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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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B 1

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the Central Province will be holden at the Court-house at Kandy, on Monday, December 1, 1930, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office, H. W. CODRINGTON,
Kandy, November 1, 1930. Fiscal.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Kurunegala will be holden at the Court-house at Kandy, on Monday, December 1, 1930, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office, A. BASNAYAKE,
Kurunegala, November 1, 1930. for Fiscal.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Anuradhapura will be holden at the Court-house at Kandy, on Monday, December 1, 1930, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office, W. S. JOSEPH,
Anuradhapura, October 31, 1930. for Fiscal.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Badulla will be holden at the Court-house at Kandy, on Monday, December 1, 1930, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office, H. C. WIJESINHA,
Badulla, November 3, 1930. for Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 4,063. In the matter of the insolvency of K. D. Chandraratne of Meetotamulla, Kolonnawa.

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 January 13, 1931, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,
Colombo, October 30, 1930. for Secretary.

In the District Court of Colombo.

No. 4,149. In the matter of the insolvency of M. M. Zainal Abdeen of 84, First Cross street, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 20, 1931, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,
Colombo, October 30, 1930. for Secretary.

In the District Court of Colombo.

No. 4,155. In the matter of the insolvency of T. Baron Perera of Makola.

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 January 20, 1931, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,
Colombo, October 30, 1930. for Secretary.

In the District Court of Colombo.

No. 4,175. In the matter of the insolvency of G. S. S. Fonseka of Wadduwa.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on December 9, 1930, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,
Colombo, October 29, 1930. for Secretary.

In the District Court of Colombo.

No. 4,200. In the matter of the insolvency of M. Dharmadasan of Bambalapitiya.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on December 2, 1930, to appoint an assignee in the above case.

By order of court, P. DE KRETZER,
Secretary.

In the District Court of Colombo.

No. 4,208. In the matter of the insolvency of D. S. Wijesinghe of Moratuwa.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on December 2, 1930, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,
Colombo, October 29, 1930. for Secretary.

In the District Court of Colombo.

No. 4,222. In the matter of the insolvency of A. O. Muthavappa Marikar of 20, Dean's road, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on November 25, 1930, for the appointment of an assignee.

By order of court, A. E. PERERA,
Colombo, October 22, 1930. for Secretary.

In the District Court of Colombo.

No. 4,308. In the matter of the insolvency of A. P. Mirando of 47/6, Drieberg's lane, Maradana.

WHEREAS A. P. Mirando has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Alfred Arnolda of Hospital street, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. P. Mirando insolvent accordingly; and that two public sittings of the court, to wit, on December 2, 1930, and on December 16, 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, October 29, 1930. for Secretary.

In the District Court of Colombo.

No. 4,312. In the matter of the insolvency of C. F. R. Joachim of Aponsu avenue, Dehiwala.

WHEREAS C. F. R. Joachim has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by M. K. Mohideen of Dehiwala, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said C. F. R. Joachim insolvent accordingly; and that two public sittings of the court, to wit, on December 2, 1930, and on December 16, 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, October 29, 1930. for Secretary.

In the District Court of Colombo.

No. 4,314. In the matter of the insolvency of M. H. M. Thowfeek of Forbes road, Colombo.

WHEREAS M. H. M. Thowfeek has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by I. L. M. Omer Lebbe Marikar of Main street, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said M. H. M. Thowfeek insolvent accordingly; and that two public sittings of the court, to wit, on December 2, 1930, and on December 16, 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, October 29, 1930. for Secretary.

In the District Court of Colombo.

No. 4,316. In the matter of the insolvency of A. L. M. M. Saliyu of Tihare, Veyangoda.

WHEREAS A. L. M. M. Saliyu has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by M. A. Don Velun Appuhamy of Tihare, Veyangoda, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. L. M. M. Saliyu insolvent accordingly; and that two public sittings of the court, to wit, on December 9, 1930, and on January 13, 1931, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, A. E. PERERA,
Colombo, November 1, 1930. for Secretary.

In the District Court of Colombo.

No. 4,317. In the matter of the insolvency of N. L. M. Kunji Lebbe of 225, Grandpass road, Colombo.

WHEREAS N. L. M. Kunji Lebbe has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by S. Bawa of Madampitiya, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said N. L. M. Kunji Lebbe insolvent accordingly; and that two public sittings of the court, to wit, on December 16, 1930, and on January 13, 1931, will take place for the said insolvent to surrender and conform to, agreeably

to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, A. E. PERERA,
Colombo, November 1, 1930. for Secretary.

In the District Court of Colombo.

No. 4,320. In the matter of the insolvency of G. Sedris de Silva of 53, Dematagoda.

WHEREAS G. Sedris de Silva has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by L. Don Dias of 65, Dematagoda, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said G. Sedris de Silva insolvent accordingly; and that two public sittings of the court, to wit, on December 16, 1930, and on January 13, 1931, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, A. E. PERERA,
Colombo, November 1, 1930. for Secretary.

In the District Court of Kalutara.

No. 251. In the matter of the insolvency of Waruage Peter Fonseka of Diyalagoda.

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 January 12, 1931, to examine the insolvent.

By order of court, A. W. LUDEKENS,
October 27, 1930. Secretary.

In the District Court of Kalutara.

No. 252. In the matter of the insolvency of Kalutan-tirige Bastian Peiris of Panadure.

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 January 15, 1931, to examine the insolvent.

By order of court, A. W. LUDEKENS,
October 30, 1930. Secretary.

In the District Court of Kalutara.

No. 255. In the matter of the insolvency of Welaruwage Simon Fernando of Beruwala.

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 January 20, 1931, to examine the insolvent.

By order of court, W. A. GOONSEKERE,
October 31, 1930. Secretary.

In the District Court of Kandy.

No. 1,843. In the matter of the insolvency of (1) Ena Jainulabdeen and (2) E. J. Samsudeen, both of Katukele, Kandy, carrying on business at 22 and 23, Market square, Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvents will take place at the sitting of this court on December 5, 1930, to consider the granting of a certificate of conformity to the above-named insolvents.

By order of court, GERALD E. DE ALWIS,
Kandy, November 1, 1930. Secretary.

In the District Court of Badulla.

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

WHEREAS A. M. K. Cader Meera Saibo of Badulla has filed a declaration of insolvency, and a petition for the sequestration of the estate of Thana Vana Seiyadu Ibrahim Saibo of Badulla, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Thana Vana Seiyadu Ibrahim Saibo of Badulla insolvent, accordingly; and that two public sittings of the court, to wit, on November 28, 1930, and on December 17, 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, B. J. ARASARATNAM,
October 31, 1930. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

In the Matter of the Intestate Estate of Uduma Lebbe Marikar Umma Abitha Umma, late of Messenger street in Colombo Deceased.

No. 2,791

Testamentary.

Samsudeen Hadjar Mohamed Abdul Jabbar of Wellawatta, Colombo Administrator.

NOTICE is hereby given that on Thursday, November 27, 1930, at 4 p.m., will be sold by public auction at the premises the right, title, and interest of the estate of the above-named deceased in the following property for the recovery of the sum of Rs. 4,80 being further deficiency due in this case, and a further sum of Rs. 2.40 being costs of this writ, viz.

All that garden with the buildings thereon, situated at Vandermyden's Polder, within the Municipality and in the District of Colombo, Western Province; bearing assessment No. 12, Grandpass road, and bounded on the north-east by a small road, on the south-east by the road to Pass Nagalagam street, on the south-west by the garden of the Rev. Mr. Pollier, and on the north-west by the part marked No. 6, the property of Simon Peries; containing in extent 1 square rood and 29 54/100 perches.

Fiscal's Office, R. O. DE SARAM,
Colombo, November 5, 1930. Deputy Fiscal.

In the District Court of Colombo.

The Hon. the Attorney-General of the Island of Ceylon Plaintiff.

No. 14,675

Vs.

K. G. Silva of 61, Dean's road, Colombo Defendant.

NOTICE is hereby given that on Saturday, November 29, 1930, at 10 a.m., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 8,003.15, and costs of suit Rs. 713.87, less Rs. 5,520 paid as follows:—Rs. 1,000 on August 7, 1925, Rs. 1,500 on October 9, 1925, Rs. 200 on April 28, 1926, Rs. 375 on May 5, 1926, Rs. 1,000 on October 6, 1926, Rs. 750 on March 9, 1927, Rs. 200 on January 30, 1929, Rs. 150 on March 18, 1929, Rs. 100 on August 29, 1929, Rs. 150 on July 26, 1929, and Rs. 100 on March 18, 1930, viz. :—

All that property called and known as Paranamuna bearing S. B. No. 485, situated at Welikada in the Palle pattu of Salpiti korale in the District of Colombo, Western Province; bounded on the north by land belonging to Kotte Vihare, south by road leading to

Kalapaluwawa, east by river, and west by the land belonging to Kotte Vihare; containing in extent about $\frac{1}{2}$ of an acre, together with the buildings and plantations standing thereon.

Fiscal's Office,
Colombo, November 5, 1930.

R. O. DE SARAM,
Deputy Fiscal.

In the District Court of Colombo.

William Hamilton Kidston, (2) John Campbell Blair, (3) Robert Leslie Douglas Kidston, and (4) Harry Brewster Kidston, carrying on business under the name, style, and firm of A. G. Kidston & Co., at 147 $\frac{1}{2}$, French Church street, London, England Plaintiffs.

No. 21,064.

Vs.

(1) Lily Wijesekera of Montrose, Horton place, Colombo, and another Defendants.

NOTICE is hereby given that on Wednesday, December 17, 1930, at 4 p.m., will be sold by public auction at the premises the right, title, and interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 2,488.31, together with interest on the sum of Rs. 2,430.31 at 6 per cent. per annum from September 10, 1926, to date of decree, March 25, 1929, and thereafter interest on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs Rs. 412.07 $\frac{1}{2}$ less a sum of Rs. 932 paid, viz. :—

All that and those the premises known as Montrose, situated at Mackenzie place, now Horton place, Cinnamon gardens, bearing ward No. 9, within the Municipality and District of Colombo, Western Province; bounded on the north by land described in plan No. 84,965, now the property of Mr. Jayasinghe, east by reservation along the road, now called Horton place, west by the portion A marked off in the said plan No. 45,498, now the property of W. G. Rockwood, south by wall; containing in extent 3 roods and 38 perches. Registered in A 180/24.

Fiscal's Office,
Colombo, November 5, 1930.

R. O. DE SARAM,
Deputy Fiscal.

In the District Court of Colombo.

(1) Arthur John Pate, (2) Isabella Charlotte Pate, both of Peradeniya road, Kandy Plaintiffs.

No. 24,940

Vs.

James Perera Amaratunga, byaratna Siriwardena also known as Amaratunga Arachchige James Perera Mohandiram of Kandana Defendant.

NOTICE is hereby given that on Saturday, December 3, 1930, will be sold by public auction at the respective premises the following properties and premises mortgaged with the plaintiffs *inter alia* by bond No. 364 dated July 24, 1926, and attested by P. Cassius Jansz of Colombo, Notary Public, and declared specially bound and executable under the decree dated March 30, 1928, entered in the above action, and ordered to be sold by the order of court dated September 27, 1928, for the recovery of the sum of Rs. 122,867.77, with interest thereon at 9 per cent. per annum from October 12, 1929, till date of payment in full, and costs of suit, viz. :—

II. At 9 a.m., Market Square.—All those contiguous allotments of land called Parabodakosgahawatta and Kosgahawatta, situated at Kandana in the Ragam pattu of Alutkuru korale in the District of Colombo, Western Province; bounded on the north by the land of Domingo Cooray, on the east by the high road to Negombo, on the south by the land of V. Nicholas Appu, and on the west by the land of M. Philippu Perera and Gabriel Dias and others; containing in extent 2 acres and 19 $\frac{1}{2}$ perches, together with the buildings and plantations standing thereon bearing assessment Nos. 352, 353, &c., to No. 373, and registered in the Colombo Land Registry in B 232/190.

III. (a) *At 9.30 a.m., Tavern Block and Land adjoining.*—All that divided $\frac{1}{2}$ part of the land called Millagahawatta, situated at Kandana aforesaid, with the buildings and plantations thereon; and bounded on the north by the gardens of Juwanis Cooray Appuhamy, Lewistina Hamy, and Domingo Cooray, on the east by the cinnamon garden of Migel Mendis and Domingo Cooray, on the south by the other half part of this garden of Don Philip Muhandiram, and on the west by the high road to Negombo; containing in extent 2 roods and 17 $\frac{59}{100}$ perches, and registered in the Colombo Land Registry in B 232/191.

III. (b) *At 10 a.m.*—All that divided northern half portion of two adjoining allotments of land bordering the road called Millagahawatta, situated at Kandana aforesaid; and bounded on the north by the garden of the late Philip Muhandiram and Hapugoda Kurunduwatta of Domingo Cooray Appuhamy and others, on the east by the boundary limit of the garden of Philip Anstruther, on the south by the same land and the boundary limit of Don Paulu Vel-Vidane, and on the west by the high road from Colombo to Negombo; containing in extent about 3 acres 3 roods and 8 perches, together with the buildings and plantations thereon and registered in the Colombo Land Registry in B 151/274.

V. *At 10.30 a.m., Paddy Field.*—All that portion of the field called De Wekkensberg, situated at Kandana aforesaid; which said portion is bounded on the north by an ela that separates a portion of this field belonging to Don Carolis Appuhamy, on the east by lands claimed by K. Stephen Perera, T. Savariel Appu, and K. Joachim Perera, on the south by the field belonging to S. Don Juan Appu and by lands belonging to M. Valenti Appu and others, and on the west by ela that separates field (lot No. 4) belonging to Stephen Jeramias Edirisinghe and by field (lot No. 14) belonging to Don Carolis Appuhamy; containing in extent 25 acres according to plan dated November 16, 1905, by D. M. Wijeratne, Licensed Surveyor, and registered in B 150/264.

VI. *At 11 a.m., Mill Block.*—All that land with the mill standing thereon and other fixtures comprised of the contiguous allotments of land called Digaparagahawatta, Dawatagahakumbura, Veralugahawatta, Veralugahawatta, Dawatagahawatta, Dawatagahakumbura, Kahata-gahawatta, Kahatagahawatta and its adjoining Delgahawatta, Dawatagahakumbura and Delgahawatta, situated at Kalaeliya, Weligampitiya, Rilaula, and Kandana aforesaid and depicted as such in plan No. 1,857 dated July 29, 1918, made by H. E. Perera, Licensed Surveyor; bounded on the north by the land and field of K. Jokin Perera, on the north-east by the field and owita of Jayasuriya Aratchige Don Carolis Peace Officer and others and land belonging to the estate of the late Gabriel Dabrera, east by lands of A. Joronis Perera and Amaratunga Aratchige Marthinu Perera, south by the land of I. Samaranyaka Vel-Vidane and by field of J. D. Hendrick Appuhamy and V. Lewis, and west by lands of N. L. Perera and N. John Perera Jayasinghe, wailla and field of O. Elaris Perera and others; and containing in extent 16 acres and 38 perches, and registered in B 232/193, and which said land according to a recent plan No. 81/1926 dated February 12 to 15, 1926, made by C. H. Frida, Licensed Surveyor, contains in extent 18 acres and 30 perches.

VII. *At 12.15 p.m., Kongahawatta and other Lands (lot B).*—(a) All those allotments of land called Kongahawatta, Dawatagahawatta, Delgahawatta and Dawatagahawatta, adjoining each other and forming one property, situated at Kandana aforesaid; and bounded on the north by lands of Simon Dabrera, Gabriel Dabrera, Hendrick Dabrera, and Kuruppu Aratchige Simon Rodrigo, on the north-east by lands of Migel Perera and others and Edward Perera Amaratunga, on the south-east by the lands of J. Don Carolis, Peace Officer, and Millawatantrige Francis Perera, on the south by property of James Perera Siriwardenamuhandiram, and on the west by lands of Kanggalawatta Victoria Hamy and Amaratunga Aratchige Marthinu Perera; containing in extent 9 acres and 20 perches, and registered in B 184/230.

(b) All that divided $\frac{3}{4}$ part of the land called Kahata-gahawatta, situated at Kandana aforesaid; and bounded on the north by dewata road, on the east by lands of James Perera Appuhamy, south by land of James Perera Appuhamy, and on the west by boundary of the other $\frac{1}{4}$ part of this land belonging to Parana-gamagawage Don Jusey Appu and land of Selohamy and others; containing in extent 3 acres more or less, and registered in B 119/358.

(c) All that part of a garden called Dawatagahawatta, situated in the village Kandana aforesaid; bounded on the north by garden of Senadirage Alias Jayasuriya Achige Don Istaren Samaranyaka, on the east and south by garden of A. A. Issaac Perera Appuhamy, and on the west by garden of Amaratunga Aratchige Lorensu Perera and others; containing in extent 1 acre 2 roods and 25 $\frac{1}{2}$ perches, and registered in B 160/139.

(d) A defined portion of land called Kongahawatta, situated at Kandana aforesaid; bounded on the north by a portion of this land marked lot "A" now of James Perera Muhandiram, on the east by property of D. Carolis Jayasuriya, on the south by properties of James Perera Muhandiram and Jayasuriya Aratchige Abilis Appuhamy, and on the west by the trench on the property of James Perera Muhandiram; containing in extent 1 acre and 20 perches, and registered in B 180/48. All of which said 4 lands adjoin each other and now form one property called and marked as lot "B"; and bounded on the north by the garden of Hendrick Dabrera and others, on the south by the road leading to the mills and the land of Kuran Appu and others, on the east by the land of Abraham Appuhamy and others, and on the west by land of A. Martinu Perera; containing in extent 15 acres and 2 roods according to the figure of survey No. 81, made by C. H. Frida, Licensed Surveyor, dated February 12 to 15, 1926.

IX. *At 12.45 p.m., Station Road Block.*—All that land called and known as Millagahakurunduwatta, situated at Hapugoda in the Ragam pattu of Alutkuru korale in the District of Colombo, Western Province; bounded on the north by the land of Helambe Aratchige Davith Jayawardena, on the south by the road to the station, on the east by the land of D. C. Karunatileke, and on the west by the land of Attidiyage Migel Appu; and containing in extent 1 acre more or less, and registered in B 221/42 in the Colombo Land Registry.

Fiscal's Office,
Colombo, November 5, 1930.

R. O. DE SARAM,
Deputy Fiscal.

In the District Court of Colombo.

P. S. S. M. K. T. Kathiresen Chetty and P. S. S. M. K. T. Selappa Chetty, both of 139, Sea street in Colombo, Plaintiffs.

No. 33,887.

Vs. 16

(1) Etige Juliana Silva, wife of (2) Demuni James Mendis, (3) Attanage Ambrosio Fernando, all of Mutwal in Colombo, Defendants.

NOTICE is hereby given that on Thursday, December 18, 1930, at 3 p.m., will be sold by public auction at the premises the following property mortgaged with the plaintiffs by bond No. 42 dated July 9, 1923, and attested by Ernest A. de Silva of Colombo, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated October 3, 1930, for the recovery of the sum of Rs. 344, with further interest on Rs. 200 at 24 per cent. per annum from July 30, 1929, to date of decree (November 29, 1929), and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit, viz. :—

All that piece of land called Thimbirigahawatta with the buildings and plantations standing thereon, situated

at Alutkawatta, within the Four Gravets and Municipality of Colombo, Western Province; bounded on the north-east by the property belonging to the late Attanayaka Lawrenthi Fernando, south-west by Elie lane, south-east by a portion of the same property belonging to the late Attanayaka Lawrenthi Fernando, north-west by a portion of this property belonging to Singappu; containing in extent 8 75/100 perches. Prior Registration A 74/202, Colombo.

Fiscal's Office,
Colombo, November 5, 1930.

R. O. DE SARAM,
Deputy Fiscal.

In the District Court of Colombo.

Carl Frederick Muller carrying on business under the name style and firm of Muller Beer & Co., by his attorney W. A. Beer of Colombo Plaintiff.

No. 29,661. Vs.

(2) W. M. H. M. Haniffa of 45, New Moor street, Colombo, and two others Defendants.

NOTICE is hereby given that on Saturday, December 6, 1930, at 1 P.M., will be sold by public auction at this office the following movable property for the recovery of the sum of Rs. 629.38, together with further interest thereon at 7 per cent. per annum from July 15, 1930, to August 27, 1930, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit, viz.:—

The interest of the 2nd defendant above-named in the goods lying at Nos. 48-49, Keyzer street, Pettah, Colombo.

Fiscal's Office,
Colombo, November 5, 1930.

R. O. DE SARAM,
Deputy Fiscal.

In the District Court of Colombo.

K. M. Khan, Slave Island, Colombo Plaintiff.

No. 40,095. Vs.

Nona Julaiha *alias* Nona Nei *alias* Nei Maimoon of Slave Island, Colombo, presently of Wellawatta Defendant.

NOTICE is hereby given that on Tuesday, December 16, 1930, at 3 P.M. will be sold by public auction at the premises the life interest of the said defendant for a period of ten years in the following property for the recovery of the sum of Rs. 1,172.50, with interest at 18 per cent. on Rs. 1,000 from September 1, 1930; till date of decree (September 22, 1930) and thereafter legal interest on the aggregate amount till payment in full, and costs of suit presently taxed at Rs. 54.50, viz.:—

The premises bearing lot No. H and assessment No. 19/8, now No. 30, known as Homestead, situated at Wellawatta in the Municipality and in the District of Colombo, Western Province; bounded as follows:— North by lot No. 8, Subdivision marked G, south by lot No. Subdivision marked "I," east by the high road, from Colombo to Galle, west by lot No. 8 Subdivision marked "T"; in extent 1 rood 17.94 perches.

Fiscal's Office,
Colombo, November 5, 1930.

R. O. DE SARAM,
Deputy Fiscal.

In the District Court of Colombo.

Wace de Niese of Bambalapitiya, Colombo . . . Plaintiff.

No. 33,010.

Vs.

J. B. M. Selaart of Jela Defendant.

NOTICE is hereby given that on Saturday, December 6, 1930, commencing at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz.:—

All that divided portion (marked letter A in the plan thereof) of six contiguous allotments from 138 to 143 of the former Government cinnamon gardens and the land called Dummaladeniya, Nemadagaha-Dalupotha formerly called and known as Kosgahawatta and now Kelmissarato estate, with the buildings thereon, situate in the villages Ekela and Kotugoda in Ragam pattu of Alutkuru korale in the District of Negombo, Western Province; which said divided portion marked A is bounded on the north by cross road now Kotugoda estate of G. M. de Croos, east by the portion marked B of same land, south by jungle of Arthur Silva and others, and on the west by Ekela cinnamon garden cross road 20 feet wide, now by Ekela cinnamon gardens, Kotugoda estate of G. M. de Croos, and garden of Malappu Silva; containing in extent 50 acres 1 rood and 34 1/2 perches as per plan dated December 20 and 21, 1908, by Geo. P. Weeraratne, Licensed Surveyor, excluding therefrom a portion in extent 1 acre and 8 perches. Registered in Colombo B 125/202.

Amount to be levied Rs. 3,052.41, with interest on Rs. 2,838 at 12 per cent. per annum from July 10, 1929, to date of decree, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment, less Rs. 300 paid by the defendant.

Deputy Fiscal's Office,
Negombo, November 4, 1930.

M. EDIRIWIRA,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Kahawatte Yamanagedera *alias* Suduhakurugedera Menikee of Inguruwatte Kandukarapahala korale, Udapalata Plaintiff.

No. 35,424.

Vs.

Wkiryia Assweddumagedera Tikitiya of Niyangampaya, defendant and legal representative of the estate of Udahagedera *alias* Pallegahedera Kiri Bindu, deceased Defendant.

NOTICE is hereby given on Saturday, November 29, 1930, commencing at 12 noon, 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. 551, with interest thereon at the rate of 9 per cent. per annum from November 1, 1927, till payment in full, and costs and poundage, viz.:—

(1) An undivided 1/6 share out of all that land called Hapugahapitiyehena, situate at Wewetenna in Kandukarapahala korale of Udapalata in the District of Kandy, Central Province; and bounded on the east by the limit of Watagodawatta, on the south by Omeru Batcha's garden, on the west by Omeru Batcha's garden and deniya, and on the north by ela; containing in extent 1 yalamunam paddy sowing extent.

(2) An undivided 1/6 share out of all that land called Pansaladeniya, situate at Niyangama aforesaid, containing in extent 1 amunam paddy sowing; and bounded on the east by Pansaladeniyakumbura, south by ela, west by Etawalalapotenna, and on the north by lura of Pansaladeniya.

(3) An undivided 1/6 share out of Udadivalegedera, situate at Niyangama aforesaid, containing in extent 7 pelas paddy sowing; and bounded on the east by Heeriya, south by agala, west by ela, and on the north by ella, Gansabhawa road.

(4) An undivided 1/6 share out of all those fields called Udavila and Pitaliyadda, both adjoining each other and forming one property, and containing in extent 6 pelas paddy sowing; and bounded on the east by Sambarappuligederawatta and field, south by ella and Gansabhawa road, west by Attanekumbura and ela, and on the north by ella.

Fiscal's Office,
Kandy, November 4, 1930.

A. RANESINGHE,
Deputy Fiscal.

In the District Court of Kandy.

P. R. M. P. L. Ramen Chettiar of Kandy, Plaintiff.

No. 39,419. Vs.

(1) R. Molagoda and (2) L. D. Molagoda, both of Kandy, Defendants.

NOTICE is hereby given that on Saturday, November 29, 1930, commencing at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 1,505, with interest thereon from March 21, 1930, at the rate of 9 per cent. per annum till payment in full, and poundage, viz:—

(1) All that field called Degahakumbura of 1 pela and 5 lahas paddy sowing in extent, situated at Uduwawela in Kulugammanasiya pattu of Harispattu in the District of Kandy, Central Province; and bounded on the east by liminary dam of Delgahakumfuregederakumbura, south by bank of Kahawattegederawatta, west by bank of Kahawattegederakottawa, and on the north by bank of Udagederawatta.

(2) All that garden called Kukulawatta, presently bearing assessment No. 71, with the house thereon presently bearing assessment No. 71A, situated at Galagedera road in Yatiwawela aforesaid; and bounded on the east by Mahaweli-ganga and the land of Bastian, south by fence of the land of Pitcha Tamby, west by a portion of the same land now converted into Public Works Department lines, and north by the fence of the property of Awu Lebbe; containing in extent about 1 acre, which said premises form part and parcel of the said land called Kukulewatta of 1½ acres or about 3 pelas paddy sowing extent, situate at Yatiwawela aforesaid.

Fiscal's Office,
Kandy, October 31, 1930.

A. RANESINGHE,
Deputy Fiscal.

In the District Courts of Colombo and Kandy.

D. L. Wijewardene of Colombo, Plaintiff, Case No. 31,283.

Hai Bai of Kandy, Plaintiff, Case No. 39,965.

Nos. 31,283
and 39,965

(1) C. B. Herat and another of Nuwara Eliya, Defendants.

NOTICE is hereby given that on Saturday, November 29, 1930, at 2 o'clock in the afternoon, will be sold by public auction at the house of the defendants at Nuwara Eliya the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 3,176.41, interest, and poundage:—

1 piano, 1 suit of furniture (3 pieces), 2 chairs to match, 1 writing table, 1 chair for table, 2 flower stands, 2 pieces linoleum, 6 pictures, 1 piano stool, 6 palm court chairs, 1 hat stand, 2 whatnets, 1 sideboard, 1 dining table,

6 dining chairs, 3 trays, 1 filter, 2 camp-beds, 1 almirah, 1 wardrobe almirah, 2 dressing tables, 2 wash stands, 2 office tables, 2 tennis racquets, 3 teapoys, 1 teapoy (nadun), 1 almirah, 1 iron bed.

Deputy Fiscal's Office, S. M. DUFF,
Nuwara Eliya, November 4, 1930. for Deputy Fiscal.

Southern Province.

In the District Court of Galle.

S. S. L. Letchimanan Chettiar, presently in India, Plaintiff.

No. 28,940. Vs.

(1) Warnasuriya Patabendige Nancy Wimalawathi and another of Welhengoda, Kataluwa, Defendants.

NOTICE is hereby given that on Tuesday, December 2, 1930, commencing at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property subject to the mortgage in favour of Panchi Hewage Mendha of Magella created by bond No. 919 dated December 10, 1928, attested by G. T. E. de Silva, Notary Public, for Rs. 5,000 and the lease created by deed No. 153 dated April 10, 1930, attested by J. F. Gumaratne for 5 years commencing from June 1, 1930, viz:—

1. An undivided ½ share of all the soil and fruit trees of the land called Minihawatta in extent about 1½ acres, situated at Pitiduwa in Talpe pattu; bounded on the north by Kalugedarawatta, east by portion of Kalugedarawatta and Ratgama Ralahamigewela, south by Hangedoowa and Ratgama Ralahamigewela, west by Unagasadderakumbura.

2. An undivided ½ share of all the soil and fruit trees of the land called Arankiwawatta in extent about 1 acre, situated at Pitiduwa aforesaid; bounded on the north by Pelawatta alias Pansalewatta, east by Yaddhegawatta and Ihalgawatta, south by Kovilakanatta, west by Kattanarambagewatta.

3. All the soil and fruit trees and buildings on the land called Kalugedarawatta, Ihalahenapattigewatta, lot No. 1 of Henapathigewatta, lot No. 1 of Kongahawatta, lots Nos. 1 and 2 of Ruppewatta, lots 1, 2, 8, 9, and 10 of Kovilakanatta, Kendagahawatta, lot No. 1 of Kottanarambawatta, lot No. 1 of Adirian Ammalagewatta, and lot No. 1 of Hunganwalakanatta which adjoins one another and form one property in extent about 13 acres, situated at Pitiduwa aforesaid; bounded on the north by a portion of Adirian Ammalagewatta, Pansalawatta, Gorakagahawatta, and a portion of Kovilawatta, east by Godakumbura Amuhena and Henapathigewatta, south by Hangedoowa and Ratgama Ralahamigewela, and west by Unagasadderakumbura, Hunguwalkanatta-adderakumbura, Udu-mulla, and the portion of Kottanarambewatta.

4. All the soil and fruit trees of the land called lot No. 5 of Awarikanattewatta, in extent about 13.35 perches, situated at Pitiduwa aforesaid; bounded on the north and north-west by lot No. 2 of Awarikanattewatta, south and south-east by lot No. 6 of same land.

5. All the soil and fruit trees of the land called Kapugamayaduwa, in extent about 3 roods 23.28 perches, situated at Pitiduwa and Habaraduwa in Talpe pattu; bounded on the north and north-west by Digane-kumbura, east and south-east by Habaraduwa, Mahawela, south-west by Crown land.

6. All the soil and fruit trees of lots Nos. 4 and 5 of the land called Koralayaduwa, which lots adjoin each other and form one property in extent 1 rood 24.5 perches, situated at Pitiduwa aforesaid; bounded on the north by lot No. 3 of same land, east by Kekulama, south by Thambiawela, west by Digane-kumbura.

7. All the soil and fruit trees of lots Nos. 2, 3 and 4 of the land called Hangeduwawatta, which lots adjoin each other and form one property in extent about 1 acre

3 roods 39·13 perches, situated at Pitiduwa aforesaid; bounded on the north by Hungawela, Unagasaddera-kumbura, and Minihawatta, east by Pattiduwakumbura, south by lot No. 1 of Hangeduwewatta, west by Hungawela and Pinkumbura.

8. An undivided $\frac{1}{4}$ share of all the soil and fruit trees of the land called Leanaralagewatta, in extent 2 roods 8 perches, situate at Pelenpitiya in Pitiduwa aforesaid; bounded on the north by Pelahungalkanatta, east by Henapathigewatta, south by Kalugedarawatta, west by Gedarawatta *alias* Hungalkanattewatta.

9. An undivided $\frac{3}{4}$ share of all the soil and fruit trees of the land called Henapathigewatta, together with the house thereon, in extent about 3 acres, situated at Pelenpitiya in Pitiduwa aforesaid; bounded on the north by Kongahawatta, east by Amuhenewatta, south by Rajjama Ralagewela *alias* Bakmigaha-addera-kumbura, west by the live fence of the portion of Senapathigewatta belonging to Abraham and Kahegedarawatta.

10. An undivided $\frac{17}{120}$ share of the soil and fruit trees of the land called Pahalahawatta *alias* Godakumburewatta, in extent about $1\frac{1}{2}$ acres, situate at Pelenpitiya aforesaid; bounded on the north by Godawatta, east by Liyanadurage Irawalla *alias* Godakumbura, planted by Godawattege Babanis, south by a portion of Godakumbura, west by Gorakagahawatta *alias* Uswatta.

11. All the soil and fruit trees of the land called lot No. 9 of Godawatta, in extent about 36·6 perches, situated at Pitiduwa aforesaid; bounded on the north by lots No. 8 and 11 of Godawatta, east by lot No. 11 of same land, and Leanatantrigekumbura, west by lots Nos. 3 and 4 of said land.

12. All the soil and fruit trees of lots No. 6 and 7 of Godawatta, in extent 28·48 perches, situate at Pitiduwa aforesaid; and bounded on the north by Dugodayekumbura *alias* Wannipurakumbura, east by lots Nos. 13 and 14, south by lot No. 8, west by lots No. 4 and 5 of the same land.

13. An undivided $\frac{1}{40}$ share of all the soil and fruit trees of the land called Kanattewatta, in extent about 1 acre, situate at Pelenpitiya aforesaid; bounded on the north by Kelaneyangodawatta and the ditch of Kanattogodawatta, east by Obagedarawatta and Gulugahalandewatta, south by Pelawatta and Pansalewatta, west by Pitawellewatta and Kanattogodawatta.

14. An undivided $\frac{1}{16}$ th share of all the soil and fruit trees of the land called Kelaniyangodawatta, in extent about $\frac{1}{2}$ an acre, situate at Pitiduwa aforesaid; bounded on the north by Boddaherakumbura and Wannipurakumbura, east by Obagedarawatta and Ihalagedarawatta, south by Kanattewatta, west by Porabokke Kelaniyangodawatta.

15. An undivided $\frac{1}{20}$ th + $\frac{1}{16}$ th share of all the soil and fruit trees of the land called Ihalagewatta in extent about 1 acre, situate at Pitiduwa aforesaid; bounded on the north by Yaddhegawatta and Uswatta, east by Gorakagahawatta, south by Kovilawatta and Ruppewatta, west by Arankirawatta.

16. An undivided $\frac{3}{64} + \frac{1}{448} + \frac{1}{16} + \frac{4}{320}$ share of all the soil and fruit trees of the land called Ihalawatta, in extent about 1 acre, situate at Pitiduwa aforesaid; bounded on the north by Beligaskoratuwa *alias* Gulugahalanda, east by Uswatta *alias* Pahalagedarawatta, south by a portion of Pahalagedarawatta, west by Pelawatta *alias* Pansalewatta.

17. An undivided $\frac{11}{48} + \frac{1}{27} + \frac{1}{36}$ share of all the soil and fruit trees of the land called Pelahungalkanatta, in extent about 1 acre, together with the buildings thereon, situate at Pelenpitiya aforesaid; bounded on the north by Kovilkanatta, east by Kongahawatta, south by Leanaralagewatta, west by Hungalkanatta.

18. An undivided $\frac{1}{5}$ of $\frac{3}{4}$ share of all the soil and fruit trees of the land called Arambewatta *alias* Pahalagedarawatta, in extent about $1\frac{1}{2}$ acres, situate at Pitiduwa aforesaid; bounded on the north and east by

Godawatta, south by Pahalahawatta and Uswatta, west by Dangarawatta, Koratuwewatta, and Beligahawatta *alias* the wall of Welagekoratuwawatta.

Writ amount Rs. 2,287, with legal interest from September 25, 1930, and costs Rs. 73·92.

Fiscal's Office,
Galle, October 31, 1930.

E. F. EDRISINGHE,
Deputy Fiscal.

In the District Court of Matara.

Edward de Soisa Rajapaksa of Nawurunna . . . Plaintiff.

No. 4,279.

Vs.

N. D. A. de Silva Vidane Arachchi and
others . . . Defendants.

NOTICE is hereby given that on Wednesday, December 3, 1930, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said plaintiff in the following property for the recovery of a sum of Rs. 257·55,

(1) Undivided $\frac{1}{4}$ part except planter's half share of the 2nd plantation of Murugahawatta, situated at Naotunna in the Wellaboda pattu of the Matara District, Southern Province; and bounded on the north by Kalumannehewatta, east by Bogahawatta, south by Kongahawatta, west by Kandegehena; and containing in extent 2 acres.

(2) An undivided $\frac{1}{4}$ part except planter's $\frac{1}{4}$ share of the 2nd plantation of Kankanangewatta, situated at Naotunna aforesaid; and bounded on the north by Bogahawatta, east by Paluwatta, south by Wela-addaragewatta, west by wela; and containing in extent about 3 acres.

(3) Undivided $\frac{1}{4}$ part except planter's $\frac{1}{4}$ share of the 2nd and 3rd plantations of the land called Munkoratuwa of the contiguous lands called Munkoratuwa, Bogahawatta, and Bogahawatta, situated at Naotunna aforesaid; and bounded on the north by Kongahawatta, east by Dickwelleralapadinchiwahitiyawatta, south by Kankanangewatta, west by wela; and containing in extent about 6 acres.

(4) Undivided $\frac{1}{4}$ part of Muttettugoda and $\frac{1}{4}$ part of the tiled house of 15 cubits standing thereon, situated at Naotunna aforesaid; and bounded on the north by Kahatagahawatta, Ihalakoratuwa and Mahadurahekoratuwa, east by Kadithalukumbura and Degodessakumbura, Galuweera *alias* Kattadigemulana and Muttettuwakumbura, south by Baddewelakumbura, Kankanangekumbura, Boomarekumbura, Porowakoluwekumbura and Malapalaporuwakoluwekumbura, and west by Weherekumbura and Ambekumbura and Pinkumbura; containing in extent 6 acres 3 roods and 12 perches.

(5) An undivided $\frac{1}{4}$ part of paraveni soil and trees of Egodalandegewatta, situated at Naotunna aforesaid; and bounded on the north by Aparekkegewatta, east by Mahanambegeewatta *alias* Pansalewatta, and south by Naurunnewela, and west by Kotayagewatta; and containing in extent about 2 acres.

Deputy Fiscal's Office, E. T. GOONEWARDENE,
Matara, November 3, 1930. Deputy Fiscal.

In the District Court of Colombo.

Brodie and Company, Limited, of Colombo . . . Plaintiffs.

No. 38,200.

Vs.

George Senaratne of Real Estate, Matara . . . Defendant.

NOTICE is hereby given that on Saturday, December 13, 1930, commencing at 9 o'clock in the forenoon, will

be sold by public auction at the defendant's shop (Ideal Stores, Matara) the right, title, and interest of the said defendant in the following property for the recovery of a sum of Rs. 2,165.22, with further interest on Rs. 2,113.11 at 9 per cent. per annum from May 21, 1930, up to September 19, 1930, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit, viz:—

(1) 4 glass almirahs, (2) 1 counter, (3) 3 racks, (4) 1 lot foreign sweets, (5) 4 petrol lamps, (6) 20 bottles of Whisky, (7) 25 bottles of Hannappier brandy, (8) 20 bottles of unsweetened gin, (9) 12 bottles of dry gin, (10) 15 bottles of Schnapps, (11) 25 half bottles of Schnapps.

Deputy Fiscal's Office, E. T. GOONEWARDENE,
Matara, November 3, 1930. Deputy Fiscal.

In the District Court of Tangalla.

S. A. Wickramasuriya of St. Aloysius College,
Galle Plaintiff.
No. 2,953. Vs.

E. Wirapathna of Tangalla Defendant.

NOTICE is hereby given that on Saturday, November 29, 1930, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property mortgaged with the plaintiff:—

At Tangalla.

(1) Undivided $\frac{1}{4}$ part of all the soil and fruit trees and of the buildings standing thereon of the land called Nugagahawatta-Neganairadekenpangukebella, situated at Tangalla in West Giruwa pattu of Hambantota District; bounded on the north by minor road, east by Ambagahawatta, south by Mahawatta, and west by Nugagahawatte-anithdekenpangukebella; containing in extent about 1 acre. Value, Rs. 500.

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

(3) Undivided $\frac{3}{4}$ parts of all the soil and fruit trees of the land called Ketangahawatta, situated at Kotuwegoda in Tangalla in West Giruwa pattu aforesaid; and bounded on the north by Ubeseakarawalawwewatta, east by Dirasekaragewatta, south by road leading to Kadurupokuna, and west by Ekanayakawalawwewatta; containing in extent about $\frac{3}{4}$ of an acre. Value, Rs. 400.

(4) At Goyambokka at 2 p.m.—Undivided $\frac{3}{4}$ part of all the soil and fruit trees of lot C of Kajugahawatta and Boraluwewatta, situated at Goyambokka in West Giruwa pattu; and bounded on the north by high road, east by lot D, south by Achaiyagewattehena, and west by lot B of this land; containing in extent 1 rood and 27 perches. Value, Rs. 300.

(5) At Kotuwegoda at 2.45 p.m.—Undivided $\frac{1}{4}$ part of all the soil and fruit trees and of the 13 cubits tiled house standing thereon of the land called the $\frac{1}{4}$ portion of Gulugahawatta, alias Kongahawatta in extent about 20 perches, situated at Kotuwegoda in Tangalla; and bounded on the north by high road, east by land belonging to Mr. Classen, south by the divided portion of the same land, west by road leading to the land wherein Sadiris de Silva Wiraratna resides. Value, Rs. 300.

(6) At Marakolluge at 3.30 p.m.—Undivided one-half part of all the soil and fruit trees of the divided portion marked lot A in extent 22 acres and 20 perches of the

land Naluwanneyaya, situated at Marakolluge in West Giruwa pattu aforesaid; and bounded on the north by reservation along the high road and lands in T. P. Nos. 171,270, 14,189, 175,012, 175,012, east by Ilukatuwelebima, south by lot B of the same land and the portion of land reserved, and west by portion of land reserved and Tengaturehena. Value, Rs. 275.

Writ amount Rs. 1,120.32 $\frac{1}{2}$, with legal interest on Rs. 910 from September 30, 1930, till payment in full, and poundage.

Deputy Fiscal's Office,
Tangalla, November 3, 1930.

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

Northern Province.

In the District Court of Kalutara.

M. Kadiravel of Panadure Plaintiff.

No. 15,554. Vs.

Kander Lamsaillai of Horana (now at Jaffna) in
Karanagar West Defendant.

NOTICE is hereby given that on Saturday, November 29, 1930, at 9 A.M. in the forenoon 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 Rs. 494.60, with interest on Rs. 349.25 at the rate of 9 per cent. per annum from June 8, 1929, till payment in full, poundage, and charges, viz:—

1 A piece of land situated at Thankodai in Karativu West, Islands division of the Jaffna District, Northern Province, called Veerseeema; containing in extent 3 lachams varagu culture and 15 kulies, with house, well, and cultivated plants; and bounded on the east by the property of Kasinather Sanmugam, north by the property of Kasinather Sanmugam and his wife Valliammai, west by the property of Ampalavanar Velupillai, and south by the property of Kanther and front of Murugesu bye-lane.

2 A piece of land situated at ditto called Kallanthalu; containing in extent 10 lachams p. c; and bounded on the east by lane, north by the property of Ponnand Vaithy, west by the property of Kandiah Retnam, and south by the property of Kanthar Arumugam and shareholders.

The lands are said to be under mortgage.

Fiscal's Office,
Jaffna, November 3, 1930.

S. TURAIYAPPAH,
Deputy Fiscal.

In the District Court of Jaffna.

Ampikaipakar Kandiah of Nallur Plaintiff.

No. 25,516. Vs.

(1) Thambu Muttusamy and wife (2) Thangammah,
both of Vannarponnai East Defendants

NOTICE is hereby given that on Saturday, November 29, 1930, at 3 o'clock in the afternoon, will be sold by public auction at the spots the right, title, and interest of the said defendants in the following decreed property for the recovery of Rs. 127.50, with interest on Rs. 800 at the rate of 15 per cent per annum from November 5, 1929, provided that such interest does not exceed Rs. 325.50, less Rs. 140, costs to be taxed poundage and charges, viz:—

1. An undivided $\frac{2}{3}$ share with its appurtenances out of all that piece of land situated at Vannarponnai East in Vannarponnai parish, Jaffna division of the Jaffna District, Northern Province, called "Periyapulam," containing in extent 3 lachams varagu culture and 11 $\frac{1}{8}$ kulies, with house, cultivated and spontaneous plants, and share of the well lying on the north; bounded on the east by the property belonging to the defendants, north by the 2nd land belonging to the defendants, west by lane, and on the south by the property of Suppiah Thambiah.

2. All that piece of land situated at ditto called "Periyapulam," containing in extent 1 lacham varagu culture and 11½ kulies, with house, portico, and cultivated and spontaneous plantations; and bounded on the east by the property belonging to the defendants, north and west by lane, and on the south by the aforesaid 1st land belonging to the defendants.

Fiscal's Office,
Jaffna, October 31, 1930.

S. TURAIYAPPAH,
Deputy Fiscal.

Eastern Province.

In the District Court of Trincomalee.

Kanagasabei Muttucumaru of Division No. 8,
Trincomalee Plaintiff.
No. 8461. Vs.

(1) Sinnatamby Sinnathurai, (2) Murukar Sinnatamby of Division No. 12, Trincomalee Defendants.

NOTICE is hereby given that on Saturday, November 29, 1930, commencing at 10 o'clock in the forenoon, will be sold by public auction at the respective premises the following properties mortgaged with the plaintiff by bond No. 11,699 dated December 19, 1928, and attested by S. Nadarasapillai, Notary Public, and declared specially bound and executable under the decree entered in the above case and ordered to be sold by the order of court dated October 16, 1930; for the recovery of the sum of Rs. 895.62 (less Rs. 250); with interest on Rs. 850 at 9 per cent. per annum from May 24, 1930, till June 18, 1930, thereafter with interest thereon at the rate of 9 per cent. per annum from June 18, 1930, until payment in full, viz. :—

(1) An undivided ½ share of a piece of land bearing assessment No. 57, situate at Division No. 12, Trincomalee town, Eastern Province, together with well, coconut and jak trees thereon; bounded in its entirety on the north by road, west by land of Sikander, south by lane and the land of Kulandavelu; and on the east by the dowry property of N. T. Tiagarasa. In extent 3 acres 1 rood. Registered A 11/175.

(2) A piece of land bearing assessment No. 17, situate at Division No. 12, Trincomalee town, together with the coconut trees and plantations, well, well sweep and posts thereon; bounded on the east by land of Murukar Sinnatamby, west by land of P. Karthikesu and K. Eliatamby, north by land of P. Karthikesu and others, and on the south by road. In extent 2 roods 28 6/100 perches. Registered A 11/176.

(3) All that field called Rasakariartharai, situate at Division No. 12, Trincomalee town; bounded on the east by field of V. Vairamuttu and others, west by field belonging to the heirs of the late K. Saddanathapillai and others, north by the field of P. K. Yokisparakurukal, south by the field of Sivan temple. In extent 14½ fathoms each on the south and north and 14 fathoms on the west, and 13 fathoms on the east. Registered A 11/177.

P. GNANAPRAGASAM,
Deputy Fiscal's Office, Additional Deputy Fiscal.
Trincomalee, November 3, 1930.

North-Western Province.

In the District Court of Kurunegala.

K. M. N. S. Saminathan Chettiyar of 94, Sea
street, Colombo Plaintiff.
No. 14,772.

(1) Jokupthaganage, Don John Senanayaka, President of Beddegodara in Katugampola Meda pattu korale west, (2) S. Anthony Silva of Giriulla Mills, Giriulla Defendants.

NOTICE is hereby given that on Friday, December 5, 1930, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 13,005.21,

with further interest thereon at 12 per cent. per annum from February 13, 1930, till payment in full, and poundage :—

1. An undivided ¼ share of the land called Imbulgahamulawatta, situate at Haalpane in Katugampola Meda pattu korale east of Katugampola hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by land of S. T. Dingiri Appuhamy and Mr. L. H. de Silva, east by high road, south by Diyabasna-ela, west by lands of the estate of the late Punchappuhamy; containing in extent 7 acres and 2 roods, with the entirety of the Police building standing thereon.

2. At 11 a.m.—All that land called Otharawatta, situate at Malgomuwa in the aforesaid korale; and bounded on the north by lands of Ranmenika and others, east by high road, south and west by lands of Ranmenika; containing in extent ½ acre, with the buildings standing thereon.

3. At 11.30 a.m.—An undivided ¼ share of the land called Otharawatta of 6 lachas of kurakkan sowing extent, situate at Malgomuwa in aforesaid korale; and bounded on the north by Otharawatta of Ukkurala, east by Diyaweda-ela, south by Ma-oya, west by old road, limit of pansal of Ukkurala and Kadurugahawatta. Registered under C 212/359.

4. At 1 p.m.—An undivided ¼ share of the land called Mattegama, situate at the villages Mattegama and Bopitiya in Meda pattu korale east of the hatpattu aforesaid; and bounded on the north by oya and by high road leading from Singakkuli to Giriulla, east by pillewa of Migel Silva, south-east by land of Kirihamy, land of Pinhamy, and land of Guruwa, south by garden of Saimon Gamarala and Katudeniya, west by land of I. L. A. Lebbe and village limit of Bopitiya; land of Kaluwa, Bopitiya; containing in extent 66 acres 2 roods and 10 perches, with the plantations thereon. Registered No. C 397/99.

5. At 1.30 p.m.—An undivided ¼ share of the land called Nikagollewatta, situate at Malgomuwa in Katugampola Meda pattu korale east of Katugampola hatpattu; and bounded on the north by Gorokgahawatta and Etaturugawatta of K. Daniel Singho and Meddepola Vihara, east by the garden called Ketakanda of Aron Singho and others, south by Mahakaradenkattiya of Appu Singho and others, west by village limit of Narangomuwa and the land called Bambarawahalkada of Punchi Singho; containing in extent 80 acres. Registered Nos. 169/157, 212/363, 312/357, 212/353, 212/354, 212/371, 212/372, 212/375, 212/377, 212/379, 212/380, 164/212, 254/214, 260/365, and 260/367.

6. At 3.30 p.m.—An undivided ¼ share of the land called Bathalawatta alias Kongahamulawatta, situate at Puskoladeniya in Damdadeni Udukaha korale west of Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by high road leading to Alawwa, east by the land of Sali Nana, south by the tracks of fields belonging to John Singho, and on the west by Diyabasna-ela; 5 acres in extent.

7. At 4.30 p.m.—All these lands called Wagolle-mukalana, Pansalwatta, and Mullehena, all forming one property and marked lot A, situate at Pothupitiya in Dambadeni Udukaha korale east of Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by Crown land, east by land of the villagers, south by portion marked lot B F 136/367, west by land of the villagers; containing in extent 35 acres 2 roods and 23 perches, with the plantations thereon.

A. BASNAYAKE,
Fiscal's Office, Deputy Fiscal.
Kurunegala, October 31, 1930.

In the District Court of Chilaw.

The King Plaintiff.
No. 1,853. Vs.

Margasinghe Arachchige Christamahmy of Bandeppuwa Administratrix.
NOTICE is hereby given that on Thursday, December 18, 1930, at 10 o'clock in the forenoon, will be sold by

public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 55.50, with interest thereon at 9 per cent. per annum from June 5, 1928, to date of payment, and penalty of Rs. 5, viz. :—

The land called Kahatagahawatta with the residing house and the plantations standing thereon, situate at Bandirippuwa in Otara palata of Pitigal korale south in the District of Chilaw, North-Western Province; and bounded on the north by field and land of others, east by high road, south by Ambagahawatta of Richard Silva, and west by land of Mr. Cyril; containing in extent about 3½ acres.

Deputy Fiscal's Office, F. G. DALPETHADO,
Chilaw, November 4, 1930. Deputy Fiscal.

In the District Court of Chilaw.

Ravanna Mona Navenna Annamale Chettiar of
Madampe Plaintiff.

No. 9,238. Vs.

(1) Kuppuppu Aratchige Aloysius Guncatne and
another of Ponnaankaniya Defendants.

NOTICE is hereby given that on Tuesday, December 16, 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. 2,150, with interest on Rs. 2,000 at 15 per cent. per annum from March 29, 1930, up to October 27, 1930, and further interest on the aggregate sum at 9 per cent. per annum till payment, and poundage, viz. :—

(1) An undivided ½ share of the lots Nos. 160,398 and 160,600 in plan No. 1,118 dated August 10, 1894, of the land called Kailawelpitiya and of the buildings and plantations standing thereon, situate at Ponnaankaniya in Munnessaram pattu of Pitigal korale north in the District of Chilaw, North-Western Province; and bounded on the north by land reserved for a road, east by ela, land in plan No. 134,864, south by water-course, and west by Welhenehalahagala and land in plans Nos. 114,202 and 114,260 containing in extent 6 acres 2 roods and 19 perches.

(2) An undivided ¼ share of the land called Migomugamawatta in plan No. 1,484 dated December 21, 1908, made by Mr. H. A. Randitsekare, Surveyor, and of the buildings and plantations standing thereon, situate at Siyambalagaswela in Munnessaram pattu aforesaid; and bounded on the north by Alut-ela, east by Gansaba road, south by land claimed by Menick Etana and others, west by land claimed by Kiri Etana and others; containing in extent 15 acres 2 roods and 33 perches.

Deputy Fiscal's Office, F. G. DALPETHADO,
Chilaw, November 4, 1930. Deputy Fiscal.

In the District Court of Chilaw.

Kaththiri Tantrihewage Haramanis Eeris of
Uraliagara Plaintiff.

No. 9,335. Vs.

(1) Honnammi Thomis Silva, (2) Garumuni
Helene Silva of Uraliagara Defendants.

NOTICE is hereby given that on Saturday, November 29, 1930, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following mortgaged property for the recovery of Rs. 1,630.95, with further interest on Rs. 500 at 15 per cent. per annum from July 31, 1930, till payment in full, and poundage, viz. :—

An undivided portion in extent 1 rood and 16 perches, from the south-western side of the land bearing letter L 179, situate at Uraliagara in Madampe in Pitigal korale south in the District of Chilaw, North-Western Province; and bounded on the north-east by land purchased by Mr. Philip Jayawardene and A. W. Ekanayake, east by road, south-west by land appearing

in plan No. 111,637 and west by land in plan No. 11,860 containing in extent 3 acres 3 roods and 5 perches, and the buildings and plantations thereon

Deputy Fiscal's Office, F. G. DALPETHADO,
Chilaw, November 4, 1930. Deputy Fiscal.

North-Central Province.

In the Court of Requests of Anuradhapura.

Appuhamige Ukku Amma of Bulankulama... Plaintiff.

No. 17,026. Vs.

T. B. Bulankulama of Anuradhapura, presently of
Kandakulama in Eppawala korale... Defendant.

NOTICE is hereby given that on Saturday, December 6, 1930, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 129.56, with interest on Rs. 109.31 at 9 per cent. per annum from June 18, 1930, till payment in full, and poundage :—

An undivided 1/5 share of the land called Bulankulamawalawawatta, situated at Bulankulama in Anuradhapura town; and bounded on the north and east by Crown land, south by Bulankulama field, and west by Bulankulama tank; containing in extent about 10 acres, and of all buildings standing thereon.

Fiscal's Office, W. S. JOSEPH,
Anuradhapura, November 4, 1930. for Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

Nadaraja Sinnetamby, Advocate, Fern Lodge,
Barnes place, Colombo, and two others... Plaintiffs.

No. 4,608. Vs.

(1) Jane Sophia Mahawalanenne Jayewardena
Kumarihamy and (2) Abraham Obeysekera
Jayewardena, both of Balangoda... Defendants.

NOTICE is hereby given that on Saturday, December 6, 1930, commencing at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, specially mortgaged and decreed to be sold by the decree entered in the above case for the recovery of Rs. 37,531, with legal interest thereon at 9 per cent. per annum from December 2, 1926, till payment in full and costs reserved) and poundage, viz. :—

(1) An undivided 1/5 part or share of all that land called Balangoda Walawawatta, together with all the buildings and plantations and the whole of the new building put up by said Abraham Obeysekera Jayewardena, including every piece of furniture and other moveable property now lying in the said premises bearing assessment No. 301, situate at Balangoda in the Helauda palata of the Meda korale in the District of Ratnapura aforesaid, containing in extent about 10 kurunies of kurakkan sowing; and bounded on the north, south, and west by agala, and on the east by paranapara (old road), and registered in folio E 47/120.

(2) An undivided 1/5 part or share of all that the land called Nikketiyawatta, together with the plantations and tiled house thereon, once used as the Government Post Office, and bearing assessment No. 277, together with the movables thereon, situate at Balangoda aforesaid; and bounded on the north by land belonging to Sathakamaperumal, east by land belonging to Pedru Appu, south by land belonging to Abdul Lebbe, and on the west by Paranapara (old road); containing in extent about half seer of kurakkan sowing extent, and registered in E 47/273.

R. E. D. ABEYRATNE,
Additional Deputy Fiscal.

Fiscal's Office,
Ratnapura, November 3, 1930.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Katugampolage of Don Thegis Appuhamy of Pelenwatta in the Palle pattu of Salpiti korale, deceased.

No. 5,181. No. 5,181. Petitioner.

Katugampolage Don Thegis Appuhamy of Pelenwatta aforesaid. (1) Katugampolage Don Thomas Appuhamy, (2) ditto Don Simon Appuhamy, both of Pelenwatta aforesaid, (3) ditto Dona Babun Nona, wife of (4) Hiripitiyanage Babbu Silva of Gorakapitiya in the Palle pattu of Salpiti korale, (5) Katugampolage Don Yohanis of Mawitta in the Palle pattu of Salpiti korale. Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on June 9, 1930, in the presence of Mr. M. P. Wijesinghe, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated May 26, 1930, and (2) of two of the attesting witnesses, also dated May 26, 1930, having being read:

It is ordered that the last will of Katugampolage Don Thegis Appuhamy, deceased, of which hte original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner, as one of the legatees under the said will, is entitled to have letters of administration, with a copy of the will annexed, issued to him, unless the respondents above named or any other person or persons interested shall, on or before July 17, 1930, show sufficient cause to the satisfaction of this court to the contrary.

June 9, 1930.

G. C. THAMBYAH, District Judge.

The date for showing cause against the above Order Nisi has been extended to November 20, 1930.

October 14, 1930.

G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Henry Christopher de Saram of No. 2, Temple lane, Maradana Colombo, deceased.

No. 5,239. No. 5,239. Petitioner.

Evangeline Mabel de Saram of Maradana, Colombo. (1) Rene Sumathipathie de Saram, (2) Evangeline Dogura de Saram, and (3) Henry Wilmot de Saram, all of Maradana, Colombo, by their guardian ad litem John Clement Perera of Yakkala, Gampaha. Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 24, 1930, in the presence of Messrs. Julius & Creasy, Proctors, on the part of the petitioner Mrs. Evangeline Mabel de Saram; and the affidavit of the said petitioner dated August 23, 1930, certificate of death of the above-named deceased, minute of consent by the guardian ad litem of the respondents, and Supreme Court's order dated September 26, 1930, having been read: It is ordered and declared that the said petitioner is the widow of the said deceased, and that she is entitled to have letters of administration to the intestate estate of the said deceased issued to her accordingly, unless any person or persons interested shall, on or before November 13, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 24, 1930.

G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. of Hettimulle Acharige Don Peter Singho of Moratumulla in Moratuwa in the Palle pattu of Salpiti korale, deceased.

No. 5,298. No. 5,298. Petitioner.

Dona Punchi Nona Dantapanyana of Moratumulla aforesaid. And Lokuliyanage Dona Lily Nona of Moratumulla aforesaid. Respondent.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on September 17, 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 September 15, 1930, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as mother-in-law of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before October 23, 1930, show sufficient cause to the satisfaction of this court to the contrary.

September 17, 1930.

G. C. THAMBYAH, District Judge.

The date for showing cause is extended to November 13, 1930.

October 23, 1930.

G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Jayasooriya Aratchige Don John Appuhamy of Pahalayagoda in the Meda pattu of Siyane korale, deceased.

No. 5,343. No. 5,343. Petitioner.

Samaratunga Seneyaratne Mhandiramge Dona Emalin Nona of Henegama in the Meda pattu of Siyane korale. And (1) Jayasooriya Aratchige Don Anandis Appuhamy, (2) Yapa Appuhamilage Dona Noihamy, both of Pahalayagoda aforesaid. Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 8, 1930, in the presence of Messrs. Moonesinghe & Jayamaha, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 8, 1930, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before November 13, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 8, 1930.

G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Cornelis Perera Wanigatunga, Muhandiram, of Mount Lavinia, deceased.

No. 5,346. No. 5,346. Petitioner.

William Henry Perera Wanigatunga Mudaliyar, of Hikkaduwa. And (1) Annie Adelaide Abeyesekera, wife of (2) James Samuel Abeyesekera, (3) Lillian Matilda de Silva of Mount Lavinia. Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 9, 1930, in the presence of Mr. M. P. Wijesinghe,

Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated April 23, 1930, (2) of the attesting witnesses dated May 5, 1930, and July 1, 1930, having been read:

It is ordered that the last will of Cornelis Perera Wanigatunga, Muhandiram, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executor named in the said will, and that he is entitled to have probate thereof issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before November 13, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 9, 1930.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Kasturi Aratchige Don Arnolis Appu No. 5,348 of Kalubowlla, deceased.

Wanniachchige Ellen Fonseka of Kalubowlla Petitioner.

And

- (1) Kasturi Aratchige Dona Violet, (2) ditto Dona Harriet *alias* Maggie Nona, (3) ditto Don Chandrapala, (4) ditto Don Wilbert, (5) ditto Dona Juliet, (6) ditto Dor Albert, (7) ditto ~~Don Albert~~ Welatantrige Martin Boteju, all of Kalubowlla Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 10, 1930, in the presence of Mr. C. V. Wickremasinghe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 4, 1930, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before November 13, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 10, 1930.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late Kudagonaduwa Belenis No. 5,350. Perera of Talahena in the Palle pattu of Hewagam korala, deceased.

Kudagonaduwa Manuel Perera of Talahena aforesaid Petitioner.

And

- (1) Kudagonaduwa Mantri Perera, (2) ditto Elson's Perera, (3) ditto Liyanora Perera, and husband (4) Korallage Don William, all of Talahena aforesaid Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 13, 1930, in the presence of Mr. N. J. S. Cooray, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 6, 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 November 13, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 13, 1930.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Nelundenidewage Peiris Fernando of Galkissa, deceased. No. 5,351.

Nelundenidewage Romalias Fernando of Mount Lavinia Petitioner.

- (1) Walimunidewage Menthoo Fernando, (2) Nelundenidewage Albi Fernando, (3) ditto Podi Fernando, all of Mount Lavinia Respondent.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 14, 1930, in the presence of Mr. H. Weliyitigoda, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 9, 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 November 13, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 13, 1930.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Galkandegge Wilbert Perera of Maradana, Colombo, deceased. No. 5,355.

Galkandegge Peter Perera of 7, Regent street, Colombo Petitioner.

- (1) Amarasinghe Vidanelage Isabelahary of Regent street, Colombo, (2) Galkandegge Dotty Peris, wife of (5) W. D. Peris, both of Pamankade road, Wellawatta, Colombo, (4) Govindege Austin Perera, (5) ditto Somavathy Perera, (6) ditto Kusumavathy Perera, (7) ditto Sumanadasa Perera, all of Regent street, Colombo, minors, appearing by their guardian *ad litem* the 1st respondent above named Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 16, 1930, in the presence of Messrs. P. D. A. Meek & Sons, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 15, 1930, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as brother 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 November 13, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 16, 1930.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late Avenna Veena Ravenna No. 5,357. Mana Soona Pana Suppramaniam Chettiar of Naganathapuram street, Karaikudi, Ramnad District, South India, deceased.

A. V. R. M. S. P. Ramasamy Chettiar of No. 164, Sea street, Colombo Petitioner.

And

- Oonnamalai Atchy, widow of the late A. V. R. M. S. P. Suppramaniam Chettiar of Karaikudi, Ramnad District, South India Respondent.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 17, 1930, in the presence of Mr. C. T. Navaratnam, Proctor, on the part of the petitioner above named:

and the affidavit of the attorney of the said petitioner dated October 13, 1930, and the order of the Supreme Court dated September 10, 1930, having been read :

It is ordered that the petitioner be and he is hereby declared entitled, as son and heir of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondent above named or any other person or persons interested shall, on or before November 13, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 17, 1930.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of the late Heetaka James Benjamin de Zilya Jayaratne Rajakaruna, Muhandiram, Notary Public of Pasyala, in the Udugaha pattu of Siyane korale, deceased.

Jayasinghe Maraya de Zilya Jayaratne Rajakaruna of Negombo Petitioner.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 20, 1930, in the presence of Mr. D. A. J. Goonewardhane, Proctor, on the part of the petitioner above named ; and the affidavits (1) of the said petitioner dated October 11, 1930, and (2) of the attesting notary and witnesses, also dated October 11, 1930, having been read :

It is ordered that the last will of Heetaka James Benjamin de Zilya Jayaratne Rajakaruna, Muhandiram, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executrix named in the said will, and that she is entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before November 13, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 20, 1930

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of the late Koralkanange Don John Perera of Petiyagoda, deceased.

Abeyasinghe Aratchige Lucia Perera of Petiyagoda Petitioner.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 22, 1930, in the presence of Messrs. Jayasekera & Jayasekera, Proctors, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated October 16, 1930, and (2) of the attesting notary dated October 21, 1930, having been read :

It is ordered that the last will of Korala Kankanange Don John Perera, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executrix named in the said will, and that she is entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before November 13, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 22, 1930.

G. C. THAMBYAH,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate and Effects Jurisdiction. of Sellapperumage Christogu Fernando No. 2,784. of Palagaturai (deceased).

Sellapperumage Isidore Fernando of Palagaturai Petitioner.

And (1) Warnakulasuriya Ana Rodrigo, (2) Sellapperumage Ambrose Fernando, (3) Sellapperumage Joseph Fernando all of Palagaturai, Respondents

THIS matter coming on for disposal before M. H. Kantawala, Esq., District Judge of Negombo, on October 1, 1930, in the presence of Mr. E. S. V. Jesurasingham, Proctor; and the petition and affidavit of the said petitioner dated September 30, 1930, and September 20, 1930, having been read :

It is ordered that the said petitioner be and he is hereby declared entitled, as the son and an heir to the estate of the above-named deceased, to have letters of administration to the said estate issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before October 24, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 1, 1930.

M. H. KANTAWALA,
District Judge.

The date for showing cause has been extended to November 10, 1930.

M. H. KANTAWALA,
District Judge.

In the District Court of Nuwara Eliya, holden at Hatton.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Pandakkaragedara Mudiyanse of No. 162. Metagama in Medapone korale, Kotmalie (deceased).

Jayasundera Mudiyanse Ram Menika of Metagama in Medapone korale of Katmalie Petitioner.

And (1) Pandakkaragedara Punchi Banda, (2) ditto Appu Hamy, (3) ditto Dingiri Menika, (4) ditto Punchi Rala, and (5) ditto Dingiri Mahatmaya, all of Metagama aforesaid, and (6) Jayasundera Mudiyanse Banda Aratchi of Doruwadeniya in Nawalapitiya Respondents.

THIS matter coming on for disposal before R. Y. Daniel, Esq., District Judge of Nuwara Eliya-Hatton, on October 6, 1930, in the presence of Messrs. Modder & La'Brooy, Proctors, on the part of the petitioner, Jayasundera Mudiyanse Ram Menika of Metagama; and the affidavit of the said petitioner dated October 6, 1930, having been read :

It is ordered that the 6th respondent, Jayasekera Mudiyanse Banda Aratchi of Doruwadeniya, be and he is hereby appointed guardian ad litem over the 1st, 2nd, 3rd, 4th, and 5th respondents above named for the purpose of these proceedings, unless the respondents—(1) Pandakkaragedara Punchi Banda, (2) Pandakkaragedara Appu Hamy, (3) Pandakkaragedara Dingiri Menika, (4) Pandakkaragedara Punchi Rala, and (5) Pandakkaragedara Dingiri Mahatmaya—or any other person or persons interested shall, on or before November 10, 1930, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said petitioner be and he is hereby declared entitled, as widow of the deceased above named, to have letters of administration to the estate of the above deceased issued to her, unless the respondents 1st to 6th above named or any other person or persons interested shall, on or before November 10, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 13, 1930.

R. Y. DANIEL,
District Judge

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late W. G. C. Senanayaka, deceased, of Kaikawala. No. 7,154.

W. G. N. Senanayaka of Kaikawala. Petitioner.

Vs.

Kottahachchi Kankanange Sopinona of Kaikawala in Induruwa. Respondent.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on September 3, 1930, in the presence of Mr. N. de Alwis, Proctor, on the part of the petitioner W. G. N. Senanayaka of Kaikawala in Induruwa; and the affidavit of the said petitioner dated August 23, 1930, having been read:

It is declared that the said petitioner, as father of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondent, viz., Kottahachchi Kankanange Sopinona of Kaikawala in Induruwa, shall, on or before November 12, 1930, show sufficient cause to the satisfaction of this court to the contrary.

September 3, 1930. T. W. ROBERTS, District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. of the late Meedigaspige Don Andiris de Silva Goonewardana, deceased, No. 7,162. of Heenatigala, Galle.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on September 9, 1930, in the presence of Mr. R. Jayatilaka, Proctor, on the part of the petitioner Don Carolis Wickramasingha of Narigama, Wellaboda, Galle; and the affidavit of the said petitioner dated September 6, 1930, having been read:

It is ordered that the 1st respondent be appointed guardian *ad litem* over 2nd minor respondent, unless the respondents, viz., Telentina Wickramasingha Haminey of Heenatigala, Galle, and (2) Meedigaspige Seelawathie Gunawardana of Heenatigala, shall, on or before October 23, 1930, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner, as father-in-law of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondents above named shall, on or before October 23, 1930, show sufficient cause to the satisfaction of this court to the contrary.

September 9, 1930. T. W. ROBERTS, District Judge.

The forgoing Order Nisi is extended to January 27, 1931.

October 23, 1930. T. W. ROBERTS, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Kandiah Chellatamby of Uduvil, No. 7,590. deceased.

Kandiah Selvadurai of Uduvil. Petitioner.

Vs.

Pillaynar Sinnappu of Uduvil. Respondent.

THIS matter of the petition of Kandiah Selvadurai, praying for letters of administration to the estate of the above-named deceased, Kandiah Chellatamby, coming on for disposal before J. C. W. Rock, Esq., District Judge on June 12, 1930, in the presence of Mr. S. V. Chinniah, Proctor, on the part of the petitioner, and the affidavit of the petitioner dated June 1, 1930, having been read:

It is declared that the petitioner is the sole 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 respondent or any other person shall, on or before August 6, 1930, show sufficient cause to the satisfaction of this court to the contrary.

July 8, 1930.

J. C. W. ROCK, District Judge.

The returnable date of this Order Nisi is extended to October 17, 1930.

The returnable date is further extended to November 14, 1930.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of the late Ponniah Rajaratnam of Kockuvil, deceased. No. 7,615.

Selvakkannu, widow of Ponniah Rajaratnam of Kockuvil. Petitioner.

Vs.

(1) Rajaratnam Panjalagam, (2) Rajaratnam Asothalingam, (3) Bimeleswary, daughter of Rajaratnam, (4) Rajaratnam Rajasavuntharalingam, minors, all of Kockuvil, (5) Ponniah Arunasalam of Kockuvil present at Fort Station, Colombo. Respondents.

THIS matter coming on for disposal before J. C. W. Rock, Esq., District Judge, Jaffna, on September 6, 1930, in the presence of Mr. V. Thambirajah, Proctor for petitioner; and the affidavit of the petitioner dated September 1, 1930, and his petition having been read:

It is ordered that the above-named 5th respondent be appointed guardian *ad litem* over the 1st to the 4th respondents, who are minors, for the purpose of representing them and generally to act on their behalf in the testamentary proceedings to be had in this case in respect of the estate of the said deceased testator, and that the petitioner be declared entitled to administer the estate of the said deceased testator and to have letters of administration, with the will annexed, issued to her accordingly and for costs, unless the respondents or any other persons show sufficient cause to the satisfaction of this court to the contrary on October 24, 1930.

September 24, 1930. D. H. BALFOUR, District Judge.

Time for showing cause extended for November 14, 1930.

D. H. BALFOUR, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Sinnammah, wife of Nagamuttu No 7,648. Sathinather of Kula Lumper, deceased.

Nagamuttu Sathinather of Manipay. Petitioner.

Vs.

(1) Sathinather Anandam of Urumpirai minor, (2) Sinnachchipillai, widow of F. B. Maelvaganam of ditto. Respondents.

THIS matter of the petition of the above-named petitioner, praying that the 2nd respondent be appointed guardian *ad litem* over the 1st respondent and that letters of administration to the estate of the deceased be granted to the petitioner, coming on for disposal before J. C. W. Rock, Esq. District Judge, on July 23, 1930, in the presence of Mr. R. Subramainam, Proctor for petitioner; and on reading the affidavit and petition of the petitioner: It is ordered that the 2nd respondent will be appointed guardian *ad litem* over the 1st respondent, and that letters of administration will be

granted to the petitioner, unless the respondents appear before this court on October 20, 1930, and show cause to the satisfaction of this court to the contrary.

September 11, 1930.

Extended to December 1, 1930.

October 20, 1930.

J. C. W. ROCK,
District Judge.

D. H. BALFOUR,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Arumugam Kulanthaivelu of Karaitivu East, deceased. Valliammai, widow of Arumugam Kulanthaivelu of Karaitivu East Petitioner.

Vs. B 6447

(1) Vettivelu Kandiah and wife (2) Theivanaipillai of ditto, and (3) Kulanthaivelu Kandiah of ditto, a minor, by his guardian *ad litem* the 1st and 2nd respondents Respondents.

THIS matter of the petition of the 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 August 1, 1930, in the presence of Mr. A. Kanagasabay, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated July 30, 1930, having been read: It is declared that the petitioner is the widow of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondents or any other person shall, on or before September 12, 1930, show sufficient cause to the satisfaction of this court to the contrary.

August 8, 1930.

Extended to October 24, 1930.

Extended till November 7, 1930.

J. C. W. ROCK,
District Judge.

J. C. W. ROCK,
District Judge.

D. H. BALFOUR,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Sangarapillai Sivasundaram of Puloly West in Point Pedro, deceased.

Sangarapillai Valemurugu of Anuradhapura...Petitioner.

Vs.

(1) Sivasundaram Velantham and (2) Ponnamma, widow of Sangarapillai Sivasundaram, both of Puloly West in Point Pedro Respondents.

THIS matter of the petition of Sangarapillai Valemurugu of Anuradhapura, praying for letters of administration to the estate of the above-named deceased, Sangarapillai Sivasundaram, coming on for disposal before D. H. Balfour, Esq., District Judge, on September 2, 1930, in the presence of Mr. V. Ramaswamy, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated August 29, 1930, having been read:

It is ordered that the second respondent be and she is hereby appointed guardian *ad litem* of the first respondent, unless the respondents show sufficient cause to the satisfaction of this court to the contrary on or before October 15, 1930.

It is declared that the petitioner is the brother 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 October 15, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 9, 1930.

Extended for November 14, 1930.

October 17, 1930.

D. H. BALFOUR,
District Judge.

D. H. BALFOUR,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Achchimuttu, wife of Arumugam Sinnathamby of Uduvil, deceased.

Arumugam Sinnathamby of Uduvil Petitioner. Sinnathamby Appudurai of ditto, presently of Kuala Lumpur, F. M. S. Respondent.

THIS matter of the petition of the above-named petitioner, praying for letters of administration to the estate of the above-named deceased, Achchimuttu, wife of Arumugam Sinnathamby, coming on for disposal before J. C. W. Rock, Esq., District Judge, on September 2, 1930, in the presence of Mr. S. Kanagasabay, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 2, 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 respondent or any other person shall, on or before October 15, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 4, 1930.

Time extended till November 10, 1930.

D. H. BALFOUR,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Julia Mathiramanie, wife of David Sanmugam Suppiah of Kuala Lumpur in F. M. S., deceased.

Issac Kumaraswamy Jesuthasan of Copay North Petitioner.

(1) Lucy Ponnammah, wife of Issac Kumaraswamy Jesuthasan of Copay North and (2) David Sanmugam Suppiah of ditto, presently of Chartered Bank, Kuala Lumpur Respondents.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge, Jaffna, on September 12, 1930, in the presence of Messrs. Sivaprakasam & Kati-resu Proctors, for petitioner; and the affidavit of the petitioner dated September 10, 1930, having been read:

It is ordered that letters of administration be granted to the petitioner, as he is the father of the deceased intestate, unless the respondents or any other person shall, on or before October 24, 1930, show sufficient cause to the satisfaction of the court to the contrary.

September 26, 1930.

Extended for November 21, 1930.

D. H. BALFOUR,
District Judge.

D. H. BALFOUR,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Louis Santiappillai Ponniah of No. 715, Achchuveli, deceased.

Stella Nalamamah, widow of Louis Santiappillai Ponniah of Achchuveli Petitioner.

(1) Rosaline Arupiratham, daughter of Ponniah, (2) Josephine Nesaratnam, daughter of Ponniah, (3) Cardline Thankaratnam, daughter of Ponniah, (4) Ponniah Joseph Thankaratnam, and (5) Ponniah John Thurai, all of Achchuveli, and (6) K. A. Kandiah of Manippay; the 3rd, 4th, and 5th respondents, minor, by their guardian *ad litem* the 6th respondent Respondents.

THIS matter of the petition of the petitioner, praying that the 6th respondent be appointed guardian *ad litem* over the minors, the 3rd, 4th, and 5th respondents, and

praying for letters of administration to the estate of the late Louis Santiappillai Ponniah of Achchuveli, coming on for disposal before D. H. Balfour, Esq., District Judge, on October 2, 1930, in the presence of Mr. T. Arumai Nayagam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 19, 1930, having been read:

It is ordered that the 6th respondent be appointed guardian *ad litem* over the said minors for the purpose of acting on their behalf and of representing them in the testamentary action to be instituted by the petitioner in respect of the estate of the late Louis Santiappillai Ponniah of Achchuveli.

And it is declared that the petitioner is the lawful widow of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondents or any other persons shall, on or before November 14, 1930, appear before this court and show sufficient cause to the satisfaction of this court to the contrary.

October 18, 1930. D. H. BALFOUR, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the matter of the estate of the late No. 7,723 Chellappah Ponnudurai of Vannarponnai, Jaffna, deceased.

Ponnudurai Varatharajah of Vannarponnai, Jaffna Petitioner.

Vs.

- (1) Kanakammah, widow of the deceased,
- (2) Vettivelu Arumugasamy and wife
- (3) Thangaratnam, all of ditto Respondents.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge, Jaffna, on October 8, 1930, in the presence of Mr. S. Patanjali, Proctor, on the part of the petitioner; and the affidavit of the petitioner having been read: It is ordered that the petitioner be declared entitled to have letters of administration to the estate of the said intestate, as one of his heirs, unless the respondents shall appear before this court on November 19, 1930, and state objection or show cause to the satisfaction of this court to the contrary.

October 20, 1930. D. H. BALFOUR, District Judge.

In the District Court of Badulla.

Order Nisi Declaring Will Proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Fannie (or Fanny) No. B/869. Paterson, also known as Fanny Mansfield Paterson, widow of John Paterson of Allagolla estate, Uda Pussellawa, in the Island of Ceylon, deceased.

THIS matter coming on for disposal before Godwin Ranasinha, Esq., District Judge of Badulla, on October 28, 1930, in the presence of Mr. A. C. W. Samarakoon, Proctor, on the part of the petitioners, Hubert Cameron Paterson of Diyanilla, Halgranoya, and Charles John Paterson of Allagolla estate, Uda Pussellawa; and

(1) the affidavit of the said petitioner dated October 11, 1930, and (2) the affidavit of the attesting notary of the will dated October 18, 1930, having been read: It is ordered that the will of the said Fannie (or Fanny) Paterson, deceased, No. 601, dated August 14, 1925, and attested by Stanley Fredrick de Saram of Colombo, Notary Public, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Hubert Cameron Paterson and Charles John Paterson are the executors named in the said will and that they are entitled to have probate thereof issued to them accordingly, unless any person or persons interested shall, on or before November 28, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 28, 1930. A. G. RANASINHA, District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Acharigedera *alias* Hiththaragadera No. 1,459. Dingiri Appu of Godigamuwa, deceased.

Hiththaragadera Muhandirama of Godigamuwa Petitioner.

Vs.

Hiththaragadera Tikiri Etara of Udagama, Respondent.

THIS matter coming on for disposal before S. S. Navaratnam, Esq., District Judge of Kegalla, on October 8, 1930, in the presence of Mr. G. Arupana, Proctor, on the part of the petitioner; and his affidavit and petition dated September 25 and 26, 1930, respectively, having been read:

It is ordered and declared that letters of administration of the estate of the above-named deceased be issued to petitioner, a son of the deceased, unless the respondent or any other person or persons interested in the matter shall, on or before November 12, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 10, 1930. S. S. NAVARATNAM, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late Kumaraage Don Lewis Appu No. 5,268. of Kiriwathuduwa in the Udugaha pattu of Salpiti korale, deceased.

Kumaraage Don Heras Singho of Kiriwathuduwa aforesaid Petitioner.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on September 2, 1930, in the presence of Mr. A. Rodrigo, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated August 19, 1930, having been read:

It is ordered that the petitioner be and is hereby declared entitled, as son and only heir 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 November 13, 1930, show sufficient cause to the satisfaction of this court to the contrary.

September 2, 1930. G. C. THAMBYAH, District Judge.

X

DRAFT ORDINANCE.

MINUTE.

R 50/26

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 : —

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

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

Preamble.

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.

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."

Short title and commencement

2 In this Ordinance, unless the context otherwise requires—

Interpretation.

"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.

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

Trustees for temples.

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.

Basnayaka
nilame of a
dewale to be
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 :

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

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

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

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

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

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

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

Appointment of
trustees for
temples in
Schedule A.

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

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

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

(4) For the Atamasthane there shall be a board of trustees consisting of three members, namely, the high priest for the time being of the Bo-maluwa or a Buddhist layman nominated by him in writing, the head of the Nuwara-wewa 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.

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:

All trustees to give security.

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.

Suspension or dismissal of trustee.

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.

(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.

Appointment of trustee on vacancy.

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.

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

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.

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 claim 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.

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 :

Neglect of
duty by
trustees.

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.

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.

Temples not to
acquire lands
without licence
of Governor.

(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.

Money to be deposited in bank.

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.

(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.

Application of income of temples by trustees.

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 :

- (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.

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:

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

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

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

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

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

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

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

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

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

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

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

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

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

Assignment of leases of temple lands.

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

Court may set aside leases in certain cases:

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

(i.) For a longer term of years than is consistent with the interest of such temple; or

(ii.) On terms showing an improvident alienation; or

(iii.) For clearly inadequate consideration; or

(iv.) For the private benefit of the lessor or any of his relatives or servants; or

(v.) With a fraudulent intent;

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

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

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

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

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

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

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

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

General powers of court.

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

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

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

Prescription not to apply.

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

Exemption of temples from provisions of Part III.

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

PART IV.

Accounts, Audit.

Temples to which Part IV applies.

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

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

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

(a) Complete and detailed accounts—

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

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

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

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

Accounts to be made up half-yearly and submitted.

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

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

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

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

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

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

(2) Any viharadhipati who, without just cause withholds any information required to be given by this section, or who wilfully gives false information regarding the same, or who without just cause retains possession of any property vested in trustees under the provisions of this Ordinance, or wilfully obstructs any trustee or causes any trustee to be obstructed in the discharge of his duties, shall be guilty of a summary offence, and be liable on conviction to a fine not exceeding two hundred rupees.

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

Audit of accounts.

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

Auditor to report to the Public Trustee.

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

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

PART V.

General.

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

Register of bhikshus.

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

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

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

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

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

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

Samanera not to perform functions of viharadhipati after one year.

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

Power to make regulations.

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

- (a) For the preservation and protection of such Buddhist shrines, temples, inscriptions, and monuments as may be considered to be of historical, archaeological, 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.

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

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.

(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.

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| 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. | Puspulitiya Vihare. |
|---------------------------|---------------------|

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.

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

Western Province.

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

Southern Province.

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

Kurunegala District.

| | |
|---------------------|--|
| Ridi Vihare. | Dambadeniya Vihare. |
| Maraluwawa Vihare. | Humbuluwa Vihare. |
| Angangala Vihare. | Madawala Vihare (in Dambadeni Hatpattu). |
| Ginikarawa Vihare. | Gonnawa Vishnu Dewale. |
| Meddepola Vihare. | Padeniya Vihare. |
| Bingiriya Vihare. | Budumuttawa Vihare. |
| Epaladeniya Vihare. | |

SCHEDULE B.

(Section 39.)

Register of Upasampada Bhikshus.

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
|---------------------|--------------------------------|-------------------------------|-----------------|----------------|--|------------------------------------|---------------------------------------|---------------------|-----------------------------|------------|--|-------------------------------|
| Consecutive Number. | Province 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 (as by Ord.). | 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, November 5, 1930.B. H. BOURDILLON,
Colonial Secretary.*Objects and Reasons.*

A Commission to inquire into the working of the Buddhist Temporalities Ordinance, No. 8 of 1905, was appointed by the Governor on October 18, 1918. This Commission after taking evidence submitted an Interim Report dated March 29, 1919, in which the opinion was expressed that "before any steps are taken to introduce a new or amending Ordinance, the provision inserted after full consideration, prolonged discussion in the Legislative Council, and the approval of the Secretary of State should be given effect to" and that "unless and until this is done it cannot be said that Ordinance No. 8 of 1905 is unworkable." The reference made in the above quotation from the Commission's Interim Report is to section 15 which provided for the appointment of one or more Commissioners. In March, 1920, Mr. H. W. Codrington, C.C.S., was appointed Commissioner under the Ordinance for the whole Island. He submitted a Memorandum dated September 10, 1920, in which he set out the defects contained in the Ordinance No. 8 of 1905. The Commission after further investigation submitted a Final Report dated September 27, 1920, in which it recommended the repeal of Ordinance No. 8 of 1905 and the enactment of a new Ordinance on the lines of the draft Ordinance annexed to the Report.

2. A new Ordinance based on the draft submitted by the Commission was prepared and introduced into the Council and passed the first reading on October 8, 1922. As this Bill did not meet with the approval of many sections of the Buddhist community it was not proceeded with. The present Bill gives effect to some of the main recommendations of the Commission referred to, but departs from it in certain material respects.

3. Prior to the enactment of Ordinance No. 3 of 1889, the management of Buddhist temporalities was in the hands of the incumbent priests of the temples. As during the period of their management temple properties had been mismanaged and dissipated the Ordinance No. 3 of 1889 removed the management from the hands of the priests and gave it over to lay trustees who were elected by the District Committees constituted under that Ordinance. Ordinance No. 8 of 1905 retained the management in the hands of the trustees but provided that they should be elected by a majority of voters resident in the villages to which the temples were attached. The Commission of 1918 found that the management by the trustees was as unsatisfactory as the management by the priests had been, and their recommendation was that the management should be in the hands of trustees nominated by the chief priests of the temples. This recommendation was embodied in the draft Bill submitted with the Final Report of the Commission. The Bill of 1922 slightly departed from this recommendation in providing that the trustees may be the viharadhipathi himself or any other bhikshu or layman. The present Bill has adopted the provision of the Bill of 1922, and enables the viharadhipathi to nominate himself or any bhikshu or layman as a trustee. In case of failure

of the viharadhipathi to nominate a trustee it was provided in the Bill of 1922 that the District Council which was to have been constituted under the provisions of that Bill should appoint a trustee. The present Bill provides that in case of failure to nominate a trustee, the viharadhipathi himself shall be the trustee.

4. The Ordinance No. 3 of 1889 and the subsequent Ordinances provided that the supervision and control of trustees should be by District Committees constituted under those Ordinances. The Commission recommended the abolition of these District Committees and the substitution of District Councils. This recommendation was adopted in the Bill of 1922. The present Bill departs from this and has constituted the Public Trustee the sole supervising authority of the trustees. The Diyawadana Nilame and the Basnayaka Nilames continue to be elected under the provisions of the Bill but except in the case of the present holders of these offices provision is made for their retirement on attaining the age of seventy years. The Bill also provides for the recognition of trustees and, in certain cases, for the appointment of provisional trustees by the Public Trustee.

PART I.

5. Clause 2 contains the definitions of certain words and expressions used in the Bill.

PART II.

6. 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.

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

8. Clause 7 provides for security from all trustees. Though Ordinance No. 8 of 1905 contained similar provision it had been found that trustees often assumed office without giving security. This Bill therefore provides that a trustee exercising his functions as trustee without giving security shall be guilty of a summary offence and liable on conviction to a fine not exceeding Rs. 100. It also provides that a trustee failing to give security within three months or such further time as the Public Trustees may allow shall be deemed to have vacated his office.

9. Clause 8 lays down the qualification of trustees.

10. Clause 10 makes provision for the vacation of office and the appointment of new trustees.

11. Clause 11 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.

PART III.

12. Clause 18 makes provision for enforcing existing contracts and for the recovery of debts.

13. 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.

14. Clause 20 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.

15. Clauses 22, 23, and 25 deal with the sale, mortgage, and lease of temple land. As it has been found that paraveni tenants dispose of heir rights without notice to the trustees and to the consequent detriment of the temples, provision is made that no mortgage, sale, or the alienation of a paraveni pangu is valid unless notice of the intended mortgage, sale, or other alienation is given to the Public Trustee and a written acknowledgment of such notice is received.

16. Clauses 24 and 27 deal with the recovery of immovable property alienated or leased to the detriment of a temple.

17. Clause 28 provides a procedure by which a new trustee may obtain possession of movable or immovable property in the hands of a trustee vacating office.

18. Clause 30 provides that the provisions of Ordinance No. 22 of 1871 shall not bar an action for the recovery of any movable or immovable property belonging to a temple. This clause would not however affect any rights acquired prior to the commencement of the Ordinance.

PART IV.

19. Clauses 32 to 37 deal with the keeping of books and the audit of accounts. Provision is made for the audit of accounts by the department of the Colonial Auditor. This part of the Bill applies only to the temples in schedule A to the Ordinance, but may be extended by the Governor by an order published in the Gazette to any other temple.

20. Clause 39 provides for the preparation of a register of bhikshus.

PART V.

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

PART VI.

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

Attorney-General's Chambers,
Colombo, November 3, 1930.

S. OBEYESEKERE,
Acting Attorney-General.