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PART II.—LEGAL.

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DRAFT ORDINANCES.

R 50/26

MINUTE.

The following Draft of a proposed Ordinance to consolidate and amend the Law relating to Buddhist Temporalities in the Colony is published for general information : —

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

Preamble.

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

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

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

PART I.

Preliminary.

Short title and commencement.

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

Interpretation.

2 In this Ordinance, unless the context otherwise requires—

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

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

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

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

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

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

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

"Maruvena panguwa" means an allotment of land held by one or more tenants-at-will under a temple, and subject to the performance of service or rendering of dues to a temple ;

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

PART II.

Trustees.

Trustees for temples.

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

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

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

Diyawadana nilame to be trustee of Dalada Maligawa.

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 :

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 Malwatté Vihare and the mahanayaka of Asgiri Vihare, the Adigars and Disawas, being Kandyans and Buddhists, the Ratamahatmayas, being Buddhists, holding office within the revenue district of Kandy, and the basnayaka nilames of dewales situated within such revenue district to elect a successor to the office of diyawadana nilame.

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

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

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

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

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

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

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 Ratamahatmayas 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.

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.

Basnayaka
nilame of a
dewale to be
trustee.

Appointment of
trustees for
temples in
Schedule A.

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

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

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

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

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

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

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

All trustees to give security.

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

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

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

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

Qualification of trustee.

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

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

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

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

Suspension or dismissal of trustee.

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

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

Appointment of trustee on vacancy.

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

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

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

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

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

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.

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

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:

Actions against trustees in default.

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

(2) The interest required in order to entitle a person to sue under this section need not be a pecuniary or a direct or immediate interest, or such an interest as would entitle the person to take any part in the management or superintendence of the trusts. Any person having a right of attendance, or

having been in the habit of attending at the performance of the worship or service of any temple, or of partaking in the benefit of any distribution of alms, shall be deemed to be a person interested within the meaning of this section.

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

Neglect of duty by trustees.

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

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

PART III.

Temple Property.

Temples not to acquire lands without licence of Governor.

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

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

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

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.

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

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.

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

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.

Pudgalika immovable property acquired by bhikshu for own use.

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.

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

Money to be deposited in bank.

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

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

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

Application of income of temples by trustees.

- (a) The proper repair and furnishing of such temple and the upkeep of the roads and buildings belonging thereto ; provided that where a vihare and a dewale are in one and the same building, the funds of either may be used for repairs to and improvements of the structure ;
- (b) The maintenance of the bhikshus and ministerial officers attached to such temple ;
- (c) The due performance of religious services and such customary ceremonies as heretofore carried on, in, or by, or in connection with such temple ;
- (d) The promotion of education ;
- (e) The relief of the poor in the case of a dewale or kovila, and the customary hospitality to bhikshus and others in the case of a vihare ;
- (f) The payment of compensation under sections 24 and 27 and of all legal expenses properly incurred in carrying out the provisions of this Ordinance ;
- (g) The payment of such share of the expenses incurred or to be incurred in carrying out the provisions of this Ordinance as shall be determined by the Governor ;
- (h) The remuneration of trustees and the payment of expenses incurred by them in carrying out the provisions of this Ordinance ; and
- (i) Such other purposes as may be sanctioned by the Public Trustee.

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 immovable property invalid.

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.

Alienation of paraveni panguwa.

(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.

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 :

Recovery of property improperly alienated.

Provided that in the absence of collusion between the parties the court in setting aside any mortgage, sale, or alienation shall award to the mortgagee, vendee, or alienee reasonable compensation for any permanent improvements made by him to or upon such property.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Assignment of leases of temple lands.

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.

Court may set aside leases in certain cases.

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

(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.

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.

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.

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.

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.

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.

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.

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

General powers of court.

Prescription not to apply.

Exemption of temples from provisions of Part III.

Temples to which Part IV applies.

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

Accounts to be made up half-yearly and submitted.

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."

(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.

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

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—

- (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.

Audit of accounts.

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.

Auditor to report to the Public Trustee.

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.

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

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.

PART V.

General.

Register of bhikshus.

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.

(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.

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

Samanera not to perform functions of viharadhipati after one year.

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

Power to make regulations.

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

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

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

PART VI.

Transitory and Repeal Provisions.

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.

Continuation of former trustees until appointment of new trustees.

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

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

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

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

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

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

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.

Repeal.

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

SCHEDULE A.

(Sections 3 and 32.)

Kandy District.

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

Nuwara Eliya District.

Hanguranketa Maha Dewale.	Pusulpitiya Vihare.
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Matale District.

Dambulla Vihare and Maha Dewale.	Aluvihare Uda and Palle Vihares.
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Pallegane Vihare.

Province of Uva.

Ruhunu Maha Kataragam Dewale.	Soragune Dewale.
Badulla Kataragam Dewale.	Mahyangane Vihare.
Badulla Pattini Dewale.	Bogoda Vihare.
Mutiyangane Vihare.	Rambukpota Vihare.

Ratnapura District.

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

Kegalla District.

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

North-Central Province.

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

Kelaniya Vihare.	Pepiliyana Vihare.
Attanagalla Vihare.	

Southern Province.

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 Gē Name.	Name of Father.	Name of Tutor.	Name of Ordaining Bhikshu and of Vihara.	Names of Karmacharis (කර්මාචාරීන්).	Date of Initiation and of Ordination.	Name of Upadhyaya.	Name assumed at Ordination.	Residence.	Name of Tutor applying for Ordination.	Age and Date of Registration.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, 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 their rights without notice to the trustees and to the consequent detriment of the temples, provision is made that no mortgage, sale, or other 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.

S. OBBEYSEKERE,
Acting Attorney-General.

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

J 1526/28

M I N U T E.

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

**An Ordinance to amend The Betting on Horse-racing
(Taxation) Ordinance, 1930.**

No. 9 of 1930.

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

1 This Ordinance may be cited as the Betting on Horse-racing (Taxation) Amendment Ordinance, 1930.

Short title.

2 The proviso to sub-section (2) of section 5 of the principal Ordinance is amended by substituting the figure "12" for the figure "13" in line 2.

Amendment of section 5 of the principal Ordinance.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, October 27, 1930.

B. H. BOURDILLON,
Colonial Secretary.

Objects and Reasons.

The object of this Bill is to correct the result of an omission which occurred during the third reading of the Ordinance to be amended.

2. In consequence of the deletion at that stage of a clause in the Bill as presented to the Council it became necessary that the reference to clause 13 in clause 5 should be altered to refer to clause 12. By an oversight this alteration was not made before the Bill was passed.

Attorney-General's Chamber,
Colombo, September 30, 1930.

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

MINUTE.

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

No. 6 of 1910.
III. 18.

An Ordinance to amend the Municipal Councils Ordinance, 1910

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

Short title.

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

Amendment of section 110 of the principal Ordinance.

2 Section 110 of the principal Ordinance is amended by the addition of the following new sub-section (21) at the end :—

(21) The regulation of the terms and conditions on which the assistance of the fire brigade may be obtained and the charging and recovering of fees for such assistance.

Insertion of new section 235A in the principal Ordinance.

3 The principal Ordinance is amended by the insertion of the following new section 235A between section 235 and section 236 :—

Powers and liability when extinguishing a fire.

235A (1) For the purpose of extinguishing a fire within a Municipal Town the Superintendent or other officer in charge of the fire brigade maintained by the town under the provisions of this Ordinance may, subject to such orders as the Chairman may from time to time issue, take command of the firemen of such brigade and of any other persons who voluntarily place their services at his disposal and by himself or through those so under his command—

- (a) remove any persons who interfere by their presence with the operations of the brigade ;
- (b) break into or through or take possession of or pull down any premises doing as little damage as possible ;
- (c) shut off the water from the mains and pipes of any district and utilize the water of any well or tank ; and
- (d) generally do all things and take all measures that appear expedient for the protection of life and property.

(2) Any damage occasioned in the due exercise of the powers under sub-section (1) shall be deemed to be damage by fire within the meaning of any policy of insurance against fire, and in respect of such damage neither the Council nor the Chairman nor the Superintendent or officers of the fire brigade nor the persons acting under the command of such Superintendent or officers shall in any manner whatsoever be liable in law.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, November 10, 1930.

B. H. BOURDILLON,
Colonial Secretary.

Objects and Reasons.

The " maintenance of a fire brigade and the protection of life and property from fire " is a matter for which the principal Ordinance permits the expenditure of Municipal Funds, and in pursuance of this power Municipalities have provided the men and machinery necessary for this purpose. But though a fire of any seriousness can seldom be extinguished without causing damage of some sort to property and other forms of interference with common law rights, the principal Ordinance does not authorize those who are employed by the Municipalities to put out fires to do anything that might produce such results. Clause 3 of this Bill introduces a new section providing the officer in charge of the fire brigade with the powers essential for the effective protection of life and property from fire, and absolving the Council, its Chairman, and its fire officers and those working under their command from all legal liability for any damage that they may cause in such endeavour.

2. Clause 2 of the Bill is designed to authorize Municipalities to prescribe the conditions on which the services of their fire brigades may be obtained and to charge fees for such services.

Attorney-General's Chambers,
Colombo, August 8, 1930.

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

PASSED ORDINANCES.

A 88/30

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

No. 12 of 1930.

An Ordinance to increase temporarily the export duty on tea imposed by the Tea Research Ordinance, 1925.

No. 12 of 1925.

H. J. STANLEY.

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

1 This Ordinance may be cited as the Tea Cess (Temporary Increase) Ordinance, 1930.

Short title.

2 This Ordinance shall come into operation on the 1st day of January, 1931, and shall continue in force until the 31st day of December, 1933.

Commencement and duration.

3 Notwithstanding anything to the contrary contained in the Tea Research Ordinance, 1925, there shall be charged, levied, and paid under section 11 thereof an export duty of fourteen cents per one hundred pounds of tea exported and so in proportion for any less weight, instead of the export duty of ten cents for one hundred pounds prescribed in the said section and in addition to the export duties charged under Ordinance No. 17 of 1869.

Increase of additional export duty.
No. 12 of 1925.

I. 679.

Passed in Council the Twenty-ninth day of October, One thousand Nine hundred and Thirty.

G. N. FARQUHAR,
Clerk to the Council.

Assented to by His Excellency the Governor the Eleventh day of November, One thousand Nine hundred and Thirty.

G. N. FARQUHAR,
Clerk to the Council.

F 1235/28

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

No. 13 of 1930.

An Ordinance to amend the Municipal Councils Ordinance, 1910.

No. 6 of 1910.
III. 31.

H. J. STANLEY.

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

1 This Ordinance may be cited as the Municipal Councils Second Amendment Ordinance, 1930.

Short title.

2 Section 62 of the principal Ordinance is hereby amended so as to read as follows :—

Amendment of section 62 of principal Ordinance.

62 (1) The Governor in Executive Council may, at the request of the Municipal Council, make rules for granting pensions, gratuities, retiring or other allowances, annuities, bonuses, and other payments (a) to Municipal officers or servants after the termination of their service with the Municipality, and (b) to the widows, children, next of kin, and dependants of any such officers or servants who have died. And the Council shall in accordance with such rules pay all such pensions, gratuities, allowances, annuities, bonuses, and other payments out of the Municipal fund.

Pensions and gratuities.

(2) All rules made by the Governor in Executive Council for any of the purposes aforesaid, and all pensions, gratuities, retiring or other allowances, annuities, bonuses, and other payments granted thereunder, prior to the enactment of this section, shall be deemed to have been validly made and granted respectively, and all such rules shall have effect as though they had been made under this section.

Passed in Council the Twenty-ninth day of October, One thousand Nine hundred and Thirty.

G. N. FARQUHAR,
Clerk to the Council.

Assented to by His Excellency the Governor the Twelfth day of November, One thousand Nine hundred and Thirty.

G. N. FARQUHAR,
Clerk to the Council.

(Continued on page 1530.)

NOTIFICATION 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 District of Kegalla 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,
Ratnapura, November 10, 1930.

C. H. COLLINS,
Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 4,113. In the matter of the insolvency of V. R. Motha 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 January 27, 1931, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,
Colombo, November 7, 1930. for Secretary.

In the District Court of Colombo.

No. 4,140. In the matter of the insolvency of A. M. A. Hamid 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 January 27, 1931, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,
Colombo, November 7, 1930. for Secretary.

In the District Court of Colombo.

No. 4,184. In the matter of the insolvency of A. Ferdinand of Colpetty.

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, November 11, 1930. for Secretary.

In the District Court of Colombo.

No. 4,307. In the matter of the insolvency of H. Davoodbhoy of 4th Cross street, Pettah.

WHEREAS a notice having been served on H. Davoodbhoy on a petition for the sequestration of his estate filed by W. E. Bastian & Co. of Norris road, Pettah, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said H. Davoodbhoy insolvent accordingly; and that two public sittings of the court, to wit, on December 16, 1930, and on January 20, 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 7, 1930. for Secretary.

In the District Court of Colombo.

No. 4,313. In the matter of the insolvency of A. A. M. Thowfeik of Main street, Colombo.

WHEREAS A. A. M. Thowfeik has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by S. Suppiah Pillai of Maradana under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. A. M. Thowfeik 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 7, 1930. for Secretary.

In the District Court of Colombo.

No. 4,318. In the matter of the insolvency of K. H. A. Victor Fernando of Kadalana, Moratuwa.

WHEREAS K. H. A. Victor Fernando has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by M. H. Vincent Fernando of Panadure, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said K. H. A. Victor Fernando 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 4, 1930. for Secretary.

In the District Court of Colombo.

No. 4,319. In the matter of the insolvency of R. B. W. Jayasekera of Mount Lavinia.

WHEREAS R. B. W. Jayasekera has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by D. Jayasinghe of Mt. Lavinia under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said R. B. W. Jayasekera 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 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 4, 1930. for Secretary.

In the District Court of Colombo.

No. 4,322. In the matter of the insolvency M. M. Sally of 81A, New Moor street, Colombo.

WHEREAS M. M. Sally has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by O. L. M. Abdul Rahiman of Mal gakanda under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said M. M. Sally insolvent accordingly; and that two public sittings of the court, to wit, on December 16, 1930, and on January 20, 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 7, 1930. for Secretary.

In the District Court of Colombo.

No. 4,323. In the matter of the insolvency of K. Don Joachim of Pamankada.

WHEREAS K. Don Joachim has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by R. Don Anthonisz of Kirillapone under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said K. Don Joachim insolvent accordingly; and that two public sittings of the court, to wit, on December 16, 1930, and on January 20, 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 7, 1930. for Secretary.

In the District Court of Colombo.

No. 4,324. In the matter of the insolvency of C. L. Perera of Mabola.

WHEREAS C. L. Perera has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by D. A. Fernando of Slave Island under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said C. L. Perera insolvent accordingly; and that two public sittings of the court, to wit, on December 16, 1930, and on January 20, 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 8, 1930. for Secretary.

In the District Court of Colombo.

No. 4,325. In the matter of the insolvency of A. S. M. Mohideen Kannu of Slave Island.

WHEREAS A. S. M. Mohideen Kannu has filed a declaration of insolvency, and petition for the sequestration of his estate has also been filed by P. M. Mohamed of Grandpass under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. S. M. Mohideen Kannu insolvent accordingly; and that two public sittings of the court, to wit, on December 16, 1930, and on January 20, 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 8, 1930. for Secretary.

In the District Court of Colombo.

No. 4,326. In the matter of the insolvency of K. B. Abdul Hameed, carrying on business under the name, style, and firm of K. Abdul Hameed & Son, at Main street, Colombo.

WHEREAS K. B. Abdul Hameed has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by K. M. A. Veerappan & Co., at Norton Bridge, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said K. B. Abdul Hameed insolvent accordingly; and that two public sittings of the court, to wit, on December 16, 1930, and on January 20, 1931, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of 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 8, 1930. for Secretary.

In the District Court of Negombo.

No. 206. In the matter of the insolvency of Mihindukulasuriya Joseph Fernando of Negombo, insolvent.

NOTICE is hereby given that the second sitting of this court in the above matter has been fixed for December 9, 1930, at 10 A.M.

By order of court, C. EMMANUEL,
Negombo, November 6, 1930. Secretary.

In the District Court of Negombo.

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

NOTICE is hereby given that a sitting of this court has been fixed for January 16, 1931, for the purpose of granting a certificate of conformity to the insolvent above named.

By order of court, C. EMMANUEL,
Negombo, November 6, 1930. Secretary.

In the District Court of Kalutara.

No. 248/I. In the matter of the insolvency of Henda Hewage Sumathipala of Nalluruwa, Panadura.

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 22, 1931, to consider grant of certificate of conformity.

By order of court, W. A. GOONESEKERE,
November 6, 1930. Secretary.

In the District Court of Kalutara.

No. 253/I. In the matter of the insolvency of Meera Lebbe Marikar Abdul Rahiman Marikar of Alutgama.

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 17, 1930, to consider the grant of certificate of conformity.

By order of court, W. A. GOONESEKERE,
November 3, 1930. Secretary.

In the District Court of Kandy.

No. 1,881. In the matter of the insolvency of Don Robert Seneviratne of Nawalapitiya.

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 5, 1930, to appoint an assignee.

By order of court, GERALD E. DE ALWIS,
Kandy, November 8, 1930. Secretary.

In the District Court of Kandy.

No. 1,896. In the matter of the insolvency Gal-etambage Don Peter of Kalalpitiye in Ukkuwela.

WHEREAS Gal-etambage Don Peter of Kalalpitiye in Ukkuwela has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Pana Cassim of Warakamure under the Ordinance No. 7 of 1853; Notice is hereby given that the said court has adjudged the said Gal-etambage Don Peter insolvent accordingly; and that two public sittings of of the court, to wit, on December 19, 1930, and on January 16, 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, GERALD E. DE ALWIS,
Kandy November 7, 1930. Secretary.

In the District Court of Nuwara Eliya holden at Hatton.

No. 22. In the matter of the insolvency of Diogusilvage Haramanis de Silva of Dikoya.

NOTICE is hereby given that the second sitting in the above case has been adjourned for November 17, 1930.

By order of court, T. A. WIJETUNGE,
Hatton, November 5, 1930. Secretary.

In the District Court of Galle.

No. 607. In the matter of the insolvency of Samuel Susew Weerasuriya of Gonapinuwala.

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 23, 1931, for further examination of insolvent.

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

In the District Court of Matara.

Insolvency In the matter of the intestate estate of Don Case 52. Hendrick Abeygoonewardena of Ratmala.

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 23, 1930, for examination of the insolvent.

By order of court, R. MALALGODA,
November 3, 1930. Secretary.

In the District Court of Batticaloa.

No. 1. In the matter of the insolvency of Nagappen Chettiar Raman Chettiar of Valayapatty in the District of Puthukota, South India, presently of Puliantive, Batticaloa, carrying on business under the name and style of N. K. R. M. Raman Chettiar.

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.

By order of court, B. EMMANUEL,
Batticaloa, November 4, 1930. Secretary.

In the District Court of Kurunegala.

Insolvency In the matter of the insolvency of Joseph Case No. 95. P. Fernando of Bewatta.

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 26, 1930, for the examination of the insolvent.

By order of court, B. EMMANUEL,
November 11, 1930. Secretary.

In the District Court of Kegalla.

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

NOTICE is hereby given that the second sitting is adjourned to November 25, 1930, for the examination of the insolvent by court.

By order of court, L. B. CASPERSZ,
Kegalla, November 5, 1930. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

P. R. N. K. R. Nallacaruppan Chettiar of Sea street, Colombo Plaintiff.

P. R. N. K. R. Raman Chettiar of Sea street, Colombo, administrator of the estate of P. R. N. K. R. Nallacaruppan Chettiar .. Substituted Plaintiff.
No. 4,634. Vs.

(2) Edmund E. Seneviratne of Fort, Colombo, and another Defendants.

NOTICE is hereby given that on Thursday, December 4, 1930, at 9 A.M., will be sold by public auction at 57/6, Keyzer street, Pettah, Colombo, the following movable property of the 2nd defendant for the recovery of the sum of Rs. 3,100, with interest at 18 per cent. per annum from July 10, 1930, till payment in full, and costs, viz: —

One cradle, 1 small settee, 2 teakwood folding chairs, 1 hat stand fixed with mirror, 1 ditto without mirror, 3 jak teapoy, 1 teakwood toilet table without mirror, 1 cushioned round chair, 2 ditto teakwood chairs, 1 coconut wood folding chair, 3 hat stands, 1 teapoy, 1 commode, 1 toilet table without mirror, 1 teakwood almirah without mirror, 1 small writing table, 2 teakwood almirahs, 1 glass almirah, 5 toilet tables, 1 cheffonier, 4 teakwood almirahs fixed with mirrors, 4 teakwood almirahs, 2 bureau almirahs, 1 jak dining table, 1 nadun cushioned settee, 1 ebony settee, 10 teapoy, 1 teakwood cushioned settee, 2 ditto round chairs, 2 ditto writing tables, 38 nadun ladies' chairs, 14 teakwood ladies' chairs, 1 whatnot, 1 corner whatnot, 7 teakwood toilet tables, 2 teakwood almirahs fixed with mirrors, 1 teakwood dining table, 1 ditto cushioned settee, 1 ditto chair, 2 nadun almirahs without mirrors, 1 meat safe, 1 teakwood sideboard, 1 ditto whatnot, 1 ditto hat stand without mirror, 1 jak bureau almirah, 2 satinwood almirahs, 1 teakwood cheffonier, 1 nadun whatnot, 1 nadun bureau almirah, 1 jak almirah with table.

24 nadun chairs, 50 teakwood ladies' chairs, 1 ditto glass almirah, 1 teapoy, 1 teakwood almirah, 1 jak bureau almirah, 1 teakwood almirah without mirrors, 1 toilet table, 1 teakwood writing table, 3 toilet tables without mirrors, 1 jak round table, 1 nadun cushioned arm chair, 12 nadun chairs, 10 teakwood chairs, 5 teakwood teapoy, 1 almirah without glass, 1 meat safe, 1 nadun whatnot, 3 ebony settees, 1 jak table, 2 nadun bureau almirahs, 1 round cushioned chair, 1 cushioned lady's chair, 1 toilet table, 1 round table, 14 jak tables, 6 low arm chairs, 6 bentwood chairs, 2 teakwood writing tables, 2 ebony couches, 1 teakwood couch, 1 nadun cushioned low chair, 1 teakwood settee, 1 nadun ditto, 5 ditto writing tables, 2 jak cellerettes, 9 jak tables, 1 bentwood settee, 3 teakwood scfas, 60 ditto chairs, 12 beds, 1 ebony armchair, 20 teakwood ladies' chairs, 1 cradle, 1 wash stand, 3 loungers, 3 tables, 1 teakwood bench, 1 meat safe, 1 lot parts of articles (timber).

Fiscal's Office,
Colombo, November 12, 1930.

R. B. RATNAIKE,
Deputy Fiscal.

In the District Court of Colombo.

N. M. A. R. Nallacaruppen Chettiar of Sea street,
Colombo Plaintiff.
No. 37,186

S. L. Mohideen of 34 Messenger street,
Colombo Defendant.

NOTICE is hereby given that on Thursday, December 4, 1930, at 4.30 P. M. will be sold by public auction at the premises the life-interest of the said defendant in the following property for the recovery of the sum of Rs. 375.87, with interest thereon at 18 per cent. per annum from March 17, 1930, till payment in full, and costs, less Rs. 45, viz. :—

All that allotment of land with the buildings standing thereon bearing assessment Nos. 2 and 3, situated at Messenger street, within the Municipality and District of Colombo, Western Province; and bounded on the north and west by the house and ground of Sema Lebbe Naina Marikkar, now belonging to Mohamado Ismail Mohamado Haniffa, on the east by the house and premises bearing assessment No. 4 belonging to Ummani Umma, wife of Seiyado Mohamed Bin Seiyado Abbas, and on the south by Messenger street; containing in extent 14 $\frac{10}{100}$ perches according to figure of survey dated May 4, 1896, made by Fred. Bartholomeusz, Surveyor.

Fiscal's Office,
Colombo, November 12, 1930.

R. B. RATNAIKE,
Deputy Fiscal.

In the District Court of Colombo.

Dr. John Abraham Perera of Kuruwe Walawwa,
Kuruwe street, Colombo Plaintiff.
No. 33,606

Harankaha Pathiramehelage alias Ratnayaka
Wasala Mahattalage Don Simon, late Police Head-
man of Mahaloluwa in the Gangaboda pattu of
Siyane korale Defendant.

NOTICE is hereby given that on Monday, December 15, 1930, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 1,130 dated May 25, 1927, 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 July 14, 1930, for the recovery of the sum of Rs. 1,195, with further interest on Rs. 1,000 at 12 per cent. per annum from July 10, 1929, to date of decree (January 24, 1930), and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of this action Rs. 233.57, less a sum of Rs. 245, viz. :—

1. At 2 p.m.—All that divided 1/5 share of Higgahaland, situated at Thimbirigama in the Gangaboda pattu of Siyane korale in the District of Colombo, Western Province; which said 1/5 share is bounded on the north by the ditch of the garden of Kudahetti Atchige Babappu and others, east by the ditch of the

portion of this land allotted to Dor Baron Wijesinghe, south by grass field, west by the live fence of the portion of this land allotted to Don Simon, late Police Headman; containing in extent 3 acres 1 rood and 7 1/5 perches.

2. At 2.30 p.m.—All that divided 1/5 share of the said land called Higgahaland, situated at Thimbirigama aforesaid; which said 1/5 share is bounded on the north by the ditch of the land of Kudahetti Atchige Amaris Appu, east by the defined 1/5 of this land now belonging to Don Simon, late Police Headman, south by Pilapola-kumbura, west by the ditch of the land of Kudahetti Atchige Sardiell and others; containing in extent 3 acres 1 rood and 7 1/5 perches, and all the right, title, interest, claim, and demand whatsoever of the defendant in, to, upon, or out of the said premises. Registered D 120/133, 143/193.

Fiscal's Office,
Colombo, November 12, 1930.

R. B. RATNAIKE,
Deputy Fiscal.

In the District Court of Colombo.

A. P. Mammoo of 216, 2nd Cross street, Pettah,
Colombo Plaintiff.

No. 37,410. Vs.

(1) J. C. Dassanayaka of Bambalapitiya and
another Defendants.

NOTICE is hereby given that on Tuesday, December 9, 1930, will be sold by public auction at the respective premises the right, title, and interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 1,720, together with interest thereon at 12 per cent. per annum from March 27, 1930, till September 4, 1930, and thereafter legal interest on the aggregate amount of the decree till payment in full, and costs of suit, viz. :—

1. At 9 a.m.—An undivided $\frac{1}{2}$ of all that grass field being the northern portion of the land called Tappakumbura with all and singular the buildings, wells, and plantations thereon, situated at Dematagoda within the Municipality and District of Colombo, Western Province, bearing assessment No. 498/83, now Nos. 7, 1/9; bounded on the north by property belonging to Abdul Cader Uduma Lebbe Marikar, on the east by the property of Sesma Lebbe Assen Tamby, on the south by the property of the late Mr. J. R. V. de Livera, now Tower lane, and on the west by the property of the late Agnes Caroline Dassanaiké and by the property of Nadar Marikar Mohamado Abdulla; containing in extent 3 acres 1 rood and 9 $\frac{1}{2}$ perches.

2. At 10 a.m.—An undivided $\frac{1}{2}$ of all that high land being the eastern portion of the land called Tappewatta alias Menumewatta, together with the buildings and plantations thereon bearing assessment Nos. 494, 495, 496, and 497/48, now Nos. 1/4, 1/3, 5, 5/1, 5/2, and 7, situated at Panchikawatta in Maradana within the Municipality and District of Colombo, Western Province; and bounded on the north and west by the portions of the same land belonging to the late Agnes Caroline Dassanaiké, on the east by the grass field belonging to the said Agnes Caroline Dassanaiké and by the field belonging to a Moorman, on the south by a lane leading to the grass field of the said Agnes Caroline Dassanaiké; containing in extent about 1 rood more or less.

Fiscal's Office,
Colombo, November 12, 1930.

R. B. RATNAIKE,
Deputy Fiscal.

In the District Court of Avissawella.

Pena Runa Muttu Caruppen Chettiar, attorney of
P. L. M. Pitchappa Chettiar & Co. of Yatiyan-
tota Plaintiff.

H. D. Peiris of Yatiyantota, now of Galle in Pana-
dure Defendant.

NOTICE is hereby given that on Wednesday, December 17, 1930, at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right.

title, and interest of the said defendant in the following property for the recovery of Rs. 1,669.82½, with interest on Rs. 1,400 at 18 per cent. per annum from November 20, 1929, till March 18, 1930, and thereafter on the aggregate amount of the decree at the rate of 9 per cent. per annum till payment in full, viz. :—

1. Undivided 21/160 share of the soil and of the trees and of the buildings standing thereon of the contiguous lands called Gorakagahawatta and Delgahawatta, situated at Galtude in Panadurebadda of Panadure totamuna in the District of Kalutara, Western Province; and bounded on the north by Delgahawatta, east by Kumbura and Delgahawattapaulawowa, south by cart road and west by road; and containing in extent 3 acres more or less.

2. Undivided 21/160 share of the soil and of the rubber plantation standing thereon of Gorakagahawatta, situated at the same village; and bounded on the north by Delgahawatta, east and south by cart road, west by field; and containing in extent ½ an acre more or less.

3. Undivided 21/160 share of the soil and of the rubber plantation standing thereon of a portion of Gorakagahawatta, situated at the same village; and bounded on the north-west by road, east by Gorakagahawatta, south-west by field; and containing in extent ½ an acre more or less.

4. 21/160 of an undivided 5/9 share of the soil and of the trees of Delgahawatta, situated at the same village; and bounded on the north-east and south by Delgahawatta, and west by field; and containing in extent about 1 acre.

5. 21/160 of an undivided 1/7 of the soil of Elamoderakadehiya *alias* Tunmoderakumbura, situated at the same village; and bounded on the north by the field belonging to Handapangodage people, east by high land, south by cart road, and west by ela; and containing in extent about 7 acres.

6. Undivided 1/80 and 1/480 share of the soil and of the trees of the land called Delgahawatta, situated at the same village; and bounded on the north by field, east by a portion of Delgahawatta, south by a portion of Delgahawatta, and west by a portion of Delgahawatta; and containing in extent about 1½ acres.

Deputy Fiscal's Office,
Kalutara, November 11, 1930.

H. SAMERESINGHA,
Deputy Fiscal.

In the District Court of Kalutara.

Re. Estate of Maria Viagula Motha Animal, late of Corera Villa, Kalutara South Plaintiff.

No. 2,086.

Vs.

Sinna Tamby Corera of Corera Villa, Kalutara South Defendant.

NOTICE is hereby given that on Thursday, December 11, 1930, commencing at 4 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said Sinnatamby Corera in the following property for the recovery of Rs. 3,533.18, with interest on Rs. 3,480.68 at 4 per cent. from January 18, 1927, viz. :—

1. Undivided ½ share of the rubber land called Ketagodaland, situated at Karampetara in Iddagoda pattu of Pasdun korale in the District of Kalutara; and bounded on the north by the land called Kitulehena belonging to villagers, east by the 27-acre portion belonging to St. George Estate, south by 16-acre portion of this land belonging to Mr. Corera, north-west by land belonging to villagers and Government cemetery; and containing in extent about 13 acres.

2. Undivided ½ share of Welikumbura *alias* Okandedeniya, situated at Karampetara as aforesaid; and bounded on the north by 27-acre portion belonging to St. George Estate, east by Etambagahadeniya, south by Okandedeniya, and west by lands belonging to villagers; and containing in extent about 5 acres.

Deputy Fiscal's Office,
Kalutara, November 11, 1930.

H. SAMERESINGHA,
Deputy Fiscal.

In the District Court of Kalutara.

Warusavitharanage Andoris Silva of Beruwala Plaintiff

No. 11,076.

Vs.

(28) Pathirige James Appu of Bondupitiya, (29) ditto Alpi Sinno of ditto, (30) ditto Peiris Appu of ditto, (31) Hettiaratchige Don Themis Sinno of Andawala in Pasdun korale Defendants.

NOTICE is hereby given that on Tuesday, December 9, 1930, commencing at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 424.25, less Rs. 215.40, viz. :—

Undivided ¼ share of the land called Durayagodaland, belonging to 28th defendant, situated at Bondupitiya in Malewanbadde in the District of Kalutara; and bounded on the north by Kainawatta belonging to P. Don Abaran Udawatta, Lankapurawatta claimed by L. Babuwa, Gallanadolawatta claimed by W. Don Abraham and a road, north-east by Gallanadolawatta claimed by W. Don Abraham and a road and Usgahakumbura claimed by H. Don Allen Singho and others, south-east by Usgahakumbura claimed by H. Don Allen Sinno and others and a road, south by road, Andawalaowitekumbura claimed by H. Don Soi Appu and Welaelagodakumbura claimed by N. Suwaris Appu, and west by Palandarayawatta and Pahalagawatta claimed by Don Nikulas and Gallanadolawatta belonging to others; and containing in extent about 26 acres 2 roods and 26 perches.

2. Undivided 3/5 share of the soil and of the trees of Udawatta *alias* Dolekattiya belonging to defendants, situated at Bondupitiya as aforesaid; and bounded on the north by Henaganwela, east by Durayagodaland, south by Durayagodaland, and west by Lankapurawatta; and containing in extent about 4 acres.

Deputy Fiscal's Office,
Kalutara, November 11, 1930.

H. SAMERESINGHA,
Deputy Fiscal.

In the District Court of Kalutara.

(1) Kottagoda Mahavidanelage Simon Perera, late Police Vidane of Paragoda, (2) ditto Sederis Perera, (3) ditto Mar Nona Perera, (4) Bodiabaduge Eronis Perera, (5) ditto Mendris Perera, (6) ditto Podi Nona, (7) Kottagoda Vidanelage Siadoris Fernando, (8) Bodiabaduge Dominikku Perera, (9) ditto Jane Nona Perera, the 2nd and 3rd plaintiffs minors, by the next friend the above named 1st plaintiff, all of Paragoda Plaintiffs

No. 11,216.

Vs.

(1) Bodiabaduge Podi Sinno Perera of Paragoda, (2) ditto Daniel Perera, (3) Henadirage Davith Perera, (4) Kottagoda Mahavidanelage Haramanis Perera, (5) ditto Agiris Perera, (6) ditto Girigoris Perera, all of Paragoda, (7) Kottagoda vidanelage Ketchiamy, (8) ditto James Perera, (9) Hennedige Nanhamy Soysa, (10) Kottagoda vidanelage Podihamy Perera, (11) ditto Liso Hamy Perera, (12) ditto Pedrick Perera, (13) Eliza Hamy Perera; the 13th defendant substituted in place of the 4th defendant Defendants

NOTICE is hereby given that on Monday, December 15, 1930, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 851.03, viz. :—

1. The soil trees and the houses standing thereon of Bamburugewatta belonging to 1st defendant, situated at Paragoda in Gangaboda pattu of Pasdun korale east in the District of Kalutara; and bounded on the north by Ebewela and ela, east by Maddewatta and Handirandeniye rubber estate, south by agala and Dambalaela rubber estate, and west by the same land and ela; and containing in extent about 4 acres.

2. Undivided ½ share of the soil and of the trees of Maguruwakaowite rubber estate belonging to 2nd defendant, situated at the same village; and bounded

on the north by Welagomuwwatta, east by Pelanmoderaowitawatta, south by a portion of the same owita, and west by Kukulu-ganga; and containing in extent about 2 acres.

3. Undivided 1/12 share of the soil and of the trees of the land called Gamagewatta belonging to 3rd defendant, situated at the same village; and bounded on the north by Andagalawatta, east by Gorokgodagewatta, south by Kuda-ganga, and west by Pinnapotu-ela; and containing in extent about 15 acres.

4. The soil and plantations, two thatched houses, and the tiled house standing thereon of Berawawatta belonging to Kottagodavidanelage Odiris Perera, ditto Pedrick Perera, ditto Girigoris Perera, and ditto Eliashamy of Berawawatta, situated at the same village; and bounded on the north by Ratambalakotekanda, east by Iswarayakanda, south by Kukulu-ganga, and west by ela and Kattadigewatta; and containing in extent about 12 acres.

Deputy Fiscal's Office,
Kalutara, November 11, 1930.

H. SAMERESINGHA,
Deputy Fiscal.

In the District Court of Kalutara.

H. D. Pichoris Appuhamy of Ature Plaintiff.
No. 14,849. Vs.

H. D. F. Constantine, 11, Canal road, Fort, Colombo Defendant.

NOTICE is hereby given that on Wednesday, December 10, 1930, at 4 o'clock in the afternoon will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 520, viz. :-

An undivided 1/7th share of the soil and buildings standing thereon of the land called Mahasinoragewatta, situated at Welapura Kalutara, Kalutara District, Western Province; and bounded on the north by the land belonging to Juwanis Aratchi and others, east by Maha-ela, south-east and south by land appearing in plan No. 66,494, west by land belonging to Mr. Peter Scharenguivel; containing in extent 1 acre and 35 perches.

Deputy Fiscal's Office,
Kalutara, November 11, 1930.

H. SAMERESINGHA,
Deputy Fiscal.

In the District Court of Kalutara.

W. Hendrick Mendis of Morawinna, presently of Haputale Plaintiff.

No. 15,568. Vs.

P. Methias Fernando of Panadure Defendant.

NOTICE is hereby given that on Saturday, December 6, 1930, commencing at 10 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 505.40, with interest on Rs. 300 at 18 per cent. per annum from June 13, 1929, to February 6, 1930, and thereafter interest on the aggregate at the rate of 9 per cent. per annum till payment in full, viz. :-

1. Undivided $\frac{2}{3}$ share of the soil and of all the trees and of the tiled house standing thereon of the land called Senkondapitiyedelgahawatta, situated at Wekada in Talpitibadde of Panadure totamune in the District of Kalutara; and bounded on the north by the road leading to and from Raigam korale, east by the land wherein Cornelis resides, south by the field belonging to outsiders, and west by a portion of this Delgahawatta; and containing in extent 1 rood and 4 perches.

2. The soil and all the trees of a portion of Senkondapitiyedelgahawatta, situated at the same village; and bounded on the north by the road leading to and from Raigam korale, east by lot No. 3 of this land, south by lot No. 1 of this land and land belonging to Cornelis Fonseka and others, and west by lot No. 1 of this land; and containing in extent 8 $\frac{72}{100}$ perches.

3. The soil and all the trees of lot No. 3 of Senkondapitiyedelgahawatta, situated at the same village; and bounded on the north by lot No. 2 of this land and the road leading to and from Raigam korale, east by lands belonging to P. Joronis Dias and Merrénage people and Bastian Soysa, south by the land belonging to Cornelis Fonseka, and lot No. 2 of this land, and west by lot No. 2 of this land; and containing in extent 26 $\frac{62}{100}$ perches.

4. Undivided 14/40 share of the soil and of all the trees of lot No. 4 of Senkondapitiyedelgahawatta, situated at the same village; and bounded on the north by the land belonging to P. Joronis Fernando, formerly of P. Joronis Dias, east by the land belonging to heirs of M. C. Perera and land belonging to Bastian Soysa, south by the lands belonging to Bastian Soysa and Liyanora Dias, and west by land belonging to P. Leonora Dias; and containing in extent about 22 $\frac{75}{100}$ perches.

Deputy Fiscal's Office,
Kalutara, November 11, 1930.

H. SAMERESINGHA,
Deputy Fiscal.

In the District Court of Colombo.

U. Thomas Fernando of Wellawatta Plaintiff.
No. 26,594. Vs.

Edmund Kannangara, presently of Bandaragama in the Adikari pattu of Raigam korale Defendant.

NOTICE is hereby given that on Tuesday, December 16, 1930, at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property (mortgaged by the defendant with plaintiff and declared bound and executable for the decree entered in the said case) for the recovery of Rs. 851.43, viz. :-

All that allotment of land marked lot A of Talagahawattakebella *alias* Punchiamillagewatta with the trees, plantations, and the tiled house standing thereon, situated at Bandaragama in the Adikari pattu of Raigam korale in the District of Kalutara, Western Province; bounded on the north by Mananperigewatta *alias* Bammanagewatta, east by the property of D. A. Kannangara and others, south by the lot B of this land, and on the west by Yakapitiyawatta; containing in extent 1 rood and 26.66 perches.

Deputy Fiscal's Office,
Kalutara, November 11, 1930.

H. SAMERESINGHA,
Deputy Fiscal.

In the Court of Requests of Colombo.

Walker Sons & Co., Ltd., Colombo Plaintiffs.
No. 53,659. Vs.

A. P. Jayasuriya, Mithila, Horana Defendant.

NOTICE is hereby given that on Friday, December 12, 1930, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title and interest of the said defendant in the following property for the recovery of Rs. 230.88, with legal interest on Rs. 202.65 from June 24, 1929, till payment, less Rs. 57.40, viz. :-

The soil and trees together with the house called Mithila and all the buildings appertaining thereto standing thereon of the land called Delgasgodella *alias* Delgahawatta, situated at Wewala in Kumbuke pattu of Raigam korale; and bounded on the north by Ralahaminnewatta, east by the field, south by the field and the land belonging to K. D. Charles Mudalalimahatmaya, and west by the road leading to Angurawatota; and containing in extent about 14 acres.

The above-mentioned property is subject to the life-interest of the defendant's mother.

The above-mentioned property will be sold at the risk of original purchaser, Elizabeth Perera Amarasinha Hamine of Wewala in Horana.

Deputy Fiscal's Office,
Kalutara, November 1, 1930.

H. SAMERESINGHA,
Deputy Fiscal.

Central Province.

In the Court of Requests of Gampola.

Dissanayaka Mudiyanseleage Pahala Ekiriyegedera
Heen Appuhamy of Wattaddora in Tispona
korale of Kotmale Plaintiff.
No. 9214. Vs.

Dampney Dona Enso Nona of Wattaddora in Tispona
korale of Tumpane Defendant.

NOTICE is hereby given that on Monday, December 15, 1930, 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 mortgaged upon bond No. 964 dated April 10, 1925, and attested by Mr. P. E. Elangasinghe, Notary Public, for the recovery of the sum of Rs. 304.76, together with legal interest on Rs. 270 from February 11, 1930, until payment in full, and poundage thereon, viz. —

1. An undivided $\frac{1}{2}$ of Tiyambarahena of about 12 nellies kurakkan sowing extent; and bounded on the north by the stone fence of Coranis Appugewatta, east by the stone fence of Samaratungederahena, south by the high road on the remaining portion, west by the stone limit of Ratnekgederahena; together with the soil and everything thereon, situated at Wattaddora in Tispona korale of Kotmale in Nuwara Eliya District, Central Province.

2. An undivided $\frac{1}{2}$ of Tiyambarahena *alias* presently watta of 12 lahas paddy sowing extent; and bounded on the north by the stone fence of Kosingederahena, east by stone fence of Gonkawalagederahena, south by road, west by ela; together with the soil and everything belonging thereto, situate at Wattaddora in Tispona korale aforesaid.

3. An undivided $\frac{1}{10}$ th of the following nine lands: Narangahakotuwa of 12 nellies kurakkan sowing extent, Alagahakotuwa of 6 nellies kurakkan sowing extent, Okurugahayatahena of 8 nellies kurakkan sowing extent, Alandugahakotuwa of 4 nellies kurakkan sowing extent, eastern portion of Kandekumbura *alias* Kapiwatta of 3 nellies kurakkan sowing extent, Kandekumbura *alias* Kapiwatta of 4 nellies kurakkan sowing extent, Uruwalakotuwa *alias* watta of 3 nellies kurakkan sowing extent, Hapugaha Uhana aswedumized portion of 3 pelas paddy sowing, an extent, 20 seers paddy aswedumized out of Pattiyahena; all the nine lands bounded on the north by the stone fence of Sirimalagewatta-hapugahanamala-ela and the fence of Menikagewatta and the stone fence of Punchagewatta, on the east by the stone fence of Kiridurayagewatta, Ukkuwagewatta, Menikagewatta, and Appugewatta, south by the stone fence of Munasingedera, Ukkuwagewatta and Hapugahawatta, west by the water-course of Kandekumburawatta; together with everything thereon, situate at Kurampitiya, Tispona korale aforesaid.

4. An undivided $\frac{1}{10}$ th (*i.e.*, in extent of about 5 nellies kurakkan sowing extent towards the Daranda) out of Kahatapitiyewatta of about 25 nellies kurakkan sowing extent; and bounded on the north by Galperiya of the land belonging to Helapitiyegedera Menika, south by Galperiya of Kaluarachchiyawatta, east by the Galperiya of the portion belonging to Sirimala and Samara, west by the Mala-ela of the land belonging to Suduhakurugedera Puncha, together with the soil and everything thereon; situate at Kurampitiya, Tispona korale aforesaid. Prior registration Q 5/301, 5/302, 27/296, and 25/80.

Fiscal's Office,
Kandy, November 11, 1930.

A. RANESINGHE,
Deputy Fiscal.

In the District Court of Kandy.

Madanwegedera Keerala of Meegammana in
Pallegampala of Pata Dumbara Plaintiff.
No. 36,990. Vs.

Hapukotuwegedera Pan Menika of Yatiyawala in
Kulugammanaiyapattu of Harispattu Defendant.

NOTICE is hereby given that on Friday, December 5, 1930, at 12 noon, will be sold by public auction, opposite the Police Station, Katugastota,

the following elephant called Rama, for the recovery of the sum of Rs. 388.90, with legal interest on Rs. 388.90 at 9 per cent. per annum from September 20, 1928, till payment in full, and poundage, viz. —

An undivided $\frac{1}{3}$ share of the elephant called Rama and the life-interest of the defendant in and to the said elephant of the age of 31 years, with a short tail and of the height of 9 feet.

Fiscal's Office,
Kandy, November 11, 1930.

A. RANESINGHE,
Deputy Fiscal.

In the District Court of Kandy.

Muhandiramgedera Ukku Banda of Boyagama in
Gangapalata of Uduuwara Plaintiff.
No. 39,221. Vs.

(1) Abeysin Mudiyanseleage Dingiri Banda, (2) Tumpane Kanakkapola Herat Mudiyanseleage Ukku Amma residing at Abesin Mudiyanseleagedera, both of Arambegama, (3) K. P. Arumugam Pillai of Illukwatta of Kadugannawa Defendants.

NOTICE is hereby given that on Saturday, December 13, 1930, commencing at 12 noon, will be sold by public auction at the respective premises the following property decreed to be sold under the decree entered in the above case for the recovery of the sum of Rs. 777, with legal interest thereon at the rate of 9 per cent. per annum from June 4, 1930, till payment in full, and costs of suit and poundage, viz. —

All the right, title, and interest, claim, and demand whatsoever in and to the following property of the 1st and 2nd defendants, to wit: —

(1) All that field called Palle Dampalgamuwa of 2 pelas paddy sowing extent, situate at Arambegama in Medapalata of Yatinuwara in the District of Kandy, Central Province; and bounded on the east by road leading to Alagalla, south by Boangewalauwekumbura, west by ela, and on the north by the field belonging to the Kariyakaramarala. Registered in B 100/263 of the Kandy Land Registry Office.

(2) Doradeniyekumbura of 1 pela in paddy sowing extent, situate at Arambegama aforesaid; and bounded on the east, west, and north by the Imaniyara of the remaining portion of Doradeniyakumbura, and south by ella of Ganigewatta. Registered in B 102/190 of the Kandy Land Registry Office.

(3) The eastern $\frac{1}{3}$ share being 1 pela in paddy sowing extent out of Doradeniyekumbura of 3 pelas paddy sowing extent in the whole, situate at Arambegama aforesaid; and which said eastern $\frac{1}{3}$ share is bounded on the east by Ambakumbura, south by the ella of Ganigewatta, west by the limit of the remaining portion of this field, and north by the Imaniyara of Dampalkumbura. Registered in B 49/146 of the Kandy Land Registry Office, and all the right, title, interest, and claim whatsoever of the said 1st and 2nd defendants in, to, upon, or out of the said several premises mortgaged by the 1st and 2nd defendants upon bond No. 261 dated December 16, 1927, and attested by Mr. E. Dias de Singhe, Notary Public.

Fiscal's Office,
Kandy, November 11, 1930.

A. RANESINGHE,
Deputy Fiscal.

In the District Court of Kandy.

S. T. Ponnusamy Pillai of Kandy Plaintiff.
No. 39,266. Vs.

(1) Mawanna Narayanasami; (2) M. Suppiah both
of Uyanwatta, Lower Dumbara Defendants.

NOTICE is hereby given that on Monday, December 15, 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. 611.28, with interest thereon at the rate of 9 per cent. per annum from February 20, 1930, till payment in full, and poundage, viz. —

(1) An undivided $\frac{2}{3}$ parts or shares out of all that southern part or share in extent 19 acres 2 roods and

26½ perches, of and in all that land called Pallewahalewatta *alias* Uyanwatta, situate at Pilawela in Udagampaha of Lower Dumbara in the District of Kandy, Central Province; and which said southern part or share is bounded on the north by the remaining portion of this land allotted to Marimuttu, east by the lands belonging to Kahawatte Arachchila and Pallewahalewatta Kangany, south by the field called Udawela, and on the west by the lands belonging to Siharala and Panikkaya; together with a like share of the buildings, plantations, and everything thereon, which said land is described as of the extent of 21 acres 2 roods and 20 perches, as per plan dated October 13, 1920, made by O. V. Bartholomuesz, Licensed Surveyor; and bounded on the east by Hawadiyagewatta, south by Tennekoongewatta, west by Yakambekumbura and Panikkayagewatta, and on the north by the remaining portion; subject to the lease in terms of Court Order No. 923 of October 17, 1930.

(2) An undivided half share from and out of all that north-eastern ½ part or share of 4 acres and 1 rood in extent of and in all that allotment of land called Atuwagawatta described as of 8½ acres in extent in the whole, situate at Nattaranpotha in Udagampaha aforesaid; and which said north-eastern ½ part or share is bounded on the east by the fence of the summit on which the banian tree stands, south and west by the remaining ½ share of this land, and on the north by the bank of Selambaram's garden; and which said entire land contains in extent 7 acres 2 roods and 32 perches, subject to the lease in terms of Court Order No. 923 of October 17, 1930.

Fiscal's Office,
Kandy, November 11, 1930.

A. RANESINGHE,
Deputy Fiscal.

In the District Court of Kandy.

Awena Thana Veyanna Rana Veerappa Chettiar
of Kandy Plaintiff.
No. 40,306.

(1) Indira Chunchi, (2) Bulka Chunchi, (3) Leelona
Lantra, (4) Nona Indira, (5) M. A. Hallaldeen,
all of Peradeniya road, Kandy Defendants.

NOTICE is hereby given that on Friday, December 12, 1930, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said 2nd, 3rd, 4th, and 5th defendants in the following property for the recovery of the sum of Rs. 393, with legal interest thereon from October 2, 1930, till payment in full, and costs and poundage, viz. —

The right, title, and interest of the 2nd, 3rd, 4th, and 5th defendants above named in and to the contiguous lands called Kurukosgahakumburewatta of 3 lahass and Kurukosgahakumbura of 1 timba in extent, both adjoining each other and forming one property, situate at Welata within the town, Municipality, and District of Kandy, Central Province; and bounded on the east by ditch of Kahatagahakumbura, south by Binhumbaha and Kamatwella, west by wall of kiln, and on the north by high road leading to Colombo; together with the house and premises bearing assessment No. 447.

Fiscal's Office,
Kandy, November 11, 1930.

A. RANESINGHE,
Deputy Fiscal.

Southern Province.

In the District Court of Matara.

Saibu Lebbe Alia Marikkar of Weligama Plaintiff.
No. 5,199. Vs.

Thambi Saibu Abdul Caffoor, Butcher, of Alut-
gama Defendant.

NOTICE is hereby given that on Tuesday, December 9, 1930, at 12 noon, will be sold by public auction at the Fiscal's Office, Galle, the right, title, and interest of the said defendant in the following property, subject to mortgages aggregating Rs. 4,000: —

The defined lot "C" of Anawatta with the house of 9 cubits bearing Municipal assessment No. 34 and other

buildings bearing assessment Nos. 34A and 34B standing thereon, situate at Galupeadde within the Four Gravets of Galle, in extent 30.25 perches; bounded on the north by Pettigala-ela, east by a portion of this land belonging to J. E. Anthonisz, south by high road to Matara, west by property called Endraught.

Writ amount Rs. 506.80.

Fiscal's Office,
Galle, November 10, 1930.

E. F. EDIRISINGHE,
Deputy Fiscal.

In the District Court of Galle.

S. N. S. Odeyappa Chettiar of Galle, presently of
India Plaintiff.

No. 28,242. Vs.

Arthur Wirakoon of Kamburugamuwa Defendant.

NOTICE is hereby given that on Saturday, December 20, 1930, commencing at the hours specified below, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of a sum of Rs. 1,007.98, with legal interest thereon from March 27, 1930, till payment in full, and Rs. 73.92 for costs: —

At 2 p.m.—All that land called Mukadangahawatta, together with the buildings standing thereon, situated at Nupe within the Urban District Council limits of Matara, Matara District, Southern Province; and bounded on the north by high road, east by a portion of the same land, south by Mugunamalgahawatta *alias* Bogahawatta; and containing in extent about 1 acre.

At 3.30 p.m.—The land called Pinniyagodella, containing in extent about 10 acres, and situated at Kotawila in the Weligam korale of the Matara District, Southern Province; and bounded on the north by Lebima, east by land belonging to Mr. Creasy, south and west by Kolottewila.

E. T. GOONEWARDENE,
Deputy Fiscal's Office,
Matara, November 6, 1930.

Northern Province.

In the District Court of Jaffna.

Appukutty Kanagasabai, presently of Courts,
Matale Plaintiff.

No. 19,530. Vs.

K. V. Marakandu of Sanguvely Defendant.

NOTICE is hereby given that on Saturday, December 20, 1930, at 9 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of Rs. 3,828, with interest on Rs. 2,400 at the rate of 10 per cent. per annum from October 6, 1924, till May 22, 1925, and thereafter on the aggregate amount at the rate of 9 per cent. per annum till payment in full, less a sum of Rs. 2,000, and costs of suit being Rs. 201.07, poundage and charges, viz. —

A divided 10 lachams varagu culture, on the west with stone-built houses, palmyras, cultivated and spontaneous plants and share of well lying on the eastern boundary land and right of way and water-course of a piece of land situated at Nallur in Nallur parish, Jaffna Division of the Jaffna District, Northern Province, called Chanyvalavu, Chadaiyanvalavu, Alakaikonemudaliyarvalavu, Kumarapurivalavu, and Valkavivalavu, containing in extent 15 lachams varagu culture. The said 10 lachams varagu culture is bounded on the east by the property of Kanapathipillai Sellappa, on the north by the property of Seethavan, widow of Eliyavan, and others, on the west by the property of Sittampalam Nagalingam, and by the property of the heirs of the late Vethanayagam, wife of Muttiah Narayanasamy, Manikkavasakar and sister and property belonging to Kandasamy temple at Nallur, and on the south by Procession street, belonging to Kandasamy temple at Nallur.

Fiscal's Office,
Jaffna, November 11, 1930.

S. TURAIYAPPAN,
Deputy Fiscal.

In the Court of Requests of Jaffna.

Sinnathamby Thambiah of Vannarponnai East. Plaintiff.

No. 20,487/A. Vs.

(1) Muttiah Sinnappu and (2) Saravanamuttu Thambiah of Vannarponnai East Defendant.

NOTICE is hereby given that on Saturday, December 6, 1930, at 4 p.m., will be sold by public auction at the spot the right, title, and interest of the said 2nd defendant in the following property for the recovery of Rs. 226.20, with legal interest thereon at the rate of 9 per cent. per annum from August 28, 1930, and costs Rs. 27.25, poundage, and charges, viz. :—

A piece of land situated at Vannarponnai East in Vannarponnai parish, Jaffna division of the Jaffna District, Northern Province, called Kattalampulam, containing in extent 4½ lachams varagu culture, with cultivated and spontaneous plantations, and other appurtenances and share of the well lying on the southern boundary land and right of Theorvai, way, and water-course; and bounded on the east by road, north by the property of Chellamma, wife of Nagalingam, west by the property of Ponnun alias Ponnamma, widow of Sinnappu, and south by the property of Sinnamma, widow of Nagamuttu.

Fiscal's Office,
Jaffna, November 10, 1930.

S. TURAIYAPPAH,
Deputy Fiscal.

In the District Court of Jaffna.

Vallipuram Velauthapillai of Vannarponnai East,
Jaffna Plaintiff.

No. 26,497. Vs.

Visuvalingam Arumugam of Vannarponnai East,
Jaffna Defendant.

NOTICE is hereby given that on Saturday, December 6, 1930, at 3 p.m., will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of Rs. 1,187, with interest on Rs. 1,000 at the rate of 10 per cent. per annum from July 7, 1930, costs reserved, poundage, and charges, viz. :—

A piece of land situated at Vannarponnai East in Vannarponnai parish, Jaffna division of the Jaffna District, Northern Province, called Karaippulam, containing in extent 4 lachams varagu culture, with cultivated plants and other appurtenances; and bounded on the east by road and by by-lane leading to this land, north by the property of R. Sivagurunather, west by by-lane, and south by the property of V. Vallipuram.

Fiscal's Office,
Jaffna, November 10, 1930.

S. TURAIYAPPAH,
Deputy Fiscal.

North-Western Province.

In the District Court of Negombo.

N. V. K. T. Ayakanu Pille of Negombo Plaintiff.

No. 4,543. Vs.

Wielath Pathiranhallage Jambis Appahamy of Pelawatta, Herat Mudryanselege Kari Mudryanse of Mutugalla Defendant.

NOTICE is hereby given that on Saturday, December 13, 1930, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

1. The allotment of land called Eldeniyawatta marked lot A in plan No. 106/28 dated December 11, 1928, made by L. H. Croos Dabrera, Licensed Surveyor, situate at Pelawatta in Dambadeni Udukaha korale west of Dambadeni hatpattu in the District of Kuru-

negala, North-Western Province; which said lot is bounded on the north by land of W. Hendrick Singho and land of W. Mencho Hami, east by land formerly of E. Punchirala and now of E. Menohamy and others, dewata road, and pillewa of B. Ausadahamy, south and south-east by Migahakumbura of Appuhamy of Mini-oluwa and Pitakotuwekumbura of W James Appuhamy and others, and west by lot B and land formerly of E. Bandirala and now of E. Menuhamy and others and land formerly of E. Bandirala and now of E. Heratham and others; containing in extent 7 acres 2 roods and 18 perches, together with the tiled house and other buildings standing thereon, which is dividedly possessed in lieu of an undivided 41/72 shares of the land called Eldeniyawatta, situate at Pelawatta aforesaid; and bounded on the north by the fence of the garden of Punchiappuhamy and others, on the east by the fence of the garden of Punchirala, on the south by fence, and on the west by the endaru fence of the garden of Bandirala; containing in extent about 12 lahas of kurakkan sowing, held and possessed by the debtor upon deed No. 11,904 dated November 13, 1923, attested by M. V. P. Dharmaratne, Notary Public, No. 17,011 dated September 29, 1925, attested by M. J. W. P. Senanayaka, Notary Public, and registered under F 200/11 and deed No. 53,446 dated December 20, 1927, attested by C. S. Leitan, Notary Public.

2. At 1.30 p.m.—The land called Ambagahamulawatta marked lot B in plan No. 106/28, situated at Pelawatta aforesaid; bounded on the north and west by the land formerly of E. Bandirala and now of E. Heratham and others, south by Dunakeyawattekumbura of W. Appuhamy and others, and east by lot A; containing in extent 1 acre and 20 perches, held and possessed by the debtor upon a deed which is not forthcoming at present. (Prior registration nil.)

3. At 2 p.m.—The undivided ½ share of the land called and known as Etambagahakumbura, situate at the aforesaid village; and bounded on the north by Dunakeyawattekumbura of Ungurala and others, east by Pitakotuwekumbura of Ungurala and others, on the south and west by chena; containing in extent 6 pelas of paddy ground held and possessed and upon deed No. 11,904 dated November 13, 1923, attested by M. V. P. Dharmaratne, Notary Public, and deed No. 17,011 dated September 29, 1925, attested by M. J. W. P. Senanayaka, Notary Public, and registered under F 200/13.

4. At 2.15 p.m.—An undivided ½ share of the field called and known as Kanuketiye kumbura, situated at the aforesaid village; and bounded on the north by the field of Punchappu Naide, on the east by ela, south by the field of Heratham, and on the west by pillewa; containing in extent 1 amunam of paddy sowing ground held and possessed by the debtor upon deed Nos. 11,904 and 17,011 aforesaid, and registered under F 200/14.

5. At 2.30 p.m.—An undivided ½ share of the field called Murutagollekumbura, situate at the aforesaid village; and bounded on the north by Pinkumbura and dewata road, east by Badawetiya of the chena of Kapuruhamy, south by the ridge of ela-parakumbura, and west by ridge of Kanuketiya; containing in extent about 2 pelas of paddy sowing and registered under F 132/321.

6. At 2.45 p.m.—The land called Telambagahamulahena now garden, situate at the aforesaid village; bounded on the north by lot 55, east by lots 57A and 57D, south by lot 57G, and west by lot 57H; containing in extent 2 roods and 39 perches, registered under F 156/127.

7. At 3 p.m.—The undivided ½ share of the land called Kosurewatta, situate at the aforesaid village; and bounded on the north by lot No. 117c, east by lot No. 114, south by lands in plans No. 326,940 and lot No. 117p, and west by lands in plan No. 326,936; containing in extent 1 acre and 4 perches, registered F 270/12.

8. At 3.15 p.m.—The undivided ½ share of the field called Pitakotuwekumbura, situated at Pelawatta aforesaid; and bounded on the east by the ridge of the field called Maguleimakumbura, south by fence of Muttetuwehenakumbura and fence of Etambagahakumbura, west

by ridge of Pitakotuwekumbura, and on the north by the fence of the garden; containing in extent 5 pelas of paddy sowing ground, and registered under F 270/14.

9. At 3.30 p.m.—The undivided $\frac{1}{2}$ share of the field called Danwewekumbura, situated at the aforesaid village; and bounded on the east by the fence of the garden of Pulina and others, south by the fence of the garden of Kapuruhamy, on the west by the fence of Kosurewatta, and north by the ridge of the field of Heratham and others; containing in extent about 25 lahas of paddy sowing, and registered under F 270/15.

10. At 4 p.m.—The undivided $\frac{1}{2}$ share of the field called Kumbukgahakumbura, situated at the aforesaid village; and bounded on the east by the dam of the field of Punchirala and others, south by the fence of the garden of Mancohamy, and on the west and north by the fence of the pillewa of Kumbukgahakumbura; containing in extent 15 lahas of paddy sowing, and registered under F 270/17.

Amount to be levied Rs. 791.75, with interest on Rs. 550 at the rate of cents 20 on every Rs. 10 per mensem from July 17, 1930, and on Rs. 30 at the rate of 30 per cent. per annum from July 14, 1930, till September 17, 1930, and thereafter at 9 per cent. per annum till payment in full, and poundage.

Fiscal's Office,
Kurunegala, November 11, 1930.

A. BASNAYAKE,
for Fiscal.

In the District Court of Kurunegala.

(1) Hettigamage Sarohami of Riligala, (2) Siriwardena Araccillage Ukku Menika of Riligala (2nd plaintiff duly appointed next friend 1st plaintiff) Plaintiffs.

No. 14,105. Vs.

Siriwardena Araccillage Allis Appu of Riligala in Dambadeni Udukaha korale west Defendant.

NOTICE is hereby given that on Wednesday, December 10, 1930, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, commencing from land No. 1, viz. :—

1. Undivided $\frac{1}{2}$ share of Bogahamulawatta *alias* Innawatta of about 6 lahas of kurakkan sowing in extent, situate at Riligala in Dambadeni Udukaha korale west of Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by Ambagahamulawatta, Medawatta *alias* Paranawatta of the estate of late Mudalihamy, east by Innawatta of Banda and others, and the garden of Leiappu, south by Kongahamulawatta of Haramanis Appu, west by the Kongahamulawatta of the deceased Mudalihamy and others.

2. An undivided $\frac{1}{2}$ share of Paranawatta *alias* Paluwatta of about $\frac{1}{2}$ seers of kurakkan sowing in extent, situate at the aforesaid village; and bounded on the north by the garden of Heratham and others, east by the garden of Banda and others, south by the garden of the defendant of this case, west by Kattayawatta of the estate of the deceased Ausadahamy.

3. All that land called Paluwatta *alias* Paranawatta of about $\frac{1}{2}$ seer of kurakkan sowing in extent, situate at the aforesaid village; and bounded on the north by the land of the defendant of this case and another, east by Ambagahamulawatta of the estate of the deceased Mudalihamy, south by Bogahamulawatta of the defendant of this case and another, west by Medawatta *alias* Kattayawatta of the estate of deceased Mudalihamy.

4. All that land called Kahatagahamulawatta *alias* Paluwatta of about 2 seers of kurakkan sowing in extent, situate at the aforesaid village; and bounded on the north and east by Paluwatta of Dingiri Banda and others, south by the land of Banda and others, west by the land of the estate of the deceased Mudalihamy.

5. An undivided $\frac{1}{2}$ share of Gedaragawakumbura *alias* Eriyagahawalekumbura of about 8 lahas of paddy sowing in extent, situate at the aforesaid village; and bounded on the north-east and south by the field of Andirala, on the south by ela.

6. An undivided $\frac{1}{2}$ share of Mahawattekumbura of about 5 lahas of paddy sowing in extent, and Pinkumbura of about 12 lahas sowing in extent, situate at the aforesaid village; and bounded on the north by the field of Bandirala, east by Pinkumburewatta and Paluviharegala, south by Pinhena, west by the garden of Abdu Lebbe and others.

7. An undivided $\frac{1}{2}$ share of Pinkumburepillewa of 1 laha of kurakkan sowing in extent, situate at the aforesaid village; and bounded on the north by the garden of Dingiri Banda and others, east and south by Paluviharegala, west by Pinkumbura and Mahawatte-lyadda.

8. An undivided $\frac{1}{2}$ share of Danpelessekumbura of about 2 pelas of paddy sowing in extent, situate at the aforesaid village; and bounded on the north and south by the field of Singappu and others, east by the garden of Heratham and others, west by Danpelessewatta *alias* pillewa.

Amount to be levied Rs. 574.81, together with damages at Rs. 50 per annum from October, 1923, up to date of payment, and poundage.

Fiscal's Office,
Kurunegala, November 11, 1930.

A. BASNAYAKE,
for Fiscal.

In the District Court of Kurunegala.

K. N. K. E. A. Gnanapandithan Chettiar, K. N. K. E. A. R. Shanmuganathan Chettiar by attorney V. D. Semasundaram Chettiar of Narammala Plaintiffs.

No. 14,929. Vs.

Sana Veyanna Ayadurai of Narammala in Dambadeni Udukaha korale west Defendant.

NOTICE is hereby given that on Monday, December 8, 1930, at 3 o'clock in the afternoon, will be sold by public auction at the defendant's boutique the right, title, and interest of the said defendant in the following property, viz. :—

1. Two large glass almirahs, 3 glass almirahs, 2 show cases, 1 counter, 1 almirah, 2 tables, 1 B. S. A. bicycle, hat stand, 4 glass almirahs, table, 2 empty boxes, 7 bundles tobacco, almirah with table.

2. The land called Timbiri *alias* Timbirigaharuppewatta of about $\frac{1}{2}$ seers of kurakkan sowing in extent, situate at Narammala in Dambadeni Udukaha korale east of Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north and east by land of Sala and others, west by Negombo road, south by the land of F. S. Velupulle; with the buildings standing thereon.

Amount to be levied Rs. 472.60, with further interest on Rs. 350 at the rate of 21 per cent. per annum from April 5, 1930, and thereafter with legal interest on the aggregate amount till payment in full, and poundage.

Fiscal's Office,
Kurunegala, November 11, 1930.

A. BASNAYAKE,
for Fiscal.

In the District Court of Kurunegala.

Edward Benjamin Daniels of Kurunegala Plaintiff

No. 10,258. Vs.

Peena Adampulle, Vidane of Assedduma, administrator of the estate of Ana Meena Lebbe of Assedduma, deceased 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, as administrator of the deceased above named, in the following mortgaged property decreed to be sold under the above writ, viz. :—

All that divided southern portion of land separated by the Gansabhawa road, with the plantations and everything standing thereon, from and out of the land called Ihalawewehena and Ihalawewehenewatta of 3 acres 3 roods and 3 perches in extent, situated at Assedduma in Kudagalboda korale of Weudawilli hatpattu, in the District of Kurunegala, North-Western Province; and which portion is bounded on the north by Gansabhawa road separating the remaining portion of the same land, east by land claimed by natives, land described in plan No. 317,117, and cemetery, south by road, and west by reservation along the Gansabhawa road; containing in extent 2 acres and 1 rood more or less.

2. An undivided $\frac{1}{2}$ share towards the west of the divided northern portion of the land separated by the Gansabhawa road, with the plantations and everything standing thereon, from and out of the land called Ihalawewehena and Ihalawewehenewatta of 3 acres 3 roods and 3 perches in extent, situate at the aforesaid village; which said northern portion of land is bounded on the north by Gansabhawa road, east by Gansabhawa road, south by Gansabhawa road separating the remaining portion of the same land, west by land claimed by natives; containing in extent about 1 acre 2 roods and 3 perches more or less.

Amount to be levied Rs. 1,200, with interest on Rs. 1,000 at 12 per cent. per annum from August 8, 1930, to September 19, 1930, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit and poundage.

Fiscal's Office, A. BASNAYAKE,
Kurunegala, November 7, 1930. for Fiscal.

In the District Court of Kurunegala.

Navaratna Mudiyanse Ukku Banda Lokam-mahatmaya of Amunupura in Udapalata Kandukara Ihalakorale Plaintiff.

No. 5,280. Vs.

Herat Mudiyanse Pinhamy of Welikumbura in Gandahakorale Defendant.

NOTICE is hereby given that on Friday, December 12, 1930, at 1 o'clock in the afternoon, will be sold by public auction at premises the right, title, and interest and claim whatsoever of the said defendant in the following mortgaged property decreed to be sold under the above writ, viz. :—

Schedule.

1. At 1 p.m.—All that high land *alias* Gederawatta appurtenant to Welikumbura, containing in extent about 1 $\frac{1}{2}$ acre or of about two lahas kurakkan sowing in extent, situated at Welikumbura in Gandahaye korale of Weudawilli hatpattu in the District of Kurunegala, of the North-Western Province; and bounded on the east by ditch of Meegahamulakotuwewatta, south by Kospotu-oya, west by the limit of the land of Don Albert Gunaratna, Muhandiram, and others, and north by field, together with the houses, buildings, and everything standing thereon.

2. At 1.30 p.m.—Welikumbura of 1 amunam of paddy sowing in extent, situated at Welikumbura aforesaid; and bounded on the north by the fence of Telembugahawatta, east by the limitary ridge of the field of Mudalihamy, south by bank of the garden of Pinhamy and others, and west by limitary ridge of the field of Pinhamy.

3. At 2 p.m.—Five undivided 6th shares of Palkadekumbura of 2 pelas paddy sowing in extent, situated at Welikumbura aforesaid; and bounded on the east by limitary ridge of the field of the heirs of Don Albert Gunaratna, Muhandiram, south by wire fence of Dynever estate, west by the field belonging to the heirs of Don Albert Gunaratna, Muhandiram, and north by Delgolle estate.

4. At 3 p.m.—Five undivided 6th shares of Dorakadawelakumbura of 3 pelas paddy sowing in extent, situated at Welikumbura aforesaid; and bounded on the north by Delgolle estate, on the east by the limitary ridge of the field of Pinhamy and Mudiyanse, Arachchi, south by limit of Dynever estate, and west by the limitary ridge of the field of Kirisaduwa.

5. At 2.30 p.m.—An undivided $\frac{1}{2}$ share of Nikagollewatta, situated at Digane of Weuda korale in Weudawilli hatpattu aforesaid; and bounded on the north by Kospotu-oya, east by limit of Alakolamadekumbura, south by ditch, and west by also Kospotu-oya; and containing in extent of about 1 amunam and 2 pelas paddy sowing.

Amount to be levied Rs. 6,000 with legal interest from August 22, 1930, till payment in full, and poundage.

Fiscal's Office, A. BASNAYAKE,
Kurunegala, November 11, 1930. for Fiscal.

In the District Court of Kurunegala.

Navaratna Mudiyanse Ukku Banda, Lokam-mahatmaya of Amunupura in Udapalata Kandukara Ihalakorale Plaintiff.

No. 15,281.

(1) Herat Mudiyanse Ukku Banda, ex Arachchi of Welikumbura in Gandahakorale, (2) ditto Appuhamy of ditto, (3) Ukku Banda of ditto, (4) ditto Rankira of Balagala in Hewawisse korale Defendants.

NOTICE is hereby given that on Friday, December 12, 1930, at 2 o'clock in the afternoon, will be sold by public auction at the premises all the right, title, and interest and claim whatsoever of the said defendants in the following mortgaged property decreed to be sold under the above writ, viz. :—

Schedule.

1. At 2 p.m.—Mulwakkadakumbura of 1 pela paddy sowing in extent, situated at Welikumbura in Gandahaye korale in Weudawilli hatpattu, in the District of Kurunegala of the North-Western Province; and bounded on the north by garden of Albert Muhandiram, east by Delgolle estate, south by tank bund, and west by field of Mudiyanse, ex-Arachchi.

2. At 2.30 p.m.—One undivided 6th share of Nikagollewatta of about 1 amunam and 2 pelas paddy sowing in extent, situated at Digane in Weuda korale, in Weudawilli hatpattu aforesaid; and bounded on the north by Kospotu-oya, east by the boundary of Alakolamadekumbura, south by ditch, and west by Kospotu-oya, together with the plantations and everything standing thereon.

3. At 3 p.m.—An undivided $\frac{1}{2}$ share of Dorakadawelakumbura of 2 pelas paddy sowing in extent, situated at Welikumbura aforesaid; and bounded on the north by Delgolle estate, east by field of Mohandiram and now of Pinhamy and Mudiyanse, south by Dynever estate, and west by field of Mohandiram.

4. At 3.30 p.m.—Welikumbura of 1 pela paddy sowing in extent, situated at Welikumbura aforesaid; and bounded on the east by limitary ridge of the field of Mudiyanse, ex-Arachchi, south and west by limitary ridge of the field of Pinhamy, and north by garden of the heirs of Albert Muhandiram.

Amount to be levied Rs. 2,000, with legal interest thereon from August 22, 1930, till payment in full, and poundage.

Fiscal's Office, A. BASNAYAKE,
Kurunegala, November 11, 1930. for Fiscal.

In the Court of Requests of Chilaw.

K. P. A. P. A. Meenatchy Atchy of Sokkalingam Pudur in India by attorney M. Vellasamy Palle of Madampe Plaintiff.

No. 26,840.

S. M. Appusingho Appuhamy of Palugomawa in Kurunegala District Defendant.

NOTICE is hereby given that on Saturday, December 6, 1930, at 3 o'clock in the afternoon, will be sold by

public auction at premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 179 10, with interest on Rs. 130 at 18 per cent. per annum from July 2, 1930, till August 27, 1930, and thereafter with legal interest on the aggregate amount of the decree till payment in full and poundage, viz. :—

1. All that land called Edandagawawatta of about 4 acres in extent, situate at Palugomuwa in Katugampola korale south of Katugampola hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by oya, east by dewata road and fence of Pansalwatta, south by land of Appugamarala, west by land of Daniel Jayawardena Ralahami with the plantations and the buildings thereon.

2. An undivided 1/5th share of the field called Bogahawelakumbura of about 15 beras paddy sowing extent, situate at Palugomuwa aforesaid; and bounded on the north by liminary ridge of Walakumbura of Herathamy, east and south by stream, west by field of Juwanis Mudalali.

Fiscal's Office,
Kurunegala, November 6, 1930.

A. BASNAYAKA,
Deputy Fiscal.

In the District Court of Negombo.

S. A. V. E. Vairaven Chettiar of Kochchikade Plaintiff.

Vs.

Warnakulasuriya Lusia Coonghe, administratrix of the estate of the late Anaseth Peris of Kammala Defendant.

NOTICE is hereby given that on Saturday, December 20, 1930, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 357 50, with interest on Rs. 250 at 24 per cent. per annum from May 25, 1930, till September 19, 1930, and thereafter at 9 per cent. per annum till payment, and poundage, viz. :—

1. The three portions of land called Maditiyagahawatta, Divulgahawatta, and Kohombagahawatta adjoining each other, with the buildings and plantations standing thereon, situate at Kammala in Kammal pattu of Pitigal korale south, in the District of Chilaw, North-Western Province; and bounded on the north by high road, east and south by land of Belichchoru Fernando and others, and west by Palliyawatta; containing in extent about 2½ acres.

2. The field called Kattuvayel, situate at Kammala aforesaid; and bounded on the north by land of Bastian Fernando, east by field of Francisku Fernando, south by field of Lusa Lowe and others and water-course, and west by land of Gabriel Kurera; containing extent about 2 parrahs of paddy sowing soil.

3. An undivided 53/60 share of the divided ½ share of the land called Ambrellagahawatta, with the buildings and plantations standing thereon, situate at Kammala aforesaid; and bounded on the north by land of Kiristian Thamel, east by land of Migel Fernando, south by remaining ½ share of this land of Suse Fernando Vidanarala, and west by Gin-oya containing in extent about 6 seers of kurakkan sowing soil.

Deputy Fiscal's Office,
Chilaw, November 11, 1930.

F. G. DALPETHADO,
Deputy Fiscal.

In the Court of Requests of Chilaw.

(1) P. Edmund Charles Perera and another of Weerahena Plaintiffs.

No. 24,800.

(1) Wijetunga Mudalige Davith Sinno and another of Weerahena Defendants.

NOTICE is hereby given that on Saturday, December 13, 1930, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and

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interest of the said defendants in the following property for the recovery of Rs. 139 50, with interest on Rs. 100 at the rate of 18 per cent. per annum from July 17, 1930, up to August 6, 1930, and thereafter with legal interest, till payment in full, and poundage, viz. :—

The divided portion of land marked lot A of the land called Bogahawatta, situate at Weerahena in Meda palata of Pitigal korale south in the District of Chilaw, North-Western Province; and bounded on the north by land of Juwanis Appuhamy, and the land of the heirs of Kaurala Appuhamy, east by lot B of the same land, south by land of the heirs of Salonchi Appuhamy, and west by land of the heirs of Banduhamy Appuhamy, containing in extent 2 acres and 8 perches.

Deputy Fiscal's Office,
Chilaw, November 11, 1930.

F. G. DALPETHADO,
Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Colombo.

Nawanna Kana Roona Caruthan Chettiar of 136, Sea street, Colombo Plaintiff.

Pana Laha Nawanna Palaniappa Chettiar of 112, Sea street, Colombo Substituted Plaintiff.

No. 3,812.

Vs.

John Henry Meedeniya Dissawa of Ratnapura Defendant.

NOTICE is hereby given that on December 5 and 6, 1930, at the hours specified below, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, viz. :—

1. Sale on December 5, 1930, at 1 p.m.—All that allotment of land called Nekatigewatta, situated at Yatiyantota in Dehigampal korale, in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the east by the boutique occupied by N. K. M. Mohideen Saiho; on the south by the high road, on the west by the Crown land, and on the north by the drain and fence; containing 1 kuruni of paddy sowing extent.

2. Sale on December 6, 1930, at 10 a.m.—An undivided half share of that allotment of land called Baggamma-sama, situated in the village Nakkawita in the Atulugam korale, in the District of Kegalla aforesaid; and bounded on the east by the boundary of Maliboda Nindagama, on the south by the village boundary of Ketigaraelle-patathhankele, on the west by the Crown land, and on the north by the boundary of Panawalakandepath-pehiwetenakosgaha; containing about 200 amunams of paddy sowing in extent.

3. Sale on December 6, 1930, at 3 p.m.—The eastern half share of Heraliyawatta and an undivided one-fourth share of all other lands and plantations appertaining thereto of all those allotments of land called Eppolagahawawela containing 16 measures of kurakkan sowing extent, Kolaberawala containing 25 measures of kurakkan sowing extent, Dikwela containing 24 measures of kurakkan sowing extent, and Heraliyawatta containing 12 measures kurakkan sowing extent, all included in the Udawatta lot, situated at Deraniyagala in the Atulugam korale aforesaid; and bounded on the north by the lands belonging to the said John Henry Meedeniya, on the east by Bototagawawela, now called Aluthwatta, and the field called Mahaepola, on the south by the two owitas of Marathwala and ditch, and on the west by Gangabodawatta, and the western half part of the said Heraliyawatta.

For the recovery of the sum of Rs. 29,000, with legal interest thereon from February 14, 1924, till payment in full, and costs, less a sum of Rs. 23,250.

S. DE SILVA,
Deputy Fiscal's Office, Additional Deputy Fiscal.
Kegalla, November 11, 1930.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Dimiyage Don Magiris alias Marthinu Pinto Appuhamy, late of Kuruwita, in the District of Ratnapura, deceased.

Dimiyage Michael Pinto Appuhamy of Nawagamuwa in the Palle pattu of Hewagam korale Petitioner.

Dimiyage John Pinto Appuhamy of Kuruwita in the District of Ratnapura Respondent.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 16, 1930, in the presence of Mr. R. C. Perera, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated August 29, 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 respondent above named or any other person or persons interested shall, on or before November 20, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 18, 1930. G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Kankanige Charles Perera of Battaramulla in the Palle pattu of Hewagam korale, deceased.

Holupathirage Luvina Maria Caldera of Battaramulla aforesaid Petitioner.

(1) Kankanige Charles Thomas Perera of Trincomalee, (2) ditto Agnes Perera of Battaramulla, (3) ditto Mildred Perera of Peradeniya, (4) ditto Flora Joseline Perera, (5) ditto Eugenia Perera, (6) ditto James Perera, all of Battaramulla, (7) ditto Vincent Perera, minor, appearing by his guardian ad litem (8) Walpalamudalige Don Abraham of Kalapaluwawa in the Palle pattu of Hewagam korale Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 2, 1930, in the presence of Mr. F. J. Botejue, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 1, 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 20, 1930, show sufficient cause to the satisfaction of this court to the contrary.

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

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Bulatsinhalage Slestina Perera of No. 5, 331, No. 58/3, Symonds road, Maradana, deceased.

Telekada Nanayakkara Ambagahaduwege Don Marshall of No. 58/3, Symonds road, Maradana Petitioner.

Jayasena Aratchige Matho Hamy of No. 13/38B, Maligawatta Respondent.

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

1, 1930, in the presence of Mr. P. D. S. Jayasekera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated the August 29, 1930, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as a creditor of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondent above named or any other person or persons interested shall, on or before October 30, 1930, show sufficient cause to the satisfaction of the court to the contrary.

October 1, 1930. G. C. THAMBYAH, District Judge.

This Order Nisi is extended and reissued for showing cause returnable on November 20, 1930.

October 30, 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 Liyanage Dona Charlotte Hamine of No. 123, Timbirigasyaya, in Colombo, deceased.

Don Edwin Wijesooriya of No. 123, Timbirigasyaya aforesaid Petitioner.

(1) Lionel Lubert Wijesooriya, (2) Joseph Victor Wijesooriya, (3) Joseph Arthur Wijesooriya, all of No. 123, Timbirigasyaya aforesaid, minors, appearing by their guardian ad litem (4) Saputatrige Albina Silva Hamine, also of Timbirigasyaya aforesaid Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 6, 1930, in the presence of Mr. D. R. de S. Abhayanayake, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 10, 1930, having been read:

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

October 6, 1930. G. C. THAMBYAH, District Judge.

The date for showing cause is extended to November 27, 1930.

November 6, 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 S. E. Sahul Hameed of Kasalpetnam, South Village Tiruchendur Taluk, Tinnevely District, South India, deceased.

M. Segu Tamby, son of Mohamed Mather Tamby of Devipattam, Ramnad District in India, presently of 2nd Cross street in Colombo. Petitioner.

(1) Mohamed Hajar Umma, (2) S. E. Sathakku Mohamadu Ibrahim Saibo, (3) S. E. Habibu Mohamado, (4) Mohamado Sego Pathummal, (5) S. E. Seyado Mohammado Buhary, (6) Seyado Balkees Ummal, (7) S. E. Katheebu Seyed Ibrahim Saibo, (8) Seyado Raphiah Ummal. Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 20, 1930, in the presence of Mr. C. Sevaprakasam, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 14,

1930, power of attorney in favour of the said petitioner, and the order of the Supreme Court dated October 9, 1930, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as attorney of the widow of the above-named deceased, to have letters of administration to the estate of the above-named deceased issued to him, unless the respondents above named, or any other person or persons interested shall, on or before November 20, 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 Jurisdiction. In the Matter of the Last Will and Testament of Makewitige Hendrick Perera Appuhamy of Peliyagoda Pattiya in the Ragam pattu of Alutkuru korale, deceased. No. 5,365.

Koswattage Sophia Perera Hamine of Peliyagoda Pattiya aforesaid. Petitioner.

And

- (1) Makewitige Madan Daisy Perera, assisted by her husband
- (2) Wanaratne Wijesinghe Sewardane,
- (3) Makewitige Nancy Perera, (4) ditto Robert Charles Perera, (5) Liyana Aratchige Henry Bernard Tillekeratne, (6) ditto Charles On Tillekeratne, (7) ditto Bertie Julius Tillekeratne, (8) ditto Charles Duncan Tillekeratne, (9) ditto Titus Oliver Tillekeratne, (10) ditto Percy Harold Tillekeratne, (11) ditto Nimala Karunawathie Tillekeratne, (12) ditto Daisy Pathmawathie Tillekeratne, (13) ditto Don David Tillekeratne, all of Peliyagoda Pattiya aforesaid, the 5th to 12th are minors appearing by their guardian *ad litem* the 13th respondent Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 24, 1930, in the presence of Mr. D. F. J. Perera, Proctor, on the part of the petitioner above named; and the affidavit (1) of the said petitioner dated October 21, 1930, and (2) of the attesting witnesses dated October 21, 1930, having been read:

It is ordered that the last will of Makewitige Hendrick Perera Appuhamy, 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 the respondents above named or any other person or persons interested shall, on or before November 27, 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 Jurisdiction. In the Matter of the Last Will and Testament of Mary Scovell formerly of 82, St. Ann street Salisbury Wilts, but late of 4, Clearyn at Weymouth, in the County of Dorset, Spinster, deceased. No. 5,378.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on November 6, 1930, in the presence of Mr. Joseph Francis Martyn of Colombo, Proctor, on the part of the petitioner Mr. Geoffrey Thomas Hale of Colombo; and the affidavit of the said petitioner dated October 31, 1930, exemplification of probate of the will of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's Order dated October 15, 1930, having been read: It is ordered that the will of the said deceased dated March 31, 1920, of which an exemplification of probate has been produced and is now deposited in this court, be and the same is hereby declared proved; and

it is further declared that the said petitioner is the attorney of the proving executor named in the said will, and that he is entitled to have letters of administration, with a copy of the said will annexed, issued to him accordingly, unless any person or persons interested shall, on or before November 20, 1930, show sufficient cause to the satisfaction of this court to the contrary.

November 6, 1930.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Waranaculasuria Weeracuttige Casmeru Fernando of Katuneriya, deceased. No. 5,373.

Waranaculasuriya Weeracuttige Maan Fernando of Katuneriya. Petitioner.

Vs.

- (1) Lir thotage Elizabeth Fernando of Katuneriya,
- (2) Warnaculasuriya Weeracuttige Ellen Fernando and her husband,
- (3) Leonard Fernando Jayawardene of Colombo,
- (4) Warnaculasuria Weeracuttige Margaret Fernando and her husband,
- (5) Lawrence Meary Perera Postmaster of Galle,
- (6) Warnaculasuria Weeracuttige Achur Fernando of Makandira,
- (7) Warnaculasuria Weeracuttige Solomon Fernando,
- (8) Warnaculasuria Weeracuttige Cyril Fernando, all of Katuneriya, the 7th and 8th respondents being minors by their guardian *ad litem* the above-named 6th respondent Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 30, 1930, in the presence of Mr. T. M. Fernando, Proctor, on the part of the petitioner, and in the presence of the respondents above named; and the affidavit of the petitioner dated October 30, 1930, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as a son of the deceased, to have letters of administration to his estate issued to him, unless the respondents or any other person or persons interested shall, on or before December 18, 1930, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the 6th respondent be and he is hereby appointed guardian *ad litem* over the minors the above-named 7th and 9th respondents for the purposes of this action unless the respondents above named or any other person or persons interested shall, on or before December 18, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 30, 1930.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Jones, late of Glamorgan of Carmarthen, deceased. No. 5,379.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on November 6, 1930, in the presence of Mr. Geoffrey Thomas Hale of Colombo, Proctor, on the part of the petitioner Mr. Geoffrey Thomas Hale of Colombo; and the affidavit of the said petitioner dated October 31, 1930, exemplification of probate of the will of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's Order dated October 15, 1930, having been read: It is ordered that the will of the said deceased dated March 31, 1920, of which an exemplification of probate has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said petitioner is the attorney of the

said will, and that he is entitled to have letters of administration, with a copy of the said will and codicil annexed, issued to him accordingly, unless any person or persons interested shall, on or before November 20, 1930, show sufficient cause to the satisfaction of this court of the contrary.

G. C. THAMBYAH,
District Judge.

November 6, 1930.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Sriwickremekumara Luwis de Fonseka of Kannuwana in Ja-ela, deceased.

Assurappulige Welbina Silva of Kannuwana in Ja-ela Petitioner.

Rs 16/- 264295

- (1) Sriwickreme Kumara Mary Menilda Fonseka, (2) ditto Cecily Margaret Fonseka, (3) ditto Valentine Fonseka, all of Kannuwana in Ja-ela 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. Mendis & Perera, 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 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 20, 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 Kalutara.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Gamage Davith Appu, deceased, of Remunagoda.

Gamage Don Martin Sinno of Remunagoda, Petitioner.

- (1) Baddage Iso Hamy, (2) Gamage Noppo Sinno, (3) ditto Jomona and husband, (4) Janage Suddappu, (5) Gamage Podinona, (6) ditto Hardy Sinno, (7) ditto Sethan Sinno, (8) ditto William Sinno, the 5th to 8th are minors by their guardian 1st respondent..... Respondents.

matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on July 1, 1930, in the presence of Mr. A. H. Gunetilleke, on the part of the petitioner, Gamage Martin Remunagoda; and the affidavit of the said petitioner dated April 25, 1930, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as the second son, to have letters of administration to this estate issued to him, unless any other person or persons interested shall, on or before August 25, 1930, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the 2nd respondent be and he is hereby appointed guardian ad litem over the estate of the said deceased, or any other person or persons interested shall, on or before August 25, 1930, show sufficient cause to the satisfaction of this court to the contrary.

N. M. BHARUCHA,
District Judge.

November 18, 1930.

N. M. BHARUCHA,
District Judge.

In the District Court of Kalitara.

Testamentary In the Matter of the Estate of the late Jurisdiction. Rey. Jacob Alexander Perera Kalpage, deceased, of Panadure.

Beatrice Alexandra Perera Kalpage of Panadure Petitioner.

- (1) Trilby Anelyn Joy Perera Kalpage, by her guardian ad litem (2) Samuel Basil Louis Perera, both of Panadure Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on October 18, 1930, in the presence of Messrs. Tirimanne & Meegama, Proctors, on the part of the petitioner, Beatrice Alexandra Perera Kalpage of Panadure; and the affidavit of the said petitioner dated September 26, 1930, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled, as widow, to have letters of administration issued to her, unless the respondents or any other person or persons interested shall, on or before November 20, 1930, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the 2nd respondent be and he is hereby appointed guardian ad litem over the estate of the said deceased, or any other person or persons interested shall, on or before November 20, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 18, 1930.

N. M. BHARUCHA,
District Judge.

In the District Court of Kandy.

Testamentary In the Matter of the Estate of the late Jurisdiction. Philip Nathaniel Luke, deceased, of Nawalapitiya.

THIS matter coming on for disposal before W. E. Barber, Esq., District Judge of Kandy, on October 13, 1930, in the presence of Messrs. Bevan & Bevan, Proctors, on the part of the petitioner, Joannah Samathanam Luke of Ulapone; and the affidavit of the said petitioner dated September 5, 1930, having been read:

It is ordered that the petitioner, as the widow of the deceased, be and she is hereby declared entitled to have letters of administration to the estate of the deceased above named issued to her accordingly, unless the respondents—(1) John Andrew Luke, (2) Clarence Albert Gnanakkan Luke, (3) May Doris Pakiammal Luke, the minor respondents by their guardian ad litem G. Dewapiriaram, all of Ulapone—shall, on or before November 20, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 13, 1930.

W. E. BARBER,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late No. 4,956. Payna Reena Muna Peria Caruppen Chettiar, deceased, of Colombo street, Kandy.

THIS matter coming on for disposal before William Edward Barber, Esq., District Judge of Kandy, on October 13, 1930, in the presence of Messrs. Bever & Bevan, Proctors, on the part of the petitioner, Payna Reena Muna Velautham Chettiar of Colombo street, Kandy; and the affidavit of the said petitioner dated October 8, 1930, and the power of attorney dated August 20, 1930, having been read:

It is ordered that the petitioner, as the attorney of the widow of the deceased, be and he is hereby declared entitled to have letters of administration to the estate of the deceased above named, unless Letchimi Atchy of Kulipurai in Pudueottai, as widow of the deceased, shall, on or before November 27, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 13, 1930.

W. E. BARBER,
District Judge.

In the District Court of Kandy.

Testamentary In the Matter of the Estate of the late Jurisdiction. Dionis Nanayakkara, deceased, of No. 4,926. Madugoda.

THIS matter coming on for disposal before W. E. Barber, Esq., District Judge, Kandy, on August 7, 1930, in the presence of Mr. V. M. Guruswami, Proctor, on the part of the petitioner H. Venatigal Nanayakkara Pallige Don Solomon Nanayakkara; and the affidavit of the said petitioner dated July 4, 1930, having been read:

It is ordered that the petitioner, as the father-in-law of the deceased, be and he is hereby declared entitled to have letters of administration to the estate of the deceased above named issued to her accordingly, unless the respondents—(1) Premawathie Nanayakkara, (2) Karunaratne Nanayakkara, (3) Karumawathie Nanayakkara, the 1st and 2nd respondents by their guardian *ad litem* the 3rd respondent—shall, on or before September 15, 1930, show sufficient cause to the satisfaction of the court to the contrary.

W. E. BARBER,
District Judge.

August 7, 1930.

The date for showing cause is extended to November 17, 1930.

W. E. BARBER,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Divelwatte Gamage Thothohamy No. 7,119. Wijeratna, deceased, of Telikada.

THIS matter coming on for disposal before C. L. Wickramasingha, Esq., Acting District Judge of Galle, on July 14, 1930, in the presence of Mr. W. Richard D. de Silva, Proctor, on the part of the petitioner, Theodoris Wijesundara of Telikada; and the affidavit of the said petitioner dated May 22, 1930, having been read:

It is declared that the said petitioner, as husband of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondents—(1) Henry Simon Wijesundara, (2) Dona Gimara Wijesundara, both of Telikada, and (3) Peter George Samaranyake of Aratchimulla, Bentara—shall, on or before September 18, 1930, show sufficient cause to the satisfaction of this court to the contrary.

C. L. WICKRAMASINGHA,
Acting District Judge.

July 14, 1930.

Extended and reissued for October 23, 1930.

T. W. ROBERTS,
District Judge.

Extended and reissued for November 26, 1930.

T. W. ROBERTS,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late Cornelia Carlina Madanayake, No. 7,156. deceased, of Bataganwila.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on September 4, 1930, in the presence of Mr. G. E. de Silva, Proctor, on the part of the petitioner, Danora Alice Gunewardene (*nee*), Madanayake of Bataganwila; and the affidavit of the said petitioner dated August 25, 1930, having been read: It is declared that the 6th respondent be appointed guardian *ad litem* over minor 11th respondent, unless the respondents, viz., (1) Harriet Nellie Wijesinha of Watugedera, (2) Don Richard Wijesinghe (dead), (3) Don Henry William Wijesinghe, (4) Don John Edwin Wijesinghe, (5) Don Alfred Benjamin Wijesinghe, (6) Luisa Alice Wijesinghe, (7) Jane

Mildred Wijesinghe, all of Goluwamulla, (8) Opatakanange Don Pedrick Appuhamy, (9) Opatakanange Carlinahamy, both of Goluwamulla in Elpitiya, (10) Mary Madanayake of ditto, (11) Grace Lilian Madanayake of ditto, shall, on or before October 30, 1930, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner, as sister of the deceased above named, is entitled to have letters of administration issued to her accordingly, unless the respondents above named shall, on or before October 30, 1930, show sufficient cause to the satisfaction of this court to the contrary.

T. W. ROBERTS,
District Judge.

September 4, 1930.

Date extended to November 27, 1930.

T. W. ROBERTS,
District Judge.

October 30, 1930.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late Carolis de Zoysa Goonawardana, No. 7,168. deceased, of Pathegama.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on September 20, 1930, in the presence of Mr. A. P. de Zoysa, Proctor, on the part of the petitioner, Menchi Mendis Kappina of Pathegama in Welitara; and the affidavit of the said petitioner dated August 4, 1930, having been read:

It is ordered that the said petitioner, as widow of the deceased above named, is entitled to have letters of administration issued to her accordingly, unless the respondents, viz., (1) Dollé Catherine Zoysa Goonawardana, wife of (2) Hiddadura Romiel de Zoysa of Pathegama in Welitara, (3) Earnest de Zoysa Goonawardana, Surveyor of Uda Pussellawa, (4) Bessy Ever de Zoysa Goonawardana, wife of (5) Emanuel de Zoysa Hewa Visenti of Denapitiya, Weligama, (6) Constance Thoslina Zoysa Goonawardana, wife of (7) Salaman Perera Wickramaratne, both of Pathegama, (8) Richmond de Zoysa Goonawardana of Pathegama, (9) Herold de Zoysa Goonawardana of Pathegama, shall, on or before November 17, 1930, show sufficient cause to the satisfaction of this court to the contrary.

T. W. ROBERTS,
District Judge.

September 20, 1930.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late Agampodi Arlis Mendis, No. 7,174. deceased, of Nape in Kosgoda.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on September 26, 1930, in the presence of Mr. C. E. de Silva, Proctor, on the part of the petitioner, Kalude of Rajalias Thabrew Siriwardana of Nape in Kosgoda; and the affidavit of the said petitioner dated September 23, 1930, having been read:

It is ordered that the 6th respondent be appointed guardian *ad litem* over 1st to 5th minor respondents, unless the respondents—(1) Denister Mendis alias K. Wajirana, Buddhist priest of Ganegodella, Kosgoda, (2) Semawathie Mendis, (3) Amarasena Mendis, (4) Buddadasa Mendis, (5) Piyadasa Mendis, (6) Agampodi Junial Mendis, all of Nape in Kosgoda—shall, on or before November 20, 1930, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner, as widow of the deceased above named, is entitled to have letters of administration issued to her accordingly, unless the respondents above named shall, on or before November 20, 1930, show sufficient cause to the satisfaction of this court to the contrary.

T. W. ROBERTS,
District Judge.

September 26, 1930.

In the District Court Matara.

Order absolute declaring Will proved.

Testamentary In the Matter of the Last Will and
No. 3,675 Testament of Don Abraham Samarajeewa Sarawardhana, deceased, of Karinda.

Payadasa Dias Jayasundera of Meepe, Galle. Petitioner.

Liana Dias Samarajeewa Siriwardhana of Meepe, Galle Respondent.

THIS matter coming on for disposal before G. P. Keuneman, Esq., Acting District Judge of Matara, on October 14, 1930, in the presence of Piyadasa Dias Jayasundera, the petitioner appearing in person; and the affidavit of the said petitioner dated October 13, 1930, and the affidavit dated October 10, 1930, of Mr. I. R. Abeysdera, the attesting notary of the last will dated July 15, 1930, and of the subscribing witnesses thereto having been read together with the said last will: It is ordered that the will of Don Abraham Samarajeewa Siriwardhana, deceased, dated July 15, 1930, and now deposited in this court be and the same is hereby declared proved.

It is further declared that the said Payadasa Dias Jayasundera is the executor named in the said will, and that he is entitled to have the probate of the same issued to him accordingly.

It is further ordered that December 10, 1930, be appointed for any person or persons interested to show cause against the order absolute.

G. P. KEUNEMAN,
Acting District Judge.

October 14, 1930.

In the District Court of Tangalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Abeydira Patabendige Andirishamy,
No. 1,132. late of Mawella.

Don Mendias Abeysuriya of Dodanpahala... Petitioner.

(1) Abeysuriya Patabendige Emanona (2) Abeysuriya Patabendige Leishamy minor, (3) Abeysuriya Patabendige Mendiasappu minor, (4) Abeysuriya Patabendige Panchinona, minor, all of Dodanpahala Respondents.

THIS matter coming on for disposal before J. N. Arumugam, Esq., District Judge, Tangalla, on August 30, 1930, in the presence of Mr. D. P. Atapattu on the part of the petitioner above named; and the affidavit of the above-named petitioner dated May 20, 1930, having been read:

It is ordered and adjudged that the 1st respondent be appointed guardian *ad litem* over the minors the 2nd, 3rd, and 4th respondents, unless any person or persons interested shall, on or before October 2, 1930, show sufficient cause to the contrary.

It is further ordered that the petitioner be and he is hereby declared entitled, as brother-in-law of the deceased, to have letters of administration of the said estate issued to him, unless any person or persons interested shall, on or before October 2, 1930, show sufficient cause to the contrary.

J. N. ARUMUGAM,
District Judge.

The above *Order Nisi* is extended to November 20, 1930.

October 30, 1930.

J. N. ARUMUGAM,
District Judge.

In the District Court of Tangalla.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Andrahennedige Allis Appu,
No. 1,142.

Andrahennedige Samel Appu of Seenimodera. Petitioner.

(1) Wijetunga Liyana Patabendige Gahalamy of Seenimodera, (2) Andrahennedige Uparis Abitha, (3) Andrahennedige Bilinduhamy of Mawella, (4) Andrahennedige Panchinona, (5) Andrahennedige Odiris Appu, (6) Andrahennedige Babahamy, all of Seenimodera Respondents.

THIS matter coming on for disposal before J. N. Arumugam, Esq., District Judge, Tangalla, on September 25, 1930, in the presence of Mr. L. G. Poulier, on the part of the petitioner; and the affidavit of the said petitioner dated September 19, 1930, having been read: It is ordered that the 1st respondent be and he is hereby appointed guardian *ad litem* over the 5th and 6th respondents, unless any person or persons interested shall show cause to the contrary on October 27, 1930.

It is further ordered that letters of administration to the estate of the said deceased be issued to the said Andrahennedige Samel Appu, unless the respondents shall show sufficient cause to the satisfaction of this court to the contrary on October 27, 1930.

September 25, 1930.

J. N. ARUMUGAM,
District Judge.

Mr. Poulier for petitioner, publication papers due not filed, extended for November 27, 1930.

October 27, 1930.

H. E. WICKRAMANAYAKE,
Acting District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Pooranam, wife of Sanmugam of
No. 7,327. Teluk Anson, F. M. S., deceased.

Chellamma widow of Alagaratnam of Manipalay Petitioner.

(1) Perampalam Sanmugam of Teluk Anson, F. M. S., (2) Sanmugam Somasundaram of ditto, (3) Sivapakkiyam, daughter of Sanmugam Respondents.

THIS matter of the petition, 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 October 25, 1929, in the presence of Mr. M. Vythialingam, Proctor, on the part of the petitioner; and the affidavit of the petitioner having been read: It is declared that the petitioner is the lawful sister 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 December 12, 1929, show sufficient cause to the satisfaction of this court to the contrary.

October 29, 1930.

J. C. W. ROCK,
District Judge.

Time extended till November 17, 1930.

D. H. BALFOUR,
District Judge.

In the District Court of Jaffna.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Valliammaipillai, wife of Murugar
No. 7,634. Thuraiappah of Manthuvil.

THIS matter of the petition of Murugar Thuraiappah of Manthuvil coming for disposal before D. H. Balfour, Esq., District Judge, on October 21, 1930, in the presence of Mr. C. R. Tambiah, Proctor

It is ordered that letters do issue to the said petitioner, unless the respondents show cause to the contrary on or before November 24, 1930.

October 8, 1930.

D. H. BALFOUR,
District Judge.

In the District Court of Jaffna.

Testamentary In the Matter of the Estate of the late Jurisdiction. Subramaniam Saravananattu of No. 7,694 Vidathalpalai.

THIS matter of the petition of Subramaniam Arumugam of Vidathalpalai coming for disposal before D. H. Balfour, Esq., District Judge, on September 10, 1930, in the presence of Mr. C. R. Tambiah, Proctor :

It is ordered that letters do issue to the said petitioner, unless the respondents show cause to the contrary on or before October 22, 1930.

September 10, 1930.

D. H. BALFOUR,
District Judge.

Extended to November 24, 1930.

D. H. BALFOUR,
District Judge.

In the District Court of Jaffna.

Testamentary In the Matter of the Estate of the late Jurisdiction. Lezzie Thiroviam, wife of Richard No. 7,699 Ponnuthurai Sherrard of Point Pedro,

THIS matter of the petition of Richard Ponnuthurai Sherrard coming for disposal before D. H. Balfour, Esq., District Judge, on September 25, 1930, in the presence of Mr. C. R. Tambiah, Proctor :

It is ordered that letters do issue to the said petitioner, unless the respondents show cause to the contrary on or before November 24, 1930.

September 25, 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. Sinnappu Elaiyatamby of Kondavil, No. 7,701, deceased.

Rasammah, widow of S. Elaiyatamby of Kondavil Petitioner.

(1) Ariaretnamma, daughter of S. Elaiyatamby, (2) Elaiyatamby Poochalarajah, (3) Elaiyatamby Ponanirupasingam, (4) Elaiyatamby Selvanayagam (minors), and (5) Ponnuthurai Sherrard, all of Kondavil Respondents.

THIS matter of the petition of Rasammah, widow of S. Elaiyatamby of Kondavil, praying that the above-named 5th respondent be appointed guardian *ad litem* over the minors 1st to 4th respondents, and that letters of administration to the estate of the above-named deceased be granted to the said Rasammah, widow of S. Elaiyatamby, coming on for disposal before D. H. Balfour, Esq., District Judge, on September 17, 1930, in the presence of Mr. P. K. Somasundram, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 12, 1930, having been read : It is declared that the above-named 5th respondent be appointed guardian *ad litem* over the said minors, and 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 person shall, on or before November 21, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 13, 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. Murugesu Maruthapillai of Vadduk No. 7,720, koddai West, who died at Laing in the F. M. S., deceased.

Sinnathamby West Petitioner.

(1) Maruthapillai Kathiravelu of Vaddukkoddai West, (2) Nagamuttupillai, widow of Murugesu Maruthapillai of ditto Respondents.

THIS matter of the petition of the above-named petitioner, praying for letters of administration to the

estate of the above-named deceased, coming on for disposal before D. H. Balfour, Esq., District Judge, on October 6, 1930, in the presence of Messrs. Nagalingam & Nagalingam, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated October 4, 1930, having been read : It is declared that the petitioner is an uncle 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 November 19, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 25, 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. Poothathaipillai, wife of Ampalam No. 7,726. Arumugam of Maviddapuram, deceased.

Kanthar Suppramaniam of Maviddapuram Petitioner.

(1) Ampalam Arumugam, (2) Ampalam Kanagar, (3) his wife Sinnachchippillai, and (4) Suppar Kanthar, all of Maviddapuram Respondents.

THIS matter of the petition of the above-named petitioner, praying for letters of administration to the estate of the above-named deceased, Poothapillai, wife of Ampalam Arumugam, coming on for disposal before D. H. Balfour, Esq., District Judge, on October 13, 1930, in the presence of Mr. V. Coomaraswamy, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October 9, 1930, having been read :

It is declared that the petitioner, as one of the heirs of the said intestate, 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 November 21, 1930, show sufficient cause to the satisfaction of this court to the contrary.

November 5, 1930.

D. H. BALFOUR,
District Judge.

In the District Court of Chilaw.

Order Nisi.

No. 2,021 T. In the Matter of the Intestate Estate of the late Jayacody Aratchige Karonehi Appuhamy of Ettiyawela, deceased.

Jayacody Aratchige Martin Appuhamy of Ettiyawela Petitioner.

(1) Madurasinghe Mudiyansele Menikhamy, (2) Jayacody Aratchige Jane Nona, both of Welpola in Kurunegala District, (3) Kuruppuatchi Appuhamy of Elaris Appuhamy of Kahatawila Respondents.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge of Chilaw, on September 16, 1930, in the presence of Mr. F. T. Proctor, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated September 3, 1930, having been read : It is ordered that the petitioner above named be and he is, hereby appointed administrator of the above estate, unless the respondents above named or any persons interested shall show sufficient cause to the contrary on or before October 27, 1930.

September 16, 1930.

R. F. DIAS,
District Judge.

The date for showing cause is extended for November 21, 1930.

October 27, 1930.

R. F. DIAS,
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction Jayasinghe Araccillage Pinchiappu-
No. 453. hamy of Kabagamuwa, deceased.
Jayasinghe Araccillage PUNCHIBANDA of Kaba-
gamuwa, Petitioner.

(1) Nawagamuwe Mudiyanse Lage Dingiriamahatmaya
of Kabagamuwa, (2) Jayasinghe Araccillage
Dingiriamma, (3) ditto Podiralahamy, (4) ditto
Podimahatmaya, (5) ditto Podimenika, (6) ditto
Punchimahatmaya, (7) ditto Sumatiratne, (8)
ditto Ariyawanse, (9) ditto Leelawathie, (10) ditto
Jayaratne, all of Kabagamuwa; 3rd to 10th being
minors by their guardian *ad litem* the 1st respond-
ent Respondents.

THIS matter coming on for disposal before S. S. Navaratnam, Esq., District Judge of Kegalla, on September 6, 1930, in the presence of Mr. J. H. Fernando, Proctor, on the part of the petitioner; and his affidavit and petition dated August 30 and September 5, 1930, respectively, having been read:

It is ordered and declared that the 1st respondent above named be appointed guardian *ad litem* over the 3rd to 10th minor respondents and that letters of administration of the estate of the above-named deceased be issued to petitioner, as brother of the deceased, unless the respondents or any other person or persons interested in the matter shall, on or before October 15, 1930, show sufficient cause to the satisfaction of this court to the contrary.

September 11, 1930.

S. S. NAVARATNAM,
District Judge.

The date for showing cause is extended to November 5, 1930.

October 15, 1930.

S. S. NAVARATNAM,
District Judge.

The date for showing cause is extended to November 26, 1930.

November 5, 1930.

S. S. NAVARATNAM,
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction Tenennehalage Dingiri Banda of
No. 1461.3 Yataththawala, deceased.
Tenennehalage Ukku Banda of Yataththawala, Petitioner.

(1) Tenennehalage Mudiyanse of Yataththawala,
(2) ditto Rammenika of Moradana Respondents.

THIS action coming on for disposal before S. S. Navaratnam, Esq., District Judge of Kegalla, on October 13, 1930, in the presence of Mr. J. L. Suraweera, Proctor, on the part of the petitioner; and his affidavit and petition dated October 10 and 11, 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, unless the respondents or any other person or person interested in the matter shall, on or before November 19, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 18, 1930.

G. S. SURAWEERA,
Acting District Judge.

PASSED ORDINANCES.

(Continued from page 1512.)

U 263/26

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

No. 14 of 1930.

No. 6 of 1910,
III.31.An Ordinance to amend the Municipal Councils
Ordinance, 1910.

H. J. STANLEY.

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

Short title.

1 This Ordinance may be cited as the Municipal Councils Third Amendment Ordinance, 1930.

Amendment of
section 54 (1) of
the principal
Ordinance.

2 Section 54 (1) of the principal Ordinance is hereby amended by the deletion of all the words in the first three lines thereof and the substitution of the following words therefor:—

In every Municipal town there shall be a Municipal Magistrate appointed by the Governor, and the Police Magistrate having jurisdiction in such town may, if the Governor so directs, be appointed to be Municipal Magistrate, in addition to his own duties.

Where a Municipal Magistrate has been appointed in any Municipal town other than the Police Magistrate having jurisdiction in such town, such Municipal Magistrate may be appointed by the Governor to be an Additional Police Magistrate, in addition to his own duties.

Repeal of section
56 of the principal
Ordinance and
substitution of new
section.

3 Section 56 of the principal Ordinance is hereby repealed, and the following section is substituted therefor:—

Allowances,
status, salary
and pension of
Municipal
Magistrate
and oaths to
be taken by
him.

56 (1) When the Police Magistrate in any town is appointed to be Municipal Magistrate for such town in addition to his own duties, the Municipal Council shall out of the Municipal fund pay to the Colonial Treasurer in respect of the services of the said Police Magistrate as Municipal Magistrate such sum as shall from time to time be fixed by the Government.

(2) Where the Governor under section 54 appoints any person to be Municipal Magistrate in any town, other than the Police Magistrate having jurisdiction in such town, or a person appointed to act temporarily as Municipal Magistrate, such Municipal Magistrate—

(a) shall by reason of such appointment become an officer of the Ceylon Government and shall for the purposes of the Widows' and Orphans' Pension Fund Ordinance, 1898, and for all other purposes be deemed to be a public officer; and

(b) shall be paid by the Colonial Treasurer such salary as may be voted for that purpose by the Legislative Council and such passage and other allowances as would ordinarily be payable to an officer of the Ceylon Government in receipt of that salary; and the Municipal Council shall—

(i) refund to the Colonial Treasurer all disbursements by way of such salary and allowances made to or in respect of such Municipal Magistrate; and

(ii) if such Municipal Magistrate is granted a pension or gratuity on retirement or otherwise, or if upon his death any gratuity is granted to any of his dependents, in respect of his services as an officer of the Ceylon Government, pay the whole of such pension or gratuity to the Colonial Treasurer, or such portion thereof as may be certified by the Governor to have been granted to him in respect of his services as such Municipal Magistrate.

(3) (a) Where any such Municipal Magistrate as is referred to in sub-section (2) is granted leave of absence, an officer may be appointed by the Governor to act temporarily as Municipal Magistrate in his place and during his absence.

(b) Such officer shall be paid by the Colonial Treasurer such salary and allowances as the Governor may direct, and the Municipal Council shall, in addition to the amount for which it may be liable under sub-section (2) (b), refund to the Colonial Treasurer all disbursements made as salary or allowances to such officer during the period of his appointment: Provided that the total of the sum which the Municipal Council shall be liable so to refund shall not be greater than the amount for which it may be liable under sub-section (2) (b) (i) during the said period.

(4) Every Municipal Magistrate shall, before commencing to exercise the functions of his office, take and subscribe the oaths of allegiance and office in the forms contained in Schedule C, and such oaths shall be enrolled in the court of such Municipal Magistrate, and a copy of such enrolment shall be forthwith transmitted to the Registrar of the Supreme Court to be filed of record in that court.

4 The provisions of section 56 (2) of the principal Ordinance, as enacted by this Ordinance, shall apply to the person holding the office of Municipal Magistrate, Colombo, at the commencement of this Ordinance, and it shall be lawful for the Governor to declare that the office of the Municipal Magistrate, Colombo, shall be, and shall be deemed to have been, pensionable as from the date on which he was first appointed to it, and the payment of any pension or gratuity which he is granted on retirement or otherwise shall be made in accordance with the provisions of the principal Ordinance, as amended by this Ordinance, and in accordance with any minutes of Government relating to payments of pensions and gratuities. Provided that he shall not be liable to any abatement under the Widows' and Orphans' Pension Fund Ordinance, 1898, in respect of the period prior to the date of the commencement of this Ordinance, unless within three months of the said date, by written notice to the Directors appointed under section 6 of the said Ordinance, he elects to be so liable.

Passed in Council the Twenty-ninth day of October, One thousand Nine hundred and Thirty.

G. N. FARQUHAR,
Clerk to the Council.

Assented to by His Excellency the Governor the Thirteenth day of November, One thousand Nine hundred and Thirty.

G. N. FARQUHAR,
Clerk to the Council.

No. 1 of 1898,
II. 396.

Schedule C.

Office of
Municipal
Magistrate may
be declared
pensionable
as from
appointment of
present holder.

No. 1 of 1898,
II. 396.

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

No. 15 of 1930.

No. 2 of 1889,
IV. 455.

An Ordinance to amend the Civil Procedure Code, 1889.

H. J. STANLEY.

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

Short title.

1 This Ordinance may be cited as the Civil Procedure Code Amendment Ordinance, 1930.

Amendment of sections 338, 394, 519, 542, 545, and 582 of the principal Ordinance.

2 Sections 338, 394, 519, 542, 545, and 582 of the principal Ordinance are hereby amended by the substitution of the words "two thousand five hundred rupees" for the words "one thousand rupees" wherever the latter words occur in each of the said sections.

Amendment of section 547 of the principal Ordinance.

3 Section 547 of the principal Ordinance is hereby amended by the substitution of the words "two thousand five hundred rupees" for the words "one thousand rupees" in the fifth and sixth lines thereof.

Construction of references to administration of estates of or above Rs. 1,000.

4 (1) Wherever reference is made in any written law, whether expressly or by implication, to the administration through a court of competent testamentary jurisdiction of an estate of or above the value of one thousand rupees, such written law shall, unless the context otherwise requires, be read and construed as though the words "two thousand five hundred rupees" had been substituted for the words "one thousand rupees" wherever the latter words occur, or, in cases where such reference is by way of implication only, as though such reference related to an estate of or above the value of two thousand five hundred rupees.

(2) The corrections necessary to give effect to this section may be made in the next or any subsequent edition of the Legislative Enactments of Ceylon, and it shall not be necessary to reproduce this section in any such edition.

Passed in Council the Twenty-ninth day of October, One thousand Nine hundred and Thirty.

G. N. FARQUHAR,
Clerk to the Council.

Assented to by His Excellency the Governor the Thirteenth day of November, One thousand Nine hundred and Thirty.

G. N. FARQUHAR,
Clerk to the Council.