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PART I.—General: Minutes, Proclamations, Appointments, and General Government Notifications.

PART II.—Legal and Judicial.

PART III.—Provincial Administration.

PART IV.—Marine and Mercantile.

PART V.—Municipal and Local.

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Part II.—Legal and Judicial.

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NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Kandy.

Order Nisi.

Testamentary Jurisdiction } In the Matter of the Estate of the late Demune Anne de Soysa Jayesekera Hamine, deceased, of Kandy. No. 2,258.

THIS matter coming on for disposal before John Henricus de Saram, Companion of the Most Distinguished Order of Saint Michael and Saint George, District Judge of Kandy, on the 1st day of December, 1902, in the presence of Messrs. Beven & Beven on the part of the petitioner James Chase of Queenwood estate, Lindula; and the affidavit of the said petitioner, dated 28th November, 1902, having been read:

It is ordered that the petitioner James Chase of Queenwood estate, Lindula, be and he is hereby declared entitled to letters of administration to the estate of the late Demune Anne de Soysa Jayesekera Hamine, deceased, of Kandy, unless—(1) Edward Chase, (2) Anne Chase, (3) Frederick Chase, (4) Richard Chase, and (5) Georgina Chase, by their guardian *ad litem* F. W. White of Ivy Cottage, Mahagastota in Nuwara Eliya, shall, on or before the 22nd day of December, 1902, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,
District Judge.

The 1st day of December, 1902.
719

In the District Court of Kandy.

Order Nisi.

Testamentary Jurisdiction } In the Matter of the Estate of the late James Christopher Molamure, deceased, of Gampola. No. 2,259.

THIS matter coming on for disposal before John Henricus de Saram, Companion of the Most Distinguished Order of Saint Michael and Saint George, District Judge of Kandy, on the 3rd day of December, 1902, in the presence of Mr. H. P. Borrett, Proctor, on the part of the petitioner Eknelligoda Molamure Kumarihamy of Ratnapura; and the affidavit of the said petitioner, dated 19th November, 1902, having been read:

It is ordered that the petitioner Eknelligoda Molamure Kumarihamy of Ratnapura be and she is hereby declared entitled to letters of administration to the estate of James Christopher Molamure, late of Gampola, deceased, as the widow of the said deceased, unless Rosaline Rambukpota Kumarihamy of Padiapelolla in Uda Hewaheta and Arthur Hamilton Eknelligoda Molamure of Ratnapura shall, on or before the 16th day of January, 1903, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,
District Judge.

The 3rd day of December, 1902.

In the District Court of Colombo.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Sayna Voona Nawanna Sathappa
No. 1,802 C. } Chetty.

THIS matter coming on for disposal before D. F. Browne, Esq., District Judge of Colombo, on the 3rd day of December, 1902, in the presence of Messrs. P. D. & T. D. Mack on the part of the petitioner Moona Narayanan Chetty; and the affidavit of the petitioner, dated 28th November, 1902 having been read: It is ordered that the aforesaid petitioner be declared entitled to have letters of administration to the estate of the deceased issued to him as attorney, and the same is hereby declared proved, unless any person interested shall, on or before the 18th day of December, 1902, show sufficient cause to the satisfaction of this court to the contrary.

D. F. BROWNE,
District Judge.

The 3rd day of December, 1902.

In the District Court of Jaffna.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Varathai, widow of Vairavy of Kodi-
No. 1,302. } kamam, deceased.

Changary Chellappan of Kodikamam..... Petitioner.

Vs.

1, Vairavi Ayampillay of Kodikamam; 2,
Vairavi Kanapathy of Kodikamam..... Respondents.

THIS matter of the petition of the above-named petitioner praying that letters of administration to the estate of the late Varathai, the above-named deceased, be granted to him, coming on for disposal on the 29th day of October, 1902, before W. R. B. Sanders, Esq., District Judge, in the presence of Mr. K. Sivapirakasam, Proctor for the petitioner; and on reading the affidavit of the petitioner, dated 28th October, 1902:

It is ordered that the petitioner, as son-in-law of the said intestate, be declared entitled to take out letters of administration to the estate of the said intestate, unless the respondents or any other person shall, on or before the 16th day of December, 1902, show sufficient reason to the satisfaction of this court to the contrary.

W. R. B. SANDERS,
District Judge.

This 29th day of October, 1902.

In the District Court of Galle.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Daudo Marcar Abdul Latiff, deceased,
No. 3,423. } of Galle.

THIS matter coming on for disposal before J. D. Mason, Esq., District Judge of Galle, on the 19th day of November, 1902, in the presence of Mr. Abeyratne, Proctor, on the part of the petitioner Mahammedo Raya Walidoo Umma of Galupiadda; and the affidavit of Mahammedo Raya Abdul Asis, dated the 7th July, 1902, having been read: It is ordered and declared that the petitioner Mahammedo Raya Walidoo Umma is widow of the above-named deceased Daudo Marcar Latiff, and that she is as such entitled to have letters of administration of the estate of the said deceased issued to her accordingly, unless the respondents,—(1) Kadija Umma, (2) Asia Umma, (3) Mariyath Umma, (4) Ahamedo, (5) Mahammedo Juneido, (6) Umma Habiboo, all of Galupiadda, (7) Meera Lebbe Daudo Marcar, (8) Pathu Muttu, both of Hirimbure, shall, on or before the 3rd day

of December, 1902, show sufficient cause to the satisfaction of this court to the contrary.

The 19th November, 1902. J. D. MASON,
District Judge.

This *Order Nisi* is extended to 13th January, 1903, for the purpose of publication of the same.

December 3, 1902. J. D. MASON,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary } In the Matter of the Estate of the
Jurisdiction. } late Don Bastian Pannilaratna Appu-
No. 1,351. } hamy, deceased, of Walgama.

THIS matter coming on for disposal before W. E. Thorpe, Esq., District Judge of Matara, on the 12th day of November, 1902, on the motion of Mr. C. A. Gunaratna on the part of the petitioner Don Hendrick Dias Pannilaratna of Walgama; and the affidavit of the said petitioner, dated 7th November, 1902, having been read: It is ordered that the said petitioner Don Hendrick Dias Pannilaratna, be and he is hereby declared entitled to have letters of administration to the estate of the deceased Don Bastian issued to him, as son of the deceased, unless the respondents—(1) Don Deonis Pannilaratna Appuhamy of Walgama, (2) Don Nicholas Pannilaratna Appuhamy of Walgama, (3) Dona Gimarah Pannilaratna Hamine of Naimbala, (4) D. S. Wimala Gunasekera, Registrar of Marriages of Naimbala, (5) Dona Sicilian Pannilaratna Hamine of Kitalagama, (6) Don Bastian Rajapaksa Yapa, Police Officer of Kitalagama—shall, on or before the 19th day of December, 1902, show sufficient cause to the satisfaction of this court to the contrary.

The 12th day of November, 1902. W. E. THORPE,
District Judge.

In the District Court of Puttalam.

Testamentary } In the Matter of the Intestate Estate
Jurisdiction. } of Nagur Meera Nachchia, widow of
No. 176. } the late Tamby Mudali Naina Moha-
 } mado Lebbe, late of Puttalam,
 } deceased.

Naina Mohamado Lebbe Ibrahim Naina
Marakar of Puttalam..... Petitioner.

Vs.

1, Naina Mohamado Lebbe Hamido Marakar;
2, Kochchi Umma, widow of Marakar
Naina (mother's mother); 3, Sella Umma,
wife of Mohamado Casim Marakar
(sister)..... Respondents.

THIS matter coming on for order before Baxandal Constantine, Esq., District Judge of Puttalam, on the 12th day of September, 1902, in the presence of the petitioner in person; and the petition and the affidavit of the petitioner, dated 10th day of September, 1902, having been read: It is ordered that the petitioner Naina Mohamado Lebbe Ibrahim Naina of Puttalam be and he is hereby appointed administrator of the estate of Nagur Meera Nachchia, widow of the late Tamby Mudali Naina Mohamado Lebbe of Puttalam deceased, and declared entitled to letters of administration, unless the respondents above-named or any other person interested shall, on or before the 16th day of December, 1902, show sufficient cause to the contrary.

This 12th September, 1902. B. CONSTANTINE,
District Judge.

In the District Court of Puttalam.

Testamentary } In the Matter of the Intestate Estate
Jurisdiction. } of Paddany Parikary Athampulle
No. 178. } Parikary, late of Nallandaluwe,
 } deceased.

THIS matter coming on for disposal before Geoffrey Montague Cookson, Esq., District Judge of Puttalam, on the 21st day of October, 1902, in the presence of

Mr. W. S. Strong, Proctor, on the part of the petitioner ; and the petitioner's affidavit, dated October 6, 1902, and petition dated October 20, 1902, having been duly read : It is ordered that the petitioner be and she is hereby declared entitled to letters of administration to the estate of Paddani Parikari Athampulle Parikari, unless the respondents or any other person shall, on or before the 12th day of November, 1902, show sufficient cause to the satisfaction of this court to the contrary.

G. COOKSON,
District Judge.

October 21, 1902.

The date for showing cause to the above *Order Nisi* is extended to 17th day of December, 1902.

By order of court,
C. B. PAULICKPULLE,
Secretary.

In the District Court of Puttalam.

Testamentary } In the Matter of the Intestate Estate
Jurisdiction. } of Seyadu Ibrahim Natchia, late of
No. 180. } Tely, deceased.

Between

Eleva Tamby Assa Naina Marikar of Tely.....Petitioner.

And

1, Ana Mohamado Siddick ; 2, Kelurukandu Nachia, both of Tely in Akkarai pattu.....Respondents.

THIS matter coming on for disposal before Geoffrey Montagu Cookson, Esq., District Judge of Puttalam, on the 7th day of November, 1902, in the presence of Mr. W. S. Strong, Proctor, on the part of the petitioner ; and his affidavit dated November 5, 1902, and petition dated the same day, having been duly read : It is ordered that the petitioner be and he is hereby declared entitled to letters of administration to the estate of Seyadu Ibrahim Nachia, late of Tely, deceased, unless the respondents or any other person shall, on or before the 1st day of December, 1902, show sufficient cause to the satisfaction of this court to the contrary.

G. COOKSON,
District Judge.

November 7, 1902.

The date for showing cause to the above *Order Nisi* is extended to 15th day of December, 1902.

By order of court,
C. B. PAULICKPULLE,
Secretary.

In the District Court of Puttalam.

Testamentary } In the Matter of the Intestate Estate
Jurisdiction. } of Mohamado Uduma Lebbe Marikar,
No. 181. } late of Kalpitiya, deceased.

Between

Mohamado Ali Marikar of KalpitiyaPetitioner.

And

Mainamma, widow of the aforesaid intestate, of Kalpitiya.....Respondent.

THIS matter coming on for disposal before Geoffrey Montagu Cookson, Esq., District Judge of Puttalam, on the 3rd day of November, 1902, in the presence of Mr. W. S. Strong, Proctor, on the part of the petitioner ; and the petitioner's affidavit, dated October 30, 1902, and petition dated November 3, 1902, having been duly read : It is ordered that the petitioner be and he is hereby declared entitled to letters of administration to the estate of Mohamado Uduma Lebbe Marikar, late of Kalpitiya, deceased, unless the respondent or any other person shall, on or before the 1st day of December, 1902,

show sufficient cause to the satisfaction of this court to the contrary.

G. COOKSON,
District Judge.

November, 3, 1902.

The date for showing cause to the above *Order Nisi* is extended to 15th day of December, 1902.

By order of court,
C. B. PAULICKPULLE,
Secretary.

In the District Court of Badulla.

Order Nisi.

Testamentary } In the Matter of the Intestate Estate
Jurisdiction. } of Senadira Kankanamalage Don
No. B 225. } Paulo Silva, deceased, of Naulla.

THIS matter coming on for disposal before R. N. Thaine, Esq., District Judge of Badulla, on the 8th day of November, 1902, in the presence of Mr. Stephen Perera, on the part of the petitioner Ranawaka Achige Richard de Alvis of Madampitiya ; and the affidavit of the said petitioner, dated 29th day of October, 1902, having been read :

It is ordered that the petitioner be declared entitled to have letters of administration to the estate of Senadira Kankanamalage Don Paulo Silva, issued to him, as his son-in-law, unless the respondents—1, Senadira Kankanamalage Don Bastian de Silva of Naulla ; 2, Senadira Kankanamalage Don William de Silva ; 3, Senadira Kankanamalage Dona Margida de Silva ; 4, Senadira Kankanamalage Don Marianu de Silva ; 5, Senadira Kankanamalage Dona Agida de Silva—shall, on or before the 20th day of December, 1902, show sufficient cause to the satisfaction of this court to the contrary.

R. N. THAINE,
District Judge.

The 8th day of November, 1902.

In the District Court of Badulla.

Order Nisi.

Testamentary } In the Matter of the Intestate Estate
Jurisdiction. } of the late Ulwita Jayasekara *alias*
No. B 221. } Bandaranayeka Mudiannelage Hin
Bandara of Ulwita, deceased.

THIS matter coming on for disposal before B. L. Potger, Esq., Acting District Judge of Badulla, on the 4th day of October, 1902, in the presence of the petitioner Palleperuve Dissanayeka Mudiannelage Ulwita Kumarihami of Ulwita in Kandukara korale ; and the affidavit of the said petitioner, dated 29th day of September, 1902, having been read :

It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Ulwita Jayasekara *alias* Bandaranayeka Mudiannelage Hin Bandara issued to the petitioner, as widow of the said deceased, unless the respondents—1, Ulwita Jayasekara Mudiannelage Samarakon of Ulwita Walawwa, a minor, by his guardian *ad litem* 2, Palleperuve Dissanayeka Mudiannelage Bandara of Palleperuva in Kumbalwelapalata ; 3, Ulwita Walawwa Jayasekara *alias* Bandaranayeka Mudiannelage Hin Kumarihami of Ulwita ; 4, Jayasekara Mudiannelage Hudu Banda ; 5, Jayasekara Mudiannelage Mutu Banda ; 6, Jayasekara Mudiannelage Punchi Banda, all of Kosgolla Walawwa in Kosgolla of Kandukara korale—shall, on or before the 29th day of November, 1902, show sufficient cause to the satisfaction of this court to the contrary.

B. L. POTGER,
Acting District Judge.

The 4th day of October, 1902.

The above *Oder Nisi* is extended to the 20th day of December, 1902.

R. N. THAINE,
District Judge.

November 29, 1902.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,074. In the matter of the insolvency of Bellanavidanelagey Don Charles Jayesinghe of Paiyagala.

WHEREAS Bellanavidanelagey Don Charles Jayesinghe has filed a declaration of insolvency, and a petition for the sequestration of the estate of the said Bellanavidanelagey Don Charles Jayesinghe has also been filed under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Bellanavidanelagey Don Charles Jayesinghe insolvent accordingly; and that two public sittings of the court, to wit, on December 18, 1902, and on January 8, 1903, 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,
GEO. VAN GUNSTER,
Colombo, December 4, 1902. for Secretary.

In the District Court of Kalutara.

No. 106. In the matter of the insolvency of Dodwell James Boyd de Fonseka of Kalutara.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on December 18, 1902, for proof of further claims.

By order of court,
WM. DE SILVA,
Kalutara, December 5, 1902. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

1, Philip Watson Braybrooke; 2, Frederick William Vane; and 3, James Douglas Lysaght, executors of the last will and testament of George Vane, deceased.....Plaintiffs.

No. 16,275 C. Vs.

1, Dandris de Silva Amaraguna Karunaratna of Kalutara; 2, Don Peter Coonghe of Negombo.....Defendants.

NOTICE is hereby given that on Wednesday, January 7, 1903, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property, specially and primarily mortgaged by the said defendants with the said plaintiffs by bond No. 2,463, dated the 16th day of January, 1899, and by the decree entered in the said action decreed to be sold, for the recovery of the sum of Rs. 5,174.43, with interest thereon at 9 per cent. per annum from March 7, 1902, till payment in full, and costs of suit Rs. 315.62, viz.:-

All those premises with the buildings thereon and bearing present assessment No. 51, Fourth Cross street in the Pettah of Colombo, comprising :-

(1) All that piece of ground situate and lying at Fourth Cross street aforesaid; bounded on the north and south by the house of Philippu Brito, on the east by the Government ground (now the other part), and on the west by the Fourth Cross street; containing in extent $8\frac{1}{16}$ square perches according to the survey thereof dated August 18, 1829, and authenticated by G. Schneider, Land Surveyor-General.

(2) All that piece of ground adjoining the above firstly described parcel of land; bounded on the north by the house of Johannes Janse, on the east by the dam now called and known as the Fifth Cross street, on the south by the house of D. J. Figera, and on the west by the other portion; containing in extent $9\frac{1}{16}$ square perches according to the plan or survey thereof dated October 12, 1840, and authenticated by F. B. Norris, Surveyor-General; and all the estate, right, title, and interest, claim, and demand of the said defendants, and each of them, in, to, upon, or out of the said property.

Fiscal's Office,
Colombo, December 10, 1902.

E. ONDATJE,
Deputy Fiscal.

In the District Court of Colombo.

Baron de Livera of Wellawatta, Colombo.....Plaintiff.

No. 16,444 C. Vs.

1, Mahadurage Elaris Perera Gunatilleke of Kalamulla in Kalutara; and 2, Hondamuni Paulis de Soya Gunawickrema Abayaseena of Alutmawata, Colombo.....Defendants.

NOTICE is hereby given that on Thursday, January 15, 1903, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the following property, decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 4,822.25, with further interest on Rs. 4,000 at 10 per cent. per annum from January 1, 1902, to May 9, 1902, and thereafter at 9 per cent. per annum until payment in full, and costs of suit, viz. :-

(a) All that house and ground bearing assessment No. 4, now No. 245, situated at Madampitiya road, within the Municipality of Colombo; bounded on the north by Madampitiya road, on the east by the property belonging to Mr. Charles Soysa, on the south by the house No. 3, now No. 244, and on the west by the property of Joseph Silva; containing in extent 30 perches as per survey thereof, No. 280, dated August 19, 1898, made by D. D. W. Samarakoon, Fiscal's Licensed Surveyor, and according to the the Fiscal's transfer No. 1111; dated August 30, 1898 and which said premises are the same and identical with the premises described in and held under the deed No. 2,797, dated January 3, 1886, and attested by J. M. Juan Perera of Colombo, Notary Public, and registered under title A 14/81, and described therein as all that western half part of the garden called Ambagahawatta, together with the tiled house standing thereon, situated and lying at Blomendahl, within the Municipality of Colombo; bounded on the north by the road leading from Mutwal to Nagalagam, on the east by the other half part of the same garden, on the south by the garden belonging to Ethige Juan Silva, and on the west by a footpath; containing in extent $39\frac{1}{2}$ perches, save and except therefrom the eastern one-third part sold and transferred to Don Charles de Soysa by deed No. 2,035 dated October 14, 1882.

(b) All that house and ground bearing assessment No. 278, now No. 90, situated at Alutmawata, within the Municipality of Colombo; and bounded on the north or

more accurately on the north-east by the property of Mr. Simon de Silva, Mudaliyar, on the east or more accurately on the south-east by the road, on the south or more accurately on the south-west by the property of Aron Anthony, and on the west or more accurately on the north-west by the property of Simon de Silva, Mudaliyar; containing in extent 2 roods and 3 perches as per survey thereof, No. 279, dated August 19, 1898, made by D. D. W. Samarakoon, Fiscal's Licensed Surveyor, and according to the Fiscal's transfer No. 1134 dated August 30, 1898; and which said premises are the same and identical with the premises described in and held under the deed No. 2,798, dated January 3, 1886, attested by J. M. Juan Perera of Colombo, Notary Public, and registered under title A 34/316, and described therein as all that part of a garden called Ambagahawatta, situated at Mutwal, within the gravets of Colombo; bounded on the north-east by the property of Congenial Aron Anthony, on the south-east by the road leading to to Vuystwyk, on the south-west by the property of Jagannias Taber, Juan Mendis, and Sadris Mendis, and on the north-west by the property of Adiris de Miranda; containing in extent 2 roods and $1\frac{7}{10}$ square perch; which said premises are respectively registered in A 277 $\frac{2}{77}$ at the Registrar of Lands Office, Colombo.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, December 10, 1902.

In the District Court of Colombo.

Vana Payna Peena Ana Runa Rawena Mana
Ramen Chetty of Sea street, Colombo Plaintiff.

No. 16,475 C. Vs.

Sayna Cassim Lebbe Marikar Mohamado
Lebbe Marikar, otherwise known as S. C. L.
M. Mohamado of Maliban street, Pettah,
Colombo..... Defendant.

NOTICE is hereby given that on Friday, January 9, 1903, at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property, mortgaged and decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 8,500, with further interest on Rs. 7,500 at 12 per cent. per annum from February 27, 1902, to May 30, 1902, and thereafter at 9 per cent. per annum until payment in full, and costs, viz.:—

All that garden called Madangahawatta, with the buildings standing thereon, situated between St. Michael's road and Mosque lane at Kollupitiya, within the Municipality of Colombo, bearing assessment Nos. 6 and 21; bounded on the north by a lane leading from the high road to a Moor mosque, on the east by a Moor burial ground, on the south by the garden of Siman de Silva, and on the west by the garden of Meera Kandupulle Mohamado Lebbe; containing in extent 35 perches and $1\frac{1}{10}$ of a square perch.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, December 10, 1902.

In the District Court of Colombo.

Seena Kana Ravanna Mana Rawanna Mana
Ramanathan Chetty of Sea street in
Colombo, now in India, by his attorney S. K.
R. M. R. M. Velleappa Chetty of Sea street in
Colombo..... Plaintiff.

No. 16,832 C. Vs.

1, M. Ramasamy; 2, Kamatchi and Pana
Meenatchi, all of Silversmith street in
Colombo..... Defendants.

NOTICE is hereby given that on Thursday, January 8, 1903, at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said first and second defendants in the following property, for the recovery of the sum of Rs. 477-50, with

further interest on Rs. 300 at 30 per cent. per annum from May 20, 1902, till August 22, 1902, and thereafter at 9 per cent. per annum till payment in full, and costs, viz.:—

The land and the buildings standing thereon bearing assessment Nos. 29 and 30, situated at Hulftsdorp lane or Silversmith lane, within the Municipality of Colombo; and bounded on the north-west by Silversmith lane or Hulftsdorp lane, on the north-east by the property of Muttu Karpen Chetty, on the south-east by the property formerly of Samsie Lebbe Marikar now of Siadoris Appu, and on the south-west by the property formerly of Arisi Marikar Mohamadu Lebbe Marikar, now of Seena Suppamanian Chetty; containing in extent 23 $\frac{3}{10}$ square perches more or less.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, December 10, 1902.

In the District Court of Colombo.

N. L. Silva..... Plaintiff.

No. 16,880. Vs.

L. D. Alaris..... Defendant.

NOTICE is hereby given that on Saturday, January 10, 1903, at 12 o'clock noon, 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. 600, with interest thereon at 9 per cent. per annum from May 30, 1902, till payment in full, and costs, viz.:—

All that allotment of land bearing No. 135, together with all the buildings, plantations, and trees thereon, situated at Wellawatta in the Palle pattu of Salpiti korale; bounded on the north by a road, on the east by a road, on the south by lot No. 136, and on the west by lot No. 134; containing in extent 3 square roods and 4 perches.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, December 10, 1902.

In the District Court of Colombo.

Wayna Soona Soona Pana Suppamanian
Chetty of Sea street, in Colombo..... Plaintiff.

No. 17,219 C. Vs.

1, Wadema Ana Moona Mohamado Mohideen of Gintupitiya street, Colombo; 2, Virasuria Anthony Rodrigo of Wattala; 3, Joseph Philip Rodrigo of Brassfounder street; 4, Wadenna Ana Moona Sintha Saibo of Gintupitiya street, Colombo..... Defendants.

NOTICE is hereby given that on Thursday, January 8, 1903, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said first defendant in the following property, for the recovery of the sum of Rs. 4,000, with interest thereon at 24 per cent. per annum from March 3, 1902, up to September 12, 1902, and thereafter at 9 per cent. per annum till payment in full, and costs, viz.:—

The unexpired term of the indenture of the lease No. 584, dated May 25, 1900, and attested by Mr. F. T. Staples, Notary Public of Colombo, for a term of full seven years commencing from July 1, 1902, of the following property, to wit:—

All those three in one annexed garden with the buildings thereon, now bearing assessment Nos. 45 and 46, formerly Nos. 44 and 45, situated and lying in Gintupitiya street, within the Municipality of Colombo; bounded on the north by Gintupitiya street, on the east by the garden of Gabriel Pulle, on the south by the garden of Dr. Ferdinands, and on the west by the garden of Ondatjie Pulle; containing in extent 29 perches and $1\frac{1}{10}$ of a perch.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, December 10, 1902.

In the Court of Requests of Colombo.

S. A. R. Suppramanian Chetty of Sea street,
Colombo.....Plaintiff.

No. 18,272. Vs.

1, T. Don David ; 2, W. J. Rodrigo ; 3, A. L.
Silva, all of St. Joseph's lane, Colombo.....Defendants.

NOTICE is hereby given that on Thursday, January 8, 1903, at 12.30 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said second defendant in the following property, for the recovery of the sum of Rs. 251.35, with legal interest on Rs. 240 from November 30, 1901, till payment in full, and costs of suit Rs. 35.25, viz. :—

The house No. 98, situated at St. Joseph's street, Colombo ; bounded on the north by the property of R. D. S. Wijeyaratna, on the east by the property of Fernando, on the south by the property of R. D. S. Wijeyaratna, and on the west by the high road ; containing in extent 15 square perches more or less.

E. ONDATJE,
Deputy Fiscal.
Fiscal's Office,
Colombo, December 10, 1902.

In the District Court of Negombo.

Sina Wena Sina Thana Narayanan Chetty
of Negombo.....Plaintiff.

No. 3,121. Vs.

1, Korale Arachchige Dona Lusi Hami ; 2,
Amarasinha Arachchigey Girigoris Silva
Appuhamy of Murutena ; and 3, Liyanage
Pedro Silva Appuhami of Kattuwa.....Defendants.

NOTICE is hereby given that on January 3, 1903, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the following property, specially hypothecated by bond No. 3,265, dated October 10, 1895, viz. :—

1. The lot bearing No. 46 of the land called Kapiwatta, situate at Bambukuliya in the Dunagaha pattu of the Alutkuru korale ; and bounded on the north by the lot bearing No. 45 of this land belonging to Alexander Perera ; on the east by the lot bearing No. 37 of this land, formerly of Don Martis, now belonging to Punchi Sinno Appu ; on the south by the lot bearing No. 47 of this land, formerly of Sawari Fernando, now belonging to Suse Fernando ; and on the west by the lot bearing No. 54 of this land, formerly of Abilino Martino Hamine, subsequently owned by Nuru Kunni Segu Mohammado, and at present belonging to his heirs ; containing in extent 2 acres more or less.

2. An undivided one-third share of the land called Gorakagahawatta *alias* Kongahawatta, situate at Murutena, in do. ; the entire land is bounded on the north by the land formerly of Abraham Martis Appuhami, now belonging to the said Amarasinha Arachchige Girigoris Silva Appuhami ; on the east by the land formerly of Amarasinha Arachchige Martelis Silva Annavi, now belonging to Elaris Darigo ; on the south by the cart road ; and on the west by the land formerly of Wattalaliyanage Valanti Appu, now belonging to Martelis Darigo and others ; containing in extent 1 acre more or less.

3. An undivided $\frac{1}{4}$ share of the paddy field called Maragahakumbura, situate at Udangawa, in do. ; which entire field is bounded on the north by the land of Karunayakaliyanage Juan Perera and others, on the east by the field of Costantinu Vedarala, on the south by the garden of Francisco Muppu and others, and on the west by the field of Sirimanna Arachchige Bilindahami and others ; containing in extent 6 bushels of paddy sowing more or less.

4. The two contiguous lands called Maragahawatta and Bogahawatta, situate at Murutena, in do. ; and bounded on the north by the garden formerly of Juan Perera and Christina Silva, now belonging to Girigoris Silva Appuhami ; on the east by the lands formerly of Lorensu Perera and Samuel Perera, now belonging to Girigoris Fernando, his brothers, and Amarasinha Arachchige Girigoris Silva Appuhami ; on the south by the

lands belonging to the heirs of Salman Darigo and the heirs of Pilisinda Martis, and also to Robert Rodrigo, Notary ; and on the west also by the land belonging to the said Girigoris Silva Appuhami ; containing in extent 2 acres more or less, and declared liable to be sold in satisfaction of the decree entered in the above case.

Amount to be levied Rs. 2,711.87 $\frac{1}{2}$, and interest on Rs. 2,000 at 14 per cent. per annum from April 10, 1898.

FRED. G. HEPPONSTALL,
Deputy Fiscal's Office,
Negombo, December 4, 1902. Deputy Fiscal.

In the District Court of Negombo.

S. T. K. N. S. Suppramanian Chetty of
Negombo.....Plaintiff.

No. 4,545. Vs.

Mehiduculasuriya Patabendige Domingo
Fernando of Negombo.....Defendant.

NOTICE is hereby given that on January 9, 1903, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

The boutique bearing assessment No. 147 with the ground attached thereto, situate at 1st Division, Hunupitiya, within the gravets of Negombo ; and bounded on the north by the land of M. Juan Fernando Rendarala, east by the land and boutique of Anthony Ambrose Croos Moraes, south by the Main street, and on the west by the remaining portion of this land of M. P. Bastian Fernando, which is in dispute with him and M. Diago Fernando ; in extent 10 perches more or less.

Amount to be levied Rs. 1,729.25, and interest on Rs. 1,300 at 21 per cent. per annum from April 27 to May 27, 1902, and thereafter at 9 per cent. per annum till payment in full.

FRED. G. HEPPONSTALL,
Deputy Fiscal's Office,
Negombo, December 10, 1902. Deputy Fiscal.

In the District Court of Negombo.

Warneculesuriya Anthony Fernando of 3rd
Division, Hunupitiya, in Negombo.....Plaintiff.

No. 4,597. Vs.

Hugo Policarp Fernando of Negombo.....Defendant.

NOTICE is hereby given that on January 10, 1903, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

1. The garden wherein the defendant resides and the buildings standing thereon, situate at the 1st Division, Udayartoppu, within the gravets of Negombo ; and bounded on the north by the high road, on the east by the land formerly belonging to the estate of Mehidukulesuriya Santiago Fernando and now belonging to the defendant, on the south by the land belonging to Kunna, and on the west by the land belonging to the heirs of Gabriel Croos ; containing in extent 2 roods more or less.

2. The garden called Madangahawatta and the buildings standing thereon, situate at the 4th Division, Tammitta, within the old gravets of Negombo ; and bounded on the north by the high road gading to Katuwapitiya, on the east by the lands belonging to Mehidukulasuriya Arachchige Juwan Fernando and others, on the south by the lands belonging to Manamudelige Don Elaris Appu and others, and on the west by the land belonging to Mehidukulasuriya Salmanguruge Marsal Fernando ; containing in extent 1 acre and 2 roods more or less.

Amount to be levied Rs. 4,767.50, and interest on Rs. 4,569.75 at 9 per cent. per annum from June 17, 1902.

FRED. G. HEPPONSTALL,
Deputy Fiscal's Office,
Negombo, December 10, 1902. Deputy Fiscal.

In the District Court of Negombo.

Veeyanna Rana Pana Lana Kana Nana
Veerappa Chetty of Negombo.....Plaintiff.
No. 4,600. Vs.

Mehidukulesuria Patabendige Anthony
Domingo Fernando of 1st Division,
Hunupitiya, in Negombo.....Defendant.

NOTICE is hereby given that on January 5, 1903, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property, specially hypothecated by bond No. 1,971, dated October 5, 1900, to wit:—

1. The land called Medakele *alias* Miriswatta, situate at Kandawala in the Dunagaha pattu of Alutkuru korale; and bounded on the north by the land called Batapathela, on the east by the land belonging to Domingo Fernando, on the south by the old and new road of 24 ft. wide leading from Negombo to Halpe, and on the west by a road of 20 ft. wide; containing in extent 25 acres 1 rood and 11 square perches more or less.

2. The undivided $\frac{1}{10}$ shares from the part of the garden called Delgahawatta and from the buildings standing thereon, situate at the 1st Division of Hunupitiya, within the gravets of Negombo; bounded on the north by the lands of Hugo Silva and Francisco Fernando Rendarala, on the east by the land of Francisco Fernando Rendarala, on the south by the high road, and on the west by the land of Hugo Silva; containing in extent 2 roods more or less; and declared liable to be sold in satisfaction of the decree entered in the above case.

Amount to be levied Rs. 6,025.53, and interest on Rs. 5,000 at 14 per cent. per annum from June 6 to September 3, 1902, and thereafter at 9 per cent.

FRED. G. HEPPONSTALL,
Deputy Fiscal's Office, Deputy Fiscal.
Negombo, December 4, 1902.

In the District Court of Colombo.

S. T. A. L. Adicappa Chetty of Sea street
in Colombo.....Plaintiff.
No. 16,159. Vs.

L. John Perera of Molligoda, Wadduwa.....Defendant.

NOTICE is hereby given that on Monday, January 12, 1903, at 11 o'clock in the forenoon, will be sold by public auction at Nanduwa the right, title, and interest of the said defendant, for the recovery of Rs. 1,201.23, with interest thereon at 9 per cent. per annum from July 22, 1901, till payment in full, and costs of suit, minus Rs. 88.12, the following property, to wit:—

All that field called Manarihentuduwwewa, situate at Nanduwa Waskadubadda, Panadure totamune, in the District of Kalutara; and bounded on the east by the land called Mahakelaypaule and Nanduwwewa, on the south by the land called Landagedoowe, on the west by the lands called Galalangedeniya and Manarihentuduwwewa, and on the north by the land called Alubopaulakumbura and Neketigeywatta; containing in extent 28 acres more or less.

The sale will be held on the land itself.

Deputy Fiscal's Office, CHAS. D. VIGORS,
Kalutara, December 10, 1902. Deputy Fiscal.

In the District Court of Colombo.

Isabella Silva of Belles Ruhe, Kollupitiya
in Colombo, as executrix of the last will
and testament of Nanayakkarage Don
Paules de Silva, deceased... Plaintiff.
No. 16,491. Vs.

Eliza Emalia de Fonseka of Kalutara,
widow and executrix and sole heiress of
Simon Reynold de Fonseka of Kalutara,
deceased.....Defendant.

NOTICE is hereby given that on Saturday, January 17, 1903, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property, mortgaged with the plaintiff by bond No. 4,199, dated July 18, 1898, and declared bound and

executable for the decree in this case, for the recovery of Rs. 8,733.33, with interest on Rs. 8,527.56 at 9 per cent. per annum from February 20, 1902, till payment in full, and Rs. 192.50 costs of suit, to wit:—

1. All that portion of the garden called Tottawatta, situate at Welapura Kalutara, in extent 1 rood and 2 perches; and bounded on the north and north-east by a portion of the same land belonging to J. H. C. Abayakoon, Muhandiram; south and south-east by the field called Timbirigahawela, the property of Simon Reynold de Fonseka; and west by a portion of Totawatta, the property of Mr. Simon Reynold Fonseka.

2. An allotment of land called Totawatta, situate in the town of Kalutara; bounded on the north by the land claimed by J. H. C. Abeyakoon, Muhandiram, north-east by land claimed by P. Joseph Fernando, on the south-east by land purchased by Mr. S. R. de Fonseka, south by land claimed by Mr. F. P. Scharenguivel, and on the west by the road; containing in extent 2 roods and 39 perches.

3. All that northern and southern portions of Timbirigahawela, situate at Welapura Kalutara; bounded on the north by the property of S. R. Fonseka, Proctor, and the portion of Totawatta belonging to the estate of the late J. C. Abayakoon, Muhandiram, east by the portion of Timbirigahawela belonging to Pedividanelage Singa Fernando and Doowewatta, south by Doowewatta occupied by F. P. Scharenguivel, and on the west by the high road, excluding therefrom $\frac{1}{2}$ of the said southern portion; containing in extent 2 acres and 35 perches.

4. All that undivided $\frac{1}{2}$ of Timbirigahawela, situated at Welapura Kalutara; bounded on the north by Totawatta occupied by S. R. Fonseka, Proctor, and Totawatta belonging to Abayakoon, Muhandiram, east by Doowewatta, Kurunduwwatta, and Pelawatta; south, by land occupied by F. P. Scharenguivel, and west by Komponnewela and high road.

5. All that undivided $\frac{1}{2}$ of Timbirigahawela at do; bounded on the north by Totawatta, east and south by Doowewatta, and on the west by the high road and Komponnewatta.

The described five allotments of land adjoining each other, now forming one property, and described as follows:—All those five contiguous allotments of land called Totawatta and Timbirigahawela, with the buildings standing thereon, situated in the town of Kalutara in the District of Kalutara; bounded on the north by the property of the late Mr. J. H. C. Abayakoon, Muhandiram, and P. Joseph Fernando, east by the property of Pedividanelage Singa Fernando, Doowewatta, Kurunduwwatta, and Pelawatta, south by the property of the late F. P. Scharenguivel, and on the west by the high road; containing in extent 3 acres and 14 perches, together with all the buildings, plantations, easements, and appurtenances there-to belonging, or in any wise appertaining, or usually held, occupied, used, or enjoyed therewith, or reputed to belong, or be appertinent thereto, and together with all the right, title, interest, and claim whatsoever of the said defendant, in, to, upon, or out of the said several premises mortgaged by the defendant be sold by the Fiscal, and the proceeds applied in and towards the payment of the said amount, interest, and costs.

Deputy Fiscal's Office,
Kalutara, December 9, 1902.

CHAS. D. VIGORS,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Kana Runa Rawanna Mana Muna Nawanna
Nagappa Chetty of No. 12, Trincomalee
street, Kandy... Plaintiff.
No. 15,336. Vs.

Ana Runa Lena Ana Runa Ramasamy Chetty
of Thewacotte in Madurazellah in India,
represented in Ceylon by his attorney Kuna
Pana Seu Woonna Sinniah Chetty of No. 14,
Trincomalee street in Kandy..... Defendant.

NOTICE is hereby given that on January 5, 1903, commencing at 12 o'clock noon, will be sold by

public auction at the premises the right, title, and interest of the defendant in and to the following lands, viz. :—

All that estate called and known as Atheletchimy estate, situate at Agalawatta in Kohonsia pattu of Matale south; containing in extent 29 acres 1 rood and 21 perches; and bounded on the east by the garden said to belong to Paramakurusamy, garden claimed by Carupana Kangany, jungle claimed by Awnoy, and garden claimed by Avilther; south by the garden claimed by Mather; on the west by the garden claimed by Maideen, the estate claimed by Galagoda Ratemahatmaya, Thamaravallie estate; and on the north by jungle claimed by Aluvihare Ratemahatmaya, with the buildings, plantations, and everything thereon, which said estate form part and parcel of that estate formerly known as Agalawatta estate, made up and comprising the following :—

1. The garden called Kongahumulawatta *alias* Manikagewatta, situate at Agalawatta aforesaid, of 12 seers of kurakkan sowing extent; bounded on the east, south, west, and north by coffee garden of Ana Runa Lana Pettache Chetty.

2. All that old coffee estate called Karupegeewatta, situate at Agalawatta aforesaid; and bounded on the east by fence of the garden of Kuppen Chetty Rajakaruma Alim and Wattuwa, on the south by the fence of the garden of Manika Duraya and Ranhami, on the west by the limit of the chenas of Pakya and Kawrala and the boundary of the coffee estate of Mr. Viner and on the north by the limit of the village Aluvihare; containing in extent about 60 acres, with the exception of Kongahumulahena belonging to the said Adakken's son Sinna Karuppan and Pana Karuppa.

3. An undivided one-half share of Kirimadawatta of 12 nelies of kurakkan sowing extent, situate at Agalawatta; bounded on the east and north by the fence of the Chetty's land, on the south and west by the fence on the garden belonging to Komala and Mutuwa; containing in extent 1 acre 2 roods and 38 perches.

4. The middle one-third share of Garamada and Kosgahumulahena of about three nelies of kurakkan sowing extent, situate at Harasgama in Kohonsia pattu of Matale; bounded on the east by the fence of the portion allotted to the Chetty, on the south by the fence on the limit of Sena Kattandia's garden, on the west by the limit of the portion of this land allotted to Kawrala, and on the north by Mala-ela, save and except therefrom the trees in Kosgaha and Dambatagaha.

5. An undivided one-sixth share of Kirimadawatta of 12 nelies of kurakkan sowing extent, situate at Agalawatta aforesaid; bounded on the east and north by the limit of the Chetty's land or garden, on the south by Demale Elagolle and the fence of the garden belonging to Kawrala and Mutuwa, and on the west by the fence of the garden belonging to Kawrala and Mutuwa.

6. The eastern half share of Namtilhena of about one nali of kurakkan sowing extent, situate at Agalawatta aforesaid; bounded on the east by the fence of Kirimadawatta *alias* Chetty's garden, on the south by the limit of Komala's garden, on the west by limit of Dikkena, and on the north by Andaosgahumulahena and Chetty's land.

7. An undivided one-third share of the gardens Etambagahumulawatta and Kosgahumulahena of about five lahas of kurakkan sowing extent in the whole, situate at Agalawatta aforesaid; bounded on the east by the garden of Pitachy Chetty, south by the garden of Hattandia and Menika, on the west by the limit of the garden of Mr. Viner, and on the north by the fence of the garden of Komala and Menika.

Amount of writ, Rs. 4,293-40½ and interest.

R. A. G. FESTING,
Deputy Fiscal.

Fiscal's Office,
Kandy, December 10, 1902

Southern Province.

In the District Court of Colombo.

Henry Joseph Fernando of Moratuwa.....Plaintiff.
No. 11,314 C. Vs.

Helambage Don Hendrick Appuhami and
another, both of Bentota.....Defendants.

NOTICE is hereby given that on Saturday, January 17, 1903, commencing at 9 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

1. One-sixth part of Gardiyeyaya, in extent 30 pelas of paddy, situate at Dopaperuwa in Bentota.

2. One-sixth of one-sixth of Handiranyaya and Kalukadolgahayaya adjoining each other, and containing in extent 48 pelas of paddy, at ditto.

3. One-sixth of one-fifteenth of Punchi Weerasekerayakerewa, in extent 10 pelas of paddy, at ditto.

4. One-sixth part of Goibima called Puchigalwella and Mahagalwella adjoining each other, and containing in extent 2 pelas of paddy, at ditto.

5. One-sixth of one-third of all the soil and fruit trees of the land called Wannigewatta, in extent about 1½ acre 2 roods, at Horanduwa in ditto.

6. One-sixth part of Muttettuwa, in extent 4 pelas of paddy, at Godawela in ditto.

7. All the soil and fruit trees of Punchi Bogahawatta, in extent of about half an acre, at ditto.

8. One-twelfth part of all the soil and fruit trees of Mahatnigewatta, in extent 3 acres, at Dope.

9. Half part of the planter's half share of second plantation and one-sixth of one-fourth of all the remaining fruit trees and soil of Kankanigewatta, at ditto.

10. Half and one-twelfth of all the trees and soil of Kottegewatta, in extent of about 2 acres, at ditto.

11. One-sixth part of the soil and of the remaining trees, exclusive of the planter's half share of the second plantation, of Patiragewattapitakattiya, in extent of about 1 acre, at ditto.

12. Half part of the planter's share and one-sixth of one-fourth of the soil and soil share trees of Kongahaliyadda, in extent about 1 pela of paddy, at ditto.

13. Half part of the planter's share of the adjoining lands Digankanatiya, Munamalgahaliyadda, and Berawainneliyadda, in extent 2 pelas of paddy, at ditto.

14. One-eighth part of all the trees and soil of the eastern portion whereon Bunjappu resided of the garden called Kottegewatta, of about 2 acres in extent, at ditto.

15. One-twelfth part of one-third of the remaining fruit trees and soil, exclusive of the planter's half share, of Gomatayawatta, of about 4 acres in extent, at ditto.

16. One-sixth of half of three-fourths of all the soil and fruit trees of Danketiyemillagahawatta *alias* Kotabagewatta, in extent 9 acres 2 roods, at Dedduwa in Bentota.

Writ amount Rs. 1,244-93, with interest thereon at 9 per cent. from May 11, 1898, till payment and costs.

Fiscal's Office, C. T. LEEBRUGGEN,
Galle, December 2, 1902. Deputy Fiscal.

In the Court of Requests of Galle.

Don Elias Amarasiri Jahasinha, Mudaliyar,
of Nagoda.....Plaintiff.

No. 2,378. Vs.

Peththabandi Hingoris de Silva and others,
all of Balapitiya.....Defendants

NOTICE is hereby given that on Saturday, January 10, 1903, at 12 o'clock noon, will be sold by public auction at this office the right, title, and interest of the said defendants in the following property, viz. :—

Lease of cinnamon plantation on 28 acres of Meeyagamekandekele at Yatalamatta from the date of sale up to June 1, 1908.

Writ amount Rs. 229-50, with interest thereon at 9 per cent. per annum.

Fiscal's Office, C. T. LEEBRUGGEN,
Galle, December 6, 1902. Deputy Fiscal.

In the District Court of Negombo.

Suna Pana Kana Ana Suna Pana Lana Supra-
mani Chetty of NegomboPlaintiff.
No. 4,382. Vs.

Amadoru Wiraratna Nandiyas Jayasuriya of
Negombo, now of Tangalla.....Defendant.

NOTICE is hereby given that on Saturday, January 10, 1903, at 12 noon, will be sold by public auction at the spot the following property specially mortgaged with the plaintiff, for the recovery of Rs. 2,040.34, with interest on Rs. 292.50 at 18 per cent. per annum and on Rs. 1,000 at 15 per cent. per annum from December 1, 1901, and costs Rs. 165.37 :—

An undivided one-third share of the paddy called Amadorumadawinna (excluding therefrom two bags of paddy sowing extent), situated at Welipatanwila in Giruwa pattu in the District of Tangalla; and bounded on the north by Siyambalagahalandekarametiya, on the east by Belimedilla (range of beli trees), south by Madaode, and west by Ratneherabedda (Crown jungle); containing 16 amunams of paddy sowing extent.

J. A. DUNUWILLE,
Deputy Fiscal.
Deputy Fiscal's Office,
Tangalla, December 3, 1902.

North-Western Province.

In the District Court of Puttalam.

John Henry Perera, Mudaliyar, of Puttalam.....Plaintiff.
No. 1,448. Vs.

Winton Brito Paulickpulle of Puttalam.....Defendant.

NOTICE is hereby given that on Monday, January 5, 1903, at 1 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. :—

A tiled house and premises called Veduvalavukani, situate at Chetty street in Puttalam town; and bounded on the north by the partition fence of the garden called Taika Umma Pallivasal and burial ground, east by Chetty street, south by lane, and on the west by the partition fence of the garden belonging to Tamby Mudali Seka Markar, with the buildings, coconut trees, and other things contained within the said boundaries.

Amount to be realized Rs. 774.04, and interest on Rs. 400 at 1½ per cent. from October 22, 1900.

G. COOKSON,
Deputy Fiscal.
Fiscal's Office,
Puttalam, December 8, 1902.

In the District Court of Negombo.

Mania Chena Kadiravelan Chetty, by his
attorney M. C. Vellasamy Pulle of Ne-
gombo.....Plaintiff.
No. 4,457. Vs.

Jalatpedige Lapaya of Hattiniya.....Defendant.

NOTICE is hereby given that on Thursday, January 8, 1903, commencing at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

1. The garden called Kohombagahawatta, with the buildings standing thereon, of about 1½ acre in extent, situate at Hattiniya in Yatakalan pattu, Chilaw District.

2. The land called Kohombagahaidama of about 1 acre in extent, situate at Hattiniya aforesaid.

3. One-third share of the thirty coconut trees plantable extent from one-tenth share towards the eastern side of the garden called Kohombagahawatta of 4 acres in extent, situate at Hattiniya.

4. The two-third shares of the first half share of fifty coconut trees plantable extent from the western side of the garden called Bombigahawatta of 2 acres and 3 roods in extent, situate at Hattiniya.

5. One-fourth share and the six coconut trees of the garden called Maragahawatta of about 1 acre in extent, situate at Hattiniya.

Amount recoverable, Rs. 3,665.62 and poundage.

H. R. FREEMAN,
Deputy Fiscal.
Deputy Fiscal's Office,
Chilaw, December 9, 1902.

In the District Court of Negombo.

R. M. L. Supramanian Chetty of NegomboPlaintiff.
No. 4,553. Vs.

Warnaculasuriya Peduru Fernando and
another of Nainamadama Defendants.

NOTICE is hereby given that on Thursday, January 8, 1903, commencing 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, viz. :—

Undivided half share of Talgahawatta of 100 coconut trees plantable extent, situate at Nainamadama in Kammal pattu, Chilaw District; bounded on the north by garden of Rowel Fernando and others, on the east by garden of Salaman Kurera, south by garden of Gustina Kurera and others, west by land formerly of Simon Fernando and presently of Davidu Fernando.

Undivided ¼ shares of land called Mirisgahayaya-kongahagodabinkebella of 2 acres in extent, situate at Vennappuwa in Kammal pattu aforesaid; bounded on the north by garden of Santiago Fernando and others, east by land of the heirs of Gregoris Fernando, south by land of Michael Abilinu Fernando, west by land of Don Jusey Appu.

¼ shares of land called Mirisgahayayetalgahawatta of about 2 acres in extent, situate at Vennappuwa; bounded on the north by garden of Anthony Croos, east by road, south by land of Estaky Fernando, west by fence of land of Paulu Lowe and others.

Amount recoverable Rs. 1,284.12, with interest on Rs. 1,000 at 18½ cents on every ten rupees per month from May 18, 1902, till July 15, 1902, and thereafter at 9 per cent. per annum on the aggregate sum and poundage.

H. R. FREEMAN,
Deputy Fiscal.
Deputy Fiscal's Office,
Chilaw, December 5, 1902.

In the District Court of Negombo.

R. M. L. Kailasam Chetty, by his attorney
Supramanian Chetty, Negombo.....Plaintiff.
No. 4,554. Vs.

Mary Elizabeth Fernando of Chilaw, adminis-
tratrix of the estate of the late M. L. E.
Tissera.....Defendant.

NOTICE is hereby given that on Wednesday, January 7, 1902, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said estate in the following property, viz. :—

One-eighth share of the land called Tabbowamukalana, situated at Tabbowa and Kachchirawe in Medapalata, Chilaw District; the entire land is bounded on the north by the other portion of this land of J. Don Abilinu Appuhamy and W. Gordianu Perera Annavirala, north-east by land said to belong to the Crown, south and south-west by Tabbowa canal, land said to belong to the Crown, and a road, west by land said to belong to the Crown and by a road; containing in extent 85 acres.

Amount recoverable Rs. 922.13, with interest on Rs. 700 at 18 per cent. per annum from April 28, 1902, till July 15, 1902, and thereafter at 9 per cent. per annum and poundage.

E. LAWSON KOCH,
Deputy Fiscal.
Deputy Fiscal's Office,
Chilaw, December 5, 1902.

DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Panwila by a labourer of Eriagastenne estate, Wattagama, against the proprietor thereof, under the Ordinance No. 13 of 1889, for the recovery of his wages amounting to Rs. 96.

C. RASANAYAGAM,
Chief Clerk.

This 9th day of December, 1902.

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to consolidate and amend the Law relating to-Buddhist Temporalities in this Island.

Preamble.

WHEREAS it is expedient to amend and consolidate the law relating to the regulation and management of the Buddhist Temporalities in this island : Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

CHAPTER I.

Preliminary.

Short title.
Commencement.

1 This Ordinance may be cited for all purposes as "The Buddhist Temporalities Ordinance, 1902," and it shall come into operation at such time as the Governor shall appoint, by Proclamation to be published in the *Government Gazette*, and only in such districts and sub-districts as hereinafter provided.

Interpretation clause.

2 In this Ordinance, unless the context otherwise requires—

Temple.

"Temple" shall mean vihare and dewale, and shall include the Dalada Maligawa.

Incumbent.

"Incumbent" shall mean the chief resident priest of a vihare.

Paraveni panguwa.

"Paraveni panguwa" shall mean an allotment of land held by one or more hereditary tenants subject to the performance of service or rendering of dues to a temple.

Maruveni panguwa.

"Maruveni panguwa" shall mean an allotment of land held by one or more tenants-at-will under a temple, and subject to the performance of service or rendering of dues to a temple.

Trustee.

"Trustee" shall include the trustees, or a majority of trustees, elected in terms of section 17, and when more than one trustee is elected under that section, the majority of trustees so elected may have and exercise all or any of the powers, and may perform all or any of the duties, vested in a trustee under this Ordinance.

Governor in Executive Council may exempt any temple from the operation of certain sections of the Ordinance.

3 The Governor may, with the advice of the Executive Council, upon the application of the district committees of the district in which any temple is situate, exempt such temple from the operation of chapter III., sections 17 to 30, of this Ordinance, and with the like advice any such Proclamation revoke.

Division of the island into provinces, districts, and sub-districts.

4 For the purposes of this Ordinance, it shall be lawful for the Governor, with the advice of the Executive Council, by Proclamation to be by him issued and published in the *Government Gazette*, to establish so many districts as to him may appear expedient, and to divide such districts into sub-districts, and to declare which of such districts shall be deemed to be the principal district, and with the like advice and in like manner to alter and vary the number and limits of any such districts, or sub-districts.

CHAPTER II.

District Committees.

District committees.

5 There shall be in each such district a committee to be called "the district committee," to which each of the sub-districts comprised within such district shall return one member, who shall be elected in manner hereinafter provided, and shall hold office for a period of five years and shall be eligible for re-election.

Mode of summoning public meeting for election of district committees.

6 The chief headman of the sub-district, if he is a Buddhist, and, if he is not, then the chief headman of the nearest sub-district who is a Buddhist, shall, as soon as convenient after the coming into operation of this Ordinance, summon a public meeting to be held at a time and place to be determined by him. He shall also, thirty days at least before the time so determined, cause a written notice of such meeting in the Sinhalese language to be affixed to some conspicuous part of each temple within the sub-district, and shall also give due publicity to such notice, by beat of tom-tom or otherwise, on three consecutive days before the day fixed for the meeting.

Qualifications of voters.

7 Every Buddhist priest who shall have been resident within such sub-district for a period of six months or upwards, and every male householder above the age of twenty-one years, and professing the Buddhist religion, within such sub-district, shall be entitled to vote.

Qualifications of candidates for election.

8 In order to be qualified to be elected to serve as a member of the district committee, a person must—

- (a) Be a Buddhist layman ;
- (b) Have been the occupier of a house within the district either as owner or tenant for one year previously to the date of his election ;
- (c) Have completed his twenty-fifth year ;
- (d) Not have been convicted of any infamous crime ;
- (e) Not be a paraveni or maruveni tenant of a temple.

Procedure at election meeting.

9 The headman who shall have summoned the meeting shall either himself preside thereat or appoint by writing under his hand some fit and proper person so to preside. Every person entitled to vote shall personally attend at the time and place appointed, and declare to the president the name of the candidate for whom he votes. The president shall enter the names of the voters for the several candidates in lists to be by him kept for that purpose, and shall at the close of the election publicly declare the name of the candidate for whom the greatest number of votes shall have been recorded, who shall thereupon be deemed to be duly elected, and shall grant to such candidate a certificate under his hand of such his election. In case of an equality of votes between two or more candidates, the president shall have a casting vote.

Mode of filling up vacancies.

10 Casual vacancies in the number of members of district committees shall be filled by election according to the procedure laid down in section 9 for the election of original members. Such election shall be held within three months of the occurrence of the vacancy.

Questions as to right of voters and candidates to be decided by president.

11 If at any election meeting any question shall arise as to the right of any person to offer himself as a candidate, or as to the right of any person to vote for any candidate, the president shall then and there make such inquiry as he may deem requisite, and decide the question himself, and his decision shall be final and conclusive.

District committees to select their own president and to make rules.

12 The district committee elected in manner aforesaid shall select one of their number to be president of such committee, and shall make rules for the following purposes :

Purposes for which rules may be made defined.

- (a) For determining the quorum necessary for the transaction of business ;
- (b) For regulating the time and place of their meetings and the conduct and record of their proceedings ;
- (c) For prescribing the form in which all accounts, statements, and returns incidental to their business and that of the trustees shall be kept : Provided that if any district court shall, under section 25, prescribe the form in which the accounts of the trustees shall be kept, such form and no other shall be adopted ;
- (d) For regulating the management of temple schools ;
- (e) For assessing the proportion in which each temple within the district shall contribute a share of the cost of carrying out the provisions of this Ordinance ;
- (f) For every purpose necessary to the due exercise of their powers and the performance of their duties under this Ordinance.

Rules to be published in the *Government Gazette*.

13 Such rules shall be submitted to the Governor in Executive Council for approval, and when approved shall be published in the *Government Gazette*, and shall thereupon become as legal, valid, and effectual as if the same had been inserted herein, and shall be binding upon and be observed by all parties subject to their operation, and all courts, judges, and magistrates shall take judicial notice thereof.

District committee to prepare a register containing certain specified particulars.

14 It shall be the duty of the district committee to ascertain and record in a book to be by them kept for that purpose—

- (a) The name and situation of each temple within the district ;
- (b) The name of the trustee of such temple under this Ordinance ;
- (c) The average annual income for the preceding three years of the offerings made to such temple ;
- (d) The nature, extent, and value of the paraveni and maruveni pangus belonging to such temple ;
- (e) The nature, extent, and value of other lands belonging to such temple, whether held under lease or otherwise ;
- (f) The average annual value at the time of the inquiry of the rents, issues, and profits, other than services actually received by such temple from its lands ; and also the average annual income which the temple would receive from the lands subject to the performance of services to such temple, if such services were commuted ;
- (g) The extent and boundaries of the land required to be reserved for the precincts of each temple, having regard to the convenience of the priesthood and the due performance of religious ceremonies.

Appointment of a commissioner.

15 It shall be lawful for the Governor to appoint one or more competent persons to be a commissioner or commissioners for the purpose of assisting any of the committees elected under this Ordinance in discharging their duties, and the Governor may invest any such commissioner with all or any of the powers defined in Ordinance No. 9 of 1872.

District committee may suspend trustee guilty of negligence or misconduct.

Commissioner may dismiss trustee.
Proviso.

16 The district committee shall, whenever it shall be made apparent to them by evidence, which they shall duly record, that any trustee has been guilty of gross negligence or misconduct, suspend such trustee, and forthwith report such suspension, and transmit such evidence to the commissioner, who shall have power to dismiss such trustee and cause another to be elected in his stead in manner provided in section 17. Provided always that in case no commissioner shall have been appointed under section 15, the district committee may dismiss such trustee and cause another to be elected in his place. The decision of the commissioner or of the district committee, as the case may be, in regard to such dismissal shall be final and conclusive. Provided always that before such suspension or dismissal the trustee who shall be suspended or dismissed shall be called upon to answer specific charges which shall be formulated against him, and be allowed an opportunity of defending himself.

CHAPTER III.

Trustees.

Trustees for temples to be elected.

17 For every temple, subject to the provisions of this chapter, there shall be one or three trustees, who shall be elected for a term of three years by a majority of the voters resident in the sub-district in which the temple is situated, at a meeting held by the district committee specially for that purpose, and shall be eligible for re-election.

Every such trustee shall give such security and shall receive such remuneration as may be determined by the district committee.

No person, however, who does not possess the qualifications described in section 8 shall be competent either to be elected or to serve as a trustee.

Proviso.

Provided that the principal lay officer of a dewale who has hitherto been styled or called by the title of basnayaka nilame shall continue to hold that title; and the basnayaka nilame now holding office shall be entitled to act as trustee of such dewale for the purposes of this Ordinance, and shall continue to act as such until and unless he retires, or is suspended or dismissed under section 16. In the event of the death, dismissal, retirement, or suspension of a basnayaka nilame of a dewale, a basnayaka nilame shall be elected to such dewale by a majority of the members of the district committee of the district within which such dewale is situate, the ratemahatmayas and korallas, being Buddhists, holding office within the revenue districts in which such dewale is situate, and the basnayaka nilames of dewales situate within such revenue district, at a meeting to be held specially for that purpose. Should such dewale be situate within the revenue district of Kandy, the diyawadana nilame shall also be entitled to vote at such meeting. Provided that in the maritime districts of the island basnayaka nilames shall be elected in the manner by this Ordinance provided for the election of trustees of vihares.

Proviso.

Provided further that for the purposes of this Ordinance the trustee of the Dalada Maligawa shall continue to be styled and called by the title of diyawadana nilame, and the person now holding that office and title shall continue to act as trustee of the Dalada Maligawa for the purposes of this Ordinance, or until and unless suspended or dismissed under section 16. On the office of diyawadana nilame becoming vacant by death, suspension, or dismissal, a successor shall be elected by a majority of the members of the district committees of the province and district of Kandy, the ratemahatmayas being Buddhists, holding office within the revenue district of Kandy, and the basnayaka nilames of dewales situate within such revenue district, at a meeting to be held specially for that purpose.

Commutation under Service Tenures Ordinance, 1870, to be paid to trustees. The Dalada Maligawa to be a temple under that Ordinance.

18 Any commutation of the services due by any temple tenants which has been or may hereafter be made under the provisions of "The Service Tenures Ordinance, 1870," shall from the time of this Ordinance coming into operation become due and payable to the trustee of such temple. The Dalada Maligawa shall, for the purposes of "The Service Tenures Ordinance, 1870," be deemed to be a temple, anything in the said Ordinance to the contrary notwithstanding.

Trustee to enforce contracts in favour of, and to recover moneys payable to, temple.

All movable and immovable property and all offerings to vest in trustee.

Purposes for which trust fund shall be appropriated.

Repair and furnishing of temple and upkeep of temple roads and buildings.

Maintenance of priests and ministerial officers.

Performance of religious services and ceremonies.

Promotion of education.

Relief of the poor and hospitality to priests.

Compensation.

Payment of the expenses of working this Ordinance.

Trustee to keep complete and detailed accounts of income and disbursements.

Accounts to be made up half-yearly and transmitted to district court to examine and, if need be, call upon trustees to verify accounts.

Auditor may call for vouchers and other documents and require declarations to be made.

Penalty for refusing to produce documents, or making false declaration.

19 All contracts made before the date of the coming into operation of this Ordinance in favour of any temple or of any person on its behalf, and all rights of action arising out of such contracts, may be enforced by the trustee or trustees under this Ordinance as far as circumstances will admit, as though such contract had been entered into with him; and all persons who at the said date owe any money to any temple or to any person on its behalf shall pay the same to such trustee or trustees, who are hereby empowered to recover the same by action if necessary. All moneys received or recovered by any trustees under this Ordinance shall be held and appropriated by such trustees in manner and for the purposes provided in section 20.

20 All property, movable and immovable, belonging or in anywise appertaining to or appropriated to the use of any temple, together with all the issues, rents, and profits of the same, and all offerings made for the use of such temple other than the pudgalika offerings which are offered for the exclusive personal use of any individual priest, shall vest in the trustees of such temple, subject, however, to any leases and other tenancies, charges, and incumbrances affecting any such immovable property; and such issues, rents, profits, and offerings shall be appropriated by such trustees for the following purposes and no other:

- (a) The proper repair and furnishing of such temple and the upkeep of the roads and buildings belonging thereto;
- (b) The maintenance of the priesthood and ministerial officers attached to such temple;
- (c) The due performance of religious services and ceremonies as heretofore carried on, in, or by, or in connection with, such temple;
- (d) The promotion of education;
- (e) The relief of the poor in the case of a dewale, and the customary hospitality to priests and others in the case of a vihare;
- (f) The payment of compensation under sections 37 or 38;
- (g) The payment of such share of the expenses incurred in carrying out the provisions of this Ordinance as shall be determined by the district committee.

21 It shall be the duty of the trustees to keep complete and detailed accounts—

- (a) Of the offerings made to the temple, and of the rents, issues, and profits received by them from the movable and immovable property belonging thereto;
- (b) Of the disbursements made by them for the purposes defined in section 20.

22 A statement of such accounts shall be made up at the close of every half-year, and the trustees shall sign a declaration at the foot thereof that the accounts are "true and correct," and shall transmit the same within thirty days from the end of each half-year to the nearest district court. The district court upon receipt of the statement shall commission such person as it thinks fit to examine and audit such accounts, and such auditor shall be entitled to such remuneration as the court shall determine.

23 The auditor so commissioned as aforesaid may by notice in writing require the production before him of all books, deeds, contracts, accounts, vouchers, and other documents which he may deem necessary, and may require any person holding or accountable for the same to appear before him at any such audit and examination or adjournment thereof, and to make and sign a declaration with respect to the same.

24 If any such person neglect or refuse to produce any such books, deeds, contracts, accounts, vouchers, documents, or papers, or to make or sign such declaration, he shall be guilty of an offence and liable for every such neglect or refusal to a fine not exceeding fifty rupees, and to a further fine not exceeding ten rupees for each day during which the offence is continued after he has once been convicted; and if any

such person shall wilfully make or sign a false declaration he shall be liable to be prosecuted under section 190 of the Ceylon Penal Code.

Auditor to report to district committee and district court.

25 The auditor shall at the close of his audit and examination send a report in writing, together with all declarations which may have been made and signed before him, to the district committee of such district, and a duplicate of such report to the district court, which may make such order as it shall think proper. Such court shall also have power to prescribe the form in which all trustees of temples within its jurisdiction shall keep their accounts.

If income not duly accounted for, the district committee to hold public inquiry, and, if necessary, cause the prosecution of trustees reasonably suspected of breach of trust.

26 If the issues, rents, profits, and offerings shall not be duly accounted for as required in section 21, it shall be the duty of the district committee to hold such public inquiry as they may think fit, and, if need be, direct the prosecution of any trustee who may reasonably be suspected of having committed a breach of trust.

Power of trustees to demise temple lands

27 It shall be lawful for the trustees from time to time or at any time, with the sanction of the district committee, and for such rent and subject to such conditions as they shall deem reasonable, to demise for any terms not exceeding fifty years, all or any of the lands vested in them under the provisions of this Ordinance, save and except such garden and chena lands as may be reserved for the use of the paraveni pangu tenants at the discretion of the said committee. The sanction of the district committee required by this section shall in every case be in writing, certified under the hand of the president of such committee.

Proviso.

Provided that whenever any trustees shall, with the consent of the district committee, be desirous of demising any land for a period of more than twenty years, the sanction of the district judge of the district in which such land is situate shall first be had and obtained by them for that purpose.

Proviso.

Where no trustees have been appointed, the incumbent shall not demise any lands belonging to the temple without the sanction in writing of the district committee; and when the lease is for a period exceeding twenty years, the sanction of the district judge of the district in which such land is situate shall also be necessary as in the case of a lease by trustees.

Duty of incumbent to furnish information to trustee and president of district committee.

28 It shall be the duty of an incumbent to furnish to the trustees of the temple and to the president of the district committee, when called upon to do so, all such information as they may possess regarding (1) the annual income of the temple from the offerings made to such temple; (2) the nature, extent, and value of paraveni and maruveni pangu and other lands belonging to such temple; and (3) the monthly or annual value of the rents, issues, and profits of each and every land belonging to or held by such temple by virtue of any title whatsoever.

Penalty for giving wrong information or obstructing trustee.

29 Any incumbent who, without just cause, withholds from the president of the district committee or the trustees of the temple any information required to be given by the last preceding section, or who wilfully gives to such trustees or president false information regarding the same, or who retains possession of any property vested in trustees under the provisions of this Ordinance, or wilfully obstructs any trustee or causes any trustee to be obstructed in the discharge of his duties, shall be guilty of an offence, and be liable on conviction to a fine not exceeding five hundred rupees.

Trustee may sue and be sued, but shall not be personally liable in costs.

30 It shall be lawful for the trustees to sue under the name and style of "trustees of (*name temple*)" for the recovery of any property vested in them under this Ordinance or of the possession thereof, and for any other purpose requisite for the carrying into effect the objects of this Ordinance. They shall also be liable to be sued under the same name and style, but shall not be personally liable in costs for any act *bonâ fide* done by them under any of the powers or authorities vested in them under this Ordinance.

CHAPTER IV.

General.

Questions to be decided by committees by a majority of votes. President to have a casting vote.

31 All acts whatsoever authorized or required by virtue of this Ordinance to be done by any district committee shall be decided and done by the majority of members present at any duly convened meeting. Provided that when the votes of the members present in regard to any question shall be equally divided, the president shall, besides his vote as a member, have a casting vote.

Proviso.

32 Any member of committee absenting himself from three consecutive meetings shall *ipso facto* vacate his seat, provided however that the committee may for good and sufficient reasons re-appoint him for the remainder of his term of office.

Further proviso.

Provided further that it shall be lawful for the district committee, upon good and sufficient reasons shown to them, to permit any trustee to resign his office, and for any member of the district committee to resign his membership.

Neglect of duty by trustee.

33 If any trustee after accepting office shall wilfully neglect to perform any of the duties thereto belonging, he shall be guilty of an offence, and shall on conviction be liable to a fine not exceeding one hundred rupees, or to simple imprisonment not exceeding three months.

Vacancy in office of trustee to be filled up by election.

34 If any person elected as trustee or member of any district committee shall refuse to accept office, or shall resign or die, or shall depart from this island, or shall become bankrupt or insolvent or incapacitated from fulfilling the duties of his office by mental or bodily infirmity or disease; or shall cease to be qualified as required by this Ordinance, then, in the case of such trustee or of any trustee who shall be dismissed under section 16, another trustee shall be forthwith elected in his stead in manner provided in section 17, and in the case of such member the district committee shall cause to be elected another member in his stead, in accordance with the provisions of this Ordinance for the election of first members of a district committee. Provided that in the case of the refusal to accept office, death, incapacity, disqualification, resignation, suspension, dismissal, bankruptcy, insolvency, or departure from the island of any trustee, it shall be competent for the district committee to make provisional arrangements for the performance of the duties of the office pending the election of a successor, and any person who may be provisionally appointed to act as trustee shall have all the powers and be liable to all the duties of a trustee elected under this Ordinance.

Vacancy in office of committee member to be caused to be filled up.

Proviso.

Power to recover possession of property from a suspended or dismissed trustee.

35 Whenever the trustee of any temple who has been suspended or dismissed from his office under the provisions of this Ordinance shall hold or occupy as such trustee, either directly or through any other person on his behalf, any movable or immovable property belonging to any temple, and shall refuse or neglect to deliver possession of such property to the trustees for the time being of the said temple or any person provisionally authorized by the district committee in that behalf, it shall be competent to such trustees, or to the district committee, or the person provisionally authorized by them, to apply to the district court for a warrant requiring the said trustee to deliver possession of the property to such trustees or to the district committee or other person aforesaid. It shall be competent to such court to issue its warrant to the fiscal or deputy fiscal, and give possession accordingly as if it were a warrant issued in execution of its own decree. And for this purpose the application accompanied by the order of suspension or dismissal duly certified under the hand of the president of the district committee shall be *prima facie* evidence of the facts stated in the said order, and shall be sufficient authority for the court to act as aforesaid.

Notwithstanding vacancy, remaining

36 In the case of the refusal to accept office, death, incapacity, disqualification, resignation, bankruptcy, insolvency, or departure from the island of any member of any

committee members shall have power to act.

committee established under this Ordinance, and until the appointment of his successor, the remaining members or member of any such committee shall continue to do all and every the acts, matters, and things necessary for carrying into effect the purposes of this Ordinance, anything which may be prescribed in any rules made under this Ordinance relative to the number of members required to form a quorum at any meeting of such committee to the contrary notwithstanding.

Recovery of property improperly alienated.

37 Whenever the district committee are satisfied that any property belonging to any temple has been heretofore sold, mortgaged, or otherwise alienated to the detriment of such temples, it shall be the duty of the said committee to cause the trustees to institute legal proceedings to set aside such sale, mortgage, or alienation, and to recover possession of such property. Provided that in the absence of collusion between the parties the court in setting aside any sale, mortgage, or alienation shall award to the vendee, mortgagee, or alienee the value of any permanent improvements made by him to or upon such property.

Court may set aside leases.

38 Whenever it is proved to the satisfaction of a competent court that any property of any temple has heretofore been leased—

- (a) For a longer term of years than is consistent with the interests of such temple ; or
- (b) On terms showing an improvident alienation ; or
- (c) For clearly inadequate consideration ; or
- (d) For the private benefit of the lessor or any of his relatives or servants ; or
- (e) With a fraudulent intent—

such court shall set aside such lease and restore possession of the property to the trustees entitled to hold the same under this Ordinance.

Proviso.

Provided that when there has been no collusion between the lessor and the lessee in respect of the lease so set aside, the court shall award to the lessee reasonable compensation for permanent improvements to the property effected by him during his tenure of the lease.

Trustee or committee member may be sued in district court for any misfeasance, breach of trust, or neglect of duty by any person interested in a temple.

39 Any person or persons interested in any temple, or in the performance of the worship or of the service thereof or the trusts relating thereto, may, without joining as plaintiff any of the other persons interested therein, sue before the district court having jurisdiction in the district within which such temple may be situated, any trustee or member of any committee appointed under this Ordinance for any misfeasance, breach of trust, or neglect of duty committed by such trustee or member in respect of the trusts vested in or confided to him respectively; and such court may direct the specific performance of any act by such trustee or member, and may decree damages and costs against such trustee or member, and may also direct the removal of such trustee or member.

"Interest" required to enable a person to sue, defined.

40 The interest required in order to entitle a person to sue under the last preceding section need not be a pecuniary or a direct or immediate interest, or such an interest as would entitle the person to take any part in the management or superintendence of the trusts. Any person having a right of attendance, or having been in the habit of attending at the performance of the worship or service of any temple, or of partaking in the benefit of any distribution of alms, shall be deemed to be a person interested within the meaning of the last preceding section.

No future acquisitions of land to be made by temples without the Governor's license.

41 From and after the time when this Ordinance shall come into operation, it shall not be lawful for any temple, or for any person in trust for, or on behalf, or for the benefit of any temple, to acquire any land or immovable property, or any interest in any land or immovable property of the value of fifty rupees or upwards, unless the license of the Governor under the public seal of the island be obtained.

And if any person shall by device, grant, or conveyance, or otherwise purport or attempt to vest in any such temple or in any person or persons in trust, for or for the benefit or on behalf of any such temple any land or immovable property, or any interest therein, of the value aforesaid, and such license as aforesaid is not obtained, such land or property or interest shall devolve on, and become vested in, the lawful heir or heirs of such person notwithstanding such device, grant, or conveyance to the contrary.

Alienation of temple property between the passing of this Ordinance and the appointment of trustees to be null and void.

Repeal.

42 No alienation of movable or immovable property belonging to any temple by sale, mortgage, gift, or otherwise between the date of the passing of this Ordinance and the appointment of trustees to such temple in manner herein provided shall be of any force or avail in law, but the same shall be absolutely null and void.

43 The Ordinances Nos. 3 of 1889, 17 of 1895, and 3 of 1901 are hereby repealed.

By His Excellency's command,

EVERARD IM THURN,
Colonial Secretary.

Colonial Secretary's Office,
Colombo, December 12, 1902.

MINUTE.

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

An Ordinance to amend "The Ceylon Railways Ordinance, 1902."

Preamble.

WHEREAS it is expedient to amend "The Ceylon Railways Ordinance, 1902," hereinafter referred to as "the principal Ordinance:" Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Short title.

1 This Ordinance may be cited as "The Ceylon Railways (Amendment) Ordinance, 1902," and shall be read and construed as one with the principal Ordinance, and this Ordinance and the principal Ordinance may be cited together as "The Ceylon Railways Ordinances, 1902."

Addition of section with regard to liability of owner of trespassing animals.

2 After section 36 of the principal Ordinance, the following section shall be added and numbered 36 A.

36 A The owner of any animal which shall trespass or stray upon the railway, or upon any lands appertaining to the railway, shall be liable to a fine not exceeding ten rupees for each animal; and it shall be lawful for any railway official or his servants or agents to take or drive every animal which shall be found so trespassing to the nearest police station, there to be detained until the highest amount of fine incurred by such trespass, and the expense of feeding and keeping the animal, be paid, or until a police magistrate shall otherwise order. A police magistrate may, upon proof of the trespass, cause such animal to be sold by public auction, and the proceeds of the sale—after deducting therefrom such fine or such a sum not exceeding ten rupees for each animal, as the magistrate shall order to be paid in lieu of the fine to which the owner is hereby made liable, and such further sum as the magistrate shall order to be paid for the expenses of detaining, feeding, and selling such animal—shall be returned to the owner of the animal on demand.

For the purposes of this section and of sections 34, 35, and 36 of the principal Ordinance the word "animal" means any horse, pony, donkey, buffalo, bull, cow, ox, calf, sheep, goat, or pig.

By His Excellency's command,

EVERARD IM THURN,
Colonial Secretary.

Colonial Secretary's Office,
Colombo, December 10, 1902.