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 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 ORDINANCES.

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 Korals, 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 *primâ 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.

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.

Samanera not to perform functions of viharadhipati after one year.

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.
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Matale District.

Dambulla Vihare and Maha Dewale.	Aluvihare Uda and Palle Vihares.
	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.
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Western Province.

Kelaniya Vihare.
Attanagalla Vihare.

Pepiliyana Vihare.

Southern Province.

Tissamaharama Maha Vehera
and Sandagiri Vehera.
Yathala and Menik Veheras.
MulKirigala Vihare.

Kahagal Vihare.
Wanawasa *alias* Kuda Vihare
of Tangalla.
Hatagala Vihare.

Kurunegala District.

Ridi Vihare.
Maraluwawa Vihare.
Angangala Vihare.
Ginikarawa Vihare.
Meddepola Vihare.
Bingiriya Vihare.
Epaladeniya Vihare.

Dambadeniya Vihare.
Humbuluwa Vihare.
Madawala Vihare (in Damba-
deni Hatpattu).
Gonnawa Vishnu Dewale.
Padeniya Vihare.
Budumuttawa 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 or District of Birth.	Village of Birth and Ge Name.	Name of Father.	Name of Tutor.	Name of Ordaining Bhikshu and of Vihare.	Names of Karmacharis (කර්මාචාර්ය).	Date of Initiation and of Ordination.	Name of Upadhayaya.	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 618.]

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 4,201. In the matter of the insolvency of M. Ramiah of 18, First Cross street, Colombo.

WHEREAS M. Ramiah has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by N. Arunachalam Pillai of 2nd Cross street, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said M. Ramiah insolvent accordingly; and that two public sittings of the court, to wit, on June 17, 1930, and on July 1, 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, May 14, 1930. for Secretary.

In the District Court of Colombo.

No. 4,202. In the matter of the insolvency of P. K. Cassim Mohamado of 380, Dematagoda.

WHEREAS P. K. Cassim Mohamado has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by E. Simon de Silva of Mutwal, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said P. K. Cassim Mohamado insolvent accordingly; and that two public sittings of the court, to wit, on June 17, 1930, and on July 1, 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, May 14, 1930. for Secretary.

In the District Court of Colombo.

No. 4,203. In the matter of the insolvency of J. V. de Croos of Lake road, Colombo.

WHEREAS J. V. de Croos has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by J. P. John of Barber street, Colombo, under Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said J. V. de Croos insolvent accordingly; and that two public sittings of the court, to wit, on June 17, 1930, and on July 1, 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, May 14, 1930. for Secretary.

In the District Court of Negombo.

No. 205. In the matter of the insolvency of Anduwalage Don Stephen Wijayasekera of 4th Division, Tammita.

NOTICE is hereby given that the first sitting of this court in the above matter has been adjourned to June 10, 1930, at 10 A.M.

By order of court, C. EMMANUEL,
Negombo, May 14, 1930. Secretary.

In the District Court of Negombo.

No. 207. In the matter of the insolvency of Deundra Liyanage Hendrick de Silva of Negombo.

NOTICE is hereby given that the first sitting of this court in the above matter has been adjourned to June 12, 1930, at 10 A.M.

By order of court, C. EMMANUEL,
Negombo, May 14, 1930. Secretary.

In the District Court of Kalutara.

No. 245/I. In the matter of the insolvency of Rana-singhe Macklin Silva of Kalutara South.

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 30, 1930, for further examination of the insolvent.

By order of court, A. W. LUDEKENS,
Kalutara, May 5, 1930. Secretary.

In the District Court of Kandy.

No. 1,833. In the matter of the insolvency of Jayasundara Mudiyansele Punched Banda of Ketewela in Gandahe korale of Pata Hewahetta.

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 6, 1930, to consider the granting of a certificate of conformity to the above named insolvent.

By order of court, GERALD E. DE ALWIS,
Kandy, May 10, 1930. Secretary.

In the District Court of Kandy.

No. 1,853. In the matter of the insolvency of Don William Amarasuriya of Gampola.

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 6, 1930, to appoint an assignee.

By order of court, GERALD E. DE ALWIS,
Kandy, May 10, 1930. Secretary.

In the District Court of Kandy.

No. 1,858. In the matter of the insolvency of Kalutara Aratchige Don Sadiris Appuhamy of Wattegama.

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 6, 1930, to appoint an assignee.

By order of court, GERALD E. DE ALWIS,
Kandy, May 10, 1930. Secretary.

In the District Court of Galle.

No. 604. In the matter of the insolvency of Omer Lebbe Marikar Mohamed Lebbe Marikkar of Fort, Galle.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 20, 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 July 7, 1930, for the filing of balance sheet.

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

In the District Court of Matara.

Insolvency In the matter of the insolvency of No. 49. Ahammadu Lebbe Marikkar Mohammed Ibrahim of Weligama.

NOTICE is hereby given that a special sitting of this court will take place on May 22, 1930, for the proof of the debt of A. L. R. M. S. Ramanathan Chetty of Galle.

By order of court, R. MALALGODA,
Matara, May, 7, 1930. Secretary.

In the District Court of Matara.

Insolvency In the matter of the insolvency of Parana No. 54. Palliyaguruge Simon of Pelena in Weligama.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 29, 1930, for the appointment of assignee.

By order of court, H. L. D. DE SILVA,
Matara, May 7, 1930. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

(1) Abdul Hussein Jafferjee, (2) Ibrahim Jafferjee, carrying on business under the name and style of Abdul Hussein Jafferjee of Bankshall street, Colombo Plaintiffs.

No. 34,273. Vs.

G. V. Fernando, carrying on business under the name and style of G. P. Fernando & Son of Pettah, Colombo Defendant.

NOTICE is hereby given that on Tuesday, June 17, 1930, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 9,392.64, with interest thereon at 9 per cent. per annum from August 27, 1929, till payment in full, and costs of suit, viz. :—

At 2 P.M.

1. An allotment of land called Godakadurugahawatta with the thatched buildings thereon, situated at Peliyagoda in the Ragam pattu of Alutkuru korale in the District of Colombo, Western Province; bounded on the north by the field belonging to Kelani Vihare, south-east by the property belonging to Bandaranaike Mudaliyar, south by the property of Jacoris de Silva Muhandiram, and west by the property of Hendrick Prenandoge Christian Fernando and Hendrick Fernando; containing in extent 2 acres 3 roods and 6 perches. Registered in B 227/25.

At 2.30 P.M.

2. All that field called Welipillewekumbura, situated at Peliyagoda aforesaid; bounded on the north-east by the land described in plan No. 100,004, east by the land described in plan No. 86,685, south by the property of the late James de Alwis (Advocate), and west by a road; containing in extent 1 acre and 39 perches. Registered B 261/250.

At 3 P.M.

3. A portion of the field called Welipillewewetakeyawakumbura, situated at Peliyagoda aforesaid; bounded on the north by a large dam, east by the field of W. Salmon Fernando, south by a small road and a field of Kaloris Fernando and others, and west by Depa-ela; containing in extent 4 acres 3 roods and 13.5 perches. Registered in B 261/251.

Fiscal's Office,
Colombo, May 14, 1930.

N. WICKRAMASINGHE,
Deputy Fiscal.

In the District Court of Colombo.

Alexander Young (London), Limited Plaintiffs.
No. 37,306. Vs.

Razeen Abdul Cader, carrying on business under the name, style, and firm of The El-Herds Electrical and Hardware Stores, Keyzer street, Fort, Colombo Defendant.

NOTICE is hereby given that on Tuesday, June 10, 1930, at 10 A.M., will be sold by public auction at 220, Keyzer street, Pettah, Colombo, the following movable property for the recovery of the sum of Rs. 1,854.79, with interest on Rs. 1,783.52 at 7 per cent. per annum from March 22, 1930, up to date of

decree (April 4, 1930), and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit, viz. :—

1 iron safe	12 shades
1 jak glass almirah	24 dozens cut outs
50 zinc sheets	2 lamp fittings
65 zinc tubs	45 shades
10 zinc watering cans	26 electric bulbs
4 iron pans	2 brackets
2 scales with weights	42 electric bulbs
1 writing table	15 dozens electric bulbs
6 dust bins	1½ dozen tumblers
2 electric fans	2 wall mirrors
387 electric bulbs	31 brass pipes
12 pegs	66 loose small boxes elec- tric bulbs
6 loose boxes bulbs	15 loose boxes electric bulbs
15 do.	5 do.
5 large boxes bulbs	4 dozens electric polish tins
90 large and small tins silver polish	18 loose boxes day lights
1 box electric shades	57 loose boxes electric bulbs
1 loose box electric shade	8 boxes Kikriki
20 loose packets shade handles	9 water brackets
4 rolls electrical wires	35 brass water brackets
6 bundles dynamite fuse	2 rolls wire
1 loose bundles dynamite fuse	1 box round blocks
3 boxes wall plugs	12 round cut outs
1 loose box wall plugs	5 spades
25 switchboards	1 heap glass pipes
6 glass pipes	6 boxes kola tonic
2 rolls fuse	1 jak bench
164 round blocks	2 electric fans
25 large and small brackets	36 zinc gutters
12 wall plugs	11 bathing tubs
4 electric pipes	10 watering cans
1 electric shade	2 small electric fans
1 electric stove	15 loose boxes electric bulbs
11 wall plugs	
30 switches	
1 main switch	

Fiscal's Office,
Colombo, May 14, 1930.

N. WICKRAMASINGHE,
Deputy Fiscal.

In the Court of Requests of Colombo.

J. 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 10.30 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 and prospective costs Rs. 7, viz. :—

The right, title, and interest of the defendant in and to the deed of assignment of lease No. 1,086 dated September 28, 1926, attested by Mr. S. A. Jayasekera, Notary Public.

Fiscal's Office,
Colombo, May 14, 1930.

N. WICKRAMASINGHE,
Deputy Fiscal.

In the Court of Requests of Colombo.

Jimmy de Chicikera of Malay street, Slave
Island Plaintiff.
No. 58,274. Vs.

C. P. Abeyasekera of Pepiliana in Nugogoda. Defendant.

NOTICE is hereby given that on Thursday, June 19, 1930, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum

of Rs. 270, with legal interest thereon from January 15, 1930, till January 24, 1930, and thereafter on the aggregate amount of the decree till payment in full, and Rs. 25.25 being incurred costs and Rs. 7 being prospective costs, viz. :—

At 2 P.M.

1. An undivided $\frac{1}{3}$ share of the land called Ambegahawatta and of the house standing thereon, situated at Pepiliana in the Palle pattu of Salpiti korale in the District of Colombo, Western Province; which said lot is bounded on the north by lot 'A' east by lot 'B,' a road, and lot A 2, on the south by lots A 2 and 'C' and property of John Perera Rupasinghe, and on the west by property of Mrs. de Saram; containing in extent 3 acres 2 roods 649/100 perches according to plan No. 1,612 dated June 2, 1924, made by C. C. Wijetunga, Surveyor.

At 2.30 P.M.

2. An undivided $\frac{1}{3}$ of lots 'C' and 'D' in the above-said plan lot 'C' called Baknugahaowita and lot 'D' called Ambagahaowita, situated at Pepiliana aforesaid; which said lots 'C' and 'D' are together bounded on the north by lots A 1 and A 2, on the east by owita belonging to R. A. Sedris Perera, on the south by the property of A. Simon Silva and others and property of John Perera Rupasinghe and others, and on the west by the property of John Perera Rupasinghe; containing in extent 3 roods and 39 perches.

Fiscal's Office,
Colombo, May 14, 1930.

N. WICKRAMASINGHE,
Deputy Fiscal.

In the District Court of Negombo.

T. M. E. M. Vellayan Chetty of Negombo.... Plaintiff.
No. 3,779. Vs.

Paththage Jacob Fernando of Dambadure. Defendant.

NOTICE is hereby given that on Saturday, June 14, 1930, commencing at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, viz. :—

(1) An undivided $\frac{5}{10}$ share of lot 1 of the land called Bogahawatta, situated at Dambadure in Ragam pattu of Alutkuru korale in the Judicial District of Negombo, Western Province; the said lot being bounded on the north by lands belonging to Juse Appu and others, east by the lot No. 2 of this land, south by the cart road, and on the west by a portion of this land; containing in extent 1 acre 1 rood and 38 perches.

(2) All that allotment of land comprised of the contiguous portions called Dawatagahawatta adjoining Halgahawatta and the owita ground situated at Dambadure aforesaid; bounded on the north by the ditch and the live fence separating the land of Anthonige Anthony Fernando, east by lands of Anthony Fernando and P. Abilino Nonis, south by land belonging to Paththage Simon Fernando and Francisco Fernando and by the agare land, and on the west also by the agare land and by the dewata road leading to Raddoluwa; containing in extent 2 acres.

(3) All that allotment of land called Kahatagahawatta and the buildings standing thereon, situated at Dambadure aforesaid; bounded on the north by the live fence of the land of Peduru Fernando and Pinhamy, east by the live fence of the land of Peduru Fernando, south by the live fence of the land of Anthony Fernando, and on the west by the live fence of the land of Juse Fernando; containing in extent about 1 acre.

(4) The undivided $\frac{1}{3}$ share of the remaining portion of land called Dawatagahawatta and the buildings standing thereon, situated at Dambadure aforesaid; the entire land being bounded on the north by the land of Seekuaratchirala, east by land of Arumadura Marku

Fernando, south by lands of Kehelbaddarage Abaran Siman Fernando, Malluwahandy Gabriel Fernando, and Dammana Aratchige Don Gabriel Silva, and on the west by the road 8 feet wide; containing in extent 11 acres 3 roods and 21 perches, excluding therefrom an undivided eastern portion in extent 3 acres and 3 roods.

(5) All that land called Kongahawatta and the buildings standing thereon, situated at Dambadure aforesaid; and bounded on the north by land of Pattage Lawarenti Fernando, east by the portion of this land allotted to Yohanis Fernando, south by the live fence of the land of Anthony Fernando, and on the west by the fence and ditch of the land of Anthonige Gabriel Fernando; containing in extent about 1 acre.

Amount to be levied Rs. 2,005.23, with interest on Rs. 1,600 at 18 per cent. per annum from September 27, 1929, till December 3, 1929, and thereafter at 9 per cent. per annum till payment.

Deputy Fiscal's Office, A. L. M. ABDULLA,
Negombo, May 6, 1930. Deputy Fiscal.

In the District Court of Galle.

R. M. P. L. Palani Appa Chetty of Galle . . . Plaintiff.
No. 26,868. Vs.

(1) L. D. S. Karunaratne of Kaluwamodera in
Bentota, (2) S. H. de Silva of Dondra . . . Defendant.

NOTICE is hereby given that on Monday, June 9, 1930, commencing at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said 1st defendant in the following property for the recovery of Rs. 541.52, with legal interest on Rs. 492.60 from September 30, 1929, less Rs. 40.40, viz. :—

1. The soil and all the buildings standing thereon of Kandekumbura, situated at Alutgambadde in Kalutara totamune in the District of Kalutara; and bounded on the north by Tuppahige Digana and a portion of Kandekumbura, east by the road leading to Kande Vihara, south by District Committee road, and west by District Committee cross road; and containing in extent about 3 roods.

2. Undivided half share of the soil and of the soil share trees of the portion towards the east of the high road and half of the planter's half share of the 1st plantation standing thereon of Gamimewatta, situated at Kaluwamodera as aforesaid; and bounded on the north by Hinnammagewatta, east by Muttettuwewa and land belonging to Sinno Naide, south by Gansaba road, and west by high road; and containing in extent about 1½ acres.

3. Undivided 1457/2400 share of the soil and of the soil share trees of the land called Pansalewatta, situated at Kaluwamodera as aforesaid; and bounded on the north by Dombagahawatta wherein A. Junda resides, east by Waduwangewatta wherein T. Condiris Silva resides and Sohonwatta, south by Muttettuwatta, and west by Galbodewatta and Sittammawatta; and containing in extent about 1½ acres.

Deputy Fiscal's Office, H. SAMARASINGHE,
Kalutara, May 8, 1930. Deputy Fiscal.

Central Province.

In the District Court of Kandy.

S. T. K. M. Sidambaram Chetty of Matale carrying
on business under the name and style of S. T. K.
M. Kumarappa Chetty of Matale . . . Plaintiff.
No. 38,603. Vs.

Aruma and Ukkuwa, both of Mahawela . . . Defendants.

NOTICE is hereby given that on Friday, June 20, 1930, at 1 o'clock in the afternoon, will be sold by

public auction at the spot the right, title, and interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 516.25, with legal interest on Rs. 556.25 from September 25, 1929, till payment in full, viz. :—

The land called Dehigaspitiya of about 27 acres in extent, situated at Dikkumbure in Asgiri Pallesiya pattu of Matale South; and bounded on the east by field and Kalu Menika's land, south by Kalu Menika's chena, west by Gan-ta-lee's chena and stone fence, and on the north by land belonging to Kiriya and Kalu.

S. D. CUMARASWAMY,
Deputy Fiscal's Office, Additional Deputy Fiscal.
Matale, May 10, 1930.

In the Court of Requests of Matale.

S. T. K. M. Sidambaram Chetty trading in the name,
style, and firm of S. T. K. M. Kumarappa Chetty
of Matale . . . Plaintiff.

No. 20,107. Vs. 22/10/30

(1) J. S. Munaweera and (2) Aruma Duraya, both of
Mahawela . . . Defendants.

NOTICE is hereby given that on Friday, June 20, 1930, at 12 noon, will be sold by public auction at the spot the right, title, and interest of the said 2nd defendant in the following property for the recovery of the sum of Rs. 293.25, with legal interest on Rs. 267.25 from November 5, 1929, till payment in full, viz. :—

The land called Dehigaspitiya of about 27 acres in extent, situated at Dikkumbura in Asgiri Pallesiya pattu of Matale South; and bounded on the east by field and Kalu Menika's land, south by Kalu Menika's chena, west by Gan-ta-lee's chena and stone fence, and on the north by land belonging to Kiriya and Kalu.

S. D. CUMARASWAMY,
Deputy Fiscal's Office, Additional Deputy Fiscal.
Matale, May 10, 1930.

Southern Province.

In the District Court of Galle.

A. Mendis Silva of Maha Ambalangoda . . . Plaintiff.
No. 26,912. Vs.

K. Barlis Silva of Godahena . . . Defendant.

NOTICE is hereby given that on Saturday, June 7, 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, viz. :—

(1) All that the soil and trees of the land called a portion of Godahenebedda, situated at Godahena in the Wellaboda pattu; and bounded on the north by land claimed by S. Ondiris, east by lot marked letter B of this land, south by land claimed by F. Jayawardena, and west by land claimed by Uparis de Silva; containing in extent about 1 acre, together with the whitewashed Calicut-tiled house of 57 feet in length and 57 feet in breadth, and the 7 cubits tiled house standing thereon.

(2) All that the soil and trees of the land called a portion of Godahenebedda, situated at ditto; and bounded on the north by land claimed by Purolis Silva and a road, east by the remaining 1 acre portion of this land, south by land claimed by G. Uparis Silva, and west by Ihalawatta; containing in extent 35 perches. Subject to the mortgage bond bearing No. 754 dated January 3, 1928, attested by Mr. M. C. E. de Silva, Notary Public, in favour of Maduwehewa Aleckman de Silva for Rs. 5,000 at 12 per cent. per annum.

Writ amount Rs. 354·92, with interest on Rs. 354·92 at the rate of 9 per cent. per annum from May 13, 1929, till payment in full, and costs Rs. 48·92.

Fiscal's Office,
Galle, May 6, 1930.

E. F. EDRISINGHE,
Deputy Fiscal.

In the District Court of Matara.

G. H. Charles Silva of Matara.....Plaintiff.
No. 4,773. Vs.

Arthur Wirakoon of KotawilaDefendant.

NOTICE is hereby given that on Saturday, June 21, 1930, commencing at 2.30 in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of a sum of Rs. 568·14, viz. :—

The land called Pinniyagodella, situated at Kotawila in the Weligam korale of the Matara District, Southern Province; and bounded on the north by Lebima, east by land belonging to Mr. Creasy, south by Kolottawila, and on the west by Kolottewila; and containing in extent about 10 acres.

E. T. GOONEWARDENE,
Deputy Fiscal's Office, Deputy Fiscal.
Matara, May 10, 1930.

In the Additional Court of Requests of Matara.

Don Andiris Abeysekere Appuhamy of Ihala
Viniyala.....Plaintiff.
No. 15,397. Vs.

Hewa Vitarnege Lokuhamy of Sapugoda....Defendant.

NOTICE is hereby given that on the under-mentioned dates will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of a sum of Rs. 171·69, with legal interest on Rs. 100 from March 4, 1929, viz. :—

On Saturday, June 21, 1930, commencing at 2 P.M.

1. All that undivided $\frac{1}{3}$ of 13/36 share of the land called Pahalawatta, situated at Sapugoda in the Gangaboda pattu of the Matara District, Southern Province; and bounded on the north by Bogahakanatta, east by ela and Aluthkoratuwa, south by Araddagahahena, and on the west by Welipathewatta (together with $\frac{1}{2}$ share of 9-cubit tiled house and 1/18 share of other buildings standing thereon); and containing in extent about 3 acres.

2. All that undivided $\frac{1}{2}$ share of the land called Andiyadeniyehena, situated at Sapugoda aforesaid; and bounded on the north by Aluthkoratuwa, east by Indurewatta, south by Muttettuwa, and on the west by Andiyadeniyekumbura (together with planter's $\frac{1}{2}$ share of all the plantations standing thereon); and containing in extent about 7 acres.

On Saturday, June 28, 1930, commencing at 2 P.M.

3. All that undivided $\frac{1}{4}$ share of the land called Attikkagahagoda, situated at Karagoda Uyangoda in the Gangaboda pattu aforesaid; and bounded on the north by Bandarahena and Welipottewatta, east by Bogahakanattehena, south by Nagahakumbura and ela, and on the west by Bandarahena (together with the planter's $\frac{1}{2}$ share of all the plantations standing thereon); and containing in extent about 5 acres.

4. All that undivided $\frac{1}{2}$ of 25/144 share of contiguous lands called Durutumasiyadda, Suriyagahagodella, and Mugunamalgahagoda, situated at Karagoda Uyangoda

aforesaid; and bounded on the north by Midiyahagodehena, east by Nagahakumbura, south by Bandarahena, west by Digapotha and Pinnakuttiya; and containing in extent about 3 amunams of paddy sowing.

E. T. GOONEWARDENE,
Deputy Fiscal's Office, Deputy Fiscal.
Matara, May 10, 1930.

In the Additional Court of Requests, Matara.

Odiris de Silva Wijesinghe of Ahangama.....Plaintiff.
No. 16,087. Vs.

J. A. M. Jayaweera of Pamburana.....Defendant.

NOTICE is hereby given that on Saturday, June 14, 1930, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of a sum of Rs. 271·25 :—

All the soil and trees and the buildings of the divided lot K of the land called Mahapelawatta bearing assessment No. 3,294, situated at Pamburana within the Urban District Council limits of Matara, Matara District, Southern Province; and bounded on the north by lot J of the same land, south by high road from Matara to Galle, west by lot L of the same land and cart road, and east by Ralahaminnewatta alias Walauwewatta; and containing in extent 1 acre 2 roods and 13 $\frac{104}{256}$ perches, subject to a mortgage for Rs. 3,700 and interest created by bond No. 1,256 of February 20, 1929, attested by M. D. T. Kulatillake, Notary Public.

E. T. GOONEWARDENE,
Deputy Fiscal's Office, Deputy Fiscal.
Matara, May 7, 1930.

Eastern Province.

In the District Court of Colombo.

M. K. A. Meerasaibo Maracair of 81, 2nd Cross street,
Pettah, ColomboPlaintiff.

No. 36,725. Vs.

K. M. M. Mohamadu Meerasaibo of BatticaloaDefendant.

NOTICE is hereby given that on Saturday, June 7, 1930, commencing at 3 o'clock in the afternoon, will be sold by public auction at the spots the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 9,644·20, with legal interest at 9 per cent. per annum from February 18, 1930, till payment in full, and costs of suit (bill not taxed), viz. :—

The western share of Thirukenar Kiddancy bearing assessment Nos. 60 and 61, forming into one block, situated at Bazaar street, Puliantivu in Manmunai pattu, Batticaloa District, Eastern Province; and bounded on the east by the other share of this belonged to Eithermannasinghe, presently belonging to the defendant, K. M. M. Mohamadu Meerasaibo, north and west by roads, and south by the Kiddancy wall belonging to Soosai Gabriel; containing in extent on the north 5 fathoms, south 6 $\frac{1}{2}$ fathoms, east 5 fathoms, and west 7 fathoms. According to the survey plan 4 perches, together with upstairs buildings, godown, kitchen, verandah, and other rights. Subject to mortgage.

2. The right, title, and interest of the defendant in a portion of land in a garden formed of Kandappur Valavu and the northern share of Chanmuga Valavu bearing assessment No. 13, situated at Puliantivu in Manmunai

pattu, Batticaloa District, Eastern Province; and bounded on the east by road, south by the property of S. Kassimbawa, west by road, and north by lane and garden of Assanar; containing in extent east to west on the north 177 feet, and 8 inches north to south on the west 80 feet and from southern end of the western side towards the east 66 feet, from this 66 feet towards the north 54 feet, from the 66 feet towards the east 34 feet towards the north 60 feet from the said 34 feet towards the east 84 feet north to south on the east 63½ feet. The entire garden with all its rights.

Subject to the mortgage to Hilda Andrado of Batticaloa for Rs. 2,000 and interest.

Fiscal's Office,
Batticaloa, May 6, 1930.

W. D. GUNARETNA,
Deputy Fiscal.

North-Western Province.

In the District Court of Kurunegala.

Mandawalagama Appuhamillage Appu Singho
Appuhamy of Mutugala Plaintiff.

No. 14,018. Vs.

(1) Herat Mudiyansele Utku Banda, (2) ditto
Punchi Menika, both of Mutugala in Dambadeni
Udukaha korale west Defendants.

NOTICE is hereby given that on Tuesday, June 10, 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 defendants in the following property, viz. :—

All that land called Siyambalagahamulawatta of 2 lahas of kurakkan sowing extent, situate at Mutugala in Dambadeni Udukaha korale west of Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by lands of Ukkurala and others, east by garden of Kiri Sanga, south by lands of Banda and others, west by Gansabawa road. Registered under F 110/57.

Amount to be levied Rs. 488·60, and further damages at the rate of Rs. 25 per month from March 22, 1930, till plaintiff be put and placed in possession of the lands mentioned (less Rs. 47·82) and poundage.

Fiscal's Office,
Kurunegala, May 8, 1930.

A. BASNAYAKE,
Deputy Fiscal.

In the District Court of Negombo.

K. M. W. Sivaramen Chetty by his attorney N. K.
A. Sinnaiya Palle of Negombo Plaintiff.

No. 3,947. Vs.

(1) Warnakulasuriya Sebastian Tissera of Thambarawala and another Defendants.

NOTICE is hereby given that on Tuesday, June 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 defendants in the following property for the recovery of Rs. 1,056·25, with further interest on Rs. 1,000 at 13½ per cent. per annum from December 6, 1929, till April 11, 1930, and thereafter at 9 per cent. per annum on the aggregate amount of decree till payment in full and poundage :—

(1) An undivided ½ share of the divided portion of the land called Mahaahetuwa and of the buildings and plantations standing thereon, situate at Kolinjadiya in Kammal pattu of Pitigal korale south in the District of Chilaw, North-Western Province; and bounded on the north by land of the heirs of Thomas Fernando, east by a portion of this land sold to Peduru Thaverera,

south by land of the heirs of Amaris Fernando, and west by land of the heirs of Simon Fernando; containing in extent 120 coconut trees, plantable ground, subject to a lease.

At 1 o'clock in the afternoon.

2. An undivided ½ share of undivided ½ share (exclusive of 11 coconut trees) of the land called Ambagahawatta, situate at Ihala Katuneriya in Meda palata of Pitigal korale south aforesaid; and bounded on the north by land of Anthony Daberera, east by land of Anthony Daberera and others, south by Gin-oya, and west by land of Juwanis Daberera and others; containing in extent about 3 acres.

3. An undivided ½ share of undivided portion of land in extent 2 acres 1 rood and 38 perches on the northern side from and out of ½ share of the land called Nuagagahawila, situate at Dematapitiya in Meda palata aforesaid; which said ½ share being bounded on the north by ½ share of this land belonging to Abilinu Fernando and Darmanan, east by lands appearing in plans Nos. 103,430, 103,431, 103,430, and 103,421, south-east by land appearing in plan No. 103,439, south and south-west by Gin-oya; containing in extent 7 acres 1 rood and 38 perches.

Deputy Fiscal's Office,
Chilaw, May 14, 1930.

F. G. DALPETHADO,
Deputy Fiscal.

North-Central Province.

In the District Court of Anuradhapura.

R. H. Haramanis Appu of Anuradhapura Plaintiff.

No. 1,512. Vs.

A. B. Wegodapola of Ranawana Walauwa, Peradeniya Defendant.

NOTICE is hereby given that on Saturday, June 7, 1930, at 10 A.M., the landed property, and at 11.30 A.M. movable property, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 273·04, with interest on Rs. 559·62 at 9 per cent. per annum from December 13, 1929 :—

1. All that divided portion out of land comprising lots 7,704 and 7,705 in P. F. 2,485 described in T. P. 237,933 called Tissawewamadahorowawatta in the town of Anuradhapura of the Anuradhapura District of the North-Central Province; which said divided portion measures 25 fathoms in length and 24 fathoms in breadth; and is bounded on the north by the divided portion of the said whole land gifted to Appuralage Punchi Banda, now belonging to Mr. R. Munasinghe, on the east by the land of Mr. R. Munasinghe, on the south by tank bund, and on the west by the leasehold property of Mrs. Ivers.

2. The electric plant installed within the premises of the Bo-tree temple at Anuradhapura aforesaid; together with the accessories belonging to the said electric plant supplying electric illumination to the sacred shrines at Anuradhapura, registered in the office of the Registrar of Business Names for the North-Central Province, under the business name The Anuradhapura Electric Company, under certificate No. 62 dated July 27, 1926, in pursuance of the Registration of Business Names Ordinance, No. 6 of 1918.

These properties will be sold subject to mortgage created by bond No. 1,124 of December 17, 1927.

Fiscal's Office,
Anuradhapura, May 10, 1930.

W. S. JOSEPH,
for Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Wilson Edwin de Silva of Ambalan-
No. 5,028. goda, deceased.

William Samuel de Silva of Halgolla estate, Yalayan-
tota Petitioner.

And

Emily Alexandrina Pharnaratne of Ambalan-
goda Respondent.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on March 26, 1930, in the presence of Mr. Martin Weeraratne, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated March 24, 1930, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as father of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before May 22, 1930, show sufficient cause to the satisfaction of this court to the contrary.

G. C. THAMBYAH,
District Judge.

March 26, 1930.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and
Jurisdiction. Effects of the late Keenewinne Appu-
No. 5,055. hamillage Anolis Appuhamy of Alut-
gama Bogomuwa in the Meda pattu
of Siyane korale, deceased.

Keenewinne Appuhamillage Jasiri Appuhamy of
Alutgama Bogomuwa aforesaid Petitioner.

And

(1) Tennakoon Achehige Sanchi Nona and (2)
Keenewinne Appuhamillage Petera Appuhamy,
both of Alutgama Bogomuwa aforesaid. Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on April 10, 1930, in the presence of Mr. D. A. J. Goonewardhane, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated April 8, 1930, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before May 29, 1930, show sufficient cause to the satisfaction of this court to the contrary.

G. C. THAMBYAH,
District Judge.

April 10, 1930.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Uhani Umma (widow of the late
No. 5,041. S. S. M. Abdul Majeed) of 39,
Messenger street, Colombo, deceased.

Abdul Majeed Abdul Cader of 1, Main street,
Colombo Petitioner.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on April 1, 1930, in the presence of Mr. S. G. Watson, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated March 20, 1930, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son of the above-named deceased, to have letters of administration to her estate issued to him, unless any person or persons interested shall, on or before May 22, 1930, show sufficient cause to the satisfaction of this court to the contrary.

G. C. THAMBYAH,
District Judge.

April 1, 1930.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of Sariffa Umma of 24, Shoe road,
No. 5,057. Colombo, deceased.

Jumath Miskin Deer Shariff of 24, Shoe road,
Colombo Petitioner.

And

(1) Jumath Miskin Abdul Hameed, (2) Jumath Miskin Sahardeen, (3) Jumath Miskin Nona Jamjan, (4) Jumath Miskin Nona Leilon, all of 24, Shoe road, Colombo Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on April 11, 1930, in the presence of Mr. P. M. Seneviratne, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated March 10, 1930, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before May 22, 1930, show sufficient cause to the satisfaction of this court to the contrary.

G. C. THAMBYAH,
District Judge.

April 11, 1930.

In the District Court of Negombo

Order Nisi. *SH No 12/1*

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Athurugiri Aratchige Saviel Appudamy
No. 2,730. of Kumbaloluwa in Siyane korale, Meda
pattu, deceased.

Aththanapola Aratchirathige Mendis Singho of
Heediya-wala Petitioner.
And

- (1) Heeralupathirenehelage Ungohamy of Pana-
wala in Udugaha pattu of the Siyane korale, (2)
Saanchi Nona of Kukulnaga in Yatigaha pattu
of the Hapitigam korale, (3) Athurugiri Aratchige
Seenchi Nona of Panawala aforesaid, (4) ditto
Punchi Nona of Heediya-wala aforesaid, (5) ditto
Jane Nona of Medagampiyaya in Meda pattu of the
Siyane korale, (6) ditto Seda Nona of Haggalla in
Udugaha pattu of the Siyane korale, (7) Heeralu-
pathirenehelage Saanchi Nona of Panawala,
(8) Athurugiri Aratchige Caithan Singho of ditto,
(9) ditto Peter Singho of ditto, (10) ditto John
Singho of ditto, (11) ditto Rosalin Nona of ditto,
(12) ditto Somapala of ditto, (13) ditto Sirisena
of ditto Respondents.

THIS matter coming on for disposal before M. H.
Kantawala, Esq., District Judge of Negombo, on
March 19, 1930, in the presence of Mr. D. W. Samara-
tunga, Proctor, on the part of the petitioner; and the
petition and affidavit of the said petitioner dated
March 18, 1930, and February 25, 1930, respectively,
having been read:

It is ordered that the said petitioner be and he is
hereby declared entitled to have letters of adminis-
tration to the said estate issued to him, unless the
respondents above named 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.

It is further ordered that the 8th respondent above
named be appointed guardian *ad litem* over the minors,
the 10th to 13th respondents above named, for the
purpose of this testamentary action, unless the re-
spondents above named 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.

March 19, 1930. M. H. KANTAWALA,
District Judge.

Time for showing cause extended to May 6, 1930.

April 8, 1930. M. H. KANTAWALA,
District Judge.

Time for showing cause extended to May 21, 1930.

May 6, 1930. M. H. KANTAWALA,
District Judge.

In the District Court of Kalutara. *38 No 10/1*

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Jimmy Thomas Fernando Weera-
No. 2,231. warnakurukulasooriya, deceased, of
Beruwala.

THIS matter coming on for disposal before N. M.
Bharucha, Esq., District Judge of Kalutara, on
September 20, 1929, in the presence of Mr. F. J. C.

Perera, on the part of the petitioner Busabaduge
Nimot Fernando Weerawarnakurukulasooriya of
Beruwala; and the affidavit of the said petitioner dated
July 30, 1929, having been read:

It is ordered that the said petitioner be and he is
hereby declared entitled, as brother, to have letters of
administration to his estate issued to him, unless the
respondents—(1) Sugatadasa Chandrakirithi Kurukula-
sooriya, (2) Wijechandra, (3) Kusumachandra, and (4)
Busabaduge Agnes Fernando Weerawarnakurukula-
sooriya, the guardian *ad litem* over the 1st to 3rd
respondents, all of Beruwala—or any person or persons
interested shall, on or before November 22, 1929, show
sufficient cause to the satisfaction of this court to the
contrary.

It is further declared that the said 4th respondent
be and she is hereby appointed guardian *ad litem* over
the 1st to 3rd minor respondents for all the purposes
of this action, unless the respondents or any other
person or persons interested shall, on or before November
22, 1929, show sufficient cause to the satisfaction of this
court to the contrary.

September 20, 1929. N. M. BHARUCHA,
District Judge.

Time for showing cause against this Order Nisi
extended till May 23, 1930.

N. M. BHARUCHA,
District Judge.

In the District Court of Kalutara. *32 No*

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Pussemullege Pabilis Perera, deceased,
No. 2,277. of Moratuwella in Moratuwa.

Balapuwaduge Resona Mendis of Moratuwella
in Moratuwa Petitioner.

And

- (1) Pussemullege James Perera, (2) ditto Mailenthi
Perera, (3) ditto Julis Perera, (4) ditto Eugina
Perera, all of Molkawa in Kalutara Dis-
trict Respondents.

THIS matter coming on for disposal before N. M.
Bharucha, Esq., District Judge of Kalutara, on February
25, 1930, in the presence of Messrs. Fernando & de Silva,
Proctors, on the part of the petitioner, Balapuwaduge
Resona Mendis of Moratuwella; and the affidavit of the
said petitioner dated October 28, 1929, having been
read:

It is ordered that the said petitioner be and she is
hereby declared entitled, as widow, to have letters of
administration of his estate issued to her, unless the
respondents or any other person or persons, on or before
April 1, 1930, show sufficient cause to the satisfaction
of this court to the contrary.

February 25, 1930. N. M. BHARUCHA,
District Judge.

The date for showing cause against this Order Nisi
is extended to May 20, 1930.

April 1, 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. Udugahapathuwemudalige Simon
No. 2,272. Appuhamy, deceased, of Kalutara
North.

Pothuwilage Dona Jane Nona of Kalutara. . Petitioner.

Vs.

(1) Udugahapathuwemudalige Chandrapala, (2)
ditto Mithrapala, (3) ditto Sammapala, (4)
ditto Namapala, (5) ditto Lalapala, (6) ditto
Dharmapala, (7) ditto Navaratnapala, all of
Kalutara North by their guardian *ad litem* (8)
Heessage Don Nonis Singho of Wewita. . Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on January 18, 1930, in the presence of Mr. H. D. Perera, Proctor, on the part of the petitioner, Pothuwilage Dona Jane Nona of Kalutara; and the affidavit of the said petitioner having been read:

It is ordered that the said petitioner be and she is hereby declared entitled, as widow, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before February 27, 1930, show sufficient cause to the contrary.

It is further declared that the said 8th respondent be and he is hereby appointed guardian *ad litem* over the 1st to 7th minor respondents for all the purposes of this action, unless the respondents or any other person or persons interested shall, on or before February 27, 1930, show sufficient cause to the satisfaction of this court to the contrary.

N. M. BHARUCHA,
District Judge.

The date for showing cause is extended for May 1, 1930.

N. M. BHARUCHA,
District Judge.

The date for showing cause is extended for May 22, 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. Bodyyabaduge Paulu Perera, deceased,
No. 2,260. of Diyalagoda in Maggona.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on November 8, 1929, in the presence of Mr. H. D. Perera, Proctor, on the part of the petitioner, Demalappaliyegurunanselage Maria Fernando of Diyalagoda; and the affidavit of the said petitioner dated October 17, 1929, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled, as widow, to have letters of administration to his estate issued to her, unless the respondents—(1) Bodyyabaduge Justina Perera, (2)

ditto Philip Perera, (3) ditto Marianu Perera, all of Diyalagoda; the 2nd and 3rd respondents by their guardian *ad litem* the 1st respondent—or any other person or persons interested shall, on or before December 12, 1929, show sufficient cause to the satisfaction of the court to the contrary.

It is further declared that the said 1st respondent be and she is hereby appointed guardian *ad litem* over the 2nd and 3rd minor respondents for all the purposes of this action, unless all the respondents or any other person or persons interested shall, on or before December 12, 1929, show sufficient cause to the satisfaction of this court to the contrary.

November 8, 1929.

N. M. BHARUCHA,
District Judge.

The date for showing cause is extended for February 6, 1930.

December 12, 1929.

N. M. BHARUCHA,
District Judge.

The date for showing cause is extended for March 6, 1930.

February 6, 1930.

N. M. BHARUCHA,
District Judge.

The date for showing cause is extended for April 10, 1930.

March 6, 1930.

N. M. BHARUCHA,
District Judge.

The date for showing cause is extended for May 29, 1930.

April 10, 1930.

N. M. BHARUCHA,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Vana Sidambaram Kandiyar's
No. 4,879. daughter Valliamma, deceased, of
Attaragalla.

THIS matter coming on for disposal before W. E. Barber, Esq., District Judge, Kandy, on March 27, 1930, in the presence of Messrs. Liesching & Lee, Proctors, on the part of the petitioner, Indrassi Ammal of Attaragalla; and the affidavit of the said petitioner dated March 27, 1930, having been read:

It is ordered that the petitioner, as the mother 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, unless the respondents—(1) Kenga Ammal, (2) Parameswari, (3) Janagi Ammal, (4) Rukkumani, (5) Rena Kadirvail Pulle, all of Attaragalla; the 1st to 4th respondents by their guardian *ad litem* the 5th respondent above named—shall, on or before May 19, 1930, show sufficient cause to the satisfaction of this court to the contrary.

March 27, 1930.

W. E. BARBER,
District Judge.

In the District Court of Kandy

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Vana Sidambaram Kandiyar's son,
No. 4,880. Krishnasamy, deceased, of Attara-
galla.

THIS matter coming on for disposal before W. E. Barber, Esq., District Judge, Kandy, on March 27, 1930, in the presence of Messrs. Liesching & Lee, Proctors, on the part of the petitioner, Indrassi Ammal of Attaragalla; and the affidavit of the said petitioner dated March 27, 1930, having been read:

It is ordered that the petitioner, as the mother 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 the petitioner, unless the respondents—(1) Kenga Ammal, (2) Parameswari, (3) Janagi Ammal, (4) Rukkumani, and (5) Rena Kadirvail Pulle, all of Attaragalla; the 1st to 4th respondents by their guardian *ad litem*; the 5th respondent above named—shall, on or before May 19, 1930, show sufficient cause to the satisfaction of this court to the contrary.

March 27, 1930.

W. E. BARBER,
District Judge.

In the District Court of Kandy.

Order Absolute.

Testamentary In the Matter of the Last Will and
No. 4,884. Testament of Andrew Vincent
Woutersz of Kandy, deceased.

THIS matter coming on for disposal before W. E. Barber, Esq., District Judge, Kandy, on April 10, 1930, in the presence of Messrs. Bevan & Bevan, on the part of the petitioner, Eugenie Caroline Woutersz of Mahanayawa, Kandy; and the affidavit of the said petitioner dated April 3, 1930, and of one of the attesting witnesses to the last will dated also April 3, 1930, having been read:

It is ordered that the will of the deceased above named dated November 20, 1928, and now deposited in this court be and the same is hereby declared proved, unless any person or persons interested shall, on or before May 26, 1930, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Eugenie Caroline Woutersz is one of the executors 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 May 26, 1930, show sufficient cause to the satisfaction of this court to the contrary.

April 10, 1930.

W. E. BARBER,
District Judge.

In the District Court of Hatton.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of Rajapakse
Jurisdiction. Pathirannehelage Haramanis Appu-
No. 159. hamy, deceased, of Batticaloa.

THIS matter coming on for disposal before D. B. Seneviratne, Esq., District Judge of Nuwara-Eliya-Hatton, on April 22, 1930, in the presence of Mr. J. A. Aiyadurai, Proctor, on the part of the petitioner, Rajapakse Pathirannehelage Thomas Appuhamy of Karagastalawa, Ramboda; and the affidavit of the petitioner dated August 28, 1929, and the last will dated August 24, 1928, having been read: It is ordered that the will of Rajapakse Pathirannehelage Haramanis

Appuhamy of Batticaloa, deceased, dated August 24, 1928, be and the same is hereby declared proved, unless any person or persons interested shall, on or before May 19, 1930, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said Rajapakse Pathirannehelage Thomas Appuhamy, as residuary legatee, be and he is hereby declared entitled to have letters of administration, with copy of the will annexed, to the estate of the deceased above named issued to him, unless any person or persons interested shall, on or before May 19, 1930, show sufficient cause to the satisfaction of this court to the contrary.

April 22, 1930.

D. B. SENEVIRATNE,
District Judge.

In the District Court of Tangalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. the deceased, Abeywarana Pata-
No. 1,100. bendige Don Mendia, ex Police
Officer of Unakuruwa.

Abeywarana Patabendige Don Charlis of Unakuruwa Petitioner.

- V.
- (1) Abeywarana Patabendige Mathiasamy, (2) Abeywarana Patabendige Jusinona, (3) Ratna weera Patabendige Ensohamy, (4) Abeywarana Patabendige Alicenona, (5) Abeywarana Patabendige Kottanappu, (6) Abeywarana Patabendige Dyeris, (7) Abeywarana Patabendige Alonchihamy, (8) Abeywarana Patabendige Jinadasa (now a Buddhist Priest residing at Seenimodera), (9) Abeywarana Patabendige Danny, (10) Abeywarana Patabendige Gunatillaka, (11) Abeywarana Patabendige Hinniya, (12) Juwanahennedige Nonnohamy, all of Unakuruwa, (13) Mutumalage Appusinnno of Kudawellakele, (14) Mutumalage Sumanawathi of Unakuruwa, (15) Abeywarana Patabendige Carolisappu, (16) Abeywarana Patabendige Francis, (17) Abeywarana Patabendige Davithsinno, (18) Abeywarana Patabendige Baronchihamy, (19) Abeywarana Patabendige SellaYnona, (20) Abeywarana Patabendige Simonappu, all of Unakuruwa Respondents.

THIS matter coming on for disposal before J. N. Arumugam, Esq., District Judge of Tangalla, on February 14, 1930, in the presence of Mr. D. P. Atapattu, Proctor, on the part of the petitioner above named; and the affidavit of the above-named petitioner dated December 17, 1929, having been read:

It is ordered and adjudged that the 3rd respondent above named be appointed guardian *ad litem* over the minors, 6th to 11th, 14th, 17th to 20th respondents, unless any person or persons interested shall, on or before March 17, 1930, show sufficient cause to the contrary.

It is further ordered that the petitioner be and he is hereby entitled, asson, to have letters of administration of the estate issued to him, unless any person or persons interested shall, on or before March 17, 1930, show sufficient cause to the contrary.

March 17, 1930.

J. N. ARUMUGAM,
District Judge.

Extended to May 19, 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. Karthigesu Sinnappu of Thirunelvely,
No. 7,266. deceased.

Sinnappu Nagalingam of Thirunelvely. Petitioner.

Vs.

(1) Sinnappu Kumaravelu of Thirunelvely, (2) Sinnappu Aiyathurai of ditto. Respondents.

THIS matter of the petition of the above-named petitioner, praying for letters of administration to the estate of the above-named deceased, coming on for disposal before J. C. W. Rock, Esq., District Judge, on March 6, 1930, in the presence of Mr. S. Cumarasuriar, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated March 5, 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 1, 1930, show sufficient cause to the satisfaction of this court to the contrary.

March 31, 1930.

J. C. W. Rock,
District Judge.

Order Nisi extended for May 28, 1930.

J. C. W. Rock,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Amuthattai, wife of Kandar
No. 7,269. Sithambanathar of Idaikuruchchy,
deceased.

(1) Varithamby Kathirgamar and wife (2) Umaiattai of Idaikuruchchy. Petitioners.

(1) Ampalavanar Velauchar and wife (2) Kathiramay, (3) Manikkar Kathirithamby, and (4) Arunasalam Manikkar, all of ditto. Respondents.

THIS matter of the petition of the above-named petitioners, praying that the above-named 4th respondent be appointed guardian *ad litem* over the minor, the above-named 3rd respondent, and that letters of administration to the estate of the above-named deceased be granted to the petitioner, coming on for disposal before J. C. W. Rock, Esq., on January 21, 1930, in the presence of Mr. V. S. Karthigesu, Proctor, on the part of the petitioner; and on reading the affidavit and petition of the petitioner:

It is ordered that the above-named 4th respondent be appointed guardian *ad litem* over the minor, the above-named 3rd respondent, and that letters of administration to the estate of the above-named deceased be granted to the petitioners, as the 2nd petitioner is one of the heirs of the above-named deceased, unless the above-named respondents appear before this court on March 18, 1930, and show sufficient cause to the satisfaction of this court to the contrary.

February 10, 1930.

J. C. W. Rock,
District Judge.

Time extended till May 19, 1930.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Kanther Chittampalam of
No. 7,427. Meesalai North, deceased.

Chittampalam Ponnambalappillai of Meesalai North. Petitioner.

Vs.

Chittampalam Kayilappillai of Manthuvil. Respondent.

THIS matter of the petition of the above-named petitioner, praying that letters of administration to the estate of the above-named deceased be granted to the petitioner, coming on for disposal before James Joseph, Esq., Additional District Judge of Jaffna, on February 3, 1930, in the presence of Mr. V. S. Karthigesu, Proctor, on the part of the petitioner; and on reading the affidavit and petition of the petitioner:

It is ordered that the petitioner be declared entitled to have letters of administration to the estate of the above-named deceased, as one of the heirs, unless the above-named respondent appear before this court on March 27, 1930, and show sufficient cause to the satisfaction of this court to the contrary.

March 17, 1930.

J. C. W. Rock,
District Judge.

Time extended till May 19, 1930.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Sithambanathar Kandiah of Idai
No. 7,390. kuruchchy, deceased.

(1) Varithamby Kathirgamar and wife (2) Umaiattai of Idaikuruchchy. Petitioners.

(1) Ampalavanar Velauchar and (2) wife Apiramy of ditto (3) Manikkar Kathirithamby of ditto, (4) Arunasalam Manikkam of ditto. Respondents.

THIS matter of the petition of the above-named petitioners, praying that the above-named 4th respondent be appointed guardian *ad litem* over the minor, the above-named 3rd respondent, and that letters of administration to the estate of the above-named deceased be granted to the petitioners, coming on for disposal before J. C. W. Rock, Esq., District Judge of Jaffna, on December 23, 1929, in the presence of Mr. V. S. Karthigesu, Proctor, on the part of the petitioner; and on reading the affidavit and petition of the petitioners.

It is ordered that the above-named 4th respondent be appointed guardian *ad litem* over the minor, the above-named 3rd respondent, and that letters of administration to the estate of the above-named deceased be granted to the petitioners, as the 2nd petitioner is one of the heirs, unless the above-named respondents appear before this court on February 27, 1930, and show sufficient cause to the satisfaction of this court to the contrary.

January 13, 1930.

J. C. W. Rock,
District Judge.

Time extended till May 19, 1930.

In the District Court of Jaffna. *19/30*
 Testamentary In the Matter of the Estate of the late
 Jurisdiction. Annappillai, wife of Murugesar
 No. 7,320. Tambiaiyah of Measalai North.

Murugesar Tambiaiyah of Measalai North. Petitioner.

Vs.

(1) Kasipillai, daughter of Murugesar Tambiaiyah
 of ditto, (2) Varitampy Velupillai of
 ditto Respondents.

THIS matter of the petition of Murugesar Tambiaiyah
 of Measalai North, for letters of administration to the
 above estate, coming on for disposal before J. C. W.
 Rock, Esq., on October 22, 1929, in the presence of
 Mr. C. R. Tambiah, Proctor, for petitioner :

It is ordered that letters do issue to the said M.
 Tambiaiyah, unless the respondents show cause to the
 contrary on May 21, 1930.

April 16, 1930.

J. C. W. Rock,
 District Judge.

In the District Court of Jaffna. *22/30*

Testamentary In the Matter of the Estate of the late
 Jurisdiction. Arimugam Eleatampy of Thirunel-
 No. 7,470. veli East, deceased.

Chinnachy, widow of Eleatampy of Thirunelveli
 East Petitioner.

Vs.

(1) Eleatampy Arimugam of ditto, and presently of
 Budu estate, M. S., (2) Eleatampy Visu-
 lingam of ditto, and presently of Railways, Telang,
 F. M. S., (3) Eleatampy Ponnudurai of Thirunel-
 veli East Respondents.

THIS matter of the petition of Chinnachy, widow of
 Eleatampy of Thirunelveli East, for letters of adminis-
 tration to the above estate, coming on for disposal
 before J. C. W. Rock, Esq., on April 10, 1930, in the
 presence of Mr. C. R. Tambiah, Proctor, for petitioner :

It is ordered that letters do issue to the said Chinnachy
 unless the respondents show cause to the contrary on
 May 23, 1930.

April 16, 1930.

J. C. W. Rock,
 District Judge.

In the District Court of Jaffna. *31/30*

Order Nisi.

Testamentary In the Matter of the Estate of the late
 Jurisdiction. Sinnathamby Appukutty of Chan-
 No. 7,477. kuveli, deceased.

Sinnathamby Kandiah of Chankuveli Petitioner.

Vs.

(1) Markandan (minor) son of Appukutty, appearing
 by his guardian *ad litem*, his mother, (2)
 Nagamma, widow of Appukutty, both of
 Chankuveli Respondents.

THIS matter of the petition of the above-named
 petitioner, praying that the above-named 2nd re-
 spondent be appointed guardian *ad litem* over the 1st
 minor respondent for the purposes of this action and
 for grant of letters of administration to the estate of the
 above-named deceased, coming on for disposal before

J. C. W. Rock, Esq., District Judge, on March 14, 1930,
 in the presence of Mr. S. Cumarasuriar, Proctor, on
 the part of the petitioner; and the affidavit of the
 petitioner dated December 19, 1929, having been read :
 It is ordered that the 2nd respondent be appointed
 guardian *ad litem* over the 1st minor respondent for the
 purposes of this action, and that the petitioner is the
 brother of the said intestate and is entitled to have
 letters of administration over the said estate issued to
 him, unless the respondents or any other person shall,
 on or before May 19, 1930, appear before this court and
 show sufficient cause to the contrary.

April 5, 1930.

J. C. W. Rock,
 District Judge.

In the District Court of Jaffna. *27/30*

Order Nisi.

Testamentary In the Matter of the Estate of the late
 Jurisdiction. Ambalavan Kathiravelu of Pun-
 No. 7,487. nalaikkadduvan, deceased.

Kathiravelu Elaiyathamby of Punnalaik-
 kadduvan Petitioner.

Vs.

(1) Kathiravelu Thambipillai, (2) Kathiravelu Seenay
 (3) Nannipillai, widow of Kathiravelu, all of
 ditto Respondents.

THIS matter of the petition of the above-named
 petitioner, praying for letters of administration to the
 estate of the above-named deceased, coming on for
 disposal before J. C. W. Rock, Esq., District Judge,
 on March 25, 1930, in the presence of Mr. S. Cumara-
 suriar, Proctor, on the part of the petitioner; and the
 affidavit of the petitioner dated November 16, 1929,
 having been read : It is declared that the petitioner
 is the son and heir 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 23, 1930, show
 sufficient cause to the satisfaction of this court to the
 contrary.

April 5, 1930.

J. C. W. Rock,
 District Judge.

In the District Court of Jaffna. *26/30*

Order Nisi.

Testamentary In the Matter of the Estate of the late
 Jurisdiction. Sinnathamby, wife of Visuvalingam
 No. 7,500. of Tellipalai West, deceased.

Sinnathamby Visuvalingam of Tellipalai
 West Petitioner.

And

(1) Sinnathamby Thamboo of Tellipalai West
 and wife (2) Sinnathipalai of ditto, (3) Visu-
 lingam Visaganerual of ditto Respondents.

THIS matter of the petition of the above-named
 petitioner, praying for letters of administration to the
 estate of the above-named deceased, coming on for
 disposal before J. C. W. Rock, Esq., District Judge, on
 April 2, 1930, in the presence of Mr. S. Cumarasuriar,
 Proctor, on the part of the petitioner; and the affidavit
 of the petitioner dated March 29, 1930, having been
 read : 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 May 26, 1930, show sufficient cause to the satisfaction of this court to the contrary.

April 22, 1930.

J. C. W. ROCK,
District Judge.

In the District Court of Chilaw.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Joint Last Will and Testament of the late Kirihettige Thamby Fernando and Warnakulasuriya Poralenthina Fernando, both of Dikwela, deceased.

K. H. de Amaris Fernando of Dikwela Petitioner.

K. H. Anthony Fernando of Dikwela Respondent.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge of Chilaw, on April 8, 1930, in the presence of Mr. S. Alalasundaram, Advocate, instructed by Mr. A. S. Goonesekera, Proctor, on the part of the petitioner, Kirihettige Amaris Fernando of Dikwela; and the affidavit of the said petitioner dated April 8, 1930, and the affidavits of G. A. M. Alexander Peter Gunaratne, Police Headman of Kudawela, and of Charles Peter Wickrama Henaratna of Dikwela dated April 3, 1930, having been read:

It is ordered that the will No. 857 dated July 7, 1881, of Kirihettige Thamby Fernando and Warnakulasuriya Poralenthina Fernando, both of Dikwela, deceased, and now deposited in this court, be and the same is hereby declared proved, unless the respondent or any other person or persons shall, on or before June 6, 1930, show sufficient cause to the contrary.

It is further declared that the said Kirihettige Amaris Fernando is entitled to have letters of administration issued to him, with the said will annexed, unless the respondent or any other person or persons shall, on or before June 6, 1930, show sufficient cause to the contrary.

April 8, 1930.

R. F. DIAS,
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Warakapitiye Mudiyanse No. 1,412 Punchiappuhamy of Mirihella, deceased.

Warakapitiye Mudiyanse Kirimudiyanse of Mirihella Petitioner.

And

(1) Warakapitiye Mudiyanse Kiribanda of Mirihella, (2) ditto Bisomenika, (3) ditto Ukubanda the 2nd and 3rd respondents being minors by their guardian *ad litem* the 1st respondent Respondents.

THIS matter coming on for disposal before P. Saravanamuttu (Esq., District Judge, Kegalla, on February 1, 1930, in the presence of Mr. A. I. Abeywickreme, Proctor, on the part of the petitioner; and his affidavit and petition dated January 20 and 28, 1930, respectively, having been read:

It is ordered and declared that the 1st respondent above named, as the elder brother of the 2nd and 3rd respondents, minors above named, is a fit and proper person to be appointed their guardian *ad litem*, and that such appointment will be made accordingly, and that the petitioner above named, as a son of the deceased aforesaid, is entitled to have letters of administration issued to him, and that such letters will be issued to him accordingly, unless the respondents above named or any other person or persons interested in the matter shall, on March 25, 1930, show sufficient cause to the satisfaction of this court to the contrary.

February 1, 1930. P. SARAVANAMUTTU,
District Judge.

The date for showing cause is extended to April 22, 1930.

March 25, 1930. G. S. SURAWEERA,
District Judge.

The date for showing cause is extended to May 20, 1930.

April 22, 1930. S. S. NAWARATNAM,
District Judge.

DRAFT ORDINANCE.

(Continued from page 605.)

MINUTE.

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

III. 544.

An Ordinance to amend the Irrigation Ordinance,
No. 45 of 1917.

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

Short title.

1 This Ordinance may be cited as the Irrigation Amendment Ordinance, 1930.

2 Sections 3, 4, and 78 of the principal Ordinance are hereby amended by the substitution of the word "occupier" for the word "occupant" wherever the latter word occurs in each of the said sections.

Amendment of sections 3, 4, and 78 of the principal Ordinance.

3 Section 76 of the principal Ordinance is hereby amended as follows :—

Amendment of section 76 of the principal Ordinance.

- (1) by the repeal of sub-section (1) thereof and the substitution of the following sub-section therefor :—

"(1) Whenever the owner or occupier of any land or premises, by the clearance or drainage of the said land or premises or by any other act or omission, whether of the same nature or not, in any way affecting any channel, water-course or ela used for irrigation purposes, or any other irrigation work—

(a) causes any such channel, water-course, ela or other irrigation work to be blocked up, obstructed or damaged, so that any lands deriving benefit therefrom are deprived of that benefit; or

(b) causes injury of any other nature to any lands in the neighbourhood of any such channel, water-course, ela or other irrigation work, any person aggrieved by the act or omission of the said owner or occupier may make a complaint to the Government Agent."

- (2) by the substitution of the word "occupier" for the word "occupant", and of the word "lands" for the word "fields", in the third and in the fourth lines respectively of sub-section (2) thereof, and by the insertion of the words "or if any of the parties to any such agreement fails to take or to assume, within a reasonable time, any of the steps or obligations which he has thereby agreed to take or assume," immediately after the word "injury" in the ninth line of the said sub-section;
- (3) by the substitution of the word "lands" for the word "fields" in the third line of sub-section (6) and in the fifth line of sub-section (8) thereof; and
- (4) by the substitution of the word "occupier" for the word "occupant" in the fifth line of sub-section (7) thereof.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, April 30, 1930.

F. G. TYRRELL,
Acting Colonial Secretary.

Objects and Reasons.

Section 76 of the Irrigation Ordinance, No. 45 of 1917, makes provision for the settlement by arbitration of questions relating to injuries to fields below or adjacent to an irrigation work, which are caused by the clearing or draining of land situated above the irrigation work. Cases, however, arise where lands are injured as a result of the alteration of an anicut situated at a lower level, and as it is desirable that the arbitration procedure provided should be applicable in all cases where injuries are caused to lands in the neighbourhood of an irrigation work or deriving benefit from it, by the owners of land in the vicinity, the existing sub-section (1) of section 76 has in clause 3 (1) of this Bill been replaced by a new sub-section which will make arbitration possible in all such cases.

2. Section 76 (2) authorizes arbitration where no agreement can be reached between the parties concerned, but not in other circumstances. It happens in some cases that an agreement is reached, but the parties do not carry it out;

the result is a deadlock, since arbitration is not then possible and there is no provision for enforcing the agreement. The Bill therefore in clause 3 (2) amends section 76 (2) so as to authorize arbitration in cases where an agreement is not carried out.

3. The remainder of the amendments contained in the Bill are consequential upon the alterations effected in section 76 (1), and are as follows :—

- (a) The word "occupier" has been substituted for the word "occupant" where the latter word occurs in the Ordinance (in one place side by side with "occupier", viz. :—s. 78); and
- (b) The word "lands" has been substituted for the word "fields" in section 76, as it seems undesirable to confine the benefit of this section to the cultivators of fields only.

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

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