



THE  
**CEYLON GOVERNMENT  
 GAZETTE**

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**PART II.—LEGAL.**

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

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## DRAFT ORDINANCE.

R 50/26

## MINUTE.

The following Draft of a proposed Ordinance to consolidate and amend the Law relating to Buddhist Temporalities in the Colony is published for general information. The Government will be glad to receive the observations of all persons interested in Buddhism on the provisions of the Bill :—

**An Ordinance to consolidate and amend the Law relating to Buddhist Temporalities in the Colony.**

Preamble.

WHEREAS it has been found that the provisions of "The Buddhist Temporalities Ordinance, 1905," have failed to give adequate protection to the Buddhist Temporalities :

And whereas it is expedient to provide such a system of administration and control over such Temporalities as will afford to them such adequate protection :

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

## PART I.

*Preliminary.*

Short title and commencement.

1 This Ordinance may be cited as "The Buddhist Temporalities Ordinance, 1930," and shall come into operation on a date to be fixed by the Governor in Executive Council by Proclamation in the "Government Gazette."

Interpretation.

2 In this Ordinance, unless the context otherwise requires—

"Government Agent" includes an Assistant Government Agent of a revenue district in which there is no Government Agent ;

"Temple" means vihare, dagoba, dewale, kovila, or any place of Buddhist worship, and includes the Dalada Maligawa, Sripadasthane, and the Atamasthane of Anuradhapura, but does not include a dewale or kovila for which it is not customary to appoint a basnayaka nilame ;

"Trustee" means a trustee of a temple under the provisions of this Ordinance, and includes the diyawadana nilame, a basnayaka nilame, and a viharadhipati acting as a trustee ;

"Bhikshu" means a bhikshu, whether upasampada or samanera ;

"Layman" means a person who is not a bhikshu ;

"Viharadhipati" means the principal bhikshu of a temple other than a dewale or kovila, whether resident or not ;

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

"Maruvena panguwa" means 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 ;

"Court" means the District Court having jurisdiction in the matter in question.

## PART II.

*Trustees.*

Trustees for temples.

3 (1) There shall, in manner hereafter provided, be a trustee for every temple mentioned in Schedule A to this Ordinance :

Provided always that the Governor in Executive Council may by order published in the "Government Gazette" add to or remove from Schedule A any temple or otherwise vary the said schedule.

(2) A person may be trustee for one or more temples.

4 (1) In the case of the Dalada Maligawa, the diyawadana nilame for the time being shall be trustee of the said temple for his life, unless he shall resign or be suspended or dismissed under the provisions of this Ordinance :

Diyawadana  
nilame to be  
trustee of  
Dalada  
Maligawa.

Provided always that, except in the case of the diyawadana nilame in office at the time of the commencement of this Ordinance, a diyawadana nilame shall, notwithstanding anything in this sub-section contained, cease to hold such office after he attains the age of seventy years.

(2) On a vacancy occurring in the office of diyawadana nilame for any cause whatsoever, it shall be lawful for the mahanayaka of Malwatte Vihare and the mahanayaka of Asgiri Vihare, the Adigars and Disawas, being Kandyans and Buddhists, the Ratemahatmayas, being Buddhists, holding office within the revenue district of Kandy, and the basnayaka nilames of dewales situate within such revenue district to elect a successor to the office of diyawadana nilame.

(3) A meeting shall be convened by the Government Agent of the Central Province within two months of the vacancy in such office occurring.

(4) Such meeting shall be held at Kandy, and notice in writing shall be sent by registered post of the time and place thereof by such Government Agent, addressed to each person entitled to be present at his last known place of abode not less than one month before the date fixed by him for such meeting.

(5) At such meeting the voting shall be by ballot, and the person receiving the highest number of votes of those present at the meeting on any such ballot shall be deemed to have been elected. Provided that if two or more persons shall obtain an equal number of votes, being the highest, then a second ballot shall be held and the person receiving the highest number of votes shall be deemed to be elected. If such second ballot should also result in a tie, then the Government Agent shall determine by lot which of the persons whose votes are equal shall be elected.

(6) At such meeting the Government Agent shall preside.

(7) The Government Agent shall forthwith report the result of the election to the Public Trustee.

5 (1) In the case of a dewale, the basnayaka nilame thereof for the time being shall be the trustee of the said dewale for his life, unless he shall resign, or be suspended or dismissed under the provisions of this Ordinance :

Basnayaka  
nilame of a  
dewale to be  
trustee.

Provided always that, except in the case of a basnayaka nilame in office at the time of the commencement of this Ordinance, a basnayaka nilame shall, notwithstanding anything in this sub-section contained, cease to hold such office after he attains the age of seventy years.

(2) On a vacancy occurring in the office of basnayaka nilame of a dewale for any cause whatsoever, it shall be lawful in the Kandyan Provinces for the Ratemahatmayas and Koralas, being Buddhists, of the revenue district in which such dewale is situated, and in the Maritime Provinces for the Mudaliyars and Muhandirams of korales or pattus and the Vidana Arachchis, being Buddhists, of such revenue district, the basnayaka nilames of dewales in such revenue district, and if such dewale is situated within the Kandy Revenue District, the diyawadana nilame, to elect a successor to such office of basnayaka nilame.

(3) A meeting shall be convened by the Government Agent within two months of the vacancy in such office occurring.

(4) Such meeting shall be held at the headquarters of the revenue district in which the dewale is situated. Notice in writing shall be sent by registered post of the time and place of such meeting by the said Government Agent addressed to each person entitled to be present at his last known place of abode not less than one month before the date fixed by him for such meeting.

(5) At such meeting the voting shall be by ballot, and the person receiving the highest number of votes of those present at the meeting on any such ballot shall be deemed to have

been elected. Provided that if two or more persons shall obtain an equal number of votes, being the highest, then a second ballot shall be held and the person receiving the highest number of votes shall be deemed to be elected. If such second ballot should also result in a tie, then the Government Agent shall determine by lot which of the persons whose votes are equal shall be elected.

(6) At such meeting the Government Agent shall preside.

(7) The Government Agent shall forthwith report the result of the election to the Public Trustee.

Appointment of trustees for temples in Schedule A.

6 (1) As soon as conveniently may be after the commencement of this Ordinance, and subsequently, whenever occasion arises for the appointment of a trustee of any temple in Schedule A to this Ordinance, which is in charge of a viharadhipati, such viharadhipati shall report to the Public Trustee the name of the person as trustee of such temple. Such name may be that of the viharadhipati himself, or of any other bhikshu or of a layman.

(2) If the name of a properly qualified person is not submitted as aforesaid within one month after the passing of this Ordinance or, subsequently, within one month of the occasion for the appointment of a trustee arising, the Public Trustee may appoint a trustee or extend the time for such submission. Should no such trustee be nominated within the time specified or such extended time and no appointment be made by the Public Trustee, the viharadhipati shall be the trustee.

(3) Where by reason of any dispute as to the person entitled to be the viharadhipati of any temple the name of a properly qualified person is not submitted as aforesaid or the names of more persons than one are submitted, the Public Trustee may provisionally appoint any properly qualified person to be trustee pending the settlement of such dispute.

(4) For the Atamasthane there shall be a board of trustees consisting of three members, namely, the high priest for the time being of the Bo-maluwa or a Buddhist layman nominated by him in writing, the head of the Nuwarawewa family for the time being or a Buddhist layman nominated by him in writing, and a Buddhist layman to be nominated in writing by the Mahanayaka of the Asgiri Vihare, the Mahanayaka of Malwatte Vihare and the Mahanayaka of Maligakande Vihare (or the Principal of Vidyodaya Pirivena at Maligakande) or by a majority of them.

The board shall elect a chairman from among the members of the board.

The chairman shall preside at all meetings of the board, and the board shall not be competent to act unless all members are present.

All matters decided at a meeting of the board shall be by a majority of the members.

(5) The Public Trustee shall issue a letter of recognition to every person nominated a trustee, including a person nominated to the board of trustees of the Atamasthane, unless his recognition would contravene the provisions of this Ordinance.

All trustees to give security.

7 (1) Subject to the express provisions of this Ordinance, all trustees shall, before carrying on or entering upon their duties as trustees, give such security for the due exercise and performance of their powers, duties, and responsibilities as trustees under this Ordinance as the Public Trustee shall in each case require:

Provided always that if any trustee is a bhikshu, the Public Trustee shall not require him to give his own personal security, but shall require him to provide two or more sufficient sureties in his place.

(2) Any trustee who exercises or performs, or attempts to exercise or perform, any such power, duty, or responsibility in contravention of the provisions of the last preceding subsection shall be guilty of a summary offence, and shall be liable on conviction to a fine not exceeding one hundred rupees for each such contravention.

(3) Any trustee who does not give security as in this section provided within three months of the commencement of this Ordinance or of his election, appointment, recognition or nomination, or within such further time as the Public Trustee may in any particular case direct, shall be deemed to have vacated his office.

8 No person shall be elected, nominated or appointed, or, if elected, nominated or appointed, shall act as trustee—

Qualification  
of trustee.

- (a) Unless he is a Buddhist ;
- (b) Except in the case of a bhikshu, unless he is the owner of immovable property of the value (after allowing for any mortgage debts thereon) of not less than one thousand rupees, or is in receipt of a clear annual income of not less than five hundred rupees ;
- (c) Unless he has completed his twenty-fifth year ;
- (d) If he has been sentenced by a criminal court to death or to imprisonment for an offence punishable with imprisonment of either description for a term exceeding three months, such sentence not having been subsequently reversed in appeal, and such person's disqualification on account of such sentence not having been removed by an order of the Governor in Executive Council ;
- (e) Except with the sanction of the Governor if he has been dismissed from the Government service ;
- (f) If either he or his wife is a paraveni or maruvena tenant of the temple, or a lessee of any land of the temple ;
- (g) Except with the approval of the Public Trustee if he is over 70 years of age.

Provided always that if a suitable candidate possessed of the above qualifications cannot be found, the Public Trustee may, in the case of a vihare or dagoba, appoint any person nominated by the viharadhipati, though not so qualified.

9 (1) The Public Trustee shall have power to suspend any trustee, whether in office at the commencement of this Ordinance or elected, appointed, recognized, or nominated subsequently to such commencement, for gross negligence, misconduct, or incapacity.

Suspension or  
dismissal of  
trustee.

(2) In every case in which it is proposed to proceed against a trustee with a view to his dismissal, charges shall be framed in writing, and the trustee concerned called upon for his reply thereto. The Public Trustee shall then refer the matter to the court for adjudication.

10 If any trustee, whether appointed before the commencement of this Ordinance or not, shall refuse to accept office, or shall resign or die or vacate his office, or shall become insolvent, or incapacitated from fulfilling the duties of his office by mental or bodily infirmity or disease, or shall cease to be qualified or shall become disqualified, or shall be absent from the Island for more than one year, or shall be dismissed, then another trustee shall be forthwith elected or nominated or appointed in his stead in manner in this Ordinance provided.

Appointment  
of trustee on  
vacancy.

11 In the case of the refusal to accept office, death, vacation of office, incapacity, disqualification, resignation, suspension, dismissal or insolvency of any trustee, it shall be competent for the Public Trustee to make provisional arrangements for the performance of the duties of the office pending the election, nomination or appointment 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 responsibilities and duties of a trustee appointed under this Ordinance.

Provisional  
appointment  
of trustee  
during vacancy  
or suspension  
or temporary  
absence.

Provided that in the case of the Dalada Maligawa and of the Dewalas in Schedule A to this Ordinance the trustee so provisionally appointed shall be one of the persons entitled to elect the Diyawadana Nilame or Basnayaka Nilame under section 4 (2) or 5 (2).

Provided further that in the case of the departure of a trustee from this Island the person nominated by the trustee in writing shall act for such trustee on such trustee's responsibility. Such nomination shall be reported forthwith to the Public Trustee.

Provided further that in the case of the appointment of a person to act for the Diyawadana Nilame, the appointment shall be subject to the approval of the Mahanayaka of Malwatte Vihare and of the Mahanayaka of Asgiri Vihare.

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

12 It shall be lawful for the trustee of a temple, or, where there is no trustee, for the viharadhipati of such temple, to sue under the name and style of "trustee of (*name of temple*)" for the recovery of any property vested in him under this Ordinance or of the possession thereof, and for any other purpose requisite for the carrying into effect the objects of this Ordinance. He shall also be liable to be sued under the same name and style, but shall not be personally liable in costs for any act *bona fide* done by him under any of the powers or authorities vested in him under this Ordinance.

Actions against trustees in default.

13 (1) The Public Trustee or any person 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 court having jurisdiction in the district within which such temple may be situated any trustee, or, where there is no trustee, the viharadhipati, of such temple, for any misfeasance, breach of trust, or neglect of duty committed by such trustee or viharadhipati in respect of the trusts vested in or confided to him, and such court may direct the specific performance of any act by such trustee or viharadhipati, and may decree damages and costs against such trustee or viharadhipati, and may also direct the removal of such trustee or viharadhipati from his trusteeship :

Provided that before entertaining any plaint by any person interested as aforesaid the court shall satisfy itself that the plaintiff has failed to obtain redress from the Public Trustee.

(2) The interest required in order to entitle a person to sue under this 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 this section.

(3) The Public Trustee shall have power, either on his own motion or on the complaint of any person interested in any temple or in the performance of the worship or of the service thereof or the trusts relating thereto, to hold an inquiry into any alleged misfeasance, breach of trust, or neglect of duty by any trustee or viharadhipati in respect of the trusts vested in or conveyed to him, and shall for that purpose have all the powers of a Commissioner appointed under the provisions of Ordinance No. 9 of 1872.

Neglect of duty by trustees.

14 If any trustee of a temple or, where there is no trustee, if the viharadhipati of such temple shall wilfully refuse or neglect to perform any of the duties imposed on him under this Ordinance, he shall be guilty of a summary offence, and shall on conviction be liable to a fine not exceeding one hundred rupees, or to simple imprisonment for any term not exceeding three months :

Provided that nothing in this section contained shall affect any other liability to which such trustee or viharadhipati may be liable in respect of any such refusal or neglect as aforesaid.

### PART III.

#### *Temple Property.*

Temples not to acquire lands without licence of Governor.

15 (1) From and after the commencement of this Ordinance it shall not be lawful for any temple, or for any person in trust for, or on behalf of, or for the benefit of, any temple to acquire any immovable property, or any interest in any immovable property, unless the licence of the Governor under the public seal of the Island be first had and obtained.

(2) If any person shall by devise, 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 of, or on behalf of, any such temple, any immovable property, or any interest therein, and such licence as aforesaid is not obtained, such property or interest shall devolve on, and become vested in, the lawful heir or heirs of such person, notwithstanding such devise, grant, or conveyance.

16 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, moneys, 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 bhikshu, shall vest in the trustee for the time being of such temple, or, where there is no trustee, in the viharadhipati of such temple, subject, however, to any leases and other tenancies, charges, and incumbrances affecting any such immovable property.

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

17 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, or, where there is no trustee, to the viharadhipati of such temple. The Dalada Maligawa, Sripadasthane, and Atamasthane shall, for the purposes of the "The Service Tenures Ordinance, 1870," be deemed to be temples, anything in the said Ordinance to the contrary notwithstanding.

Commutation under "Service Tenures Ordinance, 1870," to be paid to trustees.

18 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 of such temple, or, where there is no trustee, by the viharadhipati of such temple, 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 viharadhipati, who is hereby empowered to recover the same by action if necessary.

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

19 All pudgalika immovable property that is acquired by any individual bhikshu for his exclusive personal use, if not alienated by such bhikshu during his lifetime, shall be deemed to be the property of the temple to which such bhikshu belongs.

Pudgalika immovable property acquired by bhikshu for own use.

20 (1) In the case of temples in which the Public Trustee may by writing under his hand so direct, all issues, rents, moneys, profits, and offerings received by the trustee, or, where there is no trustee, by the viharadhipati, for or on behalf of any temple shall be deposited in the Ceylon Savings Bank or in a bank approved by the Public Trustee in a separate account in the name of the temple.

Money to be deposited in bank.

(2) Bank pass books shall be open to the inspection of the auditor mentioned in section 36 of this Ordinance or of any officer designated by the Public Trustee at any time.

(3) No such trustee or viharadhipati shall retain in his hand any sum exceeding one hundred rupees, save with the permission in writing of the Public Trustee.

21 All issues, rents, moneys, profits, and offerings received by any trustee or viharadhipati for or on behalf of a temple shall be appropriated by such trustee or viharadhipati, as the case may be, for the following purposes:

Application of income of temples by trustees.

- (a) The proper repair and furnishing of such temple and the upkeep of the roads and buildings belonging thereto; provided that where a vihare and a dewale are in one and the same building, the funds of either may be used for repairs to and improvements of the structure;
- (b) The maintenance of the bhikshus and ministerial officers attached to such temple;

- (c) The due performance of religious services and such customary 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 or kovila, and the customary hospitality to bhikshus and others in the case of a vihare;
- (f) The payment of compensation under sections 24 and 27 and of all legal expenses properly incurred in carrying out the provisions of this Ordinance;
- (g) The payment of such share of the expenses incurred or to be incurred in carrying out the provisions of this Ordinance as shall be determined by the Governor;
- (h) The remuneration of trustees and the payment of expenses incurred by them in carrying out the provisions of this Ordinance; and
- (i) Such other purposes as may be sanctioned by the Public Trustee.

Alienation of immovable property invalid.

22 Save as hereinafter provided no mortgage, sale, or other alienation of immovable property belonging to any temple, including maruvena pangu, but excluding paraveni pangu, shall be valid or of any effect in law.

Alienation of paraveni panguwa.

23 (1) No mortgage, sale, or other alienation of paraveni pangu held of any temple shall be valid or of any effect in law unless notice in writing of such intended mortgage, sale, or other alienation has been given to the Public Trustee, by the mortgagee, vendee, or other alienee, and the Public Trustee has returned a written acknowledgment of the receipt of such notice to the person sending the same.

(2) The Public Trustee shall keep a register of such mortgages, sales, and alienations, and a copy of each entry shall be sent by him to the trustee concerned.

Recovery of property improperly alienated.

24 (1) Whenever the Public Trustee is satisfied that any immovable property belonging to any temple has been before the commencement of this Ordinance mortgaged, sold, or otherwise alienated to the detriment of such temple, or shall be hereafter mortgaged, sold, or otherwise alienated contrary to the provisions of this Ordinance, it shall be the duty of the Public Trustee to direct the trustee, or, where there is no trustee, the viharadhipati, to institute legal proceedings to set aside such mortgage, sale, 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 mortgage, sale, or alienation shall award to the mortgagee, vendee, or alienee reasonable compensation for any permanent improvements made by him to or upon such property.

(2) If any such trustee or viharadhipati refuses, neglects, or delays in taking or prosecuting such proceedings, the Public Trustee may authorize in writing any other person to do so.

Power of trustees, or of viharadhipati where there is no trustee, to lease temple lands.

25 (1) It shall be lawful for a trustee, or, where there is no trustee, for the viharadhipati, from time to time and for such rent and on such conditions as he shall deem reasonable to lease, subject to the provisions of this section, all or any of the lands vested in him under the provisions of this Ordinance, of not more than five hundred rupees in value or five acres in extent, save and except such gardens and chena lands as may be reserved by the Public Trustee for the use of the paraveni pangu tenants:

Provided always that no such lease shall be for a longer period than one year, except with the consent of the Public Trustee.

(2) Immovable property over five hundred rupees in value or five acres in extent shall not be leased, except with the sanction of the Public Trustee.

(3) Such sanction in every case shall be in writing certified under the hand of the Public Trustee.

(4) (a) All leases of property over five hundred rupees in value or five acres in extent shall be by tender.



(b) The trustee or viharadhipati, as the case may be, after receiving the approval of the Public Trustee, shall, if the Public Trustee so directs, publish the full conditions of the lease in one or more of the local newspapers, specifying a date not earlier than six weeks after such publication, after which no tenders will be received by him.

(c) All such tenders shall be sent to the trustee or viharadhipati and a duplicate copy to the Public Trustee by the tenderer.

(d) Such tenders shall be scheduled and sent with the recommendation of the trustee or viharadhipati to the Public Trustee, who may make such order thereon as he may think fit.

(5) No lease in any case shall be for a period exceeding ninety-nine years, and in all cases of leases for a period exceeding thirty years, a covenant shall be inserted therein providing for the revision of the rent at every period of ten years from the date of the commencement of the lease, provided that in no case shall the rent due be increased at any such revision by more than fifty per centum of the rent payable during the previous ten years.

(6) No trustee or other person holding any office under the provisions of this Ordinance shall hold on lease any land or building belonging to any temple in respect of which he holds office or is a trustee.

(7) In all cases where the sanction of the Public Trustee is not required, the name and extent of the land leased, together with the amount of the rent and conditions, shall be reported within one month of the granting of the lease by the trustee or viharadhipati to the Public Trustee.

(8) All leases made in contravention of any of the provisions of this Ordinance shall be null and void and of no effect whatsoever in law.

26 All assignments of leases of temple land shall require the approval of the Public Trustee, and any assignment made without his sanction in writing shall be null and void and of no effect whatsoever in law.

Assignment of leases of temple lands.

27 (1) Whenever it is proved to the satisfaction of a competent court that—

Court may set aside leases in certain cases.

(a) Any property of any temple has before the commencement of this Ordinance been leased—

- (i.) For a longer term of years than is consistent with the interest of such temple; or
- (ii.) On terms showing an improvident alienation; or
- (iii.) For clearly inadequate consideration; or
- (iv.) For the private benefit of the lessor or any of his relatives or servants; or
- (v.) With a fraudulent intent;

(b) Any lease of the property of any temple or assignment thereof has been made in contravention of the provisions of this Ordinance;

such court shall on the application of the trustee, or, if there is no trustee, of the viharadhipati of such temple, or if the trustee or viharadhipati fails to make such application on the direction of the Public Trustee, then on the application of any person authorized in writing by the Public Trustee, either set aside such lease and restore possession of the property to the trustee or viharadhipati entitled to hold the same under this Ordinance or modify the conditions of the same:

(2) An application under the preceding sub-section may be made by summary procedure, provided that the court may in any case direct that any such application shall be by regular procedure.

(3) Where 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 land.

Recovery of possession of property from trustee who has vacated office, or viharadhipati.

28. (1) Whenever the trustee of any temple who has vacated his office as trustee for any cause whatsoever under the provisions of this Ordinance or of any Ordinance hereby repealed, or any viharadhipati, shall hold or occupy, 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 trustee for the time being of the said temple, or to any person authorized in that behalf by the Public Trustee, it shall be competent for such trustee, or for the Public Trustee, or the person authorized as aforesaid, as the case may be, to apply by way of summary procedure to the court for a writ requiring such first-named trustee or viharadhipati to deliver possession of the property to such other trustee or person aforesaid.

(2) On the hearing of such application it shall be competent to such court to issue its writ to the Fiscal or Deputy Fiscal and give possession accordingly as if it were a writ issued in execution of its own decree.

(3) A certificate under the hand of the Public Trustee to the effect that the person mentioned therein has vacated his office of trustee as aforesaid shall be conclusive evidence of the fact stated therein.

General powers of court.

29 The court may on the application of the Public Trustee, or any trustee of a temple, or, where there is no trustee, of the viharadhipati of such temple—

- (a) Give relief against any accidental mistake or omission or any informality occurring in the course of any matter arising under this Ordinance ;
- (b) Extend the time fixed for any action or proceeding in this Ordinance ;
- (c) Order any person within a time fixed in the order to discharge any duty imposed upon him by this Ordinance ;

and for the purpose of the exercise of its powers under this section may make any order that the justice of the case may require.

Prescription not to apply.

30 In the case of any claim for the recovery of any property, movable or immovable, belonging or alleged to belong to any temple, or for the assertion of title to any such property, the claim shall not be held to be barred or prejudiced by any provision of Ordinance No. 22 of 1871 ; provided that this section shall not affect rights acquired prior to the commencement of this Ordinance.

Exemption of temples from provisions of Part III.

31 The Governor in Executive Council may, by order published in the "Government Gazette," exclude any temple or class of temple from all or any of the provisions of this part.

#### PART IV.

##### *Accounts, Audit.*

Temples to which Part IV applies.

32 This part of this Ordinance shall apply only to temples mentioned in Schedule A to this Ordinance. But the Governor may, by order published in the "Government Gazette," extend its application to any other temple.

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

33 (1) It shall be the duty of every trustee, or, where there is no trustee, of the viharadhipati, to keep, in a form to be prescribed by the Public Trustee—

(a) Complete and detailed accounts—

- (i.) of the offerings made to the temple, and of the issues, rents, moneys, and profits received by him from the movable and immovable property belonging thereto ;
- (ii.) of the disbursements made by him for the purposes defined in section 21 of this Ordinance.

(b) An inventory of all movable and immovable property belonging to the temple.

(2) Any trustee or viharadhipati who contravenes the provisions of this section shall be guilty of a summary offence, and be liable on conviction to a fine not exceeding two hundred rupees.

34 (1) It shall be the duty of every trustee of a temple, or, where there is no trustee, of the viharadhipati of such temple, to make up a statement of such accounts at the close of every half-year ending June 30 and December 31 in each year, and such trustee or viharadhipati shall sign a declaration at the foot thereof that the accounts are "true and correct."

Accounts to be made up half-yearly and submitted.

(2) (a) Such trustee or viharadhipati shall submit his accounts countersigned, in the case of the Dalada Maligawa, by the mahanayakas of Malwatte and Asgiri Vihares, and in the case of any other temple other than a dewale or other than one of which the viharadhipati is trustee, by the viharadhipati, within thirty days of the end of each half-year to the Public Trustee.

(b) Should the mahanayakas or viharadhipati fail to countersign the accounts, they shall be forwarded with a statement to that effect.

(3) Any trustee or viharadhipati who contravenes any of the provisions of this section shall be guilty of a summary offence, and be liable on conviction to a fine not exceeding two hundred rupees.

35 (1) It shall be the duty of a viharadhipati to furnish to the trustee of the temple and to the Public Trustee, when called upon to do so, all such information as he may possess regarding—

Duty of viharadhipati to furnish information to trustee and the Public Trustee.

- (a) The annual income of the temple from the offerings made to such temple;
- (b) The nature, extent, and value of paraveni and maruvena pangu and other lands belonging to such temple; and
- (c) The monthly or annual value of the rents, issues, and profits of movable and immovable property belonging to or held by such temple by virtue of any title whatsoever.

(2) Any viharadhipati who, without just cause withholds any information required to be given by this section, or who wilfully gives false information regarding the same, or who without just cause 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 a summary offence, and be liable on conviction to a fine not exceeding two hundred rupees.

36 The Public Trustee shall send all accounts of such trustees or viharadhipatis to the Colonial Auditor, who shall cause the same to be audited by an officer of his department (hereinafter referred to as the "auditor"), and such officer shall have all the powers given to an auditor under section 41 of the Public Trustee Ordinance, No. 1 of 1922.

Audit of accounts.

37 The auditor shall at the close of his audit send a report in writing, together with all declarations which may have been made and signed before him, to the Public Trustee, who may take such action under the provisions of this Ordinance as he shall think proper.

Auditor to report to the Public Trustee.

38 If the issues, rents, moneys, profits, and offerings shall not be duly accounted for as required in this part of this Ordinance, it shall be the duty of the Public Trustee to hold such inquiry as he may think fit, and to cause to be prosecuted any trustee or viharadhipati who may reasonably be suspected of having committed a criminal breach of trust.

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

## PART V.

### General.

39 (1) It shall be the duty of the mahanayaka or ordaining nayaka of every nikaya or peruwa to make and complete, within six months of the commencement of this Ordinance, a register of the upasampada bhikshus belonging to each such nikaya or peruwa, as the case may be.

Register of bhikshus.

(2) Such register shall be in the form in Schedule B to this Ordinance, with such modifications as may from time to time be prescribed by regulations made by the Governor in Executive Council.

(3) Such register shall be made in a bound paper volume, of which the pages shall be numbered consecutively; and a certified copy thereof shall be sent to the Registrar-General as soon as the same shall have been completed.

(4) The mahanayaka or ordaining nayaka shall forthwith make all such corrections, additions, or alterations in such register as may be necessary to keep it up to date, and shall immediately, on making any such corrections, additions, or alterations, send copies thereof to the Registrar-General.

(5) Any mahanayaka or ordaining nayaka acting in contravention of the provisions of this section shall be guilty of a summary offence, and liable on conviction to a fine not exceeding fifty rupees.

(6) Such register shall be *prima facie* evidence in all courts and for all purposes of the facts therein contained.

(7) If any person, whose name does not appear on such register acts, or holds himself out, as an upasampada bhikshu, he shall be guilty of a summary offence, and be liable on conviction to a fine not exceeding fifty rupees.

Samanera not to perform functions of viharadhipati after one year.

40 After the expiration of one year from the commencement of this Ordinance, no samanera shall be qualified to perform any functions of a viharadhipati under this Ordinance.

Power to make regulations.

41 (1) It shall be lawful for the Governor in Executive Council to make regulations—

- (a) For the preservation and protection of such Buddhist shrines, temples, inscriptions, and monuments as may be considered to be of historical, archæological, or artistic interest, and for preventing the same from being defaced by inappropriate or incongruous repairs or additions;
- (b) For the care and custody of articles of value belonging to temples;
- (c) For the levying of contributions from the property of temples for carrying out the provisions of this Ordinance; and
- (d) For the appointment of a board for the purpose of carrying out regulations made under this section.

(2) All regulations so made shall be published in the "Government Gazette," and shall thereupon become as legal, valid, and effectual as if the same had been inserted herein.

(3) The breach of any regulation made in pursuance of this section shall be an offence, and shall be punishable on summary conviction by a fine not exceeding one hundred rupees, and in the case of a continuing offence by a further fine not exceeding five rupees for each subsequent day on which such offence continues.

## PART VI.

### *Transitory and Repeal Provisions.*

Continuation of former trustees until appointment of new trustees.

42 Every trustee duly appointed for any temple in accordance with any Ordinance repealed by this Ordinance and holding office immediately before the commencement of this Ordinance shall continue in office until the appointment of a trustee or board of trustees for such temple under this Ordinance and until such appointment shall have the same powers and duties and shall be subject to the same responsibilities as are conferred or imposed upon a trustee or board of trustees appointed for such temple under this Ordinance.

Provided that in the case of temples other than those mentioned in Schedule A, the trustees of any such temple in office at the time of the commencement of this Ordinance shall forthwith hand over all property, funds, records of such temple, books and documents in their charge to the viharadhipati.

Provided further that nothing in this section contained shall, except as in this Ordinance provided, affect the tenure of office of the Diyawadana Nilame or of any basnayaka nilame in office at the time of the commencement of this Ordinance.

43 (1) On the commencement of this Ordinance every committee constituted under any Ordinance repealed by this Ordinance shall forthwith deposit at the kachcheri of the revenue district all property, funds, records, books, and documents of which it shall be possessed under or by reason of the provisions of any Ordinance hereby repealed.

Dissolved committees to deposit property, &c., at kachcheri.

(2) In the event of any contravention of the provisions of this section, the secretary or person performing the duties of any such office shall be guilty of a summary offence, and shall be liable on conviction to a fine not exceeding fifty rupees; and to a further fine of five rupees for every day during which such contravention continues.

44 Subject to any provisions hereinbefore contained, all the property, funds, records, books, and documents of which any committee shall be possessed under or by reason of the provisions of any Ordinance hereby repealed and all the rights, powers and duties, debts, liabilities and obligations of such committee shall be deemed to be transferred to the Public Trustee.

Property, &c., of committees to be transferred to Public Trustee.

45 The Buddhist Temporalities Ordinance, 1905, and the Buddhist Temporalities (Amendment) Ordinance, No. 15 of 1919, are hereby repealed.

Repeal.

SCHEDULE A.

(Sections 3 and 32.)

*Kandy District.*

|  |                           |
|--|---------------------------|
| Dalada Maligawa.                                       | Dodanwala Dewale.         |
| Maha Dewale with Alutnuwara Dewale in Four Korales.    | Alawatugoda Saman Dewale. |
| Kandy Natha Dewale.                                    | Niyangampaya Vihare.      |
| Kandy Pattini Dewale with Hanguranketa Pattini Dewale. | Huduhumpola Vihare.       |
| Kandy Kataragam Dewale.                                | Degaldoruwa Vihare.       |
| Gangarama Vihare.                                      | Nittawela Vihare.         |
| Lankatilaka Vihare and Dewale.                         | Talawa Vihare.            |
|  | Bambaragala Vihare.       |
|  | Kondadeniya Vihare.       |

*Nuwara Eliya District.*

|                           |                     |
|---------------------------|---------------------|
| Hanguranketa Maha Dewale. | Pusulpitiya Vihare. |
|---------------------------|---------------------|

*Matale District.*

|                                  |                                 |
|----------------------------------|---------------------------------|
| Dambulla Vihare and Maha Dewale. | Aluvihare Uda and Pallevihares. |
|                                  | Pallegane Vihare.               |

*Province of Uva.*

|                               |                    |
|-------------------------------|--------------------|
| Ruhunu Maha Kataragam Dewale. | Soragune Dewale.   |
| Badulla Kataragam Dewale.     | Mahyangane Vihare. |
| Badulla Pattini Dewale.       | Bogoda Vihare.     |
| Mutiayangane Vihare.          | Rambukpota Vihare. |

*Ratnapura District.*

|   |                                  |
|---|----------------------------------|
| Sabaragamu Maha Saman Dewale.             | Pelmadulla Vihare.               |
| Alutnuwara Dewale.                        | Potgul Vihare.                   |
| Kottimbulwala Vihare.                     | Sripadasthane.                   |
| Aramanapola <i>alias</i> Ganegama Vihare. | Kiriella Nedun Vihare.           |
|   | Pallebadda Vihare and Nindagama. |

*Kegalla District.*

|                                   |  |
|-----------------------------------|--|
| Ambulugala Vihare.                | Selawa Vihare.                                 |
| Dorawaka Natha Dewale.            | Deraniyagala Saman Dewale.                     |
| Wattarama Vihare.                 | Wanduradeniya <i>alias</i> Iddamalpana Vihare. |
| Alutnuwara and Ganewatta Vihares. |  |

*North-Central Province.*

|   |            |
|---|------------|
| Atamasthane, viz., (1) Abhayagiriya, (2) Bodinvahanse, (3) Jetavanarama, (4) Lankarama, (5) Lowamahapaya, (6) Mirisawetiya, (7) Ruwanweliseya, (8) Thuparama. | Mihintale. |
|---|------------|

*Western Province.*

|                     |                    |
|---------------------|--------------------|
| Kelaniya Vihare.    | Pepiliyana Vihare. |
| Attanagalla Vihare. |                    |

*Southern Province.*

|  |   |
|--|---|
| Tissamaharama Maha Vehera<br>and Sandagiri Vehera. | Kahagal Vihare.                                   |
| Yathala and Menik Veheras.                         | Wanawasa <i>alias</i> Kuda Vihare<br>of Tangalla. |
| Mulkirigala Vihare.                                | Hatagala Vihare.                                  |

*Kurunegala District.*

|                     |   |
|---------------------|---|
| Ridi Vihare.        | Dambadeniya Vihare.                           |
| Maraluwawa Vihare.  | Humbuluwa Vihare.                             |
| Angangala Vihare.   | Madawala Vihare (in Damba-<br>deni Hatpattu). |
| Ginikarawa Vihare.  | Gonnawa Vishnu Dewale.                        |
| Meddepola Vihare.   | Padeniya Vihare.                              |
| Bingiriya Vihare.   | Budumuttawa Vihare.                           |
| Epaladeniya Vihare. |   |

## SCHEDULE B.

(Section 39.)

## Register of Upasampada Bhikshus.

| 1                   | 2                              | 3                             | 4               | 5              | 6  | 7                                    | 8                                     | 9                  | 10                          | 11         | 12                                     | 13                            |
|---------------------|--------------------------------|-------------------------------|-----------------|----------------|--|--------------------------------------|---------------------------------------|--------------------|-----------------------------|------------|--|-------------------------------|
| Consecutive Number. | Province of District of Birth. | Village of Birth and Gē Name. | Name of Father. | Name of Tutor. | Name of Ordaining Bhikshu and of Vihare. | Names of Karmacharis (as in 25, 26). | Date of Initiation and of Ordination. | Name of Upadhyaya. | Name assumed at Ordination. | Residence. | Name of Tutor applying for Ordination. | Age and Date of Registration. |
|                     |                                |                               |                 |                |  |                                      |                                       |                    |                             |            |  |                               |

By His Excellency's command,

Colonial Secretary's Office,  
Colombo, April 22, 1930.F. G. TYRRELL,  
Acting Colonial Secretary.*Explanatory Note.*

This Bill is based on the Buddhist Temporalities Bill introduced into the Legislative Council on October 5, 1922, as a result of the report of the Commissioners appointed to inquire into the working of the Buddhist Temporalities Ordinance, No. 8 of 1905 (Sessional Paper XXIV.—1920).

2. The more important amendments contained in this Bill have been introduced with the following objects:—

(a) To restore to the priesthood the control of Buddhist temporalities by allowing the viharadhipati to submit his own name or that of another priest or a layman to the Public Trustee for recognition as trustee (clause 6 which reproduces in an amended form clause 29 of the Bill of 1922—cf. paragraph 7, page 13, of the Interim Report of the Commissioners).

(b) To secure better control of the conduct of trustees—

(i.) by requiring security to be given to the satisfaction of the Public Trustee (clause 7 which reproduces in an amended form clause 31 of the Bill of 1922—cf. paragraph 7B (d) of the Interim Report);

(ii.) by substituting as the supervising authority the Public Trustee in place of the district committees which have been abolished;

(iii.) by providing for the keeping of books and a proper audit (clauses 33, 34 and 36, which respectively reproduce in an amended form clauses 58, 59 and 61 of the Bill of 1922—cf. paragraph 7c of the Interim Report);

- (iv.) by providing for the suspension or dismissal of trustees (clause 9 which is based on clause 33 of the Bill of 1922), and their punishment for neglect of duty (clause 14 which reproduces clause 38 of the Bill of 1922);
- (v.) by providing that the Public Trustee shall hold an inquiry and prosecute a trustee who does not account for the issues, rents, profits and offerings of the temple (clause 38 which reproduces in an amended form clause 65 of the Bill of 1922).

(c) To prevent the acquisition by prescription of rights against temple property by providing that the provisions of Ordinance No. 22, of 1871 shall not bar any action for the recovery of such property (clause 30 which reproduces in an amended form clause 55 of the Bill of 1922—cf. paragraph 8 of Interim Report and paragraph 20 of Final Report). This provision does not affect any rights acquired prior to the commencement of the Bill.

3. Clauses 4 and 5 make provision for the election of the Diyawadana Nilame and the basnayaka nilames at meetings to be presided over by the Government Agent. Provision is also made that the result of such election shall be reported to the Public Trustee (these clauses are based on clauses 27 and 28 of the Bill of 1922).

4. Clause 6 (4) provides for the appointment of a board of three trustees for the Atamasthane.

5. Clause 8 (which is based on clause 32 of the Bill of 1922) lays down the qualification of trustees.

6. Clause 10 (which is based on clause 34 of the Bill of 1922) makes provision for the vacation of office and the appointment of new trustees.

7. Clause 11 which gives the Public Trustee the right to make a provisional appointment pending the election of a new trustee or during the temporary absence of a trustee from the Island is based on clause 35 of the Bill of 1922.

8. Clause 18 (which reproduces clause 43 of the Bill of 1922) makes provision for enforcing existing contracts and recovery of debts.

9. Provision is made by clause 19 with regard to pudgalika immovable property of a bhikshu. Such property is deemed to be the property of the temple if not disposed of during his lifetime (this clause is based on clause 44 of the Bill of 1922—cf. paragraph 8 of Final Report).

10. Clause 20 (which is based on clause 45 of the Bill of 1922) gives the Public Trustee the discretion to direct that the monies received by any trustee should be deposited in a bank in the name of the temple.

11. Clauses 22, 23 and 25 (which are based respectively on clauses 47, 48 and 50 of the Bill of 1922) deal with the sale, mortgage and lease of temple land (cf. paragraph 20 of Final Report).

12. Clauses 24 and 27 (which are based on clauses 49 and 52, respectively, of the Bill of 1922) deal with the recovery of immovable property alienated or leased to the detriment of the temple (cf. paragraph 7B of the Interim Report).

13. Clause 28 (which is based on clause 53 of the Bill of 1922) provides a procedure by which a new trustee may obtain possession of movable or immovable property in the hands of a trustee vacating office.

14. Clauses 32 to 37 (which are based on sections 57 to 64 of the Bill of 1922) deal with the keeping of books and the audit of accounts (cf. paragraph 7C of Interim Report).

15. Clause 39 (which reproduces clause 66 of the Bill of 1922) provides for the preparation of a register of bhikshus (cf. paragraphs 29 and 30 of the Final Report).

16. Clause 41 gives the Governor in Executive Council power to make regulations for certain purposes.

17. Clauses 42 to 45 consist of transitory and repeal provisions.

*(Continued on page 521.)*

## NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 4,009. In the matter of the insolvency of Don Albert Perera of 6 and 7, Kanatta road.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on June 10, 1930, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,  
Colombo, April 12, 1930. for Secretary.

In the District Court of Colombo.

No. 4,016. In the matter of the insolvency of W. Don Lawrence of Weliwita.

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 17, 1930, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,  
Colombo, April 16, 1930. for Secretary.

In the District Court of Colombo.

No. 4,196. In the matter of the insolvency of M. C. M. Zacky of Frances road, Wellawatta.

WHEREAS M. C. M. Zacky has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by C. B. H. Hamid Alim Sahib of Moratuwa, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said M. C. M. Zacky insolvent accordingly ; and that two public sittings of the court, to wit, on May 27, 1930, and on June 10, 1930, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, A. E. PERERA,  
Colombo, April 15, 1930. for Secretary.

In the District Court of Colombo.

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

WHEREAS T. A. Rajudin has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by A. A. Marikar of 84, Centre road, Mattakkuliya, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said T. A. Rajudin insolvent accordingly ; and that two public sittings of the court, to wit, on June 10, 1930, and on June 24, 1930, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, A. E. PERERA,  
Colombo, April 15, 1930. for Secretary.

In the District Court of Colombo.

No. 4,198. In the matter of the insolvency of J. A. Caderamen of 47, Alutmawatta road, Colombo.

WHEREAS J. A. Caderamen has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by A. W. Fernando of St. James street, Mutwal, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said J. A. Caderamen insolvent accordingly ; and that two public sittings of the court, to wit, on June 10, 1930, and on June 24, 1930, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, A. E. PERERA,  
Colombo, April 15, 1930. for Secretary.

In the District Court of Colombo.

No. 4,199. In the matter of the insolvency of P. V. Macky of 100, Bankshall street, Colombo.

WHEREAS P. V. Macky has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by C. H. Mohideen Cutty of 5, Bankshall street, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said P. V. Macky insolvent accordingly ; and that two public sittings of the court, to wit, on June 10, 1930, and on June 24, 1930, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, A. E. PERERA,  
Colombo, April 15, 1930. for Secretary.

In the District Court of Colombo.

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

WHEREAS M. Dharmadasa has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by K. M. Perera of Grandpass, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said M. Dharmadasa insolvent accordingly ; and that two public sittings of the court, to wit, on June 10, 1930, and on June 24, 1930, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, A. E. PERERA,  
Colombo, April 15, 1930. for Secretary.



In the District Court of Hatton.

No. 21. In the matter of the insolvency of B. S. P. Mendis of Moray Group, Maskeliya.

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 April 28, 1930.

By order of court, T. A. WIJETUNGE,  
April 19, 1930. for Secretary.

In the District Court of Galle.

No. 624. In the matter of the insolvency of Nanayakkarawasan Weligama Palliye Guruge Paraliyas of Kitulampitiya.

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 23, 1930, for assignee's report.

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

In the District Court of Galle.

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

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 5, 1930, for appointment of an assignee.

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

In the District Court of Galle.

No. 630. In the matter of the insolvency of Naikaluge Sawris Silva of Unawatuna.

WHEREAS Matarage Mendis Appu of Unawatuna has filed a declaration of insolvency, and a petition for the sequestration of the estate of Naikaluge Sawris Silva, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Naikaluge Sawris Silva insolvent accordingly; and that two public sittings of the court, to wit, on April 30, 1930, and on May 14, 1930, 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, C. W. GOONEWARDENE,  
Secretary.

In the District Court of Kegalla.

Insolvency In the matter of the insolvency of V. A. Jurisdiction. Suppiah Pillai of Kegalla.  
Case No. 58.

NOTICE is hereby given that the first sitting is adjourned to May 15, 1930, for proof of claims and for the appointment of an assignee.

By order of court, L. B. CASPERSZ,  
Kegalla, April 22, 1930. Secretary.

*Cancelled 18 x 8 = Rs 28*  
**NOTICES OF FISCALS' SALES.**

Western Province.

In the District Court of Colombo.

Mary Magdalene de Costa, wife of (2) Peter Christopher de Costa of Rajagiri, 58, St. Mary's road in Mattacooliya in Colombo ..... Plaintiffs.

No. 35,410. Vs.

(1) Srai Lebbe Pathumma Umma, wife of (2) Mohamed Alie Zainudeen, both of Colpetty in Colombo ..... Defendants.

NOTICE is hereby given that on Monday, June 2, 1930, will be sold by public auction at the respective premises the following property mortgaged with the plaintiffs by bond No. 143 dated September 21, 1928, and attested by W. D. N. Selvadurai of Colombo, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated March 4, 1930, for the recovery of the sum of Rs. 1,206, with further interest on Rs. 1,000 at 18 per cent. per annum from November 12, 1929, till December 5, 1929, 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 undivided 1/12th share and all that divided portion, part, or share which will eventually be allotted to the said Srai Lebbe Pathumma Umma in and to the final decree which will be entered in action No. 2,474/1921 of the District Court of Colombo from and out of the following premises.

At 1.30 P.M.

1. All that portion marked A2; bounded on the north by the share marked A1 of the same estate, on the east by the canal from Colombo to Negombo, land claimed by natives, now properties of Justina Fonseka, M. Fonseka, and Alexander Perera, portions of Hikgahakumbura of J. Fonseka, D. Fonseka, and S. D. Agostina Appu, Morganwatta of J. A. Rodrigo, small canal, and the property of Salman Pulle and others, on the south by the land claimed by natives, now Madangahawatta of Eugene Brito, and on the west by portions of Jawagewatta of Jerome Perera, Joseph Albert, H. J. Fraccisco, Police Vidane, and the seashore.

At 2.30 P.M.

2. All that portion marked B; bounded on the north by a part of the same land claimed by natives, but more correctly by portions of Delgahawatta of C. Rodrigo and T. C. Rodrigo and the properties of J. A. Rodrigo and H. Rodrigo and by the small canal from Colombo to Negombo, on the south by the small canal, but more correctly by the said canal and by the properties of Eugene Brito and Stephen Gurnnanse, and on the west by the paddy field of natives, but more correctly by Morganwatta of J. A. Rodrigo; which said shares marked A2 and B contain in extent 84 acres 1 rood and 29 perches, according to survey and plan No. 4,320 dated May 24, 1920, made by G. P. Weeraratna, Licensed Surveyor, the said portions marked A2 and B being portions of all estate called and known as Hendela Farm comprising the divisions marked A and B situated

at Hendala and Palliyawatta in the Ragam pattu of Alutkuru korale in the District of Colombo, Western Province; divisions A being bounded on the north by land claimed by natives which is now Dikowitawatta of Joseph Rodrigo Gan-Arachchi, on the east by canal from Colombo to Negombo, land claimed by natives now properties of Justina Fonseka, M. Fonseka, and Alexander Perera, portions of Hikgahawatta of J. Fonseka, B. Fonseka, D. Agostinu Appu, Moraganwatta of J. A. Rodrigo, small canal, and the property of Salman Pulle and others, on the south by the land claimed by natives now Madangahawatta of Eugene Brito, and on the west by portions of Jawagewatta of Jerome Perera, Joseph Albert, H. J. Francisco, Police Vidane, the seashore, the properties of Idroos Lebbe and Gabriel Fonseka, Police Vidane, and Dikowitawatta of Joseph Rodrigo, Gan-Arachchi; containing in extent 129 acres 2 roods and 13 perches; and divisions B being bounded on the north by a portion of the same land claimed by natives, but more correctly by portions of Delgahawatta of C. Rodrigo and T. C. Rodrigo and the portions of J. A. Rodrigo and H. Rodrigo and by the small canal, on the east by Kitul-ela, now the canal from Colombo to Negombo, on the south by the small canal, but more correctly the said canal, and on the west by the paddy fields of natives, but more correctly by Morgahawatta of J. A. Rodrigo; containing in extent 3 acres 3 roods and 16 perches; and which said entire estate called and known as Hendala Farm, is also fully described in the said plan No. 4,320 dated May 24, 1920, made by G. L. P. Weeraratna, Licensed Surveyor. Prior Registration B 253/31.

Fiscal's Office, N. WICKRAMASINGHE,  
Colombo, April 23, 1930. Deputy Fiscal.

In the District Court of Colombo.

Arthur Kettle carrying on business under the name and style of Sydney W. Hassall & Co., Birmingham ..... Plaintiff.

No. 36,342. Vs.

Thekakadavath Kunnimal Kuttoosa, carrying on business under the name and style of M. P. Abdul Cader and Co. at 48, Prince street, Pettah, Colombo ..... Defendant.

NOTICE is hereby given that on Thursday, May 22, 1930, at 10 A.M., will be sold by public auction at 98, Prince street, Pettah, Colombo, the following property for the recovery of the sum of Rs. 5,960.99, with interest on Rs. 5,724.28 at the rate of 7 per cent. per annum from January 14, 1930, to date of decree, March 21, 1930, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit, viz. :—

*In No. 1 Almirah.*  
7 rolls canvas  
14 lb. wicks  
20 packets screw nails

*In No. 2 Almirah.*  
20 measuring tapes  
30 brass casement stays  
20 brass tapes  
40 brass hinges  
6 brass locks.

2 brass door handles  
4 brass tower bolts  
1 brass scale  
1 brass large tap  
4 brass small taps  
6 brushes

*In No. 3 Almirah.*  
24 packets copper washers  
2 packets copper rivets  
14 packets brass screws  
230 packets small brass screws

5 packets foot rules  
6 tapes, 33 feet  
5 tapes, 50 feet  
5 tapes, 66 feet  
5 tapes, 100 feet

*In No. 1 Rack.*

25 dozen emery paper  
30 hammers  
1 galvanized bend  
1 heap bolts and nuts, about 2 cwt.

*In No. 2 Rack.*

10 tins with gum  
7 small tins gum  
48 galvanized pipe washers  
1 heap of galvanized nails, about 1/4 cwt.  
15 glass tiles  
1 typewriter (damaged)  
6 bundles rope  
17 packets screws  
10 loose boxes containing small tins with paint  
5 tins varnish  
2 porcelain chamber pots  
1 heap of bolts and nuts, about 2 cwt.

*Things lying outside.*

2 jak small glass almirahs  
1 jak long glass almirah  
2 jak large almirahs  
1 round show case  
1 iron safe with stand  
50 earthen jugs  
4 watering cans  
2 loose rolls machine belting  
3 rolls twine  
5 large tins oil  
1 barrel T hinges, about 4 cwt.

10 tins paint  
1 heap bolts and nuts, about 1 cwt.  
1 common wood counter  
150 mammoty handles  
1 large roll galvanized wires  
1 small roll galvanized wires  
1 balance  
3 large rolls coir rope  
3 small rolls coir rope  
2 top parts of weighing balance  
2 common wood racks  
1 small show case  
1 teakwood book rack  
1 copying press  
1 top part of weighing balance  
1 typewriter (Woodstock)  
2 jak tables with drawers  
1 jak letter rack  
1 jak pigeon hole with stand  
2 jak plank chairs  
1 jak bench  
1 jak counter  
1 jak old glass almirah  
1 jak round show case  
1 large bellows  
100 loose boxes containing large and small pieces of stained glasses  
1 jak large table  
1 teakwood glass almirah (damaged)  
1 jak lounge  
1 jak small almirah  
1 jak sideboard  
1 jak large box  
1 jak bench  
1 jak small table  
1 jak broad bench  
100 chimneys

Fiscal's Office, N. WICKRAMASINGHE,  
Colombo, April 23, 1930. Deputy Fiscal.

In the District Court of Colombo.

Alexander Young (London) Limited of London ..... Plaintiff.

No. 36,599. Vs.

Thackakadavath Kunnimal Kuttoosa, carrying on business under the name, style, and firm of M. P. Abdul Cader & Co. at 98, Prince street, and 69, 3rd Cross street, Colombo ..... Defendant.

NOTICE is hereby given that on Wednesday, May 21, 1930, at 10 A.M., will be sold by public auction at 98, Prince street, Pettah, the following movable property mortgaged with the plaintiff 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 February 11, 1930, for the recovery of

the sum of Rs. 16,989, with interest thereon at 9 per cent. per annum from February 11, 1930, till payment in full, and costs of suit, less Rs. 2,000, viz. :—

All that the stock-in-trade goods, wares, merchandise, furniture, and fittings lying and being at 98, Prince street, Pettah, Colombo.

*In No. 1 Almirah.*

7 rolls canvas  
14 lb. wicks  
20 packets screw nails

*In No. 2 Almirah.*

20 measuring tapes  
30 brass casement stays  
20 brass tapes  
40 brass hinges  
6 brass locks  
2 brass door handles  
4 brass tower bolts  
1 brass scale  
1 brass large tap  
4 brass small taps  
6 brushes

*In No. 3 Almirah.*

24 packets copper washers  
2 packets copper rivets  
14 packets brass screws  
230 packets small brass screws  
5 packets foot rules  
6 tapes, 33 feet  
5 tapes, 50 feet  
5 tapes, 66 feet  
5 tapes, 100 feet

*In No. 1 Rack.*

25 dozen emery paper  
30 hammers  
1 galvanized bend  
1 heap bolts and nuts, about 2 cwt.

*In No. 2 Rack.*

10 tins with gum  
7 small tins gum  
48 galvanized pipe washers  
1 heap of galvanized nails, about  $\frac{1}{4}$  cwt.  
15 glass tiles  
1 typewriter (damaged)  
6 bundles rope  
17 packets screws  
10 loose boxes containing small tins with paint  
5 tins varnish  
2 porcelain chamber pots  
1 heap of bolts and nuts, about 2 cwt.

*Things lying outside.*

2 jak small glass almirahs  
1 jak long glass almirah  
2 jak large almirahs  
1 round show case  
1 iron safe with stand  
50 earthen jugs  
4 watering cans  
2 loose rolls machine bolting  
3 rolls twine  
5 large tins oil  
1 barrel T hinges, about 4 cwt.  
10 tins paint  
1 heap bolts and nuts, about 1 cwt.  
1 common wood counter  
150 mamoty handles  
1 large roll galvanized wire  
1 small roll galvanized wire  
1 balance  
3 large rolls coir rope  
3 small rolls coir rope  
2 top parts of weighing balance  
2 common wood racks  
1 small show case  
1 teakwood book rack  
1 copying press  
1 top part of weighing balance  
1 typewriter (Woodstock)  
2 jak tables with drawers  
1 jak letter rack  
1 jak pigeon hole with stand  
2 jak plank chairs  
1 jak bench  
1 jak counter  
1 jak old glass almirah  
1 jak round show case  
1 large bellows  
100 loose boxes containing large and small pieces of stained glasses  
1 jak large table  
1 teakwood glass almirah (damaged)  
1 jak lounge  
1 jak small almirah  
1 jak sid board  
1 jak large box  
1 jak couch  
1 jak small table  
1 jak broad bench  
100 chimneys

N. WICKRAMASINGHE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, April 23, 1930.

In the District Court of Colombo.

Alexander Young (London) Limited of London ..... Plaintiff.

No. 36,599.

Vs.

Thackakadawath Kunnama Kuttoosa, carrying on business under the name, style, and firm of M. P. Abdul Gader & Co. at 98, Prince street, and 69, Third Cross street..... Defendant.

NOTICE is hereby given that on Tuesday, May 20, 1930 at 10 A.M., will be sold by public auction at 69, Third Cross street, Pettah, Colombo, the following movable property mortgaged with the plaintiff 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 February 11, 1930, for the recovery of the sum of Rs. 16,989, with interest thereon at the rate of 9 per cent. per annum from February 11, 1930, till payment in full, and costs of suit, less Rs. 2,000, viz. :—

All that the stock-in-trade goods, wares, merchandise, furniture, and fittings lying and being at 69, Third Cross street, Pettah, Colombo :—

*In No. 1 Almirah.*

170 dozen brass drawer handles  
55 dozen brass tray handles  
17 dozen brass almirah handles  
3 packets containing 27 dozen brass keyhole plates  
1 packet containing 9 dozen brass keyhole plates  
10 dozen brass nails  
100 brass show case handles  
3 dozen brass hinges  
20 dozen small saucers  
12 brass locks  
12 brass padlocks  
10 dozen brass small hinges  
10 brass small padlocks  
5 dozen brass hat pegs  
1 pair brass pegs  
1 dozen brass hat pegs  
12 brass towel rails

*In No. 2 Almirah.*

7 tapes 100 feet in length  
4 tapes 66 do.  
3 tapes 50 do.  
2 tapes 25 do.  
 $\frac{1}{2}$  dozen foot rules  
27 galvanized padlocks  
6 dozen brass bib cocks  
119 packets brass large screws  
354 packets brass small screws  
40 dozen brass locks

*In No. 1 Rack.*

32 packets iron hinges  
65 cast iron pans

20 rakes  
215 packets iron screws  
20 dozen chains  
9 dozen iron hinges  
15 dozen sand paper  
1 galvanized wire roll

*In No. 2 Rack.*

6 dozen rim locks  
10 dozen rim locks  
25 dozen scythes  
75 packets iron screws  
18 dozen chains  
10 dozen chains  
10 dozen condi buttons  
38 packets iron hinges  
25 galvanized bends  
65 packets hinges  
30 packets bolts and nuts  
1 heap of T hinges, about 3 cwt.  
100 borers  
150 galvanized buckets  
8 galvanized pipes  
35 galvanized small pipes  
3 heaps iron, about 60 cwt.  
1 heap brass and copper wires, about 1 cwt.  
15 barrels nails  
13 rolls wire nets  
11 rolls galvanized wires  
1 bellows  
1 barrel inkstands  
40 cross cut saws  
1 balance  
2 jak glass almirahs  
2 jak racks  
1 jak stand  
1 jak writing table  
1 bentwood chair  
1 scale with weights

Fiscal's Office,  
Colombo, April 23, 1930.

N. WICKRAMASINGHE,  
Deputy Fiscal.

In the District Court of Colombo.

A. R. N. Supramaniam Chetty of Sea Street,  
Colombo ..... Plaintiff.

No. 37,413. Vs.

P. Arulanantham, carrying on business under the  
name, style, and firm of "Perinam Trading  
Agency," 26, New Moor street,  
Colombo ..... Defendant.

NOTICE is hereby given that on Monday, May 19,  
1930, at 10 A.M., will be sold by public auction at 26,  
New Moor street, Colombo, the following mortgaged  
property declared specially bound and executable  
under the decree entered in the above action and ordered  
to be sold by the order of court dated March 28, 1930,  
for the recovery of the sum of Rs. 949, with legal in-  
terest thereon from March 28, 1930, till payment in  
full, and costs of suit, viz. :—

All that stock in trade, merchandise, typewriters,  
stationery, books, provisions, printing press and types  
including thirty point borders, electric blocks, ruling  
machines, composing sticks, cutters, imposing iron  
surfaces, foolscap folio machines, and all other accesso-  
ries, tools, implements, fittings, furniture, things and  
effects, nothing excepted, presently lying in premises  
26, New Moor street, within the Municipality and  
District of Colombo, Western Province, and all the  
machinery, furniture, merchandise, and effects, nothing  
excepted, with all the estate, right, title, interest, pro-  
perty claim, and demand whatsoever of the defendant  
in, to, upon, or out of the same.

Fiscal's Office, N. WICKRAMASINGHE,  
Colombo, April 23, 1930. Deputy Fiscal.

In the Court of Requests of Colombo.

Polwattage Avenaris Peris, Dehiwala ..... Plaintiff

No. 42,933. Vs.

L. D. Deyonis Appuhamy, premises No. 28,  
Narahenpita ..... Defendant.

NOTICE is hereby given that on Saturday, May 31,  
1930, at 10 A.M., will be sold by public auction at the  
premises the right, title, and interest of the said de-  
fendant in the following property for the recovery of  
the sum of Rs. 106.42, with interest on the sum of  
Rs. 55.54 at 16½ per cent. per annum from May 27,  
1928, to November 28, 1928, and thereafter on the  
aggregate of the decree at 9 per cent. per annum till  
payment in full, and costs amounting to Rs. 23, to wit,  
Rs. 20 being incurred costs and Rs. 3 being prospective  
costs, viz. :—

A divided portion of land called Thalghawatta  
bearing assessment No. 28 now Nos. 173, 177, 179, and  
540, situated at Narahenpita, within the Municipality  
and District of Colombo, Western Province; and  
bounded on the north by a portion of this land belonging  
to Lokurallage Don Liveris Appuhamy, east by high  
road, south by Kirillapane road, and west by the property  
of Belenis Appuhamy and others; containing in extent  
about 1 rood more or less, with the buildings and plan-  
tations standing thereon.

Fiscal's Office, N. WICKRAMASINGHE,  
Colombo, April 23, 1930. Deputy Fiscal.

In the Court of Requests of Colombo.

P. de Saram of St. Joseph's street in  
Colombo ..... Plaintiff.

No. 57,163. Vs.

A. Don Abraham Dissanayake Appuhamy of  
Hendala ..... Defendant.

NOTICE is hereby given that on Thursday, June 5,  
1930, at 10 A.M., will be sold by public auction at this  
office the following property for the recovery of the sum  
of Rs. 250, with legal interest thereon from November  
8, 1929, till payment in full, and costs of suit Rs. 25.25,  
prospective costs Rs. 7, viz. :—The unexpired term of  
the leasehold interest of the defendant for 10 years,  
commencing from June 1, 1925, upon deed No. 214  
dated June 26, 1925, and attested by J. P. A. Caldera,  
Notary Public, affecting the following property, to  
wit :—

The land called Nugagahaowita *alias* Handapane-  
landa, situated at Kandalandu in Meda pattu of Siyane  
korale in the District of Colombo, Western Province;  
and bounded on the north by lands claimed by Geeris  
Vidane and M. Babappu, on the north-east by land  
claimed by Babappu, on the east formerly by Crown  
land and now by a cart road, the field of H. Babahamy,  
and land described in plan No. 133,138, on the south-  
east by the property of Babahamy and land claimed by  
H. Babappu and others, on the south by lands formerly  
of Babappu and others and Karanis Seenchi and  
Ungappu and now the property of H. Baronchi Appu,  
and on the west by the fields of Haramanis and Juwanis  
Vedarala Sinchi and Ungappu; containing in extent  
14 acres and 12 perches as authenticated by plan  
made by M. G. de Silva, Licensed Surveyor, together  
with the buildings and plantations standing thereon.  
Prior registration E 177/23.

Fiscal's Office, N. WICKRAMASINGHE,  
Colombo, April 23, 1930. Deputy Fiscal.

In the District Court of Colombo.

C. A. Hutson & Co., Ltd., Colombo ..... Plaintiffs.

No. 30,519. Vs.

W. G. Silva of Kalamulla, Kalutara ..... Defendant.

NOTICE is hereby given that on Friday, May 23,  
1930, at 4 o'clock in the afternoon, will be sold by public  
auction at the premises the right, title, and interest of  
the said defendant in the following property for the  
recovery of Rs. 459.70, with interest thereon at 9 per  
cent. per annum from November 2, 1928, till September  
6, 1929, and thereafter on the aggregate amount at  
9 per cent. per annum till payment in full, and costs of  
suit Rs. 263.90, and poundage, viz. :—

An undivided ½ share of the two allotments of land  
called Kiriya Koratuwawatta *alias* Kitulgahawatta and  
Delgahawatta, situated at Kalamulla in Kalutarabadda  
in Kalutara totamune in the District of Kalutara,  
Western Province; and bounded on the north by the  
other half share of Kiriya Koratuwawatta *alias* Kitul-  
gahawatta of Manuel Silva and Kosgahawatta, east by  
Kongahawatta and Ambagahawatta, south by Amba-  
gahawatta, and west by other half share of Delgahawatta

belonging to 1st defendant and the other half share of Kiriyaakoratuwewatta *alias* Kitulgahawatta belonging to Manuel Silva ; and containing in extent 2 roods and  $\frac{5}{8}$  perches as per figure of survey No. 5,413 dated February 28, 1928, made by H. O. Scharenguivel, Licensed Surveyor, Kalutara.

H. SAMERESINGHA,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Kalutara, April 22, 1930.

Central Province.

In the District Court of Kandy.

Muna Pena Reena Ana Anjappen of Pussellawa ..... Plaintiff.

No. 33,900. Vs.

(1) K. M. Punchirala and his wife (2) Wijeyesinghe Mudiyansele Dingiri Amma, (3) W. M. Mudalihamy Vedarala, and (4) Arnolis Appuhamy, all of Kallapitiya in Pussellawa ..... Defendants.

NOTICE is hereby given that on Saturday, May 24, 1930, commencing at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 6,204.91, with interest on Rs. 6,001.34 at 9 per cent. per annum from April 22, 1926, till payment in full, and poundage, viz. :—

1. The land called Ambagaswatta in extent about 10 seers of kurakkan sowing extent, situate at Hedunuwawa in Medapone korale of Kotmale in the District of Nuwara Eliya, Central Province ; and bounded on the east by Nikaweta, on the south by the land belonging to Allis Goonetilake, on the west by Bogahamulaheenne-watteagala, and on the north by Mala-ela and Heenne-agala ; together with everything thereon to the 3rd defendant.

2. The land called Katarandehena, in extent about 9 pelas paddy sowing, situate at Metagama in Medapone korale aforesaid ; and bounded on the east, north, and west by Delwalawatta, and on the south by Gansabhawara road ; subject to the lease in terms of court order No. 982 dated October 7, 1929.

3. An undivided  $\frac{3}{8}$  parts or shares of the field called Katarantenna Korawakkegumbura, in extent about 2 pelas paddy sowing, situate at Metagama aforesaid ; and bounded on the east by high road, on the south by agala, on the west by Galpeliya, and on the north by agala.

4. An undivided  $\frac{3}{8}$  parts or shares of the land called Katarandeniya-hena, in extent about 3 amunams paddy sowing, situate at Metagama aforesaid ; and bounded on the east by the stone fence of the land belonging to Theodoris de Silva, on the south by the limit of the portion of this land sold to Theodoris de Silva, on the west by the stone fence of Udakumbura, and on the north by Mala-ela of Welakumbura ; together with everything thereon, subject to the lease in terms of court order No. 982 of October 7, 1929. Belonging to the 4th defendant.

The 2nd, 3rd, and 4th lands mentioned above are subject to the mortgage bond No. 461 dated April 5, 1924, and attested by Mr. T. B. Yatawara, Notary Public, of Gampola.

A. RANESINGHE,  
Additional Deputy Fiscal.

Fiscal's Office,  
Kandy, April 22, 1930.

In the District Court of Kandy.

Aga Mohamed Bhai of 26, King street, Kandy. . Plaintiff.

No. 36,506. Vs.

P. M. Balaya of Penideniya, Kandy ..... Defendant.

NOTICE is hereby given that on Friday May 23, 1930, at 12 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. 725, with interest thereon at 9 per cent. per annum from June 6, 1928, till payment in full, and costs of suit, and poundage, viz. :—

One-sixth share out of Bolagalakande of 50 acres in extent, situate at Hiddaulla in Medapalata of Udunuwara in the District of Kandy, Central Province ; and bounded on the east by lands declared not to belong to Lanka Tilaka Dewale, on the south by stone fence, on the west by Mahagala, and on the north by Viharehena.

A. RANESINGHE,  
Additional Deputy Fiscal.

Fiscal's Office,  
Kandy, April 22, 1930.

In the District Court of Kandy. 24

M. R. P. L. M. T. T. Muttu Caruppen Chetty of Kandy ..... Plaintiff.

No. 37,872. Vs.

(1) J. B. Halangoda, (2) J. A. Halangoda, and (3) Mrs. M. Halangoda, all of Pavilion street, Kandy ..... Defendants.

NOTICE is hereby given that on Saturday, May 24, 1930, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 1,263.99, with interest on Rs. 1,105 at 9 per cent. per annum from July 12, 1929, till payment in full, and poundage, viz. :—

All that houses and premises bearing assessment Nos: 11 and 12, situate at Pavilion street in the town of Kandy, Central Province, containing in extent 6 perches ; and bounded on the east by Pavilion street, south by house presently belonging to L. Pieris, west by Jail house, and on the north by Hettihewage Simon Appu's property.

A. RANESINGHE,  
Additional Deputy Fiscal.

Fiscal's Office,  
Kandy, April 22, 1930.

## Southern Province.

In the District Court of Galle.

S. S. L. Letchemanan Chettyar, presently of Colombo ..... Plaintiff.

No. 27,550. Vs.

P. Richard de Silva of Bandarawela, presently of Ambalangoda ..... Defendant.

NOTICE is hereby given that on Monday, May 19, 1930, at 12 noon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, subject to the mortgage bond No. 16,496 dated March 15, 1927, attested by C. A. Jayatilaka, Notary Public, for Rs. 3,000, viz. :—

An undivided  $\frac{1}{140}$  and  $\frac{2}{3}$  part of the soil and trees of the land Palliyebandarawatta, together with the two boutique rooms towards the north and the soil covered thereby out of the row of boutiques consisting of three rooms bearing No. 237 and 18 cubits in length standing on the said land, situated at Wilegoda in Ambalangoda; and bounded on the north by Wellabodawatta and Iskolewatta, east by Maradanewatta, south by Aratchirala Padinchiwatta, Tussew Nambi Aberan Padinchiwaunwatta, and Peniarambe Isaac de Silva Padinchiwaunwatta, and west by the high road; containing in extent 3 acres and 2 roods. Writ amount Rs. 1,459.14, with legal interest from November 17, 1929, and costs of suit Rs. 73.92.

Fiscal's Office,  
Galle, April 16, 1930.

J. R. WEERASEKERA,  
Deputy Fiscal.

## North-Western Province.

In the District Court of Negombo.

In the Matter of the Last Will and Testament of Lokupothagamage Don Gomis Senanayake Appuhamy of Nalla, deceased.

No. 2,558 T. Vs.

Lokupothagamage Don John Senanayake Appuhamy of Diyagampola ..... Petitioner.

NOTICE is hereby given that on Saturday, May 24, 1930, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said petitioner in the following property, viz. :—

An undivided  $\frac{1}{4}$  share of several allotments of lands called Nikagollehena, Liniyagollehena, Thibbutuwawehena, Alutwatta, Kalukaradewewelhena, Dunhena, Thalaghamulahena, and Galkadullehena, and other lands, all forming one property, and now known as Nikagollewatta, situate at Malgomuwa in Medapattu korale east of Katugampola hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by lands of Punchirala and others, east by lands belonging to B. Welun Singho and J. Appu

Singho, south and west by lands owned by J. Welun Singho and others; containing in extent 51 acres and 14 perches, according to the figure of survey thereof No. 518 dated July 27, 1914, made by Silva, Licensed Surveyor. Amount to be levied Rs. 1,532.16 and poundage.

A. BASNAYAKE,  
Deputy Fiscal.

Fiscal's Office,  
Kurunegala, April 16, 1930.

In the District Court of Negombo.

K. R. V. K. N. Kannappa Chetty of Negombo. Plaintiff.

No. 3,197. Vs.

(1) Warnakulasooriya Itchampulige William Fernando, (2) Dona Rosalind Perera Ranasinghe, both of Lansigama ..... Defendants.

NOTICE is hereby given that on Saturday, May 17, 1930, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

(1) All that land called Nikayayawatta, situate at Urapotha in Kinyama korale of Katugampola hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by lots Nos. 59E, 59F, 59G, 59K, 91, 92, 93, and by Kumbukgahawewa marked lot 110 in P. P. 1,424, tank bund, and a road, east by lots 110 and 110A in P. P. 1,424, south by lots 19B and 19 in P. P. 1,425, lots 87 and 88 in P. P. 1,424 and a road, west by a road; containing in extent 31 acres 3 roods and 17 perches, excluding the road passing through the land, together with the plantations and everything thereon. Registered No. 384/20.

(2) An undivided  $\frac{1}{2}$  share of Kongahawatta, with the plantations and everything thereon, situate at Morawila in the aforesaid korale; and bounded on the north by lots 43, 29, 28, and 27 in P. P. 1,425, east by lots 27, 30, 29C, 29B, and 43 in P. P. 1,425, south by lot 43C in P. P. 1,425, west by lot 43 in P. P. 1,425; containing in extent 24 acres and 27 perches. Registered No. 392/62.

(3) All that land called Kongahahena now known as Kongahawatta and Kongahahena marked lot A, with the plantations thereon, situate at Morawila aforesaid; and bounded on the north by land mentioned in T. P. 310,628, east and south by portion called lot B of this land separated to Porolenthina Fernando and others, south and west by lot 43A in T. P. 310,628; containing in extent 14 acres 1 rood and 27 perches. Registered No. 354/191.

Amount to be levied Rs. 691.55, with interest on Rs. 500 at the rate of 18 per cent. per annum from April 5, 1929, to May 13, 1929, and thereafter at 9 per cent. per annum till payment in full, and poundage.

A. BASNAYAKE,  
Deputy Fiscal.

Fiscal's Office,  
Kurunegala, April 22, 1930.

In the District Court of Kurunegala.

K. M. P. L. Palanyappachetty of Naram-mala ..... Plaintiff.

No. 14,701.

Una Ena Segu Mohamedo of Kurikotuwa ..... Defendant.

NOTICE is hereby given that on Monday, May 26, 1930, 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) All that  $\frac{1}{2}$  share of land of 3 lahas of kurakkan sowing towards the west of the land called Wegollepitiyehena of 6 lahas kurakkan sowing ground, situate at Kurikotuwa in Meddeketiya korale of Katugampola hatpattu in the District of Kurunegala, North-Western Province; the said western  $\frac{1}{2}$  share being bounded on the north by high road, east by the remaining portion of this land, south by garden of Ibrahim Lebbe, west by Wegollepitiyekumbura of Ismail Lebbe and others.

(2) All that land called Hindagollewela of 1 amunam paddy sowing and its adjoining pilleva of 4 seers of kurakkan sowing extent, situate at Madige Hindagolle in the aforesaid korale; and bounded on the north by Elewella, east by field of Ibrahim Lebbe and limit of the pilleva of Selema and others, south by limit of the chena of Assana Lebbe and others, west by chena of Adampulle and limitary ridge of the field of Ismail Lebbe and others.

(3) An undivided  $\frac{2}{3}$  shares of Kongahakumbura of 5 pelas of paddy sowing soil *alias* 2 acres 3 roods 17 perches in extent, situate at Methangare in the aforesaid korale; and bounded on the north by limitary ridge of the field of Wattuwa and others, east by limitary ridge of the field of Mitiya and others, south by Roda of the ridge of the wela of Assana Lebbe and others, west by limitary ridge of the field of Adampulle Guruneha and others.

(4) All that field called Pallekiyanakumbura of 2 pelas paddy sowing extent, situate at the aforesaid village; and bounded on the north by field of Bandiya and others, east by field of Pachchiri Thamby and others, south by field of Hapu, west by field of Ibrahim Lebbe and others.

(5) All that field called Halmillagahakumbura of 2 pelas paddy sowing extent, situate at Alahitiyawa in the aforesaid korale; and bounded on the north by limitary ridge of the field of Sallee and others, east by ela, south by ela, west by limitary ridge of the field of Lebuna and others.

(6) One  $\frac{1}{2}$  share of the land called Innawatta of 2 lahas of kurakkan sowing extent, situate at Hindagolle in the aforesaid korale; and bounded on the north by gardens of Hawwamma, east by fence of the garden of Assana Lebbe, south by fence of the garden of Kuppa Thamby and others, west by garden of Kunji Thamby and others.

(7) All that land called Hindagollewela of 2 pelas paddy sowing extent, situate at the aforesaid village; and bounded on the north by ela, east by limitary ridge of the field of Picheha Thamy and others, south by chena of Ismail Lebbe and others, west by limitary ridge of the field of Ibrahim Lebbe.

(8) All that land called Delikanuwawela of 5 lahas paddy sowing and its adjoining field called Delikanuwawela of 2 pelas paddy sowing extent, situate at Kurikotuwa in the aforesaid korale; and bounded on the

north by field of Puttalama now of Ibrahim Lebbe, east by ela, south by limitary ridge of the field of Hawwamma and others, west by ela.

(9) All those lands called Meegahamulawatta of  $1\frac{1}{2}$  lahas kurakkan sowing, Pitakotuwekumbura of 2 pelas paddy sowing and Kamatewatta of 1 seer kurakkan and Diulgahamulawatta of 6 seers kurakkan sowing, now forming one property and called Meegahamulawatta, of 4 acres in extent, situate at Kurikotuwa in the aforesaid korale; and bounded on the north by Palliyewatta and fence of the garden of Selema Lebbe Aracci, east by Gansabawa road and fence of the garden of Selema Lebbe Aracci, south by Kurikotuwewela and fence of the garden of Assana Lebbe Vidane, west by Kotuwekumbura. With the building standing thereon.

(10)  $\frac{1}{4}$  share of the field called Pallediwelakumbura of 6 pelas paddy sowing extent, situate at Alahitiyawa in the aforesaid korale; and bounded on the north by fence of the garden of Kiriya and others, east by ela, south by limitary ridge of the field of Lebuna and others and the limitary ridge of the field of Assana Lebbe Vidane and others, west by fence of the garden of Kiriya and others.

(11)  $\frac{1}{4}$  share of the land called Meegahamulawatta of 1 thimba kurakkan sowing extent, situate at Madige Hindagolle in the aforesaid korale; and bounded on the north by Hindagollekumbura of Puttalama and others, east by Galagawawatta and Kosgahamulawatta, south by Attikkagahamulawatta, west by Hindagollewela of Thambilebbe.

(12)  $\frac{1}{4}$  share of the land called Galagawawatta of 2 lahas kurakkan sowing extent, situate at the aforesaid village; and bounded on the north by Kosgahamulawatta, east by the field called Nagulwela, south by Pitiyewatta, west by Attikkagahamulawatta and Meegahamulawatta.

(13) All that land called Mailagahamulawatta of 6 seers of kurakkan sowing extent, situate at the aforesaid village; and bounded on the north by fence of the garden of Adampulle and others, east by fence of the garden of Kunji Thamby and others, south by fence of the garden of Adampulle and others, west by fence of the garden of Kunji Thamby and others.

(14) All that land called Hindagollewela of about 12 lahas paddy sowing extent, situate at the aforesaid village; and bounded on the north by fence of Kadurugollewatta, east by limitary ridge of the field of Abdul Rahiman and others, south by limitary ridge of the field of Aboobakkar Lebbe and others, west by limitary ridge of the field of Puttalama.

(15)  $\frac{1}{2}$  share of Diulgahamulawatta of 2 seers kurakkan sowing extent, situate at Madige Hindagolle in the aforesaid korale; and bounded on the north by Mailagahamulawatta, east by Ambagahamulawatta, south by Galagawawatta, west by Kapuwatta.

(16) All that land called Kosgahakumburegoda of 15 lahas paddy sowing extent, situate at Methangare in the aforesaid korale; and bounded on the north by badawetiya of the garden of Dinga, east by field of Mitiya, south by Kamatha, west by field of Mitiya.

Amount to be levied Rs. 3,512.25, with interest on Rs. 3,150, at the rate of 18 per cent. per annum from January 21, 1930, to February 4, 1930, and thereafter legal interest on the aggregate amount till payment in full, and poundage.

Fiscal's Office,  
Kurunegala, April 15, 1930.

A. BASNAYAKE,  
Deputy Fiscal.

In the District Court of Negombo.

S. P. L. Suppramanian Chetty by his attorney  
S. P. L. Raman Chetty of Kochchikade.... Plaintiff.

No. 3,695. Vs.

(1) Warnakulapatabendige Jochim Perera and  
two others of Madampe ..... Defendant.

NOTICE is hereby given that on Tuesday, May 27, 1930, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 1,341.93, with interest on Rs. 1,100 at 15 per cent. per annum from October 14, till October 21, 1929, and thereafter at 9 per cent. per annum till payment, and poundage, viz. :—

An undivided  $\frac{1}{2}$  share of the lot C of the land called Galwewatta *alias* agare and of the buildings and plantations standing thereon, situate at Kachchakaduwe and Karukawatawana in Munnessaram pattu of Pitigal korale north in the District of Chilaw, North-Western Province; and bounded on the north by Crown jungle, east by lot B of the said land belonging to Simon Gunsekere, south by road and land claimed by Jacob de Mel, and west by lot D belonging to Suboderis de Silva; containing in extent 9 acres 2 roods and 29.12 perches; subject to a mortgage bond No. 30,420.

F. G. DALPETHADO,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Chilaw, April 22, 1930.

In the Court of Requests of Negombo.

N. V. K. T. Kristnan Pulle by his attorney M. K.  
Weerapathira Pulle of Negombo ..... Plaintiff.

No. 35,376. Vs.

(1) Thammahettimudalige Podi Sinno Peris and  
another of Kirimetiyanana ..... Defendants.

NOTICE is hereby given that on Thursday, May 22, 1930, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 277.05, with interest on Rs. 200 at 18 per cent. per mensem on every Rs. 10 from October 10, 1928, till April 10, 1929, and thereafter at 9 per cent. per annum till payment, and poundage :—

1. An undivided  $\frac{1}{5}$  share of the land called Madangahawatta *alias* Hettiyakelewatta, situate at Kirimetiyanana in Otara palata of Pitigal korale south, in the District of Chilaw, North-Western Province; and bounded on the north by lands of R. M. Baronche Appuhamy, secretary and others, east by lands of R. M. Nonohamy and others, south by lands of S. Davith Appuhamy and others, and west by Dewata road; containing in extent about 3 acres.

2. An undivided  $\frac{1}{5}$  share of the land called Madurugamuwewewatta *alias* Kahatagahawatta, situate at Kirimetiyanana aforesaid; and bounded on the north

by land of Garthiyal Siriwardene, east by Dewata road, south by tank and garden of Carnis Fernando, and west by Dewata road; containing in extent 4 acres.

F. G. DALPETHADO,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Chilaw, April 15, 1930.

In the Court of Requests of Negombo.

Suna Pana Lena Sabapathy Chettiyar of  
Kochchikade ..... Plaintiff.

No. 36,800. Vs.

(1) Adicari Appuhamilage Loku Nonahamy and  
another of Lunuwila ..... Defendants.

NOTICE is hereby given that on Tuesday, May 20, 1930, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 210, with interest on Rs. 150 at 30 per cent. per annum from February 27, 1930, and till February 28, 1930, and thereafter at 9 per cent. per annum till payment, and poundage, viz. :—

An undivided  $\frac{3}{4}$  share of the land called Makullagahawatta and of the buildings and plantations standing thereon, situate at Lunuwila in Otara palata of Pitigal korale south in the District of Chilaw, North-Western Province; and bounded on the north by lands bearing Nos. 79,442 and 79,951, belonging to Pelis Appu and others, east by land bearing No. 84,836 belonging to Augustinu Fernando and others, south by lands bearing Nos. 79,443 and 79,448 belonging to the heirs of Mudalihamy Appuhamy Vedarala, and west by Wevewanatta; containing in extent 8 acres 1 rood and 33 perches.

Deputy Fiscal's Office,  
Chilaw, April 15, 1930.

F. G. DALPETHADO,  
Deputy Fiscal.

Province of Uva.

In the District Court of Colombo.

A. J. Vander Poorten of Galagedera ..... Plaintiff.

No. 29,833. Vs.

C. Thambiah of Panchikawatta road,  
Colombo ..... Defendant.

NOTICE is hereby given that on Saturday, May 17, 1930, 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. 5,245, with interest thereon at 9 per cent. per annum from September 13, 1928, till payment in full, and costs, viz. :—

An undivided portion of 1,000 acres out of the premises described hereunder :—

An allotment of land called Tenketiyabedda in Tenketiyabedda village, Kongala Bintenna korale of



Wellawaya division; and bounded as follows: north by Usweliara and road, east by a road, Katupila-ara lot 1 in final topo P. P. 39, Telderianara *alias* Katupila-ara lot 1 in final topo P. P. 43, and Dalukketi-ara, south and west by reservation along the Walaweganga; containing in extent (exclusive of Habafala-ara, Wattetota-ara, Kowul-ara, and streams) 13,492 acres according to the survey and description thereof No. 366,292 dated February 16, 1925, authenticated by A. J. Wickwar, Surveyor-General, excluding therefrom the divided portion on the south-western side adjoining the reservation of 5 chain reserved by the Crown along the Walaweganga beginning at the middle of the western boundary allotted to W. Simon de Alwis and containing in extent about 1,000 acres.

Fiscal's Office,  
Badulla, April 15, 1930.

H. C. WIJESINHE,  
Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Kandy.

(1) Lilian Grace de Lanerole, (2) Edwin B. de Lanerole, both of Post Office bungatow, Ratnapura ..... Plaintiffs.

No. 31,417.

vs.

Mr. F. B. de Alwis of Wasalawalawwa, Dematagoda, guardian of the person and manager of the estate of Fredrick Barnes de Alwis ..... Defendant.  
Iris Esme de Alwis of Arcadia Colpetty ..... Substituted Defendant.

NOTICE is hereby given that on Wednesday, May 21, 1930, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the defendants in the following property for the recovery of the sum of Rs. 4,053.07, with legal interest on Rs. 3,756.31 from July 15, 1928, till payment in full, and costs and poundage, viz. :—

(1) All those lands called and known as Paluwatta, Landegewatta, Menerihena, Indipanduralayehena, Bomaluwehena, Kekillehena, and Wedigehena, now forming one property called Bomaluwehenyaya, situated at Ellawala in Uda pattu of Kuruwiti korale in the District of Ratnapura, Province of Sabaragamuwa; and bounded on the north by Keleelomukalana, east by Kulelamukalana, Ellewalahenyaya of E. Appusingho and Ellawalawedigewatta of W. Danappu and others, south by Wedegewatta, Deniyagewatta, and Ellawalagedeniyagewatta, and on the west Kulelamukalana, Deniyagehena, and Landagekumbura; containing in extent of 14 acres 2 roods and 10 perches.

(2) An undivided 3/10th shares of all those the lands called and known as Bomaluwehena, Kekillehena, and Nugehena, situated at Ellawala aforesaid; and bounded on the north by Crown forest, east and south by rubber estate, and on the west by rubber estate and field; and containing in extent 4 acres.

(3) An undivided 1/4th share of the land called and known as Deniyagewatta, situated at Ellawala aforesaid; and bounded on the north by Metiwalagewatta and Mahabadahelagehena, east by Wedegewatta, south by Pitaganeagala, and on the west by agala; and containing in extent 8 seers kurakkan sowing.

(4) An undivided 1/3rd share of Deniyagewatta, situated at Ellawala aforesaid; and bounded on the north by Mitiwalagewatta and Galwetiya, east by Wedegewatta, south by Mitiwakage Pitangala, and on the west by agala and Mahabadahelageidama; containing in extent 4 seers of kurakkan sowing.

(5) An undivided 3/18th share of the land called and known as Menerihena, situated at Ellawala aforesaid; and bounded on the north by Bomaluwehena and forest, east by Mukalana, south by Millagawahena, and on the west by Nugehena; containing in extent 6 seers of kurakkan sowing.

(6) An undivided 3/18th share of the land called and known as Indipanduragawahena, situated at Ellawala aforesaid; and bounded on the north, east, and west by forest mukalana, south by Bomaluwehena; and containing in extent 4 seers of kurakkan sowing.

(7) An undivided 1/4th share of the land called and known as Deniyehena, situated at Ellawala aforesaid; and bounded on the north, east, and south by rubber estate, and west by Radadeniyepahalakolla; and containing in extent 6 chundus of kurakkan sowing.

(8) An undivided 1/4th share of the land called and known as Laulugahahena, situated at Ellawala aforesaid; and bounded on the north by Mahabadahelagehena and Wedegehena, east by Mahabadahelagehena, south by Mahabadahelagehena, and on the west by Mahabadahelagehena; and containing in extent 6 seers of kurakkan sowing.

(9) An undivided 1/4th share of the land called and known as Laulugahahena, situated at Ellawala aforesaid; and bounded on the north by Bomaluwehena, east by Epitawattehena, south by Metiwalagahahena, and on the west by Landegewattehena; and containing in extent 6 seers of kurakkan sowing.

Fiscal's Office, R. E. D. ABEYRATNA,  
Ratnapura, April 22, 1930. Additional Deputy Fiscal.

In the Court of Requests of Colombo.

V: O. Mohamed Ally of Third Cross street, Pettah, Colombo ..... Plaintiff.

No. 47,346.

K. J. Fernando of Maliboda in Deraniyagala ..... Defendant.

NOTICE is hereby given that on May 17, 1930, 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 defendant in the following property, viz. :—

An undivided 1/4th share of the land called Pothdenikandegammasama, situated at Pothdenikanda in Atulugam korale of the Three Korales in the District of Kegalla; and bounded on the north by Badullakele *alias* Peeliwalagammasama, on the east Manda-atulmukalana, on the south by Yatiwalagammasama, and on the west by Manda-atulmukalana; containing in extent about 733 acres more or less, save and excluding therefrom a portion in extent about 20 acres sold to Mr. P. C. Fernando.

To recover a sum of Rs. 281.33, with interest on Rs. 280.58, at the rate of 18 per cent. per annum from September 20, 1928, till December 11, 1928, and thereafter on the aggregate amount of the decree at the rate of 9 per cent. per annum till payment in full, and Rs. 25.25, costs of suit, and Rs. 11.50 prospective costs.

Deputy Fiscal's Office,  
Kegalla, April 11, 1930.

S. DE SILVA,  
Additional Deputy Fiscal.

**NOTICES IN TESTAMENTARY ACTIONS.**

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Last Will and Testa-  
Jurisdiction. ment of John Vallantine Robertson, late  
No. 5,043. of 5061, Notre Dame street, Montreal  
East, Canada, deceased.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on April 2, 1930, in the presence of Mr. Cecil Herbert Spence Blatch of Colombo, Proctor, on the part of the petitioner, Mr. Geoffrey Thomas Hale of Colombo; and the affidavit of the said petitioner dated March 27, 1930, a certified copy of the last will and testament and probate of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated March 19, 1930, having been read: It is ordered that the will of the said deceased dated August 3, 1923, 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 executor and trustee 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 15, 1930, show sufficient cause to the satisfaction of this court to the contrary.

April 2, 1930.

O. L. DE KRETSEK,  
District Judge.

In District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate  
Jurisdiction. of William Thomas Albert Browne  
No. 5,066. of Kenmore, Steuart place, Col-  
petty, Colombo, Ceylon, deceased.

Martha Browne of England by her attorney,  
Geoffrey Thomas Hale of Colombo.....Petitioner.

Vs.

(1) Albert Edward Browne, (2) Percy Thomas  
Gilpin Browne, (3) William James Archibald  
Browne, (4) Esther Mary Browne, and (5) Violet  
Ellen Weller, all of England..... Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on April 15, 1930, in the presence of Mr. Cecil Herbert Spence Blatch of Colombo, Proctor, on the part of the petitioner, Mr. Geoffrey Thomas Hale of Colombo; and the affidavit of the said petitioner dated April 12, 1930, certificate of death of the above-named deceased, power of attorney in favour of the petitioner, and minutes of consent from the above-named respondents having been read: It is ordered and declared that the said petitioner is the attorney of Martha Browne, the widow of the said deceased, and that he is entitled to have letters of administration to the intestate estate of the said deceased issued to him accordingly, unless any person or persons interested shall, on or before May 15, 1930, show sufficient cause to the satisfaction of this court to the contrary.

April 15, 1930.

G. C. THAMBYAH,  
District Judge.

In the District Court of Kalutara.

*Order Nisi declaring Will proved, &c.*

Testamentary In the Matter of the Last Will and  
Jurisdiction. Testament of the late Madanakonda-  
No. 2,268. aratchirallage Don Gerald Arsekula-  
ratne deceased, of Maggona.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on December 7, 1929, in the presence of Mr. F. J. C. Perera, Proctor, on the part of the petitioner, Sattambirallage Dona Ana Arsekularatne of Maggona; and the affidavit of the said petitioner dated November 29, 1929, having been read:

It is ordered that the will of Madanakonda-aratchirallage Don Gerald Arsekularatne deceased, dated August 21, 1929, and now deposited in court, be and the same is hereby declared proved, unless any person or persons interested shall, on or before January 31, 1930, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Sattambirallage Dona Ana Arsekularatne is the executrix named in the said will, and that she is entitled to have probate of the same issued to her accordingly, unless any person or persons interested shall, on or before January 31, 1930, show sufficient cause to the satisfaction of this court to the contrary.

December 7, 1929.

OLIVER G. D'ALWIS,  
District Judge.

Time for showing cause against this *Order Nisi*  
extended till February 28, 1930.

N. M. BHARUCHA,  
District Judge.

Time for showing cause against this *Order Nisi*  
extended till March 28, 1930.

N. M. BHARUCHA,  
District Judge.

Time for showing cause against this *Order Nisi*  
extended till April 30, 1930.

N. M. BHARUCHA,  
District Judge.

In the District Court of Kalutara.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Nayagey Daniel Fernando, deceased, of  
No. 2,280. Mahagama.

THIS matter coming on for disposal before O. G. D'Alwis, Esq., Acting District Judge of Kalutara, on February 24, 1930, in the presence of Messrs. Fernando & de Silva, Proctors, on the part of the petitioner, Nayagey Kiramanis Fernando of Mahagama; and the affidavit of the said petitioner dated December 9, 1929, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as son, to have letters of administration to his estate issued to him, unless the respondents—(1) Nayagey Arnolis Fernando, (2) ditto

Saronona, husband (3) Kalunsimahaduragey Disiweris Fernando, all of Mahagama—or any other person or persons interested shall, on or before March 24, 1930, show sufficient cause to the satisfaction of this court to the contrary.

February 24, 1930. — N. M. BHARUCHA, District Judge.

The date for showing cause against this *Order Nisi* is extended for April 30, 1930.

March 24, 1930. N. M. BHARUCHA, District Judge.

In the District Court of Kalutara.

*Order Nisi.* 21

Testamentary In the Matter of the Estate of the late Jurisdiction. Bodiabodugey Ana Perera, deceased, No. 2,284. of Paiyagala.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on March 4, 1930, in the presence of Messrs. Fernando & de Silva, Proctors, on the part of the petitioner, Weerahennedige Thomas Francis Fernando Moratuwa; and the affidavit of the said petitioner dated February 13, 1930, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as son-in-law, to have letters of administration to her estate issued to him, unless the respondent, Balapuwadugey Maria Mendis of Moratuwa, or any other person or persons interested shall, on or before May 2, 1930, show sufficient cause to the satisfaction of this court to the contrary.

March 4, 1930. N. M. BHARUCHA, District Judge.

In the District Court of Kandy.

*Order Nisi.* 37

Testamentary In the Matter of the Intestate Estate and Effects of Ratnayake Mudianselegedera Kalu Banda of Urulewatta in Asgiri Pallesiya pattu, Matale South. No. 4,840.

Dombawela Herat Mudianselegedera Mutu Menika of Urulewatta aforesaid. Petitioner.

And

(1) Ratnayake Mudiansele Abasia Banda, (2) ditto Mutu Banda, (3) ditto Loku Menika, (4) ditto Bandara Menika, (5) ditto Heen Banda, and (6) ditto Pinchi Amma, all of Urulewatta aforesaid. Respondents.

THIS matter coming on for disposal before W. E. Barber, Esq., District Judge, Kandy, on February 10, 1930, in the presence of Mr. W. G. Udugama, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 20, 1929, having been read:

It is ordered and decreed that the first respondent above named be and is hereby appointed guardian *ad litem* over the 3rd, 4th, 5th, and 6th respondents above named for the purpose of this testamentary action.

It is further ordered that the said petitioner be and she is hereby declared entitled, as widow of the said deceased; and that letters of administration do issue to her accordingly, unless the respondents above named

or any other person interested shall, on or before March 13, 1930, show sufficient cause to the satisfaction of this court to the contrary.

February 10, 1930. W. E. BARBER, District Judge.

Notice for showing cause is extended to May 1, 1930.

March 13, 1930. W. E. BARBER, District Judge.

In the District Court of Kandy.

*Order Nisi.* 23

Testamentary In the Matter of the Estate of the late Jurisdiction. Weerasingha Aratchilage Weerakumburegedera Ukku Menika, deceased, of Ankumbura. No. 4,845.

THIS matter coming on for disposal before W. E. Barber, Esq., District Judge, Kandy, on March 31, 1930, in the presence of Mr. Ranaraja Proctor, on the part of the petitioner, Eta Uda Mudianselage Siyambalagedera Dingiri Menika of Ankumbura; and the affidavit of the said petitioner dated March 25, 1930, having been read:

It is ordered that the petitioner, as the daughter of the deceased, be and she is hereby declared entitled to have letters of administration to the estate of the deceased above named issued to her accordingly, unless the respondent, Eta Uda Mudianselage Siyambalagedera Punchi Rala, also of Ankumbura, shall on or before May 19, 1930, show sufficient cause to the satisfaction of this court to the contrary.

March 31, 1930. W. E. BARBER, District Judge.

In the District Court of Tangalle.

*Order Nisi.* 35

Testamentary In the Matter of the Intestate Estate of the deceased, Dionis Ediriwira Wijesuriya, late of Talawuwila. No. 1,102.

James Ediriwira Wijesuriya of Tangalla. Petitioner. Vs.

(1) Ovis Ediriwira Wijesuriya of Kottagoda, (2) Bertram Ediriwira Wijesuriya of Colombo, (3) Collin Noel ditto, Inspector of Police, Colombo, (4) Percival ditto, of Colombo, (5) Regina Florence ditto, (6) Louise Leslie ditto, both of Kottagoda, (7) Peter Abedeera of Kottagoda. Respondents.

THIS matter coming on for disposal before J. N. Arumugam, Esq., District Judge, Tangalla, on March 7, 1930, in the presence of Mr. H. Domingo, on the part of the petitioner above named; and the affidavit of the above-named petitioner having been read:

It is ordered that the 7th respondent above named be appointed guardian *ad litem* over the minor, the 6th respondent, unless any person or persons interested shall, on or before April 3, 1930, show sufficient cause to the contrary.

It is further ordered that the petitioner be and he is hereby entitled, as brother, to have letters of administration of the estate issued to him, unless any person or persons interested shall, on or before April 3, 1930, show sufficient cause to the contrary.

J. N. ARUMUGAM,  
District Judge.

Extended to May 5, 1930.

April 3, 1930.

J. N. ARUMUGAM,  
District Judge.

In the District Court of Jaffna.  
*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Mohamed Kanniya *alias* Segu Madar No. 7,372, Nachehia, wife of Pakeer Meera Lebbe Segu Abdulcader of Vannarponnai West, deceased.

Pakeer Meera Lebbe Segu Abdulcader of Vannarponnai West ..... Petitioner.

Vs.

Madar Sahib Mohamed Sultan of Vannarponnai West ..... Respondent.

THIS matter of the petition of Pakeer Meera Lebbe Segu Abdulcader of Vannarponnai West in Jaffna, praying for letters of administration to the estate of the above-named deceased Mohamed Kanniya *alias* Segu Madar Nachehia of Vannarponnai West, coming on for disposal before J. C. W. Rock, Esq., District Judge, on December 6, 1929, in the presence of Mr. S. M. Aboobucker, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated November 14, 1929, having been read: It is declared that the petitioner is the lawful husband of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before February 20, 1930, show sufficient cause to the satisfaction of this court to the contrary.

J. C. W. ROCK,  
District Judge.

December 16, 1929.

Extended to March 27, 1930.

February 20, 1930.

JAMES JOSEPH,  
Acting District Judge.

Extended to May 1, 1930.

March 27, 1930.

JAMES JOSEPH,  
Acting District Judge.

In the District Court of Jaffna.  
*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Somasundaram Kandiah of Ponnaveley, No. 7,383, deceased.

Iragunathar Kanapathipillay of Ponnaveley. Petitioner.  
K. Arulampalam and 18 others of Ponnaveley ..... Respondents.

THIS matter of the petition of the above-named petitioner, praying that 19th respondent be appointed guardian *ad litem* over the 2nd respondent, and the 3rd respondent over the 5th, and the 6th respondent over the 8th, 9th, and 10th respondents, and the 12th respondent over the 11th respondent, and praying for letters of administration to the estate of the above-named deceased, coming on for disposal before J. C. W. Rock, Esq., District Judge, on December 19, 1929, in the presence of Mr. C. T. Kumarasamy, Proctor,

on the part of the petitioner; and the affidavit of the petitioner dated December 12, 1929, having been read: It is ordered that 19th respondent be appointed guardian *ad litem* over 2nd respondent, and the 3rd over the 5th respondent, and the 6th over 8th, 9th, and 10th respondents, and 12th over the 11th respondent; it is declared that the petitioner is, as an heir of the said intestate, entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before February 20, 1930, show sufficient cause to the satisfaction of this court to the contrary.

J. C. W. ROCK,  
District Judge.

February 7, 1930.

*Order Nisi* extended for May 6, 1930.

In the District Court of Jaffna.  
*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Sethupillay, wife of Thillainathar of No. 7,386, Veravil, deceased.

Murugar Thillainathar of Veravil ..... Petitioner  
(1) Thellamatar Kumaramany, (2) ditto Man-kayatharasy, (3) ditto Arulampalam, (4) Muruga Candiah, all of Veravil ..... Respondents.

THIS matter of the petition of the petitioner, praying that 4th respondent be appointed guardian *ad litem* over 1st, 2nd, and 3rd respondents, and praying for letters of administration to the estate of the above-named deceased, coming on for disposal before J. C. W. Rock, Esq., District Judge, on December 19, 1929, in the presence of Mr. C. T. Kumarasamy, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated December 17, 1929, having been read it is ordered that 4th respondent be appointed guardian *ad litem* over 1st, 2nd, and 3rd respondents: It is declared that the petitioner is the husband of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before February 25, 1930, show sufficient cause to the satisfaction of this court to the contrary.

JAMES JOSEPH,  
District Judge.

February 12, 1930.

*Order Nisi* extended for May 6, 1930.

In the District Court of Jaffna.  
*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Rasanmah, wife of Subramania No. 7,449, Mylvaganam of Vaddukoddai West, who died at Port Swettenham in the Federated Malay States, deceased.

Subramanar Mylvaganam of Vaddukoddai West ..... Petitioner.  
Vs.

(1) Mylvaganam Balasingam of ditto, (2) Mylvaganam Kumarasingam of ditto, minors by their guardian *ad litem* (3) Valliachchy, widow of Venasithamby Nallathamby of ditto ..... Respondents.

THIS matter of the petition of the above-named petitioner coming on for disposal before J. C. W. Rock, Esq., District Judge, Jaffna, on February 18, 1930, in

the presence of Messrs. Nagalingam & Nagalingam, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated February 10, 1930, having been read:

It is ordered that the above-named 3rd respondent be appointed guardian *ad litem* over the minors, the above-named 1st and 2nd respondents, and that letters of administration to the estate of the above-named deceased be granted to the petitioner, as the lawful widower of the said deceased, unless the above-named respondents or any other person shall, on or before May 1, 1930, show sufficient cause to the satisfaction of this court to the contrary.

March 13, 1930.

J. C. W. Rock,  
District Judge.

In the District Court of Jaffna. 28 Pro 1/2  
*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Kanthimathi, widow of Appapillai No. 7,461. Chellappa of Chunnakam, deceased.

Chellappa Kathirithamby of Kualalangsar by his attorney Viavanather Kanthappillai of Tellipalai West..... Petitioner.

(1) Nagamuttu Sinnathamby and wife (2) Elaiyatangam, both of Chunnakam..... Respondents.

THIS matter of the petition of the above-named petitioner, praying for letters of administration to the estate of the above-named deceased, Kanthimathi, widow of Appapillai Chellappa of Chunnakam, coming on for disposal before J. C. W. Rock, Esq., District Judge, on February 28, 1930, in the presence of Messrs. Appathurai & Arulampalam, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated February 26, 1930, having been read: It is declared that the petitioner is the son of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before May 6, 1930, show sufficient cause to the satisfaction of this court to the contrary.

March 17, 1930.

J. C. W. Rock,  
District Judge.

In the District Court of Jaffna. 34 Pro 1/2

Testamentary In the Matter of the Estate of the late Jurisdiction. Velupillai Ramoe of Karanavai North, No. 7,486. deceased.

Velupillai Kandiah of Karanavai North..... Petitioner.

(1) Varithamby Vallipuram of ditto, (2) wife Walli-amma of ditto, (3) Kandiah Thambiah of ditto, presently Post Office, Nuwara Eliya, (4) Kandiah Arumugam, presently Railway, Polgahawela, (5) Kandiah Kadiravelu of Karaveddy North, (6) Kandiah Ponniah of ditto, (7) Thewanai, daughter of Kandiah of ditto, (8) Thewanai, widow of Arumugam of ditto..... Respondents.

THIS matter of the petition of the above-named petitioner praying that the 8th respondent be appointed guardian *ad litem* over the 6th and 7th respondents, and that letters of administration to the estate of the late Velupillai Ramoe be issued to the petitioner, coming on for disposal before J. C. W. Rock, Esq., District Judge,

Jaffna, on March 21, 1930, in the presence of Mr. K. Subramaniam, Proctor, for petitioner; and on reading the petition and affidavit of the petitioner dated March 20, 1930:

It is ordered that the 8th respondent be and she is hereby appointed guardian *ad litem* over the 6th and 7th respondents, and that letters of administration to the estate of the late Velupillai Ramoe of Karanavai North be issued to the petitioner, unless the respondents or any other person shall, on or before May 23, 1930, show sufficient cause to the satisfaction of this court to the contrary.

April 8, 1930.

J. C. W. Rock,  
District Judge.

In the District Court of Batticaloa. 33 Pro

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Adambawa Ibralevvai of Maruthamunai, No. 311. deceased.

Ibralevvai Yusuppulevvai of Maruthamunai..... Petitioner.

(1) Ahamadulevvai Asihumma widow of A. Ibralevvai, (2) Ibralevvai Uthumalevvai, (3) Ibralevvai Thambirasa, (4) Ibralevvai Sivathamma, (5) Ibralevvai Seeniumma, (6) Ibralevvai Aliyar, (7) Ibralevvai Seinabu, (8) Ibralevvai Pathamuttu, all of Maruthamunai..... Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Batticaloa, on September 9, 1929, in the presence of Mr. R. B. Kadraper, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner dated September 6 and 9, 1929, respectively, having been read:

It is ordered that the 1st respondent be and she is hereby appointed guardian *ad litem* over the minors, the 6th, 7th, and 8th respondents, for the purpose of the above case, and that the petitioner be and he is hereby declared entitled, as the son of the deceased, to administer the estate of the deceased, and that letters of administration do issue to him accordingly, unless the above respondents or any other person or persons interested shall, on or before October 31, 1929, show sufficient cause to the contrary.

September 9, 1929.

G. C. THAMBYAH,  
District Judge.

N.B.—Extended and re-issued for April 29, 1930.

In the District Court of Batticaloa. 39 Pro 1

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Pakeer Moheyadinlevvai Mohamadu Mustaphalevvai of Kattankudy Division No. 2 deceased.

Isumalevvai Kathisaummah of Kattankudy Division No. 2..... Petitioner.

(1) Mohamadu Mustaphalevvai Pathummah, (2) Ahamadulevvai Isumalevvai of Kattankudy Division No. 2, (3) Meeralevvai Pathummah, (4) Pakeer Moheyadin Seenimohamadu, (5) Pakeer Moheyadin Mohamadu Meerasaibu, (6) Pakeer Moheyadin Mahamoothulevvai, (7) Pakeer Moheyadin Kathisaummah, all of Kattankudy Division No. 3..... Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge, Batticaloa, on January

30, 1930, in the presence of Mr. R. B. Kadramer, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner dated January 7 and 30, 1930, respectively, having been read:

It is ordered that the 2nd respondent be and he is hereby appointed guardian *ad litem* over the minors, the 1st, 5th, 6th, 7th, and 8th respondents, for the purpose of this case, and that the petitioner be and she is hereby declared entitled, as the widow of the deceased above named, to have letters of administration of his estate issued to her, unless the respondents or any other person or persons interested shall, on or before March 4, 1930, show sufficient cause to the satisfaction of this court to the contrary.

G. C. THAMBYAH,  
District Judge.

January 30, 1930.

The above *Order Nisi* is extended to May 6, 1930.

JAMES JOSEPH,  
District Judge.

In the District Court of Batticaloa.  
*Order Nisi.*

Testamentary In the Matter of the Last Will and Jurisdiction. Testament (with Codicil) of the late No. 322. Evelin Francis Ondaatje of Batticaloa, deceased.

John Alfred Jurgens Ondaatje of Batticaloa.. Petitioner. (1) Violet (1) Georigiana Somanader of Batticaloa, (2) Owen Daniel Morgan Somanader of Batticaloa..... Respondents.

THIS matter coming on for disposal before G. N. Tisseverasinghe, Esq., District Judge of Batticaloa, on February 25, 1930, in the presence of Mr. Tambiah, Proctor, on the part of the petitioner and (1) the affidavit and petition of the said petitioner dated February 10 and 15, 1930, respectively and (2) the affidavits of the subscribing witnesses of the last will and codicil dated January 16, 1930, July 25 and 26, December 6 and 10, 1929, respectively having been read: It is ordered that the 2nd respondent above named be and he is hereby appointed guardian *ad litem* of the minor the 1st respondent for the purpose of the above action.

It is further ordered that the will of the said Evelin Francis Ondaatje dated June 4, 1919, and the codicil thereto dated March 5, 1929, the original of which are now deposited in this court be and the same are hereby declared proved; and it is further declared that the above-named petitioner 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 respondents or any other person or persons interested shall, on or before April 8, 1930, show sufficient cause to the satisfaction of this court to the contrary.

G. N. TISSEVERASINGHE,  
District Judge.

February 15/28, 1930.

The above *Order Nisi* is extended to April 15, 1930.

J. JOSEPH,  
District Judge.

April 8, 1930.

The above *Order Nisi* is extended to April 29, 1930.

G. N. TISSEVERASINGHE,  
District Judge.

April 15, 1930.

26 P 8/1 In the District Court of Ratnapura.  
*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Kuna Muttu Kanakkapulle of Meda-No. 939. hinna in Alakolagolla, deceased.

THIS matter coming on for disposal before C. J. S. Pritchett, Esq., District Judge, Ratnapura, on April 2, 1930, in the presence of Mr. S. Jayawardane, Proctor on the part of the petitioner, Kuna Muna Poochchi of Medahinna in Alakolagolla; and the affidavit of the said petitioner dated April 2, 1930, having been read:

It is ordered that the respondents—(2) Sivamy Ammal and (4) Muniammal be and they are hereby appointed guardian *ad litem* over the minor respondents, (1) Kuna Muna Sinnaiah and (3) Kuna Muna Kunchanam, respectively—for the purpose of this proceedings.

It is further declared that the said petitioner, Kuna Muna Poochchi is the eldest son of the deceased above named, and that he is entitled to have letters of administration to the estate of the said deceased, unless the above-named respondents or any other person or persons interested shall, on or before May 14, 1930, show sufficient cause to the satisfaction of this court to the contrary.

C. J. S. PRITCHETT,  
District Judge.

April 2, 1930.

4 P 8/1 In the District Court of Kegalla.  
*Order Nisi.*

Testamentary In the Matter of the Intestate Estate Jurisdiction. of Kalugallayalage Kiri of Naran-No. 1,388. bedda, deceased.

Kalugallayalage Kirimeniki of Naranbedda.. Petitioner. Vs.

(1) Indulgoda Dewayalage Amangira of Naranbedda, (2) Otto Punchina of ditto..... Respondents.

THIS matter coming on for disposal before P. Saravanamuttu, Esq., District Judge, Kegalla, on October 19, 1929, in the presence of Mr. J. H. Fernando, Proctor, on the part of the petitioner; and her affidavit and petition dated October 7 and 18, 1929, respectively, having been read:

It is ordered and declared that the petitioner above named, as the daughter of the deceased above named, is entitled to have letters of administration issued to her, and that such letters will be issued to her accordingly, unless the respondents above named or any other person or persons interested in the matter shall, on November 26, 1929, show sufficient cause to the satisfaction of this court to the contrary.

P. SARAVANAMUTTU,  
District Judge.

October 23, 1929.

Date for showing cause is extended to January 21, 1930.

P. SARAVANAMUTTU,  
District Judge.

November 26, 1929.

Date for showing cause is extended to February 18, 1930.

P. SARAVANAMUTTU,  
District Judge.

January 21, 1930.

Date for showing cause is extended to March 18, 1930.

P. SARAVANAMUTTU,  
District Judge.

February 18, 1930.

Date for showing cause is extended to April 15, 1930.

S. S. NAVARATNAM,  
District Judge.

March 18, 1930.

Date for showing cause is extended to April 30, 1930.

S. S. NAVARATNAM,  
District Judge.

April 15, 1930.

In the District Court of Kegalla.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Rajapassa Karunapedigedara No. 1,410. Gunadara of Kahawandala, deceased.

Rajapassa Karunapedigedara Kiripaiya of Naganbedda..... Petitioner.

THIS matter coming on for disposal before P. Saravanamuttu, Esq., District Judge, Kegalla, on January 27, 1930, in the presence of Mr. J. F. Fernando, Proctor, on the part of the petitioner; and his affidavit and petition dated December 11, 1929, and January 27, 1930, respectively, having been read :

It is ordered and declared that the petitioner above named, as the brother of the deceased aforesaid, is entitled to have letters of administration issued to him

accordingly, unless any person or persons interested in the matter shall, on March 18, 1930, show sufficient cause to the satisfaction of this court to the contrary.

January 27, 1930.

P. SARAVANAMUTTU,  
District Judge.

The date for showing cause is extended to April 15, 1930.

March 18, 1930.

S. S. NAVARATNAM,  
District Judge.

Date for showing cause is extended to April 30, 1930.

April 15, 1930.

S. S. NAVARATNAM,  
District Judge.

## DRAFT ORDINANCE.

(Continued from page 505.)

Z 69/29

### MINUTE.

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

#### An Ordinance to amend the Births and Deaths Registration Ordinance, 1895.

No. 1 of 1895,  
II. 262.

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

1 This Ordinance may be cited as the Births and Deaths Registration Amendment Ordinance, 1930.

Short title.

2 Section 32 of the principal Ordinance is hereby amended as follows :—

Amendment of section 32 of the principal Ordinance.

(1) by the deletion of the words " without fee or reward from the applicant, and " in the fourth line of sub-section (2) thereof ; and

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

" (7) The certificate of a Registrar, police officer, or headman, or medical practitioner, and the order of an Inquirer, and the authority of a superintendent as aforesaid, shall be given without fee or reward, provided that a Registrar who is paid a salary as such by Government may if required to issue a certificate between the hours of 6 P.M. and 6 A.M. demand and accept for his own use from the person requiring the certificate a fee of ten rupees for issuing the same."

3 Section 33 of the principal Ordinance is hereby amended as follows :—

Amendment of section 33 of the principal Ordinance.

(1) by the deletion of the words " without fee or reward from the informant " in the twelfth and thirteenth lines of paragraph (a) of sub-section (1) thereof ; and

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

“(5) The certificate of a Registrar, police officer or headman shall be given without fee or reward, provided that a Registrar who is paid a salary as such by Government may if required to issue a certificate between the hours of 6 P.M. and 6 A.M. demand and accept for his own use from the person requiring the certificate a fee of ten rupees for issuing the same.”

By His Excellency's command,

Colonial Secretary's Office,  
Colombo, April 8, 1930.

B. H. BOURDILLON,  
Colonial Secretary.

*Objects and Reasons.*

In certain areas proclaimed under section 31 of the Births and Deaths Registration Ordinance, 1895, a certificate from a Registrar or other person is a necessary preliminary to the burial, cremation or other disposal of a corpse. Registrars are frequently required to issue these certificates outside their office hours, especially where the religion of the deceased person prescribes an early disposal of the remains.

2. It is desirable to recognize the right to obtain such a certificate at all hours, and it is considered that a Registrar should be suitably remunerated in respect of certificates which he is called upon to issue at unusual hours. This Bill therefore provides that a fee of ten rupees may be charged by a Registrar for issuing such a certificate between 6 P.M. and 6 A.M. The amendment is however worded so as to limit this charge to certificates issued by Stipendiary Registrars, *i.e.*, those Registrars who are paid a salary by Government in respect of their services. It does not include Medical Officers in the Department of the Director of Medical and Sanitary Services who act as Registrars, and who receive the prescribed fee from Government of 50 cents for every birth or death registered.

Attorney-General's Chambers,  
Colombo, March 4, 1930.

E. ST. J. JACKSON,  
Attorney-General.