



THE

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PART II.—LEGAL.

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

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NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 3,795. In the matter of the insolvency of W. M. S. Muttu Mohamado of Colombo.

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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 June 12, 1934, for the declaration of a dividend.

By order of court, K. RATNASINGHAM,
May 14, 1934. Secretary.

In the District Court of Colombo.

No. 4,062. In the matter of the insolvency of C. B. Wittachchy.

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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 June 5, 1934, for the appointment of an auditor.

By order of court, K. RATNASINGHAM,
May 8, 1934. Secretary.

In the District Court of Colombo.

No. 4,678. In the matter of the insolvency of A. L. M. M. Sheriff of 126, 3rd Cross street, Colombo.

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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 June 5, 1934, for approval of conditions of sale.

By order of court, K. RATNASINGHAM,
May 14, 1934. Secretary.

In the District Court of Colombo.

No. 4,743. In the matter of the insolvency of (1) P. Arumugam Pulle and (2) D. B. Jayasinghe, carrying on business as P. A. Arumugam Pulle & Co. at 71, Sea street, Colombo.

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WHEREAS the above-named (1) P. Arumugam Pulle and (2) D. B. Jayasinghe have filed a declaration of insolvency, and a petition for the sequestration of their estate has been filed by D. P. Jayasinghe of Gampaha, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said (1) P. Arumugam Pulle and (2) D. B. Jayasinghe insolvents accordingly; and that two public sittings of the court, to wit, on June 12, 1934, and on July 3, 1934, 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, K. RATNASINGHAM,
May 14, 1934. Secretary.

In the District Court of Colombo.

No. 4,744. In the matter of the insolvency of Sinnappah Canagasabapathy of 557, Havelock road, Wellawatta, Colombo.

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WHEREAS the above-named Sinnappah Canagasabapathy has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by T. Bhologasundaram of Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Sinnappah Canagasabapathy insolvent accordingly; and that two public sittings of the court, to wit, on June 12, 1934, and on July 3, 1934, 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, K. RATNASINGHAM,
May 14, 1934. Secretary.

In the District Court of Kandy.

No. 1,855. In the matter of the insolvency of Sooriya Aratchi Mudiyanseage Brampy Silva Appubamy of Pitawela, Nawalapitiya.

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NOTICE is hereby given that a special meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 25, 1934, to appoint a fresh assignee.

By order of court, GERALD E. DE ALWIS,
May 12, 1934. Secretary.

In the District Court of Kandy.

No. 1,898. In the matter of the insolvency of T. B. Beddewela of Kandy.

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NOTICE is hereby given that a special meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 25, 1934, to direct the assignee to sell the property disclosed by the insolvent in his balance sheet, and bring the proceeds into court for the use of the creditors.

By order of court, GERALD E. DE ALWIS,
May 12, 1934. Secretary.

In the District Court of Kandy.

No. 2,001. In the matter of the insolvency of Mass Bagoos Hallaldeen of Peradeniya road, Kandy.

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NOTICE is hereby given that a special meeting of the creditors of the above-named insolvent will take place at the sitting of this court on June 1, 1934, for proof of claims.

By order of court, GERALD E. DE ALWIS,
May 12, 1934. Secretary.

In the District Court of Kandy.

No. 2,022. In the matter of the insolvency of K. O. Marikar of Ududeniya.

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NOTICE is hereby given that a special meeting of the creditors of the above-named insolvent will take place at the sitting of this court on June 8, 1934, to appoint a fresh assignee.

By order of court, GERALD E. DE ALWIS,
May 12, 1934. Secretary.

In the District Court of Nuwara Eliya.

No. 23. In the matter of the insolvency of Nawalage Jeremius Cooray of Nuwara Eliya, insolvent.

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NOTICE is hereby given that a sitting of this court will be held on June 1, 1934, at 9 A.M. for the creditors in the above matter to prove their claims.

By order of court, E. DE S. GUNAWARDENE,
May 14, 1934. Secretary.

In the District Court of Galle.

No. 658. In the matter of the insolvency of Laddu Pedrick Silva of Telwatta.

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NOTICE is hereby given that examination of the above-named insolvent was adjourned to July 3, 1934.

By order of court, L. B. CASPERSZ,
May 12, 1934. Secretary.

In the District Court of Galle.

No. 685. In the matter of the insolvency of A. R. M. Hassen of Galle.

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NOTICE is hereby given that examination of the above-named insolvent will take place at the sitting of this court on July 30, 1934.

By order of court, L. B. CASPERSZ,
May 12, 1934. Secretary.

In the District Court of Galle.

No. 690. In the matter of the insolvency of Dadallego Upasakappu of Ratgama.

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NOTICE is hereby given that examination of the above-named insolvent was adjourned for June 7, 1934.

By order of court, L. B. CASPERSZ,
May 7, 1934. Secretary.

In the District Court of Galle.

No. 692. In the matter of the insolvency of Abdul Aseez Mohamed of Small Cross street, Fort, Galle.

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NOTICE is hereby given that a certificate meeting of the above-named insolvent will take place at the sitting of this court on June 22, 1934.

By order of court, L. B. CASPERSZ,
May 8, 1934. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

H. T. Ramachandra of Colombo 25 Plaintiff.
No. 52,427. Vs.

N. M. Karlymuttu, Trustee of Sri Veeramma Kali-
amman temple at Kotahena, Colombo, C. Defendant.

NOTICE is hereby given that on Monday, June 18, 1934, at 3 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 826.26, with interest at 15 per cent. per annum from March 27, 1933, till date of decree (August 21, 1933) and thereafter on the aggregate amount till payment in full and costs of suit and poundage, viz. :—

All that property bearing No. 46A, situated at Cemetery road in Kotahena, presently bearing assessment Nos. 87, 89, 91, 93, 95, 97, 99, and 101, Wasala road, Kotahena, and Nos. 2, 8, 8 (1-4), 8th lane, Kotahena, within the Municipality of Colombo, Western Province; bounded on the north-east by Buddhist temple premises and land of G. C. Fernando, south-east by Cemetery road, west by Hindu Crematorium and Baptist burial ground; containing in extent 2 roods and 32 perches, and registered under A 172/209.

Fiscal's Office, C. H. W. KANNANGARA,
Colombo, May 16, 1934. Deputy Fiscal.

In the District Court of Colombo.

Andrew Charles Dias of Clifford place, Colpetty,
Colombo 35 Plaintiff.
No. 54,233. Vs.

Eric Collin Fernando of Dehiwala, presently of the
Museum, Colombo 39 Defendant.

NOTICE is hereby given that on Tuesday, June 19, 1934, at 3 P.M., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 1,393 dated March 28, 1931, attested by J. M. Pereira, 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 April 11, 1934, for the recovery of the sum of Rs. 2,728.84, with interest on Rs. 2,600 at 15 per cent. per annum from October 24, 1933, till date of decree (February 16, 1934) and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit, viz. :—

All that allotment of land marked B in the plan, together with the buildings, trees, and plantations standing thereon bearing assessment No. G 31 (1), situated at Hunupitiya, within the Municipality and in the District of Colombo, Western Province; bounded on the north-west by the property of Kariyankaranage Don Johannes de Silva and by lot C allotted to Mrs. P. Draper, on the north-east by lot C allotted to Mrs. P. Draper, and by the Lake road, on the south-east by the property of Sinnappu Bakker, and on the south-west by lot A allotted to F. E. Varney; containing in extent 15 54/100 perches according to the figure of survey dated June 19, 1893, made by David Dewapuraratne, Licensed Surveyor.

Prior registration A 205/134.

Fiscal's Office, C. H. W. KANNANGARA,
Colombo, May 16, 1934. Deputy Fiscal.

In the District Court of Colombo.

(1) Myra Manonie de Saram, wife of (2) Richard Owen
de Saram, both presently of England Plaintiffs.
No. 54,462. Vs.

(1) Avoo Lebbe Marikar Abdul Raheman of 6, 3rd Cross
street, Pettah, (2) Ayres Karunaratne, assignee of
the insolvent estate of Avoo Lebbe Marikar Abdul
Raheman, (3) Mohamed Cassim Hadjar Mohamed
Rasheed of 19, Francis road, Wellawatta . . Defendants.

NOTICE is hereby given that on Wednesday, June 13, 1934, at 4 P.M., will be sold by public auction at the premises the following property mortgaged with the plaintiffs by bond No. 3,810 dated June 27, 1931, attested by G. A. H. Wille 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 April 24, 1934, for the recovery of the sum of Rs. 3,722.89, with further interest on Rs. 3,512.50 at 12 per cent. per annum from November 1, 1933, till date of the said decree (March 7, 1934) and

thereafter on the aggregate amount of the said decree at 9 per cent. per annum till payment in full and costs of suit, viz. :—

All that allotment of land formerly bearing assessment Nos. 896/29 and 897/29, Church street, and presently bearing assessment Nos. G1 (1-3) 3, 5, and 7, Ahamath lane, in Slave Island, within the Municipality and in the District of Colombo, Western Province; and bounded on the north by Ahamath lane, on the east by a passage and premises bearing assessment No. 28, on the south by premises bearing assessment Nos. 78 and 79, and on the west by premises bearing assessment No. 1, Ahamath lane; containing in extent 10 56/100 perches according to the survey and description thereof No. 383 dated October 17, 1923, made by A. A. Sourjah, Licensed Surveyor and Leveller, together with all rights, privileges, easements, servitudes, and appurtenances whatsoever to the said premises belonging or usually held, occupied, used, or enjoyed therewith and all the estate, right, title, interest, property, claim, and demand whatsoever of the said 1st defendant and of the 2nd defendant as assignee as aforesaid of in, to, upon, or out of the same. Registered Colombo A 207/1.

Fiscal's Office, C. H. W. KANNANGARA,
Colombo, May 16, 1934. Deputy Fiscal.

In the Court of Requests of Colombo.

Mrs. D. L. Jayasinghe of Campbell place,
Colombo Plaintiff.
No. 90,629. Vs.

(1) Mrs. Jane C. de Abrew and husband (2) K. D. de
Abrew, both of 55, Ketawalamulla road, Demata-
goda Defendants.

NOTICE is hereby given that on Thursday, June 21, 1934, at 3 P.M., will be sold by public auction at the premises the right, title, and interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 260 and costs of suit incurred Rs. 33.50 and prospective Rs. 19, viz. :—

All that allotment of land bearing assessment No. 3034/255, situated at Alutawata road, within the Municipality and District of Colombo, Western Province; bounded on the north by the land belonging to Mr. Fragu Anthony, east by the land bearing assessment No. 256 belonging to C. S. Anthony, south by a passage, and on the west by land bearing assessment No. 254; containing in extent 10 perches more or less.

Fiscal's Office, C. H. W. KANNANGARA,
Colombo, May 16, 1934. Deputy Fiscal.

In the District Court of Negombo.

The Hon. the Attorney-General of Ceylon Plaintiff.
No. 7,869 (Crown Writ) Vs.

Clement Leo Fernando of Grand street, Negom-
bo Defendant.

NOTICE is hereby given that on Thursday, June 14, 1934, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following properties, viz. :—

(1) An undivided 1/3 share of the land called Attimarattadittottam bearing assessment No. 57, situated at Grand street, within the U. D. C. limits and in the District of Negombo, Western Province; bounded on the north by a portion of this land of Polorensia Fernando and portion of the said house, east by land of Domingo Leitao, Notary, and others, south by the land now of Francisco Perera and others, and on the west by high road; containing in extent 14 1/2 cubits in breadth from the southern to the northern boundary towards the eastern boundary, 16 1/2 cubits in breadth from the southern boundary to the northern boundary towards the western boundary, and 76 cubits in length from the eastern boundary to the western boundary, together with tiled house and other buildings standing thereon.

(2) The two allotments of the land called Suriyagahawatta bearing assessment No. 50, situated at Grand street aforesaid; bounded on the north by footpath or minor road, east and south by land belonging to W. Maria Fernando and Hugo Fernando, and on the west by Grand street; containing in extent 12.5 perches, together with the tiled house and other building standing thereon.

Amount to be levied Rs. 979, with interest thereon at 9 per cent. per annum from March 6, 1933, till August 28, 1933, and thereafter on the aggregate amount at 9 per cent. per annum till payment.

Deputy Fiscal's Office,
Negombo, May 14, 1934.

A. W. ROSA,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Katchakaduge Dias Pieris of Yatapana in Dolobage Plaintiff.
No. 42,850. Vs.

(1) Gurunnehegedara Omeru Lebbe Mohammadu Haniffa, (2) Meera Lebbe Jainath Umma, both of Kahatapitiya in Gampola Defendants.

NOTICE is hereby given that on Friday, June 15, 1934, at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants for the recovery of the sum of Rs. 1,520.83, with interest thereon at 9 per cent. per annum from February 21, 1933, till payment in full, plus costs Rs. 146.05, and poundage, in the following property, viz. :—

(1) All that divided portion towards the north 90 feet in length and 20 feet in breadth or 1,800 square feet in extent out of the land called Hitinawatta *alias* Ganewatta of 15 lahas paddy sowing extent in the whole, situate at Kahatapitiya in Gangapahala korale of Udapalata in the Kandy District; and which said divided portion is bounded on the north by Habeebu's land, house, and Mansur Bai's garden, east by Habeebu's land, south by the fence which separates the remaining portion of this land belonging to Pathumma, and west by the high road.

(2) All that remaining portion (excluding the house No. 132 and the land appertaining thereto, 16 feet in length and 17 feet in breadth) out of an undivided $\frac{1}{2}$ share from and out of all that allotment of land of about 1 pela in paddy sowing extent, situate at Kahatapitiya aforesaid; and which said entire land is bounded on the north by the fence of Marikar Thamby's land, east by the fence of Meera Kandu's land, south by the fence of Cader Ossen Saibo's land, and west by high road.

(3) An undivided $\frac{7}{16}$ towards the north out of the remaining portion of the land called Sakkarankotuwwatta of about $7\frac{1}{2}$ lahas in paddy sowing extent (after excluding the undivided portion along the high road 30 feet in length and 35 feet in breadth), together with an undivided $\frac{3}{8}$ towards the west out of the house thereon, situate at Ilawatura in Gangapahala korale of Udapalata aforesaid; and which entire land is bounded on the north by the garden of Ibrahim Lebbe Vedarala, east by the portion of this land bought for the railway line, south and west by the high road leading to Nuwara Eliya (registered in D 103/46, D 103/47, and D 114/283) and all the right, title, interest, and claim whatsoever of the said defendants in, to, upon, or out of the said several premises mortgaged by the defendants upon bond No. 1,479 dated August 26, 1929, and attested by Mr. M. W. Richard de Silva, Notary Public.

Fiscal's Office, M. A. H. LOURENSZ,
Kandy, May 14, 1934. Deputy Fiscal.

In the District Court of Kandy.

Paideen Bai of 126, Colombo street, Kandy Plaintiff.
No. 43,438. Vs.

P. M. P. Abayasinghe of Ayurvedic College, Borella, Colombo, presently of Hanguranketa Defendant.

NOTICE is hereby given that on Friday, June 8, 1934, commencing at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant for the recovery of the sum of Rs. 1,638.27, together with legal interest on Rs. 1,988.47 from February 16, 1933, till payment in full and costs of suit and poundage in the following property, viz. :—

(1) The field called Bodandearawa of about 12 lahas in paddy sowing extent and the high land adjoining thereto of the extent of about 1 nelly kurakkan sowing, situate at Damunumeya in Diyatileke korale of Uda Hewaheta in the District of Nuwara Eliya, Central Province; and bounded on the east by agala and the boundary of the field belonging to Potgul Maligawa, west by the stone fence of Bodande Arawegedarawatta and Gansabhawa road, and north by Gansabhawa road, with everything standing thereon.

(2) Newandeniawatta (the Atukaraya towards the west out of the road of Granaries of the house standing on), situate at Damunumeya aforesaid; and bounded on the east by Atukamaraya belonging to Dingiri Menika, south by Agawa, west by Wella, north by Stoppuwa; containing in extent 6 feet in length and 8 feet in breadth.

(3) Bogahalandewatta appertaining Udallakumbure (western room, and the two boutiques rooms below the road on), situate at Madanwela in Diyatileke korale aforesaid; and bounded on the east by the wall of the boutique belonging to Dingiri Menika, south by cart road, west by Tikiri Menika's land, and north by ela; containing in extent 16 feet in length and 10 feet in breadth.

(4) Bogasmulla, situate at Hanguranketa in Diyatileke korale aforesaid; and bounded on the east by wetiya, south by Wattegedarakumbura, west by Tenna Ima, north by Dombagahaliyadde and Kumburagedarawatta; containing in extent 2 pelas.

(5) The divided middle portion and the adjoining kitchen out of the tiled house of Newandeniawatta, situate at Damunumeya aforesaid; and bounded on the east by wall of house of Abeysinghe, south by limit of Dingiri Menika, west by Agawa, north by Midula and kitchen; containing in 24 feet in length from west to east, and 17 feet in breadth from north to south.

(6) The land called Portico, containing in extent 20 feet in length and 17 feet in breadth; and bounded on the east by Midula and wall of the house of Tikiri Menika, south by wall, west by wall of the house of Dingiri Menika, and north by Midula, situate at Damunumeya aforesaid.

(7) Newandenigewatta (southern portion out of the northern portion), situate at Damunumeya aforesaid; and bounded on the east by Galima of Dingiri Menika's portion, south by road to aswedduma, west by Galweta of Kottagoda, north by limit of Lokumenika's portion; containing in extent 165 feet in length and 57 feet in breadth.

(8) Udawellewatta (western half), situate at Udagama in Diyatileke korale of Nuwara Eliya District; and bounded on the east by fence of the field, south by house of the remaining portion, west by agala, north by fence of Samatungedarawatta; containing in extent $1\frac{1}{2}$ lahas kurakkan.

Fiscal's Office,
Kandy, May 14, 1934.

M. A. H. LOURENSZ,
Deputy Fiscal.

Southern Province.

In the District Court of Galle.

S. N. S. Odeyappa Chettiar, presently in India, by his attorney Kana Runa Venaitheethan Chettiar of Kaluwella, Galle Plaintiff.
No. 31,630. Vs.

(3) W. S. W. Weerasinghe of Gimimellagaha and others Defendants.

NOTICE is hereby given that on Saturday, June 16, 1934, commencing at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said 3rd defendant in the following property, viz. :—

1. All that undivided $\frac{1}{2}$ part of the soil and trees of the land called Edandalangaowita bearing No. 62, situated at Gimimellagaha in the Gangaboda pattu, Galle District, Southern Province; and bounded on the north by Henkalasigeliadda, east by Kukulewattawela, south by Bogahawatta, and west by river; and containing in extent about an acre.

2. All that undivided $\frac{1}{2}$ part of the field called Yakadawalaulupattalepahalagoipala, situated at Gimimellagaha aforesaid; and bounded on the north by Dipathduwa, east by Gonapinuwala Vithanage Aberange Goipala, south by Kande Hingappuge Goipala, and west by Ulupattale-duwa; and containing in extent 18 kurunies of paddy sowing.

3. All the trees and soil of the land called Henkalasigewita, situated at Gimimellagaha aforesaid; and bounded on the north and east by Henkalasigewatta and Mawadawila-ela, south by Edandalangaowita, and west by Mawadawila-ela; and containing in extent about 2 peals of paddy sowing.

4. An undivided $\frac{1}{2}$ part of the soil and trees together with a like share of the 11 cubits tiled house standing thereon of the land called Delgahawatta and Halgahawatta, situated at Gimimellagaha aforesaid; and bounded on the north by Kanattewatta, east by ganga and owita, south by Welaliyadda, and west by land whereon Gonapinuwala Vithanage Bastian resides; and containing in extent 2 acres.

5. All the soil and trees of the land called Halgahawatta *alias* Delgahawatta, situated at Gimimellagaha aforesaid; and bounded on the north by high road, east by Nandepadinchiwatta, south by Kankanangewatta, and west by Weliwitiyegewatta; and containing in extent 339 fathoms.

6. Undivided $\frac{4}{27} + \frac{5}{556} + \frac{5}{1112} + \frac{403}{1728} + \frac{121}{43556}$ parts of the field called Bataketyekumbura and owita, situated at Totawila in the Wellaboda pattu, Galle District aforesaid; and bounded on the north by the paddy field belonging to Gonapinuwala Vithanage Sube, south-east, by road to Kotawila and Ratmehera jungle, south by Ratmeheradeniya, north-west by field belonging to Proctor T. A. Weerasuriya, and north-east by road and field of G. V. Welon and others.

Writ amount Rs. 2,250, with legal interest and costs Rs. 73.92.

Fiscal's Office,
Galle, May 15, 1934.

J. R. WEERASEKERA,
Deputy Fiscal.

In the District Court of Matara.

Pelendehewage Dona Cathirina Samarawickrema of Pamburana, administratrix of the estate of Dickwelle Vidanage Charlis de Silva, Arachchi of Pamburana, deceased Petitioner.

No. 3,063 Testy.

(1) Dickwelle Vidanage Weisihamy de Silva of Medde-watta, (8) Dickwelle Vidanage Sammy de Silva of Pamburana and others Respondents.

NOTICE is hereby given that on Tuesday, June 12, 1934, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said administrator and 8th respondent in the following property for the recovery of a sum of Rs. 838.88, viz. :—

1. An undivided ($\frac{1}{2}$ plus $\frac{1}{14}$) $\frac{8}{14}$ share of the soil and fruit trees of the land called Henaduragewatta, bearing assessment No. 3058 and situated at Pamburana, within the Urban District Council limits of Matara, Matara District, Southern Province; and bounded on the north by Malgahapelawatta and Pilikannewatta, east by Henaduragewatte, Pitakoratuwa, south by lot A of Henaduragewatta, and west by road; and containing in extent about 1 acre.

2. An undivided ($\frac{1}{2}$ plus $\frac{1}{14}$) $\frac{8}{14}$ share of the defined portion of the land called Namariyanwatta, situated at Pamburana aforesaid; and bounded on the north by portion of same land, east by Teriswaduralalaiwatta *alias* Walauwa, south by southern portion of same land, and west by road; and containing in extent about 10 perches.

3. An undivided $\frac{8}{14}$ share of the soil and trees and buildings of the land called Awariyawatta, bearing assessment No. 3047, situated at Pamburana aforesaid; and bounded on the north by Bettgewatta, east by Tennakonwalawwewatta and Jairappugekoratuwa, south by Henaduragepelawatta, and west by Malgahapelawatta and Rochchigewatta; and containing in extent about $\frac{1}{4}$ acre.

4. An undivided $\frac{8}{14}$ share of the soil and trees of the land called Konpannawatta, bearing assessment No. 3031, situated at Pamburana aforesaid; and bounded on the north by Bimbrigahawatta and Sattambigewatta, east by Dingiappugewatta and footpath, south by Gallelewatta, and west by Unniduwelawatta; and containing in extent about 1 acre.

5. An undivided $\frac{8}{14}$ share of the soil and trees of the land called Mugunamalghawatta, bearing assessment No. 3002, situated at Pamburana aforesaid; and bounded on the north by Mukadangewatta, east by Pokunewatta and Pansala, south by Ambagahawatta, Dalukattewatta, and Sattambigewatta, and west by Kongahawatta and Madihegewatta; and containing in extent about $1\frac{1}{2}$ acres.

6. An undivided $\frac{8}{14}$ share of soil and trees of the land called Sarukkaligewatta, situated at Pamburana aforesaid; and bounded on the north by Mahahenediralapadinchiwasitiyawatta, east by Sarakkaligewatta Pitakoratuwa, south by Sarakkaligewatta Pitakoratuwa, and west by Palahenedigegedarawatta; and containing in extent about $\frac{1}{2}$ acre.

Deputy Fiscal's Office, E. T. GOONEWARDENE,
Matara, May 14, 1934. Deputy Fiscal.

In the District Court of Matara.

Don Andrayas Dewaraja of Dondra Plaintiff.
No. 5,379. Vs.

(1) Meera Lebbe Marikkar Maththicheham Sapura Umma, and husband (2) Abdul Rahiman Maththicheham Mohammadu Ibrahim, both of Dickwella, and others Defendants.

NOTICE is hereby given that on Friday, June 22, 1934, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following mortgaged property for the recovery of a sum of Rs. 1,907.75, viz. :—

All that undivided $\frac{1}{2}$ share of the soil and fruit trees of lot A of lot C of the land called Walasgalalebeema, situated at Dickwella in the Wellaboda pattu of the Matara District, Southern Province; and bounded on the north by Dangahahena and Welipothawatta, east by Hinguranewatta and Kongalayawatta, south by lot D of this land and high road, and on the west by the separate lot B of the said lot C of this land; and containing in extent 13 acres and 10 perches.

Now the land has been partitioned and described as follows :—All that the entirety of the soil and trees of the defined lot No. 2 of lot A of lot C of Walasgalalebima, situated at Dickwella in the Wellaboda pattu of Matara District, Southern Province, and which said lot No. 2 is bounded on the north by lot No. 1 of lot A of lot C of

Walasgalalebima, east by Kongalayawatta and lot D of Walasgalalebima, south by road, and on the west by lot of Walasgalalebima; and containing in extent 4 acres and 35 perches.

Deputy Fiscal's Office, E. T. GOONEWARDENE,
Matara, May 10, 1934. Deputy Fiscal.

In the District Court of Matara.

Babunona Thenabadu and husband, both of Weligama Plaintiffs.
No. 8,795. Vs.

(1) William Henry de Silva Jayawardane *alias* William Henry Seneviratne Jayawardane of Malimboda and others Defendants.

NOTICE is hereby given that on Wednesday, June 19, 1934, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following mortgaged property for the recovery of a sum of Rs. 1,016.65, with further interest from April 16, 1934, till payment in full, viz. :—

An undivided $\frac{11}{30}$ share of the soil and fruit trees, and the entirety of the buildings, of the land called Hettiachchigemoraketiyawatta, situated at Malimboda in the Weligama korale of the Matara District, Southern Province; and bounded on the north by Lokugewatta, east by Batatumbagahalayadda and Moraketiyacumbura, south by Banwelkosgahalangawatta, and west by Halielewattetehetuwa and Crown forest; and containing in extent 3 acres 3 rods and 7 perches.

Deputy Fiscal's Office, E. T. GOONEWARDENE,
Matara, May 10, 1934. Deputy Fiscal.

Northern Province.

In the District Court of Mullaittivu.

Cassem Meiathin Mohamadulebbe of Jaffna, presently of Tanniyuttu Plaintiff.
No. 497. Vs.

(1) Parupathipillai, widow of Sanmugam Eliya *alias* thamby, (2) Eliyathamby Vinayagamorthy, both of Mulliyavalai, (3) Visaladchypillai *alias* Muthamma, wife of (4) Arumugam Kanakasabapathy, both of Mullaittivu Defendants.

NOTICE is hereby given that on the following dates will be sold by public auction at the spots the right, title, and interest of the said defendants in the following properties, viz. :—

To be sold at 10 A.M. on Monday, June 18, 1934.

All that land called Veerankarayanveli-Karaichchythundu, situated at Kumarapuram in Mulliyavalai division in Maritime pattus, Mullaittivu District, Northern Province, in extent about 14 acres; and bounded on the east by the property of N. Eliyathamby, south by the property of K. Thuraisingham and others, west by the property of V. Nallathamby, and north by river.

To be sold from 10 A.M. on Tuesday, June 19, 1934.

1. The land called Sempadduvalavu, situated at Mulliyavalai in the division aforesaid, in extent about 1 acre; and bounded on the east by lane, south by the property of K. Elayan, west by the property of K. Sinnathamby, and north by Crown land. Of this an undivided $\frac{1}{2}$ share.

2. All that land called Kunchukkulathoddam, situated at ditto, in extent about 1 acre; and bounded on the east and north by lane, west by Kunchukkulam, and south by the property of K. Sinnathamby.

3. All that land called Mathunkar Sinnathamby in Pulyadivalavu, situated at ditto, in extent about $\frac{1}{2}$ an acre; and bounded on the east by the land called Parappuliyadivalavu, south by lane, west by the property of A. Poothar and others, and north by road.

4. The land called Kunchukkulathoddam, situated at ditto, in extent about $\frac{1}{2}$ an acre; and bounded on the east by the property of M. Sinnathamby, south by the property of S. Eliyathamby, and west and north by road. Of this an undivided $\frac{1}{2}$ share.

5. All that land called Aladyvalavu, situated at ditto, in extent about 1 acre; and bounded on the east by road, south by the property of S. Kanapathy, west by the property of S. Sellar, and north by the property of Kaly Pavilu.

To be sold from 10 A.M. on Saturday, June 16, 1934.

1. All that land called Puthukkany, situated under the Thanduvan tank at Thanduvan in Melpattu North division in Vavuniya North, Mullaitivu District, Northern Province, in extent about 7½ acres; and bounded on the east by the property of V. U. Ponniah, south and west by Crown land, and north by the property of Muttupillai Vetharaniam.

2. All that land called Thanduvankulamvayal, situated at ditto, in extent about 7 acres; and bounded on the east by lane and Crown land, south by the property of Muttamma, wife of Kanagasabapathy, west by Crown land, and north by the property of Velupillai Ponniah and others.

Deputy Fiscal's Office,
Mullaitivu, May 15, 1934.

C. SHIVASUBRAHMANYAN,
Additional Deputy Fiscal.

Eastern Province.

In the District Court of Trincomalee.

(1) Velupillai Chitirapupalapillai and (2) wife, Apiramypillai, both of Division No. 8, Trincomalee Plaintiffs.

No. 1,759. Vs.

(1) Kathiravelu Muttiah and (2) Sinnacuddy Kathiravelu, both of Sinnakinniyai Defendants.

NOTICE is hereby given that on the days, dates, and hours mentioned below, will be sold by public auction the following properties mortgaged with the plaintiffs by bond No. 12,437 dated November 21, 1931, and attested by S. Nadarasapillai, Notary Public of Trincomalee, and declared specially bound and executable under the decree entered in the above case and ordered to be sold by order of court dated December 9, 1933, for the recovery of a sum of Rs. 1,542, with interest on Rs. 1,200 at 18 per cent. per annum from June 21, 1933, to July 13, 1933, and thereafter at 9 per cent. per annum on the aggregate amount till payment in full, provided such interest does not exceed Rs. 858 and costs of suit, Rs. 147.35½, Fiscal's fees, charges, and poundage:—

Saturday, June 9, 1934, commencing at 11 a.m.
at the spot.

1. An undivided just ½ share of a piece of field called Iluppaiadivedduvankadu, situated at Tamblegam in Tamblegam pattu, Trincomalee District, Eastern Province, surveyed and marked in plan No. 2,313 made by Licensed Surveyor, G. C. Ganapathipillai, in the right of pathway to go from the said land through the land marked A-B in the said plan, and in all other rights relating thereto, seized and possessed by the first defendant, Kathiravelu Muttiah; according to the final account filed in D. C., Trincomalee, Testamentary case No. 63, as belonging to the late Sinnacuddy Thampu by virtue of a transfer deed No. 6,555 dated October 25, 1914, attested by S. Nadarasapillai of Trincomalee, Notary Public; bounded in its entirety on the north by the land belonging to the heirs of Mohaideenbawa, on the west lands mentioned in survey plans Nos. 169,169 and 169,167, on the east by Crown land Iluppaiadivedduvankadu, and on the south by land mentioned in survey plans Nos. 169,172 and 170,645; extent contained within these boundaries as mentioned in the transfer deed referred to is 12 acres. Registered D 9/29.

Monday, June 11, 1934, commencing at 11 a.m. at the spot.

2. A piece of field called Sooraipalaikanaddy situated at Kinniyai in Tamblegam pattu aforesaid, held and possessed by the said Sinnacuddy Kadiravelu, second defendant, and S. Sanmugam by virtue of a deed of transfer No. 2,780 of July 1, 1890, attested by A. S. Warnakulasingham of Trincomalee, Notary Public, and now exclusively held by Sinnacuddy Kathiravelu, the second defendant, by right of inheritance from his brother, the late Sinnacuddy Sanmugam, according to Testamentary case No. 162, in the District Court of Trincomalee, with all rights and easements belonging thereto; bounded on the north-east by land belonging to the said S. Kathiravelu, second defendant, and others, on the east by Crown land and Puliadykudahvayal belonging to S. Sinnacuddy, south by Crown land and land mentioned in plan No. 139,515, on the west by Crown land, and on the north-west by the land mentioned in plan No. 139,152; extent contained within these boundaries is 12 acres 2 roods and 14 perches. Registered D 9/30.

3. A piece of field called Keeraitheevu, situated at Sinnakinniyai aforesaid, and all rights relating thereto, held and possessed by virtue of a transfer deed No. 5,903 dated July 2, 1912, attested by S. Nadarasapillai of Trincomalee, Notary Public; boundaries of which are: north

by road, east by Crown land, south by lot 8873 in P. P. 3,192, and west by lot 12437 in P. P. 3,503 and Crown land; extent 3 acres 2 roods and 6 perches. Registered D 9/31.

4. A piece of field called Keeraitheevuvayal, situated at Uppar aforesaid, with all rights relating thereto, held by the said S. Kadiravelu, 2nd defendant, by virtue of above-mentioned transfer deed; boundaries of which are: on the west and north by Crown land, on the east by land mentioned in T. P. 230,753 and lot 88733 in P. P. 3,191, and south by lot 10650 in P. P. 882 and Crown land; extent according to the deed of transfer is 3 acres and 26 perches. Registered D 9/32.

5. A piece of land called Keeraitheevu, situated at Sinnakinniyai aforesaid, held and possessed by virtue of the above-mentioned transfer deed; boundaries of which are: on the north by land mentioned in T. P. 230,753, on the east by Crown land, on the south by lot 10650 in P. P. 882, and on the west by Crown land and land mentioned in T. P. 238,500; extent contained within these boundaries according to the said transfer deed is 3 acres 3 roods and 12 perches. Registered D 9/33.

6. A piece of field called Keeraitheevu, situated at Sinnakinniyai aforesaid, held and possessed by virtue of the aforesaid transfer deed No. 5,903; boundaries of which are: on the north by road, on the east by land mentioned in T. P. 238,500 and lot 93003 in P. P. 3,737, on the south by Crown land, and on the west by lots 93500 and 93501 in P. P. 3,737; extent contained within these boundaries as mentioned in the said transfer deed is 3 acres 2 roods and 8 perches. Registered D 9/34.

V. A. JOSEPH-CHELVARETNAM,
Deputy Fiscal's Office,
Trincomalee, May 14, 1934. for Deputy Fiscal.

North-Western Province.

In the District Court of Kurunegala.

Kodiyar Arachchige Paulis Perera of Narammala Plaintiff.

No. 17376. Vs.

Bernard H. Aluvihare of 17th lane A, Fonseka gardens, Bambalapatiya, administrator of the estate of the late Mrs. Muriel Aluvihare, deceased, of Kandy Defendant.

NOTICE is hereby given that on Saturday, June 9, 1934, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 2,755.34, together with legal interest at 9 per cent. per annum from October 16, 1933, till payment in full and poundage, viz. :—

1. All that land called Maillawatta alias Palugamawatta situate at Mailla in Recopattu korale of Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by garden of Kiri Banda Aratchi of Panagomuwa, east by cart road, south by cart road and garden of Bandiya and others, west by garden of Kiri Banda, Gan-Aratchi of Panagomuwa, and others; containing in extent about 40 acres. With the plantations thereon.

At 1 o'clock in the afternoon of the same day.

2. All that western half share of the field called Pahalakethakumbura, situate at Ranawatta in Dambadeni Udukaha korale north of Dambadeni hatpattu in the District of Kurunegala aforesaid; and which said western half share is bounded on the north by high road to Negombo, east by the remaining half share of this field belonging to Horatala, south by field of Menika Duraya, west by Narammala-oya; containing in extent 24 acres and 28 perches. Registered in F 113/355.

Fiscal's Office,
Kurunegala, May 9, 1934.

A. BASNAYAKE,
Deputy Fiscal.

In the District Court of Colombo.

K. S. P. S. Arunasalam Chettiar of Sea street, Colombo Plaintiff.

No. 43,582. Vs.

(1) T. N. S. Sockalingam Chettiar of Sea street, Colombo, (2) K. Pathmanadan of Barnes place, Colombo Defendants.

NOTICE is hereby given that on Friday, June 22, 1934, at 11 o'clock in the forenoon, will be sold by public auction at the Deputy Fiscal's Office, Chilaw, the right, title, and

interest of the said 1st defendant in the following property for the recovery of Rs. 25,170, with interest on Rs. 20,000 at 9 per cent. per annum from April 28, 1932, to April 4, 1933, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, costs of suit, and poundage :—

The debt due to T. N. S. Sockalingam Chettiar from the defendants in case No. 10,012, District Court, Chilaw, the right of action of the 1st plaintiff against the defendants in the said case No. 10,012, and all the right, title, and interest of the said 1st plaintiff in the said case No. 10,012.

Deputy Fiscal's Office,
Chilaw, May 14, 1934.

L. F. ROSA,
Additional Deputy Fiscal.

2. Commencing at 2 o'clock in the afternoon.—An undivided $\frac{1}{2}$ share of the field called Kekunagahakumbura, situated at Opanake in the Helapalle palata of Meda korale in the Ratnapura District aforesaid; bounded on the north by Disappuhitiyawatta, east by Hirageawattoagala, south by Polwatta and hena, and west by Midella-cla; containing in extent about 5 pelsas of paddy sowing.

Fiscal's Office,
Ratnapura, May 15, 1934.

H. C. WIJESINHE,
Additional Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Kirikankanamage Emily Engelthina Fernando nee Perera Seneviratne of Rawatawatta in Moratuwa, deceased. No. 6,765.

Sellapperumage Peter Augustine Fernando of Rawatawatta in Moratuwa Petitioner.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on March 27, 1934, in the presence of Mr. J. P. Rodrigo, Proctor, on the part of the petitioner above named; and the affidavits of the said petitioner dated March 21, 1934, having been read:

It is ordered that the last will of Kirikankanamage Emily Engelthina Fernando, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the petitioner is the executor named in the said will and that he is entitled to have probate thereof issued to him accordingly, unless any person or persons interested shall, on or before May 24, 1934, show sufficient cause to the satisfaction of this court to the contrary.

March 27, 1934.

G. C. THAMBYAH,
District Judge.

Province of Uva.

In the Court of Requests of Matara.

Juwana Hennege Charles de Silva of Dodampahala Plaintiff.

No. 18,443. Vs.

A. M. K. Suppramaniam Pillai and A. M. Gurusamy both of Lunugala Defendants.

NOTICE is hereby given that on Tuesday, June 19, 1934, at 1 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. 180.36, viz. :—

The northern portion of Narangaspitiyegederawatta, bearing assessment No. 60 of 100 feet in length and 15 feet in breadth, together with the tiled building standing thereon, situated at Lunugala town in Pattipola korale of Yatikinda division in the District of Badulla of the Province of Uva; and bounded on the north by the portion sold by M. Assan Aliyar, east by high road, south by wall of the house of M. Assan Aliyar, west by the live fence and wella.

Fiscal's Office,
Badulla, May 14, 1934.

E. MUNASINHA,
Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

Ariyapperuma Mudiyansele Punchimenike of Kuttapitiya, duly appointed administratrix of the estate of the deceased, Polwatte Lekamalaye Ratranhamy of Kuttapitiya Plaintiff.

No. 5,727. Vs.

Kariyapperuma Wijesundara Ekanayake Mudiyansele Tikiri Kumarihamy of Yainna Defendant.

NOTICE is hereby given that on Saturday, June 9, 1934, commencing at the times mentioned below, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property under mortgage bond No. 14,183 dated December 6, 1928, for the recovery of the sum of Rs. 3,005.92 $\frac{1}{2}$, with interest on Rs. 2,000 at 12 per centum per annum from August 8, 1932, till November 9, 1932, and thereafter with legal interest till payment in full, viz. :—

1. Commencing at 10 o'clock in the forenoon.—An undivided $\frac{1}{2}$ share of the defined allotment of land called Udadoloswalakumburegodawatta of the extent of 2 seers of kurakkan sowing; bounded on the north by wella, east by Udadoloswalakumbura, south by Tambilagewatta, west by wella and rubber estate, together with the whole of the tiled boutique house, 41 feet in length and 38 feet in breadth, bearing assessment No. 87 built thereon, which boutique house only is subject to the lease for full eight years from February 1, 1923, created by deed of lease No. 10,248 dated January 7, 1923, attested by J. C. R. Wijewardena, Notary Public of Ratnapura District, which said defined allotment is a portion partitioned off from the contiguous lands called Udadoloswalakumbura and Meddekumbura of the extent of about 1 amunam of paddy sowing and Udadoloswalakumburegodawatta of the extent of about 2 seers of kurakkan sowing, situated at Nugawela in Pannil pattu of Atakalan korale in the District of Ratnapura, Province of Sabaragamuwa; bounded on the north by Gampolawatta, east by Netolghakumbura and Pallekumbura, south and west by wella.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of the late Senarath Mudalige Don Domingo Jayatilleke of Yattowita in Siyane korale, deceased. No. 6,769.

Senarath Mudalige Don Robert Jayatilleke of Yattowita aforesaid Petitioner.

And

(1) Henadiraphthirage Dona Theodosia Jayatilleke nee Perera, (2) Senarath Mudalige Dona Regina Jayamanna nee Jayatilleke, (3) Senarath Mudalige Don Juan Jayatilleke, (4) ditto Dona Elizabeth Jayatilleke, (5) ditto Dona Menica Jayatilleke, (6) ditto Dona Agnes Jayatilleke, (7) ditto Don Thomas Jayatilleke, (8) ditto Don Raphial Jayatilleke; the 5th, 6th, 7th, and 8th are minors appearing by their guardian ad litem (9) Handapanagoda Mudalige Don Francis Appuhamy, all of Yattowita Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on March 27, 1934, in the presence of Mr. S. Gunasekera, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated March 10, 1934, and (2) of the attesting witnesses also dated March 10, 1934, having been read:

It is ordered that the last will of Senarath Mudalige Don Domingo Jayatilleke, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executor named in the said will and that he is entitled to have probate thereof issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before May 24, 1934, show sufficient cause to the satisfaction of this court to the contrary.

March 27, 1934.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Kahandawala Aratchige Hendrick No. 6,776. Perera of Kaduwella, deceased.

Jane Perera Waidiyaratne Wijetunga of Kaduwella Petitioner.

And

- (1) Liyana Aratchige Dona Simona Hamine (widow), (2) Kahandawala Aratchige Sugathadasa Perera, both of Kaduwella Respondents.

THIS matter coming on for disposal before G. C. Tambyah, Esq., District Judge of Colombo, on April 20, 1934, in the presence of Mr. S. Ratnakaram, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated April 2, 1934, having been read:

It is ordered that the petitioner be and she is hereby entitled, as sister 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 May 24, 1934, show sufficient cause to the satisfaction of the court to the contrary.

April 20, 1934.

G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Mohideen Pathumuttoo, deceased. Jurisdiction. No. 6,784..

Meera Saibo Mohamed Hussain of 137, Old Moor street, in Colombo Petitioner.

And

- (1) Mohamed Mohideen Meera Saibo, (2) Mohamed Saleem, (3) Mohideen Pathumma, (4) Safia Umma, (5) Balkeen Umma, all of 137, Old Moor street, in Colombo; the 2nd respondent is a minor appearing by his guardian ad litem the 1st respondent .. Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on April 30, 1934, in the presence of Mr. C. M. Kumaravetpillai, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated April 27, 1934, having been read:

It is ordered that the last will of Mohideen Pathumuttoo, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executor named in the said will and that he is entitled to have probate thereof issued to him accordingly, unless any person or persons interested shall, on or before May 31, 1934, show sufficient cause to the satisfaction of this court to the contrary.

April 30, 1934.

G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Mahamarakkalukurukulasuriya Patabendige Peter Perera of 1, Park avenue, Borella, deceased. No. 6,789.

Lucy Mary Perera of 1, Park avenue, Borella Petitioner.

And

- (1) Eugenia Mary Constance Perera, (2) Nympha Lucy Genevieve Mendis nee Perera, (3) Felix Joseph Peter Perera, all of 1, Park avenue, Borella. Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on May 1,

1934, in the presence of Mr. D. M. L. Mendis, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated April 28, 1934, 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 June 7, 1934, show sufficient cause to the satisfaction of the court to the contrary.

May 1, 1934.

G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Testamentary In the Matter of the Last Will and Testament of Elizabeth Scovell of 1, Clearmount, Rodwell Weymouth in the County of Dorset, Spinster, deceased. Jurisdiction. No. 6,794.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on May 5, 1934, in the presence of Messrs. Julius and Creasy of Colombo, Proctors, on the part of the petitioner, Mr. Leslie George Byatt of Colombo; and the affidavit of the said petitioner dated April 30, 1934, a certified copy of probate, a certified copy of the will of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated April 26, 1934, having been read: It is ordered that the will of the said deceased dated March 2, 1921, of which a certified copy has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said petitioner is the attorney of the sole surviving executor named in the said will and that he is entitled to have letters of administration with a copy of the said will annexed issued to him accordingly, unless any person or persons interested shall, on or before May 24, 1934, show sufficient cause to the satisfaction of this court to the contrary.

May 5, 1934.

G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of the Reverend Canon Edwin No. 6,802 N.T. Arthur Barraclough, late of Old Rectory Walton Clevedon in the County of Somerset, England, Clerk in Holy Orders, deceased.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on May 10, 1934, in the presence of James Frederick van Langenberg, Proctor on the part of the petitioner, Stanley Frederick de Saram of Colombo; and (1) the affidavit of the said petitioner dated May 9, 1934, (2) the power of attorney dated March 15, 1934, and (3) the order of the Supreme Court dated May 1, 1934, having been read: It is ordered that the will of the said The Reverend Canon Edwin Arthur Barraclough, deceased, dated October 14, 1931, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Stanley Frederick de Saram is the attorney in Ceylon of the sole executor named in the said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before May 24, 1934, show sufficient cause to the satisfaction of this court to the contrary.

May 10, 1934.

G. C. THAMBYAH, District Judge.

In the District Court of Negombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament Jurisdiction. of the late Ranasingha Appuhamillage No. 2,918. ⁴⁴ Charles Ranasingha of Hakurukumbura in Yatigaha pattu; deceased.

Dona Ceci Wijewardena of Hakurukumbura, Petitioner.

(1) Mallika Ranasingha, (2) Lalana Tillakasiri Ranasingha, (3) Sasoma Dhamasiri Ranasingha, all of Hakurukumbura (minors), (4) Don Victor Wijewardena of Vijitha, Panadura. Respondents.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge of Negombo, on April 26, 1934, in the presence of Mr. D. W. Samaratunga, Proctor, on the part of the petitioner; and petition and affidavit of the said petitioner dated April 26, 1934, and March 26, 1934, respectively; and the affidavit dated March 17, 1934, of the notary who attested the last will and the witnesses who subscribed to the said last will having been read:

It is ordered that the last will of Ranasingha Appuhamillage Don Charles Ranasingha of Hakurukumbura, deceased, dated February 20, 1930, and now deposited in this court, be and the same is hereby declared proved, unless the respondents above named or any other person or persons interested shall, on or before May 22, 1934, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the executrix named in the said last will and that she is entitled to have probate of the same issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before May 22, 1934, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 4th respondent above named be appointed guardian *ad litem* over the 1st, 2nd, and 3rd respondents who are minors for the purpose of this testamentary case, unless the respondents above named or any other person or persons interested shall, on or before May 22, 1934, show sufficient cause to the satisfaction of this court to the contrary.

April 26, 1934.

D. H. BALFOUR,
District Judge.

In the District Court of Avissawella.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Ganegoda Appuhamillage Don John No. 202. Charles Seneviratne, Notary Public of Gogoda, in the Gangaboda pattu of the Siyane korale, deceased.

Senaratne Mudiyaansela Dona Matilda Senaratne of Heiyantuduwa in the Adicari pattu of Siyane korale Petitioner.

And

(1) Ganegoda Appuhamillage Don David Wilfred Seneviratne, (2) ditto Matilda Lilian Seneviratne, (3) ditto Matilda Harriet Seneviratne, (4) ditto John Arthur Seneviratne, (5) ditto John Edwin Seneviratne, (6) ditto Matilda Agnes Seneviratne, (7) ditto Matilda Irene Seneviratne, (8) ditto Matilda Daisy Seneviratne, (9) ditto John Henry Seneviratne, minors, by their guardian *ad litem* (10) William Edward Ranasinghe Gunasekera, all of Heiyantuduwa aforesaid Respondents.

THIS matter coming on for disposal before M. Chinnaiyah, Esq., District Judge of Avissawella, on April 17, 1934, in the presence of Mr. N. J. S. Cooray, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated November 8, 1932, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as widow of the deceased above named, to have letters of administration to his estate issued to her, unless the respondents above named or any person or persons interested shall, on or before May 8, 1934, show sufficient cause to the satisfaction of this court to the contrary.

April 17, 1934.

M. CHINNAIYAH,
District Judge.This *Order Nisi* is extended for May 22, 1934.

B 2

In the District Court of Kalutara.

Order Nisi declaring Will proved, etc.

Testamentary In the Matter of the Estate of the late Vidanerallage Paulu Silva, deceased, of No. 2,571. Yatiyana.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on March 23, 1934, in the presence of Mr. A. D. de Fonseka, Proctor, on the part of the petitioner, Vidanerallage Sam Marcus Silva of Yatiyana; and the affidavit of the said petitioner dated December 14, 1933, having been read:

It is ordered that the will of Vidanerallage Paulu Silva, deceased, dated March 18, 1929, be and the same is hereby declared proved, unless the respondent, Vidanerallage Juliot Silva, presently of Kalutara North, or any other person or persons interested shall, on or before May 25, 1934, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Vidanerallage Sam Marcus Silva is the executor named in the said will and that he is entitled to have probate of the same issued to him accordingly; unless the respondent or any other person or persons interested shall, on or before May 25, 1934, show sufficient cause to the satisfaction of this court to the contrary:

March 23, 1934.

N. M. BHARUCHA,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late John William Mackelvie, deceased, of No. 5,222. Wattegama.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on January 22, 1934, in the presence of Messrs. de Silva & Karunaratne, Proctors, on the part of the petitioner, Mary Augustine Mackelvie of Kandy; and the affidavit of the said petitioner dated December 13, 1933, having been read:

It is ordered that the petitioner, as the widow of the deceased, be and she is hereby declared entitled to letters of administration to the estate of the above-named deceased, unless the respondents—(1) J. A. Mackelvie of Kandy, (2) Mrs. R. A. Stephen and her husband (3) R. A. Stephen, both of Kuala Lumpur, Selangor, (4) Cicie Mackelvie of Kandy, (5) May Mackelvie of Kandy, (6) Gerald Mackelvie of Kandy, (7) Conard Mackelvie of Kandy, (8) Norman Mackelvie of Kandy, (9) Bertha Mackelvie of May Mayo, Civil Hospital, Rangoon; the 4th to 8th by their guardian *ad litem* the 1st respondent—shall, on or before April 23, 1934, show sufficient cause to the satisfaction of this court to the contrary.

January 22, 1934.

R. F. DIAS,
District Judge.

The date for showing cause is extended for May 24, 1934.

April 23, 1934.

R. F. DIAS,
District Judge.

In the District Court of Matara.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament Jurisdiction. of Nanayakkara Dolage Nonahamy No. 3,747. deceased, of Weligama.

THIS matter coming on for disposal before C. J. S. Pritchett, Esq., District Judge of Matara, on January 9, 1932, in the presence of Messrs. Balasuriya & Daluwatte, Proctors, on the part of the petitioner, Madihe Arachchige Edwin Gunawardena of Weligama; and the affidavit of the said petitioner dated December 1, 1931, together with the last will dated August 30, 1931, and the affidavit of the attesting notary and subscribing witnesses dated December 1, 1931, having been read:

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It is ordered that the will of Nanayakkara Dolage Nonahamy, late of Weligama, deceased, dated August 30, 1931, and now produced in this court, be and the same is hereby declared proved, unless any person or persons shall, on or before March 9, 1932, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Madihe Arachchige Edwin Gunawardena is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any person or persons interested shall, on or before March 9, 1932, show sufficient cause to the satisfaction of this court to the contrary.

January 9, 1932.

C. J. S. PRITCHETT,
District Judge.

The above *Order Nisi* is extended to May 21, 1934.

April 26, 1934.

M. H. KANTAWALA,
District Judge.

In the District Court of Matara.

No. 3,837. In the Matter of the Intestate Estate of Anne Weerabaddana Dissanayaka, late of Haththotuwa.

Alexander Abeywickremesinghe Gunawardene of Haththotuwa Petitioner.

Vs.

(1) Arthur Abeywickremesinghe Gunawardene, (2) Amarawathie ditto, (3) Daniel ditto, (4) Nathaniel ditto, (5) Eneas ditto, all of Haththotuwa .. Respondents.

THIS matter coming on for disposal before M. H. Kantawala, Esq., District Judge of Matara, on April 10, 1934, in the presence of Mr. A. E. Buultjens, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated April 10, 1934, having been read: It is ordered that the petitioner above named be and he is hereby declared entitled, as husband of the said deceased, to administer the said estate and that letters of administration do issue to him accordingly, unless the respondents above named or any person interested shall, on or before July 10, 1934, show sufficient cause to the satisfaction of this court to the contrary.

It is also ordered that the 5th respondent above named be and he is hereby appointed guardian *ad litem* over the 1st to 4th respondents, unless sufficient cause be shown to the contrary on July 10, 1934.

It is further ordered that the said minor respondents be produced before this court on July 10, 1934.

April 10, 1934.

M. H. KANTAWALA,
District Judge.

In the District Court of Tangalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. deceased, Wachchihennedige Mendiyas No. 1,197. Appu, late of Yodakandiya.

Wiraratna Arachchi Patabendige Karonchihamy of Yodakandiya Petitioner.

Vs.

(1) Wachchihennedige Bastian de Silva, (2) ditto Jane Nona, (3) ditto Sirisena, (4) ditto Heppona, all of Yodakandiya Respondents.

THIS matter coming on for final disposal before S. P. Wickramasingha, Esq., the District Judge of Tangalla, on February 12, 1934, in the presence of Mr. C. A. Wickramasuriya, on the part of the petitioner above named; and the affidavit of the petitioner above named dated January 5, 1934, having been read:

It is ordered that the 1st respondent be appointed guardian *ad litem* over the minors, the 2nd, 3rd, and 4th respondents, unless any person or persons interested shall, on or before March 22, 1934, show sufficient cause to the contrary.

It is further ordered that the petitioner be and she is hereby declared entitled, as widow of the deceased, to have letters of administration issued to her, unless any person or persons interested shall, on or before March 22, 1934, show sufficient cause to the contrary.

S. P. WICKRAMASINGHA,
District Judge.

The above *Order Nisi* is extended to April 30, 1934.

March 22, 1934.

J. N. VETHAVANAM,
District Judge.

The above *Order Nisi* is extended to May 31, 1934.

April 30, 1934.

J. N. VETHAVANAM,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Ponnampalam Muttukumar of Vaddukodai East, deceased. No. 8,480.

Thangammah, widow of Ponnampalam Muttukumar of Vaddukodai East Petitioner.

Vs.

(1) Annammah, daughter of Muttukumar of ditto, (2) Muttukumar Padmanathan of ditto, (3) Thanaladchumy, daughter of Muttukumar of ditto, (4) Ponnampalam Sithamparappillai of ditto; the 1st, 2nd, and 3rd respondents are minors appearing by their guardian *ad litem* the 4th respondent .. Respondents.

THIS matter of the petition of the above-named petitioner, praying for letters of administration to the estate of the above-named deceased, coming on for disposal before C. Coomaraswamy, Esq., District Judge, on March 19, 1934, in the presence of Mr. V. Nagalingam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated March 19, 1934, having been read: It is declared that the petitioner is the widow of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondents or any other person shall, on or before May 21, 1934, show sufficient cause to the satisfaction of this court to the contrary.

March 21, 1934.

C. COOMARASWAMY,
District Judge.

In the District Court of Kurunegala.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Muna Muna Kana Mohideen Wappu No. 4,134. of Adirampatnam in South India, deceased.

Muna Muna Kana Mohammado Cassim Marikar of Elabadagama Petitioner.

Vs.

(1) Suleiha Umma, (2) Muna Muna Mohammado Abdul Cader, (3) Aisa Umma, (4) Muna Muna Kana Mohammado Ibrahim, (5) Hajar Umma, (6) Mohammado Mariam, (7) Mohammado Patumma, all of Adirampatnam in South India Respondents.

THIS matter coming on for disposal before M. Prasad, Esq., District Judge of Kurunegala, on April 24, 1934, in the presence of Messrs. Tanbiraja & Kandiah, Proctors for the petitioner above named; and the affidavit of the said petitioner dated March 7, 1934, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as eldest son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents or any other person or persons interested shall, on or before May 21, 1934, show sufficient cause to the satisfaction of this court to the contrary.

April 24, 1934.

M. PRASAD,
District Judge.

PASSED ORDINANCE.

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

No. 6 of 1934.

An Ordinance to provide for the Control of the Production and Export of Rubber.

R. E. STUBBS.

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**An Ordinance to provide for the Control of the
 Production and Export of Rubber.**

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

Short title and duration.

1 This Ordinance may be cited as the Rubber Control Ordinance, No. 6 of 1934, and shall continue in operation to the thirty-first day of December, 1938.

General control of export.

2 On and after the first day of June, 1934, no rubber shall be exported from the Island unless the export thereof is authorised by or under this Ordinance :

Provided that nothing in this Ordinance shall apply to the export of rubber—

(a) in respect of which the cart note, boat note or railway consignment note has been registered at a Customs Export Office or the Canal Lock, as the case may be, before midnight on the thirty-first day of May, 1934 ;

(b) which has been placed before midnight on the thirty-first day of May, 1934, under customs seal in a godown or store duly approved by the Principal Collector of Customs.

Basic quota.

3 (1) For the purpose of determining the Ceylon quota of export for any period of control, the basic quota for each year of control shall be the quantity of rubber specified hereunder for that year : provided that for the period of control beginning on the first day of June, 1934, and ending on the thirty-first day of December in that year the basic quota shall be seven-twelfths of the quantity hereunder specified for that year :—

1934	..	.. 77,500 tons
1935	..	.. 79,000 tons
1936	..	.. 80,000 tons
1937	..	.. 81,000 tons
1938	..	.. 82,500 tons

Ceylon quota of export.

(2) The Ceylon quota of export for any period of control shall be such quantity of rubber determined in relation to the basic quota for that period or such percentage of that basic quota as shall be declared by the Governor by notification in the Gazette.

Limitation of quantity exported monthly.

(3) For the purpose of regulating the export of the Ceylon quota of export the Governor may from time to time, by notification published in the Gazette, limit the quantity of rubber which may be exported from the Island during any specified month or months.

Excess or deficiency of monthly export.

(4) If the amount of rubber exported from the Island in any month is greater or less than the amount which may be exported from the Island in that month, the amount of the excess or deficiency, as the case may be, shall be deducted from, or added to, the amount which may be exported from the Island in any subsequent month or months in such manner and subject to such conditions as may be prescribed.

Net export.

(5) In determining the quantity of rubber exported from the Island during any period of control such quantity shall be taken to be the amount of the net export for that period as defined by section 58.

Permissible excess above quota of export.

4 It shall not be deemed to be a breach of the provisions of this Ordinance if the quantity of rubber exported from the Island during any year of control as the Ceylon quota of export for that year exceeds the amount of that quota by a

quantity not greater than five per centum of that amount : Provided that the Ceylon quota of export for the year of control immediately following that in which such excess was exported shall be reduced by the amount of the permissible excess exported in the preceding year of control.

5 If in any year of control the quantity of rubber exported from the Island as the Ceylon quota of export for that year is less than the amount of that quota, a quantity of rubber equal to the amount of the deficiency, but not exceeding twelve per centum of the Ceylon quota of export for the year in which the deficiency occurred, may be exported in the immediately succeeding year subject to the provisions of section 42 and shall not be deemed to form part of the Ceylon quota of export for the year in which it is exported.

Deficiency in quota exported in a year of control exportable in succeeding year.

6 On and after the first day of June, 1934, no person shall export from the Island any leaves, flowers, seeds, buds, twigs, branches, roots or any living portion of the rubber plant that may be used to propagate that plant.

Prohibition of export of rubber seed, &c.

7 (1) The Governor may appoint—

Appointment of Controller and other officers.

- (a) any person, by name or by office, to be Rubber Controller, or to act as such ;
- (b) any person, by name or by office, to be Deputy Rubber Controller, or to act as such ;
- (c) any person, by name or by office, to be an Assistant Rubber Controller, or to act as such ; and,
- (d) such other officers and servants as may from time to time be required for the purposes of this Ordinance.

(2) In the exercise of their powers and in the discharge of their duties under this Ordinance, all persons, officers and servants appointed by the Governor under this section shall be subject to the general direction and control of the Executive Committee.

(3) All persons, officers and servants appointed under this section shall be deemed to be public servants within the meaning of the Ceylon Penal Code.

8 In relation to any particular matter or class of matters or to any particular area or planting district, the Controller may, with the consent of the Executive Committee, by writing under his hand, delegate any of his powers under this Ordinance (except this power of delegation) so that the delegated powers may be exercised by the delegate with respect to the matters or class of matters specified or to the area or planting district mentioned in the instrument of delegation.

Delegation of Controller's powers.

9 There shall be a Rubber Advisory Board which shall consist of a Chairman, who shall be the Rubber Controller for the time being, and such other members not exceeding ten in number as the Governor may appoint.

Establishment and constitution of Rubber Advisory Board.

10 (1) It shall be the duty of the Advisory Board—

Duties, powers and functions of Advisory Board.

- (a) to advise the Controller on all matters incidental or relating to the control and regulation under this Ordinance of the production and export of rubber from the Island and on all other matters which the Controller may refer to the Board for advice ;
- (b) to perform and exercise such duties and powers as may be prescribed or entrusted to it under this Ordinance ; and,
- (c) generally to assist the Controller in the administration of this Ordinance.

(2) Regulations may be made providing for the conduct of business by the Advisory Board and prescribing the procedure to be followed at meetings of that Board. Subject to any such regulations, the Board may regulate its own procedure.

11 The Governor shall establish a Board of Appeal or such number of Boards of Appeal as he shall consider necessary for the purpose of this Ordinance. Each Board of Appeal shall consist of three members appointed by the Governor. One member of each Board of Appeal shall be an Advocate or a Proctor of the Supreme Court of not less than ten years' standing.

Establishment and constitution of Boards of Appeal.

Duties, powers and functions of a Board of Appeal.

12 (1) It shall be the duty of a Board of Appeal to hear and determine all appeals preferred under this Ordinance.

(2) Regulations may be made prescribing—

- (a) the time within which and the manner in which appeals shall be so preferred ;
- (b) the forms to be used and the fees to be paid in preferring appeals ;
- (c) the procedure to be observed on the hearing of appeals ;
- (d) the remuneration to be paid to the members of a Board of Appeal ; and,
- (e) generally for all matters connected with or incidental to the matters specifically enumerated in this sub-section or to the hearing or disposal of appeals.

(3) The decision of a Board of Appeal on any matter or question brought before it by way of appeal shall be final and conclusive for the purposes of this Ordinance.

Returns.

13 (1) On or before the prescribed date, the proprietor of every estate or small holding and every dealer shall furnish to the Controller a return in the prescribed form containing the prescribed particulars.

(2) Any return furnished by the proprietor of an estate or a small holding or by a dealer to the Rubber Investigating Officer in response to any notification published by him prior to the commencement of this Ordinance may be accepted by the Controller as a return furnished under sub-section (1) : provided that if the Controller rejects any return so furnished to the Rubber Investigating Officer, he shall call on every proprietor or dealer whose return he rejects to furnish a return in accordance with sub-section (1) or within such extended time as he may specify.

Power of Controller to call for information.

14 (1) It shall be lawful for the Controller at any time to direct the proprietor of an estate or small holding or any dealer—

- (a) to furnish before a specified date such information or explanation as the Controller may require in respect of any particulars stated in any return furnished by such proprietor or dealer ;
- (b) to produce or cause to be produced before a specified date such documentary or other evidence as the Controller may require for the purpose of verifying any facts or particulars in any return furnished by such proprietor or dealer.

(2) In this section, " return " includes a return made to the Rubber Investigating Officer in response to any notification published by him prior to the commencement of this Ordinance.

Rejection of returns received out of time.

15 No return shall be accepted by the Controller in any year of control if such return is received by him on a date subsequent to the date prescribed for the purposes of section 13 (1) or specified by him under section 13 (2).

Registers.

16 (1) The Controller shall keep in the prescribed form a register of estates, a register of small holdings, and a register of dealers.

(2) Regulations may be made—

- (a) requiring any registered proprietor or registered dealer to notify to the Controller the occurrence of any circumstance affecting the accuracy of the particulars contained in any return furnished by him to the Controller or to the Rubber Investigating Officer ; and
- (b) prescribing the circumstances and the manner in which any entry made in the register may be amended from time to time.

(3) In the event of the death of any registered proprietor or dealer, it shall be the duty of the person entering into possession or having control of the estate or small holding of that proprietor or assuming or having charge of the business of that dealer—

- (a) to give written information of the death to the Controller within one month thereof ; and
- (b) to comply with the requirements of any regulation made under sub-section (2), until the name of the deceased proprietor or dealer is deleted and the name of the person entitled to be registered is duly substituted in the register.

(4) An appeal shall lie to a Board of Appeal against any decision of the Controller to amend the register under any regulation made under sub-section (2).

17 (1) The Controller shall decide whether any land is entitled to be registered as an estate or a small holding or whether any small holding is entitled to be registered in any particular planting district.

(2) The Controller shall decide whether any land is an estate or a small holding.

(3) An appeal shall lie to a Board of Appeal against any decision made by the Controller under this section.

Decision of questions relating to registration of estates and small holdings.

18 (1) The Controller shall decide whether any person is entitled to be registered as a proprietor of an estate or of a small holding or as a dealer, or whether any premises may be registered as the licensed premises of any dealer.

(2) An appeal shall lie to a Board of Appeal against any decision of the Controller under this section.

(3) No decision of the Controller under sub-section (1) or of a Board of Appeal under sub-section (2) in regard to the question of the proprietorship of an estate or a small holding shall operate as *res adjudicata* on any question in any civil action in which the title to a registered estate or small holding shall be put in issue.

Decision of questions relating to registration of proprietors and dealers.

19 (1) As soon as may be after the commencement of this Ordinance, the Controller shall assess in such manner as may be prescribed the standard production of every registered estate and small holding for a period of twelve months beginning on the first day of January, 1934.

(2) In the first year of control the standard production of each estate or small holding shall be seven-twelfths of the amount assessed in respect of that estate or small holding under sub-section (1).

(3) Subject to the provisions of section 22, for the second and every subsequent year of control the standard production of each estate or small holding shall be the amount assessed in respect of that estate or small holding under sub-section (1) increased by an allowance in respect of the immature areas of that estate or small holding determined by the Controller in such manner as may be prescribed.

Standard production.

(4) The standard production of any estate or small holding for any month in the first year of control shall be one-seventh of the standard production of that estate or small holding for that year of control.

(5) The standard production of any estate or small holding for any month in the second or any subsequent year of control shall be one-twelfth of the standard production of that estate or small holding for that year of control.

20 Notice of the assessment of the standard production of any estate or small holding for each year of control shall be served on the registered proprietor :

Notification of assessment.

Provided that it shall not be necessary to serve a notice of assessment on any registered proprietor for any year of control if the standard production of his estate or small holding for that year is the same as the standard production assessed for that estate or small holding for the immediately preceding year of control.

21 (1) The registered proprietor of an estate or small holding who is dissatisfied with the assessment of the standard production of his estate or small holding under section 19 (1) may appeal against such assessment to a Board of Appeal.

(2) There shall be no appeal against the determination by the Controller of the allowance to be made under section 19 (3) in respect of the immature areas of any estate or small holding.

Appeal against assessment.

22 (1) If it shall appear to the Controller at any time that an error has been made in the assessment of the standard production of any estate or small holding for any year of control, he may order an amount equivalent to the amount by which such assessment was in error to be added to or deducted from the standard production of that estate or small holding in any succeeding year of control.

Adjustment of errors in assessment of standard production.

(2) A copy of the order made by the Controller under sub-section (1) in respect of any estate or small holding shall be served on the registered proprietor of that estate or small holding who may, if dissatisfied with such order, appeal therefrom to a Board of Appeal.

23 (1) As soon as may be after the assessment of the standard production of all estates and small holdings in each year of control and after the determination by the Board or Boards of Appeal of all appeals preferred against such assessment, the Controller shall proceed to determine the exportable maximum of each estate and small holding in accordance with sub-section (2) and shall notify the registered proprietor of each estate or small holding of the amount of the exportable maximum so determined in respect of that estate or small holding.

Determination and notification of exportable maximum.

(2) The exportable maximum of each estate and small holding for any period of control shall be determined by the Controller in such manner as may be prescribed and shall bear, as nearly as possible, the same proportion to the aggregate of the exportable maxima of all other estates and small holdings as the standard production of that estate or small holding bears to the aggregate of the standard productions of all other estates and small holdings.

(3) When determining the exportable maximum of estates and small holdings for any period of control, the Controller may set apart, for such purposes as may be prescribed, a prescribed amount or proportion of the standard production of each estate or small holding.

(4) Any surplus out of the amount set apart under subsection (3) shall, after the application of that amount for all authorised purposes, be allocated *pro rata* by the Controller in the prescribed manner among the proprietors of all registered estates and small holdings and upon such allocation the amount so allocated to the proprietor of each estate or small holding shall be deemed to form part of the exportable maximum of that estate or small holding.

(5) Notwithstanding anything contained in this section, the exportable maximum of any prescribed estate or small holding belonging to and worked by or on account of the Government of Ceylon or the Rubber Research Institute of Ceylon shall be the standard production thereof.

Coupons.

24 (1) Subject to the provisions of section 28, the registered proprietor of each estate and small holding shall be entitled to receive from the Controller during any period of control coupons representing the quantity of rubber which may be exported in respect of that estate or small holding during that period :

Provided that pending the determination of any appeal against the decision of the Controller under section 18 regarding the right of any person to be the registered proprietor of an estate or small holding, the Controller may defer the issue of coupons or provisional coupons in respect of that estate or small holding.

(2) A coupon shall not be valid after the thirty-first day of December of the year of control in which it is issued.

Coupon to authorise export of rubber.

25 A coupon or a provisional coupon issued under this Ordinance shall authorise the export from the Island of an amount of rubber equal to the amount represented by such coupon or provisional coupon.

Provisional coupons.

26 (1) In anticipation of the determination of the exportable maximum of any estate or small holding in the first year of control, the Controller may issue to the registered proprietor of that estate or small holding provisional coupons at such times and in such quantities as the Controller may in his discretion determine in respect of the amount estimated by him to be the probable exportable maximum of that estate or small holding for that year of control.

(2) Provisional coupons shall be valid for a period of two months reckoned from the first day of June, 1934, and may be exchanged, on application to the Controller or to such officer as the Controller may direct and within such period as the Controller may determine, for other coupons issued under this Ordinance representing a quantity of rubber equivalent to that represented by the provisional coupons exchanged.

Advance issue of coupons.

27 In anticipation of the determination of the exportable maximum of any estate or small holding in the first or any subsequent year of control, the Controller may issue to the registered proprietor of that estate or small holding coupons at such times and in such quantities in respect of the amount estimated by him to be the probable exportable maximum of that estate or small holding for that year of control.

Adjustment for provisional and advance coupons.

28 The amount represented by provisional coupons issued under section 26 and coupons issued under section 27 shall be deducted from the amount for which coupons may be issued under section 24.

Sale and transfer of coupons.

29 (1) Nothing contained in this Ordinance shall be deemed to render illegal the transfer or sale of coupons or provisional coupons by one person to another.

Valuable Security.

(2) Every coupon and every provisional coupon issued under this Ordinance shall be deemed to be a valuable security within the meaning of the Ceylon Penal Code.

30 (1) On and after a date to be declared by the Governor by notification in the Gazette, no person other than a registered proprietor or a registered dealer shall have any rubber in his possession or under his control :

Prohibition of unauthorised possession of rubber.

Provided that nothing in this section shall apply to the possession or control of rubber by—

- (a) any person acting for or on behalf of a registered proprietor or a registered dealer ; or
- (b) any person acting by the authority or in execution of the order or decree of any court relating to that rubber ; or
- (c) any person appointed as the assignee or provisional assignee of an insolvent ; or
- (d) any person appointed as an official liquidator where a company is wound up by court or any person appointed to be a liquidator for the purpose of voluntarily winding up a company ; or
- (e) any person lawfully exercising any lien over that rubber ; or
- (f) any person who acquires title to that rubber from a registered proprietor or dealer or succeeds to the right, title, or interest of any registered proprietor or dealer ; or
- (g) any other person or class of persons specially exempted by regulation from the operation of this section in such circumstances and subject to such conditions as may be prescribed.

(2) In this section, rubber does not include articles manufactured wholly or partly of rubber.

31 During the operation of this Ordinance no proprietor of an estate or small holding shall at any time have in his possession or under his control stocks of rubber exceeding—

Proprietors' stocks.

- (a) twenty per centum of the quantity of rubber wholly grown and produced on and removed from his estate or small holding during the preceding twelve months ; or alternatively,
- (b) a quantity equivalent to twice the amount of the exportable maximum of his estate or small holding for any month of the then current year of control.

32 The total quantity of rubber in the possession or under the control of registered dealers (exclusive of proprietors' stocks referred to in section 31) shall not at any time in any year of control exceed an amount equivalent to 12½ per centum of the Ceylon quota of export for that year of control : Provided that for the purpose of this section the basic quota to be used for computing the Ceylon quota of export in the first year of control shall, notwithstanding the provisions of section 3, be 77,500 tons.

Dealers' stocks.

33 No dealer shall at any time in any year of control have in his possession or under his control stocks of rubber exceeding the amount determined by the Controller in accordance with the provisions of this Ordinance to be the authorised stock of that dealer for that year of control or the amount determined by the Controller under section 37 to be the amount which that dealer is provisionally authorised to hold for the time being.

Authorised stocks of dealers.

34 (1) The authorised stock of each registered dealer for each year of control shall be determined by the Controller in such manner as may be prescribed.

Determination of authorised stocks.

(2) When determining the authorised stocks of registered dealers for any year of control, the Controller may set apart for such purposes as may be prescribed a prescribed amount or proportion of the total quantity of rubber which may be in the possession or under the control of all registered dealers under section 32.

(3) Any surplus out of the amount set apart under subsection (2) shall after the application of that amount for all authorised purposes, be allocated *pro rata* by the Controller in the prescribed manner among registered dealers and shall upon such allocation be deemed to be part of the authorised stock of those registered dealers to whom it is allocated.

35 Notice shall be served on each registered dealer of the amount determined by the Controller under section 34 to be the authorised stock of that dealer for each year of control.

Notice of determination of authorised stocks.

36 A registered dealer who is dissatisfied with the determination of his authorised stock made by the Controller under section 34 may appeal therefrom to a Board of Appeal.

Appeal.

Provisional determination of authorised stocks.

37 In anticipation of the determination of the authorised stock of any registered dealer for the first year of control, the Controller may notify to each registered dealer the amount of stock which such registered dealer is provisionally authorised to have in his possession or under his control for the time being. Such amount shall be determined at the discretion of the Controller and may be varied by him from time to time at his discretion.

Verification of dealers' stocks.

38 The Controller shall cause to be verified in such manner as he may determine the amount of the stocks in the possession or under the control of every registered dealer on the first day of June, 1934, and shall issue to each such dealer a special coupon (hereinafter called a stock export coupon) authorising the export, in accordance with the provisions hereinafter contained, of the amount of rubber found to be in his possession or under his control on that date (exclusive of proprietors' stocks referred to in section 31) not exceeding the amount which he is authorised to hold on that date.

Stock export coupons.

39 (1) A stock export coupon shall specify the quantities of rubber to which it relates graded in prescribed classes, and shall authorise the export by a registered dealer of such quantity of each class as is stated thereon.

(2) The holder of a stock export coupon for scrap who desires to convert the scrap into crepe may apply to the Controller for the issue of a stock export coupon for crepe in place of his stock export coupon for scrap. The quantity of crepe which shall be allowed for a given quantity of scrap shall be determined by the Controller in such manner as may be prescribed.

(3) A stock export coupon shall be valid for a period of three months reckoned from the first day of June, 1934.

Negotiability of stock export coupons. Valuable security.

40 (1) No stock export coupon shall be sold or transferred except to a registered dealer.

(2) A stock export coupon shall be a valuable security within the meaning of the Ceylon Penal Code.

Notification of deficiency of exports.

41 Commencing with the second year of control, the Controller shall, on or before the thirty-first day of January in each year of control, publish in the Gazette and in such newspapers as he may choose for the purpose a notification stating the amount, if any, by which the total quantity of rubber exported from the Island in the immediately preceding year of control falls short of the Ceylon quota of export for that year.

Allocation of right to export amount of deficiency.

42 The right to export the quantity of rubber which may be exported under section 5 in respect of a deficiency notified under section 41 shall be allocated by the Controller among registered dealers, and if such allocation shall not extend in the aggregate to the total quantity of rubber which may be exported under section 5, the Controller shall allocate the right to export the surplus among registered proprietors. Every allocation made by the Controller under this section shall be made in such manner and subject to such conditions as may be prescribed.

Certificates of Origin.

43 (1) On and after the first day of June, 1934, no person shall export rubber to or import rubber from the under-mentioned territories unless such rubber is accompanied by a Certificate of Origin :—

Straits Settlements,
 Federated Malay States,
 Unfederated Malay States,
 Labuan,
 Brunei,
 Netherlands India,
 India, including Burma,
 French Indo-China,
 State of North Borneo,
 Sarawak,
 Siam.

(2) A Certificate of Origin accompanying rubber produced in the Island and exported therefrom to any of the territories mentioned in sub-section (1) shall be in such form as may be prescribed and shall be issued by the Controller.

(3) Regulations may be made requiring that rubber produced in the Island and exported therefrom to any territory not mentioned in sub-section (1) or to all such territories shall be accompanied by a Certificate of Origin in such form as may be prescribed which shall be issued by the Controller.

(4) A Certificate of Origin accompanying rubber imported into this Island from any of the territories mentioned in sub-section (1) shall be authenticated by an officer duly empowered to issue such a certificate by the Government of the territory from which such rubber is exported and may be accepted without further proof if the Principal Collector of Customs or any officer authorised by him to examine any such certificate is satisfied that it has been so authenticated.

(5) A Certificate of Origin accompanying rubber imported into this Island from any of the territories mentioned in sub-section (1) shall, when endorsed by such officer and in such manner as may be prescribed, be sufficient authority for the export of the same rubber from this Island to any territory.

(6) A Police Magistrate who convicts any person of a breach of the provisions of this section, or of any regulations made thereunder shall, in addition to any other penalty which he may lawfully impose for such offence, order the destruction of the rubber in respect of which the offence was committed.

44 (1) Subject to the provisions of sub-section (2), no rubber plant or rubber seed shall be planted on any land in the Island which was not planted with rubber plants or rubber seed at the date of the commencement of this Ordinance.

Prohibition of the planting of new areas.

(2) The Controller may in his discretion permit the planting of rubber plants and rubber seed for exclusively experimental purposes in such cases and to such extent as he may approve : Provided that the total area in the Island so planted during the operation of this Ordinance shall not exceed one-fourth of one per centum of the total area of land in the Island estimated by the Controller to be planted with rubber plants at the date of the commencement of this Ordinance.

45 (1) No person shall replant any part of any area planted with rubber plants at the commencement of this Ordinance except to such extent and upon such conditions as may be prescribed : Provided that the total area of land in the Island replanted during the operation of this Ordinance in accordance with the provisions of this section shall not exceed 20 per centum of the total area of land in the Island estimated by the Controller to be planted with rubber plants at the commencement of this Ordinance.

Replanting.

(2) In this section, "replant" means to plant during the period of the operation of this Ordinance more than thirty rubber plants on any acre of any area planted with rubber plants at the commencement of this Ordinance.

46 Upon conviction of any person of a breach of the provisions of section 44 or section 45, or of any regulations made under section 45, the Police Magistrate shall, in addition to any fine or other penalty which he may lawfully impose for such offence, order that all rubber plants or rubber seed planted in contravention of such provisions or regulations shall be eradicated and destroyed by or at the instance of the person so convicted within a period to be fixed in the order ; and, upon the failure of the person so convicted to comply with the terms of such order within the period so fixed, the Police Magistrate shall cause the rubber plants or rubber seed referred to in that order to be eradicated and destroyed at the expense of such person. The cost of eradicating and destroying the rubber plants or rubber seed may be recovered from that person as though a fine for a like amount had been imposed upon him by the Magistrate, notwithstanding the fact that the total amount of such cost may be in excess of the amount which such Magistrate may impose as a fine in the exercise of his ordinary jurisdiction.

Eradication and destruction of rubber plants.

47 (1) In order to provide an income for the payment of the expenses of the administration of this Ordinance and such other expenses as may be authorised under section 48, there shall be charged, levied and paid an export duty on rubber of one-quarter of one cent for every pound of dry rubber exported from the Island.

Rubber Control Fund.

(2) The amount of the duty imposed by sub-section (1) may be varied or the duty may be rescinded at any time by a resolution of the State Council duly passed at any public session of the Council and sanctioned by the Governor.

(3) This section shall have effect as though it formed part of Ordinance No. 17 of 1869 and the provisions of that Ordinance shall apply accordingly.

(4) The proceeds of the export duty recovered under this Ordinance shall be paid over monthly to the Controller by the Principal Collector of Customs and shall be credited to a fund which shall be called the Rubber Control Fund, and no part thereof shall be credited to general revenue.

(5) The export duty authorised to be levied under this Ordinance shall be in addition to the export duties on rubber levied, or that may hereafter be levied, under any other written law, but it shall not be taken into account in estimating the export duty levied on rubber under the law of Ceylon for the purposes of section 31 of the Income Tax Ordinance, 1932.

(6) Pending the accrual from the export duty levied under this Ordinance of funds sufficient to defray the expenses incurred or likely to be incurred in the control of the export of rubber under this Ordinance, it shall be lawful for the Financial Secretary to advance to the Controller out of the public revenue of the Island such sums as the Governor may from time to time authorise him so to advance.

Expenditure
from Rubber
Control Fund.

48 (1) Out of the Rubber Control Fund and out of such sums as may be advanced by the Financial Secretary under section 47 (6) there may be defrayed—

- (a) such expenses incurred prior to the commencement of this Ordinance as may be certified by the Financial Secretary to have been paid out of the public revenue of the Island for the purpose of establishing the control of the production and export of rubber under this Ordinance ;
- (b) such amount as the Governor shall sanction as a contribution towards the expenses of the International Rubber Regulation Committee, whether incurred before or after the commencement of this Ordinance ;
- (c) such amount as the Governor may from time to time sanction as the expenses of the delegation representing this Island in connection with the work of the International Rubber Regulation Committee, whether incurred before or after the commencement of this Ordinance ;
- (d) the expenses incurred prior to the commencement of this Ordinance in anticipation of the introduction of a system for the control of the production and export of rubber ;
- (e) the expenses of the administration of this Ordinance and all salaries, wages, rewards, fees, expenses of assessment, and all other expenses, costs, and charges incurred in carrying out its provisions or in furtherance of the control of the production and export of rubber from this Island.

(2) The surplus, if any, which may ultimately be found to the credit of the Rubber Control Fund after the refund of the advances and the payment of the expenses, costs, and charges referred to in, or authorised by, sub-section (1) shall be applied for the furtherance and development of the rubber industry and to purposes connected therewith or incidental thereto in such manner as the State Council may by resolution from time to time determine.

(3) In this section, "International Rubber Regulation Committee" means the international committee constituted to represent this Island and the territories mentioned in section 43 for the purpose of regulating the production and export of rubber.

Estimates of
income and
expenditure.

49 (1) Within a period of four months reckoned from the date of the commencement of this Ordinance the Controller shall forward to the Executive Committee estimates of expenditure likely to be incurred in the administration of the Ordinance and of the income likely to accrue to the Rubber Control Fund for the period beginning on the first day of June, 1934, and ending on the thirty-first day of December of that year.

(2) The Controller shall forward to the Executive Committee not later than the fifteenth day of December in each year of control, similar estimates of income and expenditure for the next succeeding year of control.

(3) The estimates of income and expenditure forwarded to the Executive Committee under sub-section (2) shall at the first convenient opportunity be placed before the State Council for its approval.

Regulations.

50 (1) The Executive Committee may make regulations for the purpose of carrying out or giving effect to the principles and provisions of this Ordinance.

(2) In particular and without prejudice to the generality of the powers conferred by sub-section (1), the Executive Committee may make regulations for or in respect of all or any of the following matters :—

- (a) all matters stated or required in this Ordinance to be prescribed ;

- (b) the registers and books which shall be kept for the purposes of this Ordinance, the forms of such registers and books and the particulars to be entered therein ;
- (c) forms of all returns, notices, coupons, certificates, declarations, and documents required to be made, certified, issued, or used for the purposes of this Ordinance ;
- (d) the inspection of estates, small holdings, and licensed premises and the verification of proprietors' and dealers' stocks ;
- (e) the payment or recovery of fees or other charges ;
- (f) the determination of the quantity of latex, or of any other form of rubber other than dry rubber, which shall be deemed to be the equivalent of a stated quantity of dry rubber for any of the purposes of this Ordinance ;
- (g) the classification and grading of rubber for the purposes of section 39 ;
- (h) the division of the Island or any specified part thereof into planting districts ;
- (i) all matters incidental to or connected with the matters or subjects specifically referred to in this sub-section.

(3) Every regulation made by the Executive Committee under this section shall be published in the Gazette and shall come into operation upon such publication.

(4) Every regulation made by the Executive Committee shall be brought before the State Council as soon as may be after the publication thereof by a motion that such regulation shall be approved and, if so approved, shall be submitted to the Governor for ratification.

(5) Any regulation which the State Council refuses to approve or which the Governor refuses to ratify shall be deemed to be rescinded but without prejudice to the validity of anything previously done thereunder or to the making of any new regulation. The date on which a regulation shall be deemed to be so rescinded shall be the date on which the State Council refuses to approve, or the date on which the Governor refuses to ratify the regulation, as the case may be.

(6) Notification of the date on which any regulation made by the Executive Committee is deemed to be so rescinded shall be published in the Gazette.

(7) Any regulation made by the Executive Committee shall, when approved by the State Council and ratified by the Governor, be as valid and effectual as if it were herein enacted. Notification of such approval and ratification shall be published in the Gazette.

51 (1) Any person who—

- (a) commits a breach of any of the provisions of this Ordinance or of any regulation made thereunder, or
- (b) makes default in complying with any direction or requirement duly made under the powers conferred by this Ordinance, or
- (c) resists or obstructs any person in the performance of the duties imposed or in the exercise of the powers conferred upon him under this Ordinance, or
- (d) knowingly makes any false statement in any declaration or return made or furnished by him under this Ordinance or knowingly makes any false statement or explanation or supplies any false information when required to do so under this Ordinance ; or
- (e) knowingly uses or attempts to use any error in any book, register, certificate or document kept or issued under this Ordinance, or any incorrect entry in any such book, register, certificate or document, or in any return furnished to the Rubber Investigating Officer prior to the commencement of this Ordinance, for the purpose of creating or purporting to create a right to the issue of any coupon, provisional coupon or stock export coupon or any Certificate of Origin,

Offences and penalties.

shall be guilty of an offence and shall, on conviction after summary trial before a Police Magistrate, be liable to a fine not exceeding one thousand rupees, or to simple or rigorous imprisonment for a period not exceeding six months, or to both such fine and imprisonment.

(2) Upon conviction of any person for a contravention of the provisions of section 30 or of any proprietor or dealer for having in his possession or under his control stocks of rubber in excess of the quantity authorised under this Ordinance,

the Police Magistrate shall, in addition to any fine or other penalty which he may impose, order the confiscation of the rubber in respect of which the offence was committed. Rubber confiscated in pursuance of an order made under this subsection shall be disposed of or destroyed in such manner as may be prescribed.

(3) No prosecution for any offence under this Ordinance or any regulation made thereunder shall be instituted except with the written sanction of the Controller.

Right of inspection.

52 The Controller or any person authorised by him in writing may at any reasonable time during the day enter any estate, small holding or licensed premises for the purpose of inspection, or for the purpose of verifying stocks or any particulars furnished in any return made or information given to the Controller or to the Rubber Investigating Officer, or for the purpose of examining the books of accounts of any proprietor or dealer.

Protection of officers.

53 No action shall be instituted against the Controller or against the Advisory Board or any member thereof or against any Board of Appeal or any member of any such Board or against any other officer or person acting in compliance with any direction or requirement of the Controller or of the Advisory Board or of a Board of Appeal, to charge him, them or any of them in respect of any act which may have been done or which may have been left undone in good faith in pursuance or supposed pursuance of his or their powers or duties under this Ordinance.

Service of notices, &c.

54 All notices, orders, certificates, coupons, or other documents required or authorised by this Ordinance to be served on, delivered, or issued to a registered proprietor or dealer shall be deemed to have been duly served, delivered, or issued to such proprietor or dealer if they are delivered to or at the registered address of such proprietor or dealer, or forwarded by post by registered letter properly addressed with the registered address of such proprietor or dealer; and all such notices, orders and other documents for service on any person other than a registered proprietor or dealer shall be deemed to be served on him if delivered to or at the residence of such person.

Returns to be verified by statutory declaration.

55 (1) Every return required by this Ordinance or under the regulations made thereunder and any explanation or information required by the Controller to be furnished under this Ordinance shall, unless it is otherwise provided, be verified by a declaration that the statements contained therein are true and accurate.

(2) Every declaration made under this Ordinance shall be free from stamp duty.

Executive Committee empowered to give directions to mitigate hardship caused by failure to observe formalities.

56 If in the operation of this Ordinance any case shall arise in which, in the opinion of the Executive Committee, substantial hardship is likely to be caused to any person by reason of an unintentional failure on the part of such person to observe any formality prescribed by this Ordinance or by any regulations thereunder, the Executive Committee may give such directions as may be necessary to mitigate or prevent such hardship.

Prescribed certificate to be conclusive evidence of spuriousness of forged coupon.

57 (1) In any proceedings in which the genuineness of any coupon shall be in question, a certificate in the prescribed form, under the hand of an officer appointed by the Governor for that purpose, to the effect that such coupon is spurious on the ground that it does not contain the secret features characteristic of a genuine coupon of corresponding denomination, number, and date, shall be received in all courts of law as conclusive evidence of the spuriousness of such coupon.

(2) The officer appointed by the Governor shall not be examined or cross-examined with respect to any certificate issued by him under sub-section (1).

(3) In this section, coupon includes a provisional coupon.

Interpretation.

58 (1) In this Ordinance, unless the context otherwise requires—

“Advisory Board” means the Rubber Advisory Board established under section 9;

“Basic quota” means the basic quota fixed for that year by section 3;

“Board of Appeal” means a Board of Appeal established under section 11;

- “Ceylon quota of export”, used with reference to any period of control, means the maximum quantity of rubber which may be exported from the Island during that period, except as otherwise provided in this Ordinance ;
- “Controller” means the person appointed by the Governor to be or to act as Rubber Controller under section 7 and includes the Deputy Rubber Controller and an Assistant Rubber Controller ;
- “coupon” means a coupon issued under this Ordinance authorizing the export of rubber thereunder.
- “dealer” means a person licensed to deal in rubber under the Rubber Thefts Prevention Ordinance, 1908 ;
- “estate” means an area of land ten or more acres in extent on which rubber plants are grown for the purpose of collecting latex therefrom ;
- “Executive Committee” means the Executive Committee for Agriculture and Lands ;
- “exportable maximum”, used with reference to an estate or small holding for any period of control, means the portion of the Ceylon quota of export determined in respect of that estate or small holding for that period in accordance with the provisions of section 23 ;
- “immature area” means an area of land planted with rubber plants which are not fully mature ;
- “licensed premises” means the place where a licensed dealer is authorized to deal in rubber, and includes any place at which a licensed dealer is authorised to receive, store or sell rubber for the purposes of his business by endorsement made by the Government Agent upon the licence issued to him under the Rubber Thefts Ordinance, 1908 ;
- “net exports” used with reference to any period of time means the difference between the total imports of rubber into the Island during that period and the total exports of rubber out of the Island for the same period : provided that notwithstanding the definition of “rubber” in this Ordinance, imports or re-exports of articles and things manufactured wholly or partly of rubber and rubber consumed in the Island shall not be included in “net exports” ;
- “plant” includes a tree, shrub, or vine, or any part thereof ;
- “planting district” means one of the districts into which the Island or any part thereof is divided by regulations made under section 50 ;
- “prescribed” means prescribed by this Ordinance or by regulations made thereunder ;
- “proprietor” means the owner or lessee of an estate or small holding and includes any duly accredited agent of such owner or lessee and the person who for the time being is in charge of an estate or small holding ;
- “provisional coupon” means a coupon issued under section 26 authorising the export of rubber under this Ordinance ;
- “registered” means registered under this Ordinance ;
- “regulation” means a regulation made by the Executive Committee of Agriculture and Lands under this Ordinance ;
- “Rubber” includes—
- (a) rubber prepared from the leaves, bark or latex of any rubber plant, and the latex of any rubber plant, whether fluid or coagulated, in any stage of the treatment to which it is subject during the process of conversion into rubber, and latex in any state of concentration, and
 - (b) all articles and things manufactured wholly or partly of rubber ;
- “Rubber Investigating Officer” means the officer appointed by the Governor on the twelfth day of April, 1934, to make preliminary investigations in anticipation of the introduction of a system for the control of the production and export of rubber ;
- “rubber plant” means any one of the following plants :—
- (a) *Hevea Brasiliensis* (Para Rubber),
 - (b) *Manihot Glaziovii* (Ceara Rubber),
 - (c) *Castilloa elastica*,
 - (d) *Ficus elastica* (Rambong),

and includes any other plant which the Governor may by notification in the Gazette declare to be a rubber plant for the purposes of this Ordinance ;

“ small holding ” means an area of land less than ten acres in extent on which rubber plants are grown for the purpose of collecting latex therefrom ;

“ standard production ” used with reference to an estate or small holding means the amount of rubber determined under section 19 to be the standard production of that estate or small holding ;

“ stock ” includes rubber sold and held for shipment or delivery ;

“ year of control ” means any calendar year during the operation of this Ordinance or, in the case of the year 1934, the period beginning on the first day of June and ending on the thirty-first day of December of that year.

(2) Any reference in this Ordinance to a quantity of rubber expressed in tons shall be deemed to refer to that quantity in tons of 2,240 English pounds of dry rubber.

Expiration of Ordinance not to affect penalties, &c., previously incurred.

59 The expiration of this Ordinance shall not affect any penalty, forfeiture, or punishment previously incurred under this Ordinance or under any regulations, or affect any legal proceeding or remedy in respect of any such penalty, forfeiture, or punishment, and any such legal proceeding may be instituted, or continued, or enforced, and such penalty, forfeiture, or punishment may be imposed as if this Ordinance had not expired.

Passed in Council the Sixteenth day of May, One thousand Nine hundred and Thirty-four.

E. W. KANNANGARA,
Clerk of the Council.

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

C. C. WOOLLEY,
Secretary to the Governor.