred Bryant Knock, late of Hanley, near Sydney in the State of New South Wales, Australia, deceased. No. 5,703.

Ivor Stewart de Saram of Colombo Petitioner.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on June 12, 1931, in the presence of Mr. F. W. de Vos, Proctor, on the

part of the petitioner above named; and (1) the affidavit of the said petitioner dated June 1, 1931, (2) power of attorney in favour of the said petitioner, and (3) the order of the Supreme Court dated May 6, 1931, having been read:

It is ordered that the last will of Alfred Bryant Knock, deceased, of which a certified copy of the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner, as the duly constituted attorney of the widow and sole executrix under the said will, is entitled to have letters of administration, with copy of the will annexed, issued to him, unless any person or persons interested shall, on or before July 2, 1931, show sufficient cause to the satisfaction of this court to the contrary.

June 12, 1931.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testa- Jurisdiction. ment or Trust Disposition and Settle- No. 5,704. ment (with two Codicils and a Holograph Codicil) of Colonel William Clark, V.D., T.D., D.E., late of 16, Montgomerie Crescent, Kelvinside, Glasgow, Lanarkshire, Scotland, deceased.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on June 12, 1931, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, George Roland Smart; and (1) the affidavit of the said petitioner dated June 8, 1931, (2) the power of attorney dated January 23 and 31 and February 18 and 24, 1931, and (3) the order of the Supreme Court dated May 29, 1931, having been read: It is ordered that the last will and testament or trust disposition and settlement of the said Colonel William Clark, deceased, dated January 5, 1926, and three codicils thereto dated respectively April 6, 1927, October 31, 1927, and February 22, 1929, a certified copy of which under the seal of the Commissariat Court of the County of Lanarkshire, 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 George Roland Smart is the attorney in Ceylon of the executors named in the said last will and testament or trust disposition and settlement and codicils, and that he is entitled to have letters of administration (with will and codicils annexed) issued to him accordingly, unless any person or persons interested shall, on or before July 2, 1931, show sufficient cause to the satisfaction of this court to the contrary.

June 12, 1931.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi in Intestacy.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Guy Henry Lintott of Holmleigh, Wimblehurst road, Horsham, Sussex, England, deceased. No. 5,705.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on June 12, 1931, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Joseph Richmond Lintott of Colombo; and (1) the affidavit of the said petitioner dated June 8, 1931, (2) the power of attorney dated April 20, 1931, and (3) the order of the Supreme Court dated May 29, 1931, having been read: It is ordered that the said Joseph Richmond Stopford is the attorney in Ceylon of Ernest Walter Stanford Lintott, the father and sole heir and next of kin of the said Guy Henry Lintott, deceased, and as such is entitled to have letters of administration issued to him accordingly, unless any person or persons interested shall, on or before July 2, 1931, show sufficient cause to the satisfaction of this court to the contrary.

June 12, 1931.

G. C. THAMBYAH,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late Dehiwattage Graciyana Fernando No. 2,817. of Kudahakapola, deceased.

Wattage Isakiel Fernando of Kudahakapola in Ragam pattu of the Aluthara korale. Petitioner.

- (1) Dehiwattage Regina Mariya of Dandugama, () ditto Gustina Fernando of Kudahakapola, (3) Maharage Nathaniel Perera of ditto, (4) ditto Charles Perera of ditto, (5) ditto Vicenti Perera of ditto, (6) ditto Cornelis Perera of ditto presently of Hettipola in Girathalana korale, Dewamedihatpattu in Kurunegala District, (7) ditto Noni Perera of Kumarakattuwa in Puttalam District (minor), (8) Agnes Kalo of ditto Respondents.

THIS matter coming on for disposal before E. O. C. Vandergert, Esq., Acting District Judge of Negombo, on June 12, 1931, in the presence of Mr. D. W. Samaraturunga, Proctor, on the part of the petitioner; and the petition and affidavit of the said petitioner dated June 1, 1931, and May 29, 1931, respectively, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as a relative of the above-named deceased, to have letters of administration to the said estate issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before June 30, 1931, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 7th respondent above named be appointed guardian *ad litem* over the minor, the 8th respondent above named, unless the respondents above named or any other person or persons interested shall, on or before June 30, 1931, show sufficient cause to the satisfaction of this court to the contrary.

E. O. C. VANDERGERT,
Acting District Judge.
June 12, 1931.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late Petangodage William Appuhamy No. 7,256. of Baddegama, deceased.

THIS matter coming on for disposal before C. L. Wickramasinghe, Esq., Acting District Judge of Galle, on March 6, 1931, in the presence of Mr. A. S. Jayawickrama, Proctor, on the part of the petitioner Petangodage George of Baddegama; and the affidavit of the said petitioner dated February 26, 1931, having been read:

It is decreed that the said petitioner, as a son of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondents viz., (1) Petangodage Lilian Margeret of Baddegama, (2) Petangodage Evelyn Nona of Mt. Lavinia, Petangodage Edward of Nuwara Eliya, shall on or before April 22, 1931, show sufficient cause to the satisfaction of this court to the contrary.

C. L. WICKRAMASINGHE,
Acting District Judge.

Date extended to June 29, 1931.

T. W. ROBERTS,
District Judge.

In the District Court of Matara.

Testamentary In the Matter of the Last Will and Testament of Valentine David Gunaratna, No. 3,701. Proctor of Medicine, late of Atapattu Walauwa, Matara.

- (1) Simon William Illangakoon of Weligama, Mudaliyar, presently in Colombo, (2) Lionel Wellington de Saram of Colpetty, Colombo. Petitioners.

And

Clarice Hermione Gunaratna of Fairfield gardens, Cotta road, Colombo. Respondent.

THIS matter coming on for disposal before M. Prasad, Esq., District Judge of Matara, on January 5, 1931, in the presence of Messrs. G. E. & G. P. Keuneman, Proctors, on the part of the petitioners above named; and the affidavit of the said petitioners dated November 25, 1930, together with the last will dated October 11, 1927, and the affidavit of the attesting witnesses and subscribing notary dated May 5, 1931, having been read:

It is ordered that the will of Valentine David Gunaratna, deceased, dated October 11, 1927, and now produced in this court, be and the same is hereby declared proved; unless

any person or persons interested shall, on or before July 8, 1931, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said (1) Simon William Illangakoon and (2) Lionel Wellington de Saram are the executors named in the said will, and that they be entitled to have probate of the same issued to them accordingly, unless any person or persons interested shall, on or before July 8, 1931, show sufficient cause to the satisfaction of this court to the contrary.

M. PRASAD,
District Judge.

June 2, 1931.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Vaidivampal, wife of Vairamuttu Kumara- No. 7,759. singam, presently of Chavakachcheri, deceased.

Vairamuttu Kumara-singam, Station Master, C. G. R., Pathipalai Petitioner.

Vs.

- (1) Kumarasingam Siri Patmanathan of Chundikuli, (2) Kumarasingam Siri Vijayanathan of ditto, (3) A. S. Thambiah of 549, Havelock road, Pamankada, Wellawatta Respondents.

THIS matter of the petition of the above-named petitioner, praying that the above-named 3rd respondent be appointed guardian *ad litem* over the minors, the above-named 1st and 2nd respondents, and that letters of administration to the estate of the above-named deceased be granted to the petitioner, coming on for disposal before P. C. Villavarayan, Esq., Additional District Judge of Jaffna, on March 13, 1931, in the presence of Mr. V. S. Karthigesoo, Proctor, on the part of the petitioner; and on reading the affidavit and petition of the petitioner:

It is ordered that the above-named 3rd respondent be appointed guardian *ad litem* over the minors, the above-named 1st and 2nd respondents, for the purpose of representing them and acting on their behalf in this action, and that letters of administration to the estate of the above-named deceased be granted to the petitioner, as the lawful widower of the said deceased, unless the above-named respondents appear before this court on May 15, 1931, and show sufficient cause to the satisfaction of this court to the contrary.

D. H. BALFOUR,
District Judge.
April 22, 1931.

Time is extended till July 20, 1931.

D. H. BALFOUR,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate and Effects of Jurisdiction. Vallippillai, wife of Arumugam Chelliah No. 7,851. of Maviddapuram, late of Nallur, deceased.

Arumugam Chelliah of Maviddapuram Petitioner.

Vs.

- (1) Chelliah Rajaratnam alias Ponnar, (2) Sivam, daughter of Chelliah, both of Maviddapuram, (3) Sinniah Thambiah of Puttur West Respondents.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge of Jaffna, on March 16, 1931, in the presence of Mr. P. Casippillai, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated January 20, 1931, having been read: It is ordered that the 3rd respondent be appointed guardian *ad litem* over the minors, the 1st and 2nd respondents, for the purpose of acting on their behalf, representing them, and protecting their interests, and that letters of administration to the estate of the above-named deceased be issued to the petitioner, as lawful husband of the deceased, unless the above-named respondents appear before this court on May 8, 1931, and show sufficient cause to the satisfaction of this court to the contrary.

D. H. BALFOUR,
District Judge.
March 27, 1931.

The above *Order Nisi* is extended to July 10, 1931.

K. KANAKASABAI,
Acting District Judge.
June 10, 1931.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. S. Kanther Appacuddy of Karavetty No. 7,846. North, deceased.

Marimuttu, widow of S. Kander Appacuddy of Karavetty North Petitioner.

(1) Sinnappodiar Kander and wife (2) Wally of ditto Respondents.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge, on March 6, 1931, in the presence of Mr. K. Muttukumaru, Proctor, on the part of the petitioner; and the petition and affidavit of the petitioner having been read:

It is ordered that the petitioner be declared entitled to take out letters of administration, as the widow of the deceased, and that letters of administration be issued to her accordingly, unless the respondents shall appear before this court on or before April 27, 1931, and show sufficient cause to the satisfaction of this court to the contrary.

D. H. BALFOUR,
District Judge.

March 20, 1931.

Order Nisi extended till June 1, 1931.

Order Nisi extended till July 13, 1931.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Chinnaretnammal, wife of Kanagaratnam Thillainathan of Araly North, deceased.

Kanagaratnam Thillainathan of Araly North presently of Colombo Petitioner.

Vs.

(1) Poovanaswary, daughter of K. Thilleinathan of Araly North (minor), (2) Carthigesar Somasundram of ditto, guardian *ad litem* Respondents.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge, Jaffna, on March 20, 1931, in the presence of Mr. S. Nagalingam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated March 20, 1931, having been read:

It is ordered that the above-named 2nd respondent be appointed guardian *ad litem* over the minor, the above-named 1st respondent, and that letters of administration to the estate of the above-named deceased be granted to the petitioner, as the lawful widower, unless the above-named respondent, or any other person shall, on or before May 27, 1931, show sufficient cause to the satisfaction of this court to the contrary.

D. H. BALFOUR,
District Judge.

May 19, 1931.

Extended for July 8, 1931.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. Late Kandar Kathirgamar of Champian No. 7,899. Pattu, deceased.

Sinnathamby Subramaniam of Puloly East Petitioner.

(1) Kathirgamar Kandiah of Puloly West presently of Champianpattu, (2) Kathirgama Sathasivam of Puloly West presently of Land Registry, Jaffna, (3) Kathirgamar Cumarasamy of Puloly West presently of Langdale estate, Nanuoya, (4) Kathirgamar Subramaniam of Puloly West, (5) Velappan Maniccam Nagarajah of Puloly West presently of English School, Nawalapitiya, and wife (6) Thangam of Puloly West Respondents.

THIS matter of the petition of the above-named petitioner, applying for letters of administration to the estate of the above-named deceased, coming on for disposal before D. H. Balfour, Esq., District Judge, on May 28, 1931, in the presence of Mr. S. Mailvaganam, Proctor, for the petitioner; and the affidavit of the petitioner dated May 28, 1931, having been read:

It is ordered that letters of administration to the estate of the above-named deceased be issued to the petitioner, as creditor of the above-named deceased, unless the respondents or any persons interested shall appear before this court on or before July 8, 1931, and show sufficient cause to the contrary.

P. C. VILLAVARAYAN,
District Judge.

June 10, 1931.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Kathirasipillai, wife of Ponnampalam No. 7,892. Ganapathippillai of Araly South, who died at Thangdainggon in Burma, deceased.

Ponnampalam Ganapathippillai of Araly South Petitioner.

Ganapathippillai Navaratnam of ditto presently of Burma Respondent.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge, Jaffna, on May 19, 1931, in the presence of Mr. S. Nagalingam, Proctor, for petitioner, and the affidavit of the petitioner dated May 16, 1931, having been read:

It is ordered that letters of administration to the estate of the above-named deceased be granted to the petitioner, as the lawful widower of the said deceased, unless the above-named respondent or any other person shall, on or before July 1, 1931, show sufficient cause to the satisfaction of this court to the contrary.

D. H. BALFOUR,
District Judge.

June 8, 1931.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the No. 7,894. Late Theivanaipillai, widow of Subramaniam of Thavalaiyattalai, deceased.

Subramaniam Chehiah of Thavalaiyattalai Petitioner.

Vs.

Subramaniam Sithambaranathar, Lecturer, Police Training School, Bambalapitiya Respondent.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge, Jaffna, on May 22, 1931, in the presence of Mr. V. Canagaratnam, Proctor, on the part of the petitioner; and the affidavit of the petitioner having been read: It is ordered that the petitioner be declared entitled to have letters of administration to the estate of the said intestate, unless the respondent shall appear before this court on July 6, 1931, and state objection or show cause to the contrary.

D. H. BALFOUR,
District Judge.

June 18, 1931.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Poothathamby Nagalingam of Neervely, No. 7,897. deceased.

Walliammai, widow of Poothathamby Nagalingam Petitioner.

(1) Meenadchy, widow of Kumaravelu, (2) Arumugam Thiagarajah and wife, (3) Thangammah, (4) Arumugam Visusvanather and wife (5) Ledchumy, (6) Poothathamby Visusvanather, (7) Muttammah, daughter of Sinnathamby, (8) Sinnathamby Namasisayam, (9) Walliammai, widow of Sinnathamby, (10) Sinnathamby Poothathamby of Neervely Respondents.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge, on May 25, 1931, in the presence of Mr. K. Muttukumaru, Proctor, on the part of the petitioner; and the petition and affidavit of the petitioner having been read:

It is ordered that the 9th respondent be appointed guardian *ad litem* over the minors, the 7th and 8th respondents, for the purpose of representing them in the testamentary proceedings, that the petitioner be declared entitled to take out letters of administration, as the widow of the deceased, and that letters of administration be issued to her accordingly, unless the respondents or any other person shall appear before this court on or before July 8, 1931, and show sufficient cause to the satisfaction of this court to the contrary.

D. H. BALFOUR,
District Judge.

May 28, 1931.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Dane Saith Noordeen of Chilaw; No. 2,047. deceased.

Maas Enderary Noordeen of Colombo Petitioner.

(1) Maas Haroun, (2) Maas Binthan, (3) Maas Nizar, (4) Maas Chinda, (5) Maas Binthary, (6) Maas Kraheim, (7) Maas Wangsa, all of Colombo Respondents.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge of Chilaw, on March 20, 1931, in the presence of Mr. E. C. S. Storer, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated March 14, 1931, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as the widow of the said deceased, to administer the estate of the deceased, and that letters of administration do issue to her accordingly, unless the respondents above named or any other persons interested shall, on or before May 8, 1931, show sufficient cause to the satisfaction of this court to the contrary.

And it is further ordered that Maas Thuban Amoo of Colombo be and he is hereby appointed guardian *ad litem* over the minors, 1st to 7th respondents, for the purpose of this testamentary action, unless sufficient cause be shown to the satisfaction of this court to the contrary on or before May 8, 1931.

R. F. DIAS,
District Judge.

March 20, 1931.

The date of showing cause is extended for July 3, 1931.

In the District Court of Avissawella.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Don Brampy Dasanayaka Vedarala of No. 166. deceased.

Don Gabriel Wijetunga of Udagama Petitioner.

(1) Peman Nona Dasanayaka, (2) Baby Nona *alias* Elby Nona Dasanayaka, (3) Carlū Dasanayaka, all of Udagama Respondents.

THIS matter coming on for disposal before Waldo Sansoni, Esq., District Judge of Avissawella, on January 17, 1931, in the presence of Mr. O. M. E. Georgesz, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated January 15, 1931, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as son-in-law of the deceased above named, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before February 9, 1931, show sufficient cause to the satisfaction of this court to the contrary.

W. SANSONI,
District Judge.

January 17, 1931.

This *Order Nisi* is extended for February 22, 1931.

W. SANSONI,
District Judge.

February 9, 1931.

This *Order Nisi* is extended for March 16, 1931.

W. SANSONI,
District Judge.

February 23, 1931.

This *Order Nisi* is extended for July 6, 1931.

W. SANSONI,
District Judge.

June 15, 1931.

In the District Court of Avissawella.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late Rajapakse Pathirage Don No. 73. Brampy Appuhamy of Morawatta deceased.

Messrs. Walker & Green Ltd Colombo Petitioners.

(1) Rajapakse Pathirage Don Yaweni Appuhamy of Neluwaththuduwa, (2) Welletthanthirige Podihamy Boteju, (3) Rajapakse Paththirige Don Paulis Appuhamy, both of Kohilewatta, (4) Henry James Chandrawarnam, Secretary of the District Court, Avissawella Respondents.

THIS matter coming on for disposal before Waldo Sansoni, Esq., District Judge of Avissawella, on June 9, 1931, in the presence of Mr. V. C. Kelaart, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated June 1, 1931, having been read:

It is ordered that the 4th respondent above named be and he is hereby appointed administrator *de bonis non* in the above case, unless the respondents above named or any other person or persons interested shall, on or before June 30, 1931, show sufficient cause to the satisfaction of this court to the contrary.

B. L. DRIEBERG,
District Judge.

June 9, 1931.

In the District Court of Ratnapura.

Order Nisi declaring Will Proved, &c.

Testamentary In the Matter of the Estate of the late Jurisdiction. Yanne Aratchillaye Heenmerike of No. 969. Panawenna, deceased.

THIS matter coming on for disposal before C. B. P. Perera, Esq., Additional District Judge, Ratnapura, on January 26, 1931, in the presence of Messrs. Dharmaratne & Goonewardene, Proctors, on the part of the petitioner, Bata-atagamage Dingiappuhamy of Panawenna; and the affidavit of the said petitioner dated January 9, 1931, having been read:

It is ordered that Masimbule Vidanelaye Bandulahamy of Godakewela be appointed guardian *ad litem* over the 7th minor respondent, Masimbule Vidanelaye Dingirimenike, for the purpose of this action, unless the said parties or any other person or persons interested shall, on or before March 12, 1931, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner above named is the husband of the said deceased and [that he is entitled to have letters of administration to the estate of the said deceased issued to him accordingly, unless the respondents—(1) Palansoori Mohottallaye Kirimenike, (2) ditto Sudumenike, (3) ditto Podimenike, (4) ditto Maddumamenike, (5) ditto Dingirimenike, (6) ditto Kiri-mudiyanse, and the 7th respondent—and any other person or persons interested shall, on or before March 12, 1931, show sufficient cause to the satisfaction of this court to the contrary.

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

January 26, 1931.

This *Order Nisi* is hereby extended for April 24, 1931.

C. J. S. PRITCHETT,
District Judge.

March 12, 1931.

This *Order Nisi* is hereby extended for May 29, 1931.

D. B. SENEVIRATNE,
District Judge.

April 24, 1931.

This *Order Nisi* is extended for July 1, 1931.

C. F. DHARMARATNE,
District Judge.

May 29, 1931.