



Ceylon Government Gazette

Published by Authority.

No. 6,074—FRIDAY, SEPTEMBER 8, 1905.

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PART II.—Legal and Judicial.

PART III.—Provincial Administration.
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Part II.—Legal and Judicial.

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PASSED ORDINANCES.

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

No. 8 of 1905.

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

HENRY A. BLAKE.

Preamble.

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

CHAPTER I.

Preliminary.

Short title.

Commencement.

1 This Ordinance may be cited for all purposes as "The Buddhist Temporalities Ordinance, 1905," and it shall come into operation at such time as the Governor shall appoint by Proclamation to be published in the *Government Gazette*, and only in such districts and sub-districts as hereinafter provided.

Interpretation clause.	2 In this Ordinance, unless the context otherwise requires—
Temple.	“Temple” shall mean vihare, dagoba, and dewale, and shall include the Dalada Maligawa and the Atamasthane at Anuradhapura.
Incumbent.	“Incumbent” shall mean the chief resident priest of a temple.
Paraveni panguwa.	“Paraveni panguwa” shall mean an allotment of land held by one or more hereditary tenants subject to the performance of service or rendering of dues to a temple.
Maruveni panguwa.	“Maruveni panguwa” shall mean an allotment of land held by one or more tenants-at-will under a temple and subject to the performance of service or rendering of dues to a temple.
Trustee.	“Trustee” shall include the trustees, or a majority of trustees, elected in terms of section 17, and when more than one trustee is elected under that section the majority of trustees so elected may have and exercise all or any of the powers, and may perform all or any of the duties, vested in a trustee under this Ordinance.

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

Division of the island into districts and sub-districts.

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

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

(2) Subject to such Proclamation, the several areas which at the commencement of this Ordinance were districts, sub-districts, or principal districts for the purposes of “The Buddhist Temporalities Ordinance, 1889,” shall respectively continue to be such for the purposes of this Ordinance.

CHAPTER II.

District Committees.

District committees.

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

Provided that for the Atamasthane at Anuradhapura there shall be a committee to be called “the Atamasthane Committee” consisting of six members, namely, the high priest for the time being of the Bo-maluwa, the head of the Nuwarawewa family for the time being, the rate-mahatmayas of the Nuwaragam, Hurulu, and Kalagam palatas, being Buddhists, and a Buddhist layman to be nominated by the high priest of Adam’s Peak and the mahanayakes of the Asgiriya and Malwatte temples or by a majority of them.

The Atamasthane Committee shall perform with regard to the Atamasthane the duties by this Ordinance assigned to district committees, and shall for the purposes of section 15 be deemed to be a committee elected under this Ordinance.

Mode of summoning public meeting for election of district committees.

6 The chief headman of the sub-district, if he is a Buddhist, and, if he is not, then the chief headman of the nearest sub-district who is a Buddhist, shall, as soon as convenient after the coming into operation of this Ordinance, summon a public meeting to be held at a time and place to

be determined by him. He shall also, thirty days at least before the time so determined, cause a written notice of such meeting in the Sinhalese language to be affixed to some conspicuous part of each temple within the sub-district, and shall also give due publicity to such notice, by beat of tom-tom or otherwise, on three consecutive days before the day fixed for the meeting.

Qualifications of voters.

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

Qualifications of candidates for election.

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

- (a) Be a Buddhist layman possessed of immovable property of the value of Rs. 750 or upwards or an annual income of Rs. 300 or upwards.
- (b) Have been the occupier of a house within the district either as owner or tenant for one year previously to the date of his election ;
- (c) Have completed his twenty-fifth year ;
- (d) Not have been convicted of any infamous crime ;
- (e) Not be a paraveni or maruveni tenant of a temple.

Procedure at election meeting

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

Mode of filling up vacancies.

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

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

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

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

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

Purposes for which rules may be made defined.

- (a) For determining the quorum necessary for the transaction of business ;
- (b) For regulating the time and place of their meetings and the conduct and record of their proceedings ;
- (c) For prescribing the form in which all accounts, statements, and returns incidental to their business and that of the trustees shall be kept : Provided that if any district court shall, under section 25, prescribe the form in which the accounts of the trustees shall be kept, such form and no other shall be adopted ;
- (d) For regulating the management of temple schools ;

- (e) For assessing the proportion in which each temple within the district shall contribute a share of the cost of carrying out the provisions of this Ordinance ;
- (f) For determining and recording the godaragam or villages attached to each temple.
- (g) For every purpose necessary to the due exercise of their powers and the performance of their duties under this Ordinance.

published in the
*Government
Gazette.*

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

District
committee to
prepare a register
containing
certain specified
particulars.

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

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

Appointment of
a commissioner.

15 It shall be lawful for the Governor to appoint the government agent of any province and the assistant government agent of any district respectively to be a commissioner within his own province or district for the purpose of controlling and assisting any of the committees elected under this Ordinance in the administration and management of the funds and property of their temples, and for the purpose of exercising the powers by the next following section assigned to commissioners ; and the Governor may invest any such commissioner with all or any of the powers defined in Ordinance No. 9 of 1872.

District
committee may
suspend trustee
guilty of
negligence or
misconduct.
Commissioner
may dismiss
trustee.
Proviso.

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

CHAPTER III.

Trustees.

Trustees for
temples to be
elected.

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

Provided that in the case of the Atamasthane at Anuradhapura the trustees shall be appointed by the Atamasthane Committee, and that in the case of dagobas elsewhere the trustees shall be appointed by the committees of the districts in which they are situate.

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

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

Proviso.

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

Proviso

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

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

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

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

19 All contracts made before the date of the coming into operation of this Ordinance in favour of any temple or of any person on its behalf, and all rights of action arising out of such contracts, may be enforced by the trustee or trustees under this Ordinance, as far as circumstances will admit, as

though such contract had been entered into with him; and all persons who at the said date owe any money to any temple or to any person on its behalf shall pay the same to such trustee or trustees, who are hereby empowered to recover the same by action if necessary. All moneys received or recovered by any trustees under this Ordinance shall be held and appropriated by such trustees in manner and for the purposes provided in section 20.

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

Purposes for which trust fund shall be appropriated.

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

Maintenance of priests and ministerial officers.

Performance of religious services and ceremonies.

Promotion of education, Relief of the poor and hospitality to priest.

Compensation.

Payment of the expenses of working this Ordinance.

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

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

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

Penalty for refusing to produce documents or making false declaration.

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

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

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

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

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

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

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

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

Auditor to report to district committee and district court.

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

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

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

Power of trustees to demise temple lands.

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

Proviso.

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

Proviso.

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

Provided further that 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.

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

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

Penalty for giving wrong information or obstructing trustee.

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

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

30 It shall be lawful for the trustees to sue under the name and style of "trustees of (*name temple*)" for the recovery of any property vested in them under this Ordinance or of the possession thereof, and for any other purpose requisite for the carrying into effect the objects of this Ordinance.

They shall also be liable to be sued under the same name and style, but shall not be personally liable in costs for any act *bonâ fide* done by them under any of the powers or authorities vested in them under this Ordinance.

CHAPTER IV.

General.

- Questions to be decided by committees by a majority of votes. President to have a casting vote.
- 31 All acts whatsoever authorized or required by virtue of this Ordinance to be done by any district committee shall be decided and done by the majority of members present at any duly convened meeting. Provided that when the votes of the members present in regard to any question shall be equally divided, the president shall, besides his vote as a member, have a casting vote.
- Proviso.
- 32 Any member of committee absenting himself from three consecutive meetings shall *ipso facto* vacate his seat; provided however that the committee may for good and sufficient reasons re-appoint him for the remainder of his term of office.
- Further proviso.
- Provided further that it shall be lawful for the district committee, upon good and sufficient reasons shown to them, to permit any trustee to resign his office, and for any member of the district committee to resign his membership.
- Neglect of duty by trustee.
- 33 If any trustee after accepting office shall wilfully neglect to perform any of the duties thereto belonging, he shall be guilty of an offence, and shall on conviction be liable to a fine not exceeding one hundred rupees or to simple imprisonment not exceeding three months.
- Vacancy in office of trustee to be filled up by election.
- 34 If any person elected as trustee or member of any district committee shall refuse to accept office, or shall resign or die, or shall depart from this island, or shall become bankrupt or insolvent or incapacitated from fulfilling the duties of his office by mental or bodily infirmity or disease, or shall cease to be qualified as required by this Ordinance, then, in the case of such trustee or of any trustee who shall be dismissed under section 16, another trustee shall be forthwith elected in his stead in manner provided in section 17, and in the case of such member the district committee shall cause to be elected another member in his stead, in accordance with the provisions of this Ordinance for the election of first members of a district committee. Provided that in the case of the refusal to accept office, death, incapacity, disqualification, resignation, suspension, dismissal, bankruptcy, insolvency, or departure from the island of any trustee, it shall be competent for the district committee to make provisional arrangements for the performance of the duties of the office pending the election of a successor, and any person who may be provisionally appointed to act as trustee shall have all the powers and be liable to all the duties of a trustee elected under this Ordinance.
- Vacancy in office of committee member to be caused to be filled up.
- Proviso.
- 35 Whenever the trustee of any temple who has been suspended or dismissed from his office under the provisions of this Ordinance shall hold or occupy as such trustee, either directly or through any other person on his behalf, any movable or immovable property belonging to any temple, and shall refuse or neglect to deliver possession of such property to the trustees for the time being of the said temple or any person provisionally authorized by the district committee in that behalf, it shall be competent to such trustees, or to the district committee, or the person provisionally authorized by them, to apply to the district court for a writ requiring the said trustee to deliver possession of the property to such trustees or to the district committee or other person aforesaid. It shall be competent to such court to issue its writ to the fiscal or deputy fiscal, and give possession accordingly as
- Power to recover possession of property from a suspended or dismissed trustee.

if it were a writ issued in execution of its own decree. And for this purpose the application accompanied by the order of suspension or dismissal duly certified under the hand of the president of the district committee shall be *prima facie* evidence of the facts stated in the said order, and shall be sufficient authority for the court to act as aforesaid.

Notwithstanding vacancy, remaining committee members shall have power to act.

36 In the case of the refusal to accept office, death, incapacity, disqualification, resignation, bankruptcy, insolvency, or departure from the island of any member of any committee established under this Ordinance, and until the appointment of his successor, the remaining members or member of any such committee shall continue to do all and every the acts, matters, and things necessary for carrying into effect the purposes of this Ordinance, anything which may be prescribed in any rules made under this Ordinance relative to the number of members required to form a quorum at any meeting of such committee to the contrary notwithstanding.

Recovery of property improperly alienated.

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

Court may set aside leases.

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

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

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

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

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

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

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

40 The interest required in order to entitle a person to sue under the last preceding section need not be a pecuniary or a direct or immediate interest, or such an interest as would entitle the person to take any part in the management or superintendence of the trusts. Any person having a right of attendance, or having been in the habit of attending

at the performance of the worship or service of any temple, or of partaking in the benefit of any distribution of alms, shall be deemed to be a person interested within the meaning of the last preceding section.

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

41 From and after the time when this Ordinance shall come into operation, it shall not be lawful for any temple, or for any person in trust for, or on behalf, or for the benefit of any temple, to acquire any land or immovable property, or any interest in any land or immovable property of the value of fifty rupees or upwards, unless the license of the Governor under the public seal of the island be obtained. And if any person shall by device, grant, or conveyance, or otherwise purport or attempt to vest in any such temple or in any person or persons in trust, for or for the benefit or on behalf of any such temple, any land or immovable property, or any interest therein, of the value aforesaid, and such license as aforesaid is not obtained, such land or property or interest shall devolve on, and become vested in, the lawful heir or heirs of such person notwithstanding such device, grant, or conveyance to the contrary.

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

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

43 (1) It shall be lawful for the Governor in Executive Council to make rules for the preservation and protection of such Buddhist shrines, temples, inscriptions, and monuments as may be considered to be of historical, archaeological, or artistic interest, and for preventing the same from being defaced by inappropriate or incongruous repairs or additions.

(2) All rules so made shall specify the shrine, temple, inscription, or monument to which they relate, and shall be published in the *Government Gazette*, and shall thereupon become as legal, valid, and effectual as if the same had been inserted herein, and shall be binding upon and be observed by all persons subject to their operation, and all courts, judges, and magistrates shall take judicial notice thereof.

(3) The breach of any rules made in pursuance of this section shall be an offence, and shall be punishable by a fine not exceeding twenty rupees, and in the case of a continuing offence not exceeding five rupees for each subsequent day on which such offence was committed.

Offences under these rules shall be cognizable by a police court, and such court shall have power to inflict the full amount of fine to which the offender shall be liable, notwithstanding that such fine may exceed in amount the ordinary jurisdiction of a police court.

Repeal.

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

Passed in Council the Fourteenth day of August, One thousand Nine hundred and Five.

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-fifth day of August, One thousand Nine hundred and Five.

A. M. ASHMORE,
Colonial Secretary.

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

No. 9 of 1905.

An Ordinance to amend "The Opium Ordinance, 1899."

HENRY A. BLAKE.

Preamble.

WHEREAS it is expedient to amend "The Opium Ordinance, 1899," in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Opium (Amendment) Ordinance, 1905," and shall be read and construed as one with "The Opium Ordinance, 1899," hereinafter referred to as "the principal Ordinance," and the principal Ordinance, Ordinance No. 14 of 1903, and this Ordinance may be cited together as "The Opium Ordinances, 1899 to 1905."

2 The following section shall be substituted for section 15 of the principal Ordinance:

Conditions may be attached to licenses.

15 (1) The proper authority may at his discretion refuse to grant any license or may attach such conditions thereto as he may deem expedient, provided that such conditions shall, in the case of a license to sell opium by retail, *inter alia*, include the following:

- (a) No opium shall be sold, given, or transferred between the hours of 8 at night and 6 in the morning.
- (b) The quantity to be sold, given, or transferred at any one time to any individual, except to a licensed retail vendor, shall not exceed 180 grains.
- (c) Opium shall not be consumed on the premises.
- (d) Opium offered for sale or transfer shall not be adulterated or deteriorated in any way.
- (e) Opium shall not be sold, given, or transferred to any individual apparently under the age of fifteen years.
- (f) Wearing apparel or other goods shall not be received in barter for opium.
- (g) Daily accounts shall be kept in a form to be prescribed by the proper authority of the quantities of opium received, sold, given, or transferred, and remaining on hand at the end of each day.

Licenses may be revoked.

(2) The proper authority may revoke such license in the event of—

- (a) Any conditions or any of the provisions of this Ordinance being infringed in respect thereof; or
- (b) For any reason whatsoever, on giving fifteen days' notice to the licensee and on paying to him a sum bearing the same proportion to the sum paid for the license as the unexpired part of the period for which the license runs does to the whole period in respect of which it was issued.

3 The following section shall be substituted for section 16 of the principal Ordinance:

16 (1) No person shall sell, give, or transfer, or suffer or permit to be sold, given, or transferred, any opium in any quantity under the provisions of this Ordinance except for ready money to be paid for on the spot at the time of such sale, gift, or transfer, and not otherwise.

Penalty for transfer or breaches of Ordinance. Sale of bhang or ganja absolutely prohibited.

(2) Any person who shall possess, transfer, give, sell, or offer for sale, or suffer or permit to be sold, given, or transferred, any opium in breach of or in any way contrary to any of the provisions of this Ordinance, or otherwise than in accordance with the license in that behalf granted under this Ordinance; or possess, sell, give, transfer, or offer for sale or transfer, or suffer or permit to be sold,

Sale of opium to children prohibited.

given, or transferred, any bhang or ganja, or any substance containing bhang or ganja, and every holder of a license for the sale by wholesale or retail of opium who sells, gives, or transfers, or allows any person to sell, give, or transfer opium to any person apparently under the age of fifteen years, shall be guilty of an offence, and be liable on the first conviction to a fine not exceeding fifty rupees, or to simple or rigorous imprisonment not exceeding three months, or to both; and on every subsequent conviction to a fine not exceeding one hundred rupees, or to imprisonment, simple or rigorous, not exceeding six months, or to both.

Passed in Council the Fourteenth day of August, One thousand Nine hundred and Five.

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-fifth day of August, One thousand Nine hundred and Five.

A. M. ASHMORE,
Colonial Secretary.

DRAFT ORDINANCE.

MINUTE.

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

An Ordinance to further amend the Law relating to General Regulation of Customs.

Preamble.

WHEREAS it is expedient to further amend in certain particulars the Ordinances relating to the General Regulation of Customs: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Customs Duties Amendment Ordinance, 1905," and this Ordinance and "The Customs Duties Ordinances, 1869 to 1904," shall be read and construed as one Ordinance, and may be cited together as "The Customs Duties Ordinances, 1869 to 1905."

Substitution of new section for section 3 of Ordinance No. 9 of 1904."

2 For section 3 of "The Customs Duties Amendment Ordinance, 1904," there shall be substituted the following section, namely:

In Schedule D of "The Customs Duties Amendment Ordinance, 1903," the following words shall be added after the words "If exceeding 288 hours to pay the same rate outwards as paid inwards," namely:

Provided that buoy rent shall not be payable—

- (a) In respect of any time beyond the said period during which a sailing vessel has stayed in port for repairs, or because she was unable to put to sea without risk, if the master attendant is satisfied that such stay was necessary and was not unduly prolonged; or
- (b) In respect of any time during which a vessel is on the slips or in dry dock; or
- (c) In respect of any time during which any vessel is kept in port as a reserve vessel to maintain the regularity of the mail service or for other important public service.

The Governor shall from time to time, by notification in the *Government Gazette*, declare the vessels which are entitled under this sub-section to be exempted as reserve vessels from buoy rent.

Amendment of
tariff of import
duties as regards
perfumery and
used motor
bicycles
accompanying
passengers.

3 (1) In Schedule B annexed to "The Customs Duties Amendment Ordinance, 1903," there shall be substituted for the words "Perfumery or spirits imported as perfumery per gallon Rs. 7" the following words, namely:

	Rs. c.
On perfumed spirits and bay rum a duty per gallon of	7 0
On perfumery other than perfumed spirits, for every Rs. 100 of the value thereof a duty of ...	5 50

(2) In the enumeration of articles exempted from Customs duty under the head of "Passengers' Luggage accompanying the Passenger" in the table of exemptions in the said schedule to the said Ordinance, the words "used motor bicycles" shall be inserted between the words "used bicycles" and "photographers' cameras."

By His Excellency's command,

Colonial Secretary's Office,
Colombo, September 1, 1905.

A. M. ASHMORE,
Colonial Secretary.

Statement of Objects and Reasons.

1. "The Customs Duties Amendment Ordinance, 1904," provided for the charge of a buoy rent on all vessels staying in Colombo Harbour for more than 288 hours, sailing vessels staying in harbour for repairs or under stress of weather being exempted from the charge.

2. The Draft Ordinance extends the exemption from buoy rent to vessels on the slip or in dry dock, and also to vessels kept as reserve vessels to maintain the regularity of the mail service or for other important public duty.

3. The Draft Ordinance further introduces a slight alteration in the import duty charged on perfumery and perfumed spirits. Whilst perfumery not containing spirit is admitted on payment of the ordinary *ad valorem* 5½ per cent. duty, the duty of Rs. 7 per gallon which Ordinance No. 2 of 1903 imposed on all perfumery is retained in the case of perfumed spirits and bay rum. Used motor bicycles are also added to the list of articles which are admitted free of duty when accompanying the passenger.

Colombo, June 22, 1905.

ALFRED G. LASCELLES,
Attorney-General.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,123.

In the matter of the insolvency of William Rae Sands of Colombo, in his individual capacity and as a partner of the firm of Baker & Hall.

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 September 21, 1905, for the purpose of considering and approving the conditions of sale of the Cotanchina Mills and of giving directions with regard to the sale.

By order of court,

P. DE KRETZER,
Acting Secretary.

Colombo, September 6, 1905.

In the District Court of Colombo.

No. 2,123.

In the matter of the insolvency of William Rae Sands of Colombo, in his individual capacity and as a partner of the firm of Baker & Hall.

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 September 21, 1905, for proof of further claims.

By order of court,

P. DE KRETZER,
Acting Secretary.

Colombo, September 4, 1905.

In the District Court of Colombo.

No. 2,143. In the matter of the insolvency of Walter Harris de Kretser of the Pettah in Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on September 28, 1905, for the grant of a certificate of conformity to the above-named insolvent.

By order of court,

P. DE KRETSEK,
Acting Secretary.
Colombo, August 31, 1905.

In the District Court of Colombo

No. 2,201. In the matter of the insolvency of William de Silva Siriwardana of No. 11, Ferry street in New Bazaar, Colombo.

WHEREAS the above-named William de Silva Siriwardana has filed a declaration of insolvency, and a petition for the sequestration of the estate of the said William de Silva Siriwardana has also been filed by A. N. V. Walliappa Chetty, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said William de Silva Siriwardana insolvent accordingly, and that two public sittings of the court, to wit, on September 28, 1905, and October 12, 1905, 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,

P. DE KRETSEK,
Acting Secretary.
Colombo, August 31, 1905.

In the District Court of Colombo

No. 2,202. In the matter of the insolvency of Thomas Euphraims Jansz of No. 6, Vauxhall street, Slave Island, Colombo.

WHEREAS the above-named Thomas Euphraims Jansz has filed a declaration of insolvency, and a petition for the sequestration of the estate of the said Thomas Euphraims Jansz has also been filed by K. Vytilingam Selliah Pillai, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Thomas Euphraims Jansz insolvent accordingly, and that two public sittings of the court, to wit, on September 21, 1905, and October 12, 1905, 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,

P. DE KRETSEK,
Acting Secretary.
Colombo, August 31, 1905.

In the District Court of Colombo

No. 2,203. In the matter of the insolvency of Keena Oena Seeni Tamby of Symonds road, Colombo.

WHEREAS the above-named Keena Oena Seeni Tamby has filed a declaration of insolvency, and a petition for the sequestration of the estate of the said Keena Oena Seeni Tamby has also been filed by M. S. Seeni Mohamado, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Keena Oena Seeni Tamby insolvent accordingly, and that two public sittings of the court, to wit, on September 28, 1905, and on October 12, 1905, 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,

P. DE KRETSEK,
Acting Secretary.
Colombo, August 31, 1905.

In the District Court of Colombo

No. 2,204. In the matter of the insolvency of Colin Toussaint of Wellawatta in Colombo.

WHEREAS the above-named Colin Toussaint has filed a declaration of insolvency, and a petition for the sequestration of the estate of the said Colin Toussaint has also been filed by J. W. H. Ebert, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Colin Toussaint insolvent accordingly, and that two public sittings of the court, to wit, on September 28, 1905, and October 12, 1905, 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,

P. DE KRETSEK,
Acting Secretary.
Colombo, September 4, 1905.

In the District Court of Kalutara.

No. 105. In the matter of the insolvency of Owen Mendis Obeyesekera of Nagoda, now of 2nd Division, Maradana, Colombo.

NOTICE is hereby given that a meeting of creditors in the above matter will be held on September 29, 1905, for the purpose of declaring a dividend.

By order of court,

WM. DE SILVA,
Secretary.
Kalutara, September 1, 1905.

In the District Court of Kandy.

No. 1,502. In the matter of the insolvency of P. Bastian Silva of Kolapatna, Kotmale.

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 October 6, 1905, for the consideration of the grant of a certificate of conformity.

By order of court,

W. M. DE SILVA,
Secretary.
Kandy, September 4, 1905.

In the District Court of Kandy.

No. 1,508. In the matter of the insolvency of W. R. Waller of Dikoya.

NOTICE is hereby given that September 29, 1905, is fixed for the consideration of the grant of a certificate of conformity to the above-named insolvent.

By order of court,

W. M. DE SILVA,
Secretary.
Kandy, August 30, 1905.

In the District Court of Galle.

No. 359. In the matter of the insolvency of Ambalangodage Janis de Silva of Peraliya.

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 October 17, 1905, for the grant of a certificate of conformity.

By order of court,

D. M. JANSZ,
Secretary.
Galle, September 6, 1905.

In the District Court of Badulla.

No. 96. In the matter of the insolvency of Kena Kavena Kader Neina Mohamado of Badulla.

WHEREAS Weerasingha Acharige Bernard Perera of Badulla has filed a declaration of insolvency, and a petition for the sequestration of the estate of Kena Kavena Kader Neina Mohamado, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Kena Kavenna Kader Neina Mohamado insolvent accordingly, and

that two public sittings of the court, to wit, on September 30, 1905, and on October 28, 1905, 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,

JNO. DHARMAKIRTI,
Secretary.

Badulla, August 30, 1905.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the matter of the Estate of the Jurisdiction. late Kuruppu Arachige Dona No. 2,421. Catherina Perera Hamine, deceased, of New Bazaar in Colombo.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge, of Colombo, on the 24th day of August, 1905, in the presence of Mr. E. G. Jayewardene on the part of the petitioner Codagoda Aratchige Don Andris Gooneratne Appuhami of New Bazaar; and the affidavit of the petitioner, dated the 7th day of August, 1905, having been read: It is ordered that Codagoda Aratchige Don Andris Gooneratne Appuhami of New Bazaar be declared entitled to have letters of administration to the estate of the said deceased be issued to him, unless (1) Simon Gooneratne, (2) Edwin Gooneratne, (3) Winifred alias Gnanadari Gooneratne, (4) Somavati Gooneratne, and (5) Daisy Gooneratne, all of New Bazaar in Colombo, by their guardian *ad litem* Kuruppu Aratchige Don William Perera shall, on or before the 14th day of September, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,
District Judge.

The 24th day of August, 1905.

In the District Court of Colombo.

Testamentary In the Matter of the Estate of the Jurisdiction. late Bulatsinhalage Bastian Coorey, No. 2,422. deceased, of Nawala in the Palle pattu of Salpiti korale.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 24th day of August, 1905, in the presence of Mr. E. P. Jayewardane on the part of the petitioner Bulatsinhalage William Coorey of Nawala; and the affidavit of the said petitioner, dated the 25th day of July, 1905, having been read:

It is ordered that the said Bulatsinhalage William Coorey of Nawala be declared entitled to have letters of administration to the estate of the said deceased issued to him, unless Kalubowilagey Laisa Alwis of Nawala in the Palle pattu of Salpiti korale shall, on or before the 14th day of September, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,
District Judge.

The 24th day of August, 1905.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Estate of the Jurisdiction. late Wanneku wattawaduge Franciscoe Fernando, deceased, of Idama in Moratuwa.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 24th day of August, 1905, in the presence of Messrs. G. M. Silva and J. P. Perera on the part of the petitioner Merenghegey Sarah Cooray of Idama in Moratuwa; and the affidavit of the said petitioner, dated the 14th day of August, 1905, having been read: It is ordered that the will of the said Wanneku wattawaduge Franciscoe Fernando, deceased, dated the 11th day of August, 1880, be and the same is hereby declared proved, unless any one interested shall, on or before the 14th day of September, 1905, show sufficient cause to the satisfaction of this court to the contrary. It is further declared that the said Merenghegey Sarah Cooray of Idama in Moratuwa is the executor named in the said will, and that she is entitled to have probate of the same issued to her accordingly, unless any one interested shall, on or before the 14th day of September, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,
District Judge.

The 24th day of August, 1905.

In the District Court of Colombo..

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the Jurisdiction. late Hettiaratchige Ana Maria No. 2,432. Alodea, deceased, of Bambalal-pitiya, Colombo.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 2nd day of September, 1905, in the presence of Messrs. Vanderstraaten and Vanderstraaten on the part of the petitioner Jayesuriaratchige John de Saram of Colombo; and the affidavit of the said petitioner, dated the 14th day of August, 1905, having been read: It is ordered that the will of Hettiaratchige Ana Maria Alodea, deceased, dated the 10th day of October, 1905, be and the same is hereby declared proved, unless any one interested shall, on or before the 28th day of September, 1905, show sufficient cause to the satisfaction of this court to the contrary. It is further declared that the said Jayesuriaratchige John de Saram is the executor named

in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any one interested shall, on or before the 28th day of September, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,
District Judge.

The 2nd day of September, 1905.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of Handapangodage Davith Pieris Appuhamy, deceased, of Pattiya in Panadure.
Jurisdiction. No. 416.

THIS matter coming on for disposal before W. R. B. Sanders, Esq., District Judge of Kalutara, on the 22nd day of August, 1905, in the presence of Mr. P. A. Gooneratne, Proctor, on the part of the petitioner Kalutantrige Francina Pieris Goonetilleke Hamine of Panadure; and the affidavit of the said petitioner, dated 18th August, 1905, having been read:

It is ordered that the said petitioner Kalutantrige Francina Pieris Goonetilleke Hamine be declared entitled to have letters of administration to the estate of the deceased Handapangodage Davith Pieris Appuhamy issued to her, as widow of the said deceased, unless the respondents—(1) Handapangodage Andris Pieris Appuhamy of Walana, (2) Handapangodage Thomis Pieris Appuhamy of Galtude, (3) Handapangodage Madalena Pieris Hamine of Galtude, (4) Jayasuriage Hendrick Perera Appuhamy of Galtude, (5) Handapangodage Christina Pieris Hamine of Galtude, (6) Handapangodage Ana Peiris Hamine of Tantrimulla, wife of (7) Tantrige James Ruberu Appuhamy of Galtude, (8) Handapangodage Yasona Pieris Hamine of Maha Bellana, wife of (9) Pelpolage Don Vionis Appuhamy of Maha Bellana, (10) Handapangodage Nonno Pieris Hamine of Morande, wife of (11) Padukkage Don Agris Appuhamy of Morande—shall, on or before the 14th day of September, 1905, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,
The 22nd day of August, 1905. District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Ponnampalam Kartikesu of Manippay, deceased.
Jurisdiction. No. 1,651.

Kartikesu Nannittamby of Manippay... Petitioner.
Vs.

(1) Ponnampalam Tamotharampillai and
(2) Chinnachechy, widow of Velanthar of Manippay..... Respondents.

THIS matter of the petition of Kartikesu Nannittamby of Manippay praying for letters of administration to the estate of the above-named deceased Ponnampalam Kartikesu coming on for disposal before C. Eardley-Wilmot, Esq., District Judge, on the 25th day of August, 1905, in the presence of Mr. S. T. Arnold, Proctor, on the part of the petitioner; and affidavit of the petitioner, dated the 25th day of August, 1905, having been read: It is ordered that the petitioner be, and he is hereby declared, as one of the heirs of the said intestate, to be 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 the 15th day of September, 1905, show sufficient cause to the satisfaction of this court to the contrary.

C. EARDLEY-WILMOT,
District Judge.
This 25th day of August, 1905.

In the District Court of Mullaittivu.

Order Nisi.

Testamentary In the Matter of the Estate of the late S. M. Arunasalem of Nedunkeny, deceased.
Jurisdiction. No. 50.

Mr. Paul Francis, Secretary, District Court, Mullaittivu..... Petitioner,
Vs.

(1) Parupati, widow of S. M. Arunasalam,
(2) Sedemperam, wife of Nakamaney,
(3) Pathini, wife of Veluppillai, all of Nedunkeny..... Respondent.

THIS matter of the petition of Mr. Paul Francis, Secretary, District Court, Mullaittivu, praying for letters of administration to the estate of the above-named deceased S. M. Arunasalem, coming on for disposal before R. A. G. Festing, Esq., District Judge, on the 5th day of August, 1905, in the presence of the petitioner; and the affidavit of the petitioner, dated the 5th day of August, 1905, having been read: It is declared that the petitioner is the official administrator of the estate 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 the 23rd day of September, 1905, show sufficient cause to the satisfaction of this court to the contrary.

R. A. G. FESTING,
This 5th day of August, 1905. District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Weerawarna Jayasekera Patabendige Sarlota, deceased.
Jurisdiction. No. 1,454.

THIS matter coming on for disposal before T. R. E. Loftus, Esq., District Judge, Matara, on the 8th day of June, 1905, in the presence of Proctor David Samaraweera; and the affidavit of Samitchi de Silva Weerakoon, Maha Vidane, dated 27th May, 1905, having been read:

It is ordered that Hendreck de Silva Weerakon be declared entitled to have letters of administration to the estate of Weerawarna Jayasekera Patabendige Sarlota, and that letters of administration be issued accordingly, unless (1) Lizie Weerakon and (2) Darley Weerakon of Fort, Matara, shall show sufficient cause to the satisfaction of this court to the contrary on or before the 18th day of July, 1905.

THOS. R. E. LOFTUS,
District Judge.
This 8th day of June, 1905.

The above *Order Nisi* is extended till September 11, 1905, for showing cause.

T. R. E. LOFTUS,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Mititota Hewage Bastian Silva, deceased, of Denuwela.
Jurisdiction. No. 1,461.

THIS matter coming on for disposal before T. R. E. Loftus, Esq., District Judge of Matara, on the 18th day of July, 1905, on the motion of Mr. D. Samaraweera, Proctor, on the part of the petitioner Hewa Marambage Podihami of Denuwela; and the affidavit of the said petitioner, dated 11th July, 1905, having been read:

It is ordered that the said Hewa Marambage Podihami be and she is hereby declared entitled to have letters of administration to the estate of the deceased Mititota Hewage Bastian Silva issued to her, as widow

of the said deceased, unless the respondents—(1) Mititota Hewage Dharmasena, (2) Mititota Hewage Dammy, (3) Mititota Hewage Sirisena, and (4) Hewa Marabage Samel Appu, all of Denuwela—shall, on or before the 19th day of September, 1905, show sufficient cause to the satisfaction of this court to the contrary.

C. H. B. ALTENDORFF,
Acting District Judge.

The 18th day of July, 1905.

In the District Court of Puttalam.

Order Nisi.

Testamentary In the Matter of the Last Will and
Jurisdiction. Testament of Pitcha Tamby
No. 197. Moheideen Pitcha, late of Puttalam.

THIS matter coming on for disposal before F. Bowes, Esq., District Judge of Puttalam, on the 15th day of November, 1904, in the presence of Mr. Wilfred A. Muttukumaru, Proctor, on the part of

the petitioner; and his affidavit dated 15th day of November, 1904, and the petition dated 15th November, 1904, having been duly read: It is hereby ordered that the petitioner Mohideen Pitcha Meera Naina Marakar of Puttalam above-named be and he is hereby appointed administrator of the intestate estate of Pitcha Tamby Moheideen Pitcha, late of Puttalam, unless the respondent Sinna Marakar Assen Meera Natchia of Puttalam shall, on or before the 30th day of November, 1904, show sufficient cause to the satisfaction of this court to the contrary.

F. BOWES,
District Judge.

The 15th day of November, 1904.

The date for showing cause is extended to 20th September, 1905.

By order of court,

C. B. PAULICKPULLE,
Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

T. A. J. Noorbhai of Colombo.....Plaintiff.
No. 19,410 C. Vs.

Tambyah Sanmugam of Devon House,
Cinnamon Gardens, Colombo.....Defendant.

NOTICE is hereby given that on Monday, October 2, 1905, at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 7,066.86, with further interest on Rs. 6,503.25 at 8 per cent. per annum from December 1, 1903, till payment in full, and costs of suit, viz.:—

One undivided third share of the defendant Tambyah Sanmugam of and in all that land and the buildings standing thereon bearing assessment Nos. 48 and 49 and called and known as Vavasseur Mills, situated at Deans road within the Municipality of Colombo; bounded on the north by the property bearing assessment No. 47 said to belong to Sivan Kovil, on the east by Norris Canal street, on the south by the road called De Saram Place, and on the west by Deans road; containing in extent 8 acres 2 roods and 10 perches more or less.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, September 6, 1905.

In the District Court of Colombo.

W. Daniel Andris Fernando of Slave Island in Colombo.....Plaintiff.
No. 21, 483 C. Vs.

Arisie Marikar Hadjiar Mohamado Salieb of New Moor street, Colombo.....Defendant.

NOTICE is hereby given that on Monday, October 2, 1905, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the following property, mortgaged with the plaintiff and decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 2,461.66, with interest on Rs. 2,000 at 12 per cent. per annum from March 7, 1905, till April 14, 1905, and thereafter on the aggregate

amount at 9 per cent. per annum till payment in full, and costs of suit, viz.:—

All that part of the garden called Todoawatta bearing assessment No. 35, Forbes road, situated at Maradana, Colombo; bounded on the north by the other part of this property, on the east by a passage, on the south by the property of Sesina Lebbe Awoe Lebbe Marikar, and on the west by the other part of Todoawatta No. 6; containing in extent 10.50 perches.

E. ONDATJE,
Deputy Fiscal.
Fiscal's Office,
Colombo, September 6, 1905.

In the District Court of Colombo.

P. D. A Mack and T. D Mack, executors of the last will and testament and codicil of Francis Thomas Stewart of Colombo, deceased.....Plaintiffs.
No. 21,820 C. Vs.

Kanagasabie Tangamma, administratrix of the estate of Tanmavarather Valoopilly of Norris Canal road, Colombo....Defendant.

NOTICE is hereby given that on Friday, September 29, 1905, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the following property, mortgaged and decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 21,849, with interest on Rs. 20,000 at 8 per cent. per annum from May 29, 1905, till July 14, 1905, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit, viz.:—

All that southern half part of lot No. 7, with the buildings standing thereon called Canaga Villa bearing assessment No. 4B, situated at Norris Canal road in Maradana in Ward No. 7, within the Municipality of Colombo, Western Province; bounded on the north by the other part of the same lot called Tanma Villa, on the east by lot No. 8 the property of Dr. W. G. Rockwood, on the south by lot No. 9 the property of Dr. W. G. Rockwood, and on the west by the road called Norris Canal road; containing in extent 1 rood and 5½ square perches according to the survey and description thereof bearing No. 180, dated October 25, 1902, made by A. E. Van Rooyen, Surveyor, together with all the right, title, interest, claim,

and demand of the said Tanmavarathar Valoopilly in, to, upon, or out of the said property.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, September 6, 1905.

In the District Court of Colombo.

The Mercantile Bank of India, Limited. . . . Plaintiffs.
No. 21,827 C. Vs.

Kanagasabie Tangamma of Colombo, ad-
ministratrix of the estate of the late
Tanmavarathar Valoopilly Defendant.

NOTICE is hereby given that on Friday, September 29, 1905, at 4 o'clock in the afternoon, will be sold by public auction at the premises the following property, specially and primarily mortgaged by the said Tanmavarathar Valoopilly with the plaintiffs by bond dated November 15, 1902, and by the decree entered in the above action declared specially bound and executable, for the payment of the sum of Rs. 20,791.33, with interest thereon at 9 per cent. per annua from June 30, 1905, till payment in full, and costs of suit on the footing of the said mortgage, viz. :—

All that allotment of land, with the buildings standing thereon, called Tanma Villa bearing assessment No. 4, Norris Canal road, situated at Maradana in Ward No. 7, within the Municipality of Colombo, Western Province; bounded on the north by lot No. 5, the property of Adris Mendis, on the east by lot No. 8 the property of Dr. W. G. Rockwood, on the south by the other half of the same lot called Canaga Villa, and on the west by the road called Norris Canal road, containing in extent 1 rood and 5½ perches according to the survey dated October 28, 1902, made by A. E. Van Rooyen, Licensed Surveyor, being the northern divided half part of all that lot No. 7, situated at Maradana aforesaid; bounded on the north by lot No. 5, on the south by lot No. 9, on the east by lot No. 8, and on the west by a ditch and road, containing in extent 2 roods and 11 perches, together with all the right, title, interest, claim, and demand of the said Tanmavarathar Valoopilly in, to, upon, or out of the same at the date of the aforesaid mortgage.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, September 6, 1905

In the District Court of Negombo.

Ana Sena Ana Sokkalingam Chetty of
Negombo Plaintiff.

No. 5,991. Vs.

Henry Perera Chandrasekera of Kehel-
ella Defendant.

NOTICE is hereby given that on October 21, 1905, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the following mortgaged property, viz. :—

1. The eastern half of an allotment of Horagahawatta, situate at Waradala in Dunagaha pattu of Alutkuru korale, the said allotment being bounded on the north by the garden belonging to Juse Fernando, on the east also by the garden belonging to the same person, on the south by the high road, and on the west by the remaining portion belonging to Wickremesinha Samaranayake Arachchi and Karlina Perera Hamine; containing in extent 6 acres more or less.

2. The land called Horagaha *alias* Kurunduwatta, situate at ditto, the said land being bounded on the north by the high road, on the east also by the road, on the south by the garden belonging to William Perera and others, and on the west by the garden belonging to William Perera and others; containing in extent 2 acres more or less.

3. The undivided western half of the land called Siripadagodella, situate at Kehelalla in ditto, the said land being bounded on the north by the lands appearing in plans Nos. 65,201, 54,605, 5,460, and 54,593, belonging to the heirs of Abaran Naide and others, on the east by the land appearing in the figure of survey bearing No. 54,595 belonging to Thelenis Perera and others, on the south-east and south by the Crown land, on the south-west by the lands belonging to Appuralla and others, and on the west by the garden claimed by H. M. Kavorala Appuhamy; containing in extent 12 acres and 4 perches more or less; and declared liable to be sold in satisfaction of the decree entered in the above case.

Amount to be levied Rs. 4,591.50, with interest on Rs. 1,650 at 18 per cent. per annum from April 12, 1905, and on Rs. 1,500 at 20 per cent. per annum from May 1 to June 29, 1905, and thereafter at 9 per cent. per annum till payment.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, September 5, 1905.

In the District Court of Colombo.

Ana Koona Vana Murugappa Chetty of
Sea street, Colombo Plaintiff.

No. 19,257 C. Vs.

Pavistina de Silva Jayatilaka Hamine of
Maradana in Colombo, widow of the
late Kotege Kornelis Silva of Colombo,
deceased Defendant.

NOTICE is hereby given that on October 9, 1905, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property mortgaged with the plaintiff, viz. :—

All that land called Indigollewatta, situate at Bala-bowa in Dasiya pattu of Alutkuru korale; and bounded on the north-east and east by land described in plan No. 51,312 and by Crown land, on the south-west by Crown land and by lands described in plan No. 51,103, and on the north-west by the lands described in plans Nos. 51,103, 51,104, and 51,312; containing in extent 6 acres 1 rood and 31 perches, together with the buildings and plantations thereon and the appurtenances thereof or thereunto in anywise belonging or used or enjoyed therewith, or reputed or known as part or parcel thereof, and all the estate, right, title, interest, claim, and demand whatsoever of the defendant, in, to, upon, or out of the said lands and premises; and declared liable to be sold in satisfaction of the decree entered in the above case.

Amount to be levied Rs. 1,137.50, with interest on Rs. 1,000 at 15 per cent. per annum from November 23, 1903, to January 8, 1904, and thereafter at 9 per cent. per annum till payment in full, and costs of suit.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, September 5, 1905.

Central Province.

In the District Court of Kandy.

Kuna Pana Rawana Mana Ana Vengada-
salam Chetty of India, by his attorney
Ana Runa Olagappa Chetty of Bazaar
street, Matale Plaintiff.

No. 16,345. Vs.

Pana Ena Muhamdu Ismail's son Muha-
madu Abubakker Miskin Saibo of Alu-
vihare in Matale Defendant.

NOTICE is hereby given that on October 3, 1905, commencing at 12 o'clock noon, will be sold by public auction at the premises the following pro-

erty mortgaged upon bond No. 17,056, dated April 20, 1901, and decreed to be sold by the judgment entered in the above case, namely:—

1. The land called Bethmayaye-elapattuhena of 3 roods and 5 perches in extent; bounded on the east by the road leading to Trincomalee, south by the hena belonging to Kohonagedara Banda, west by Kirimbayagedarawatta, and on the north by Attanagalayawatta, together with all the plantations and houses standing thereon.

2. The remaining plot of land out of Muttettuyayawatta of about 3 acres with everything thereon, which plot is bounded on the east by the wall of the upstairs building sold to Meera Saibo's son Muhamadu Neyna Marikar and its premises, on the south by boundary of Srema Lebbe's garden, on the west by Sathappa Chetty's garden, and on the north by road leading to Beerindawale estate.

3. The garden called Datchiyayawatta of about 6 nellies kurakkan sowing extent with everything thereon; bounded on the east by Arachchi Banda's land and land belonging to Medduma Appu, south by the fence of the garden belonging to Lebbe, west by the road leading to Trincomalee, and on the north also by the fence of the garden belonging to Medduma Appu.

4. The garden called Mylagahamulawatta of about 1 nellie kurakkan sowing extent; bounded on the east and south by Hendrich Perera Appuhamy's land, west by road leading to Trincomalee, and on the north by land belonging to Muhamadu Ismail, with three boutiques and everything thereon, situate at Aluviharegampahesia pattu of Matale.

Amount of writ, Rs. 3,290-91 and interest.

A. V. WOUTERSZ,
Deputy Fiscal.

Fiscal's Office,
Kandy, September 5, 1905.

In the District Court of Kandy.

Reginald William Cracklow of Katugastota.....Plaintiff.

No. 16,789. Vs.

(1), Wattagey Juwanis Perera Appuhamy,
(2) Bogoda Aratchigey Martina Haminey,
both of Ambatenna in Paranagama Pallegampaha of Lower Dumbara.....Defendants.

NOTICE is hereby given that on October 4, 1905, at 12 o'clock noon, will be sold by public auction at the premises the following property mortgaged upon bond No. 502, dated April 28, 1903, and decreed to be sold by the judgment entered in the above case:—

1. The garden Ambatennawatta of about two pelas in paddy sowing extent; bounded on the east, south, and north by ditches, and on the west by high road; containing in extent 3 roods and 38 perches, with everything thereon.

2. The garden Ambatennawatta of one pela in paddy sowing extent; bounded on the east by high road, on the south by fence, on the west by oya, and on the north by Mr. Abeyaratne's garden; containing in extent 3 roods and 20 perches, which said two allotments of land adjoin each other and form part of the garden called and known as Ambatennawatta, situate at Ambatenna aforesaid.

Amount of writ, Rs. 1,897-37½ and interest.

A. V. WOUTERSZ,
Deputy Fiscal.

Fiscal's Office,
Kandy, September 6, 1905.

In the District Court of Kandy.

Reginald William Cracklow of Ambatenna.....Plaintiff.

No. 16,801. Vs.

(1) Ismail Lebbe's widow Sharifa Umma, (2) Ismail Lebbe Marikkar Ahamed Lebbe, both of Trincomalee street, Kandy.....Defendants.

NOTICE is hereby given that on October 3, 1905, commencing at 12 o'clock noon, will be sold by public auction at the premises the following property mortgaged upon bond No. 6,848, dated June 25, 1904, and decreed to be sold by the judgment entered in the above case:—

1. An undivided half part or share of and in all that house and ground bearing assessment No. 117, situate at Trincomalee street, Kandy, containing in extent 12 cubits or 18 feet in breadth and 19 feet in length; and bounded on the north by house belonging to Aysa Umma, on the east by the wall of the lands formerly belonging to Advocate Dunuwille and now belonging to Municipal Council, on the south by house belonging to Kider Mohiyadeen Rapath Umma, and on the west by Trincomalee road.

2. An undivided half share or part out of and from a piece of land with the buildings thereon, formerly bearing Nos. 1 and 2 and presently Nos. 2 and 3, situate at Kirk street within the town and Municipality of Kandy; and bounded on the east by the land of Dingiri Manika, on the south by the road, on the west and north by land belonging to Mr. Siebel.

3. An undivided half part or share out of and from all that land called Meegaskumburedaranda, containing in extent 12 lahas of paddy sowing, situate at Aruppola in the gravets of Kandy; and bounded on the east by the liminary dam of Meegaskumbura, on the south, west, and north by liminary dam of the field Siatugammatie.

4. An undivided half part or share out of and from all that land called Ihalagedarawatta of about 1 acre in extent, situate at Mapanawatura within the gravets of Kandy; and bounded on the east by the ela of the field, on the south by the land of Ihalagedara Hawadia, on the west by the fence of the garden of Sinne Lebbe, and on the north by the fence of the garden of Apullanna.

Amount of writ, Rs. 1,609-02 and interest.

A. V. WOUTERSZ,
Deputy Fiscal.

Fiscal's Office,
Kandy, September 6, 1905.

In the District Court of Kandy.

V. Cathegasu Pulle of Kandy.....Plaintiff.

No. 16,863. Vs.

(1) Charles Goonetilleke, (2) Maria Felicita Goonetilleke, both of Ampitiya.....Defendants.

NOTICE is hereby given that on September 30, 1905, at 12 o'clock noon, will be sold by public auction at the premises the following property mortgaged upon bond Nos. 1,946, 2,643, and 5,333, dated April 8, 1895, May 10, 1897, and January 3, 1899, and decreed to be sold by the judgment entered in the above case:—

All that allotment of land situate at Ampitiya, Kandy, with buildings standing thereon; bounded on the north-east by the high road to Ampitiya, on the south-east by Cooray's land and land claimed by private parties, on the south by Gregory road and another portion of the said land, and on the north-west by the remaining portion of the said land; containing in extent 8 acres and 28 square perches accord-

ing to the figure and survey thereof made by Mr. Charles Vandort of Kandy, Surveyor, bearing date August, 1875, which said allotment of land is part and parcel of all that piece of ground called Hilpenkandura, situate at Ampitiya aforesaid; and bounded on the north and west by Government ground, on the south by ground of Colonel Fraser and Nata Dewale, on the west by the road to Ampitiya containing in extent 38 acres 3 roods and 16 $\frac{3}{8}$ perches.

Amount of writ, Rs. 9,618-91 and interest thereon.

A. V. WOUTERSZ,
Deputy Fiscal.

Fiscal's Office,
Kandy, September 5, 1905.

In the District Court of Kandy.

1, Kavenna Kavenna Nana Muna Muhamado Meera Rawther of Poothambon Pudukotay, South India, represented in Ceylon by his attorney Kawana Ibrahim Saibo of No. 9, Matale road, Katugastota; 2, Kavenna Ibrahim Saibo of No. 9, Matale road, Katugastota Plaintiffs.

No. 16,904. Vs.

1, Segu Ossen Rawther's son Segu Abdul Cader of Gongawala bazaar, Kohnsia pattu, Matale; 2, William Marcel us de Silva, administrator of the estate of the late Muhamado Mohideen Rawther's son Mohamado Canny Bawa of Gongawala Bazaar street, Kohonsia-pattu, Matale Defendants.

NOTICE is hereby given that on September 30, 1905, commencing at 12 o'clock noon, will be sold by public auction at the premises the following property mortgaged upon bond dated April 21, 1902, and decreed to be sold by judgment entered in the above case.

1. Half share of the ground, house, cattle sheds, and plantations of Landecopiwatta, situate at Harasgama in Kohonsia pattu of Matale; bounded on the east by the fence of Nikabeddekumbura once belonging to Don Carolis Abeyagoonawardane, Muhandiram, on the north by the fence of the high land of Bogahakumbura, on the south by the fence of the garden once the property of the said Muhandiram, and on the west by the fence of Wekande.

2. The northern half share of the ground, tiled houses, and plantations of Landewatta of about 2 acres in extent, situate at Harasgama; and bounded on the north by the fence of Bogahakotuwa, on the east by the fence of Kahawattakumbure of Namikki Muhandiram, on the south by the fence of Mamaka Muhandiram's garden, and on the west by the fence of Wekande, both these lands called Landecopiwatta and Landewatta, now adjoining each other and forming 1 land of about 2 $\frac{1}{2}$ acres in extent, with cattle sheds, buildings, and plantations thereon, situate at Harasgama aforesaid; now bounded on the east by the limit of the land once owned by Siman Appu Renter, on the south by Brodie street and the ditch of the land once owned by Alvis Muhandiram, on the west by Wekande or the limit of land once owned by Mr. Amarasekere, and on the north by the property of Baba Sinno, Kulahewadnakamakumbure and Aruma's field, excluding therefrom the dewate and high road passing through the land.

Amount of writ, Rs. 2,709-93 and interest.

A. V. WOUTERSZ,
Deputy Fiscal.

Fiscal's Office,
Kandy, September 5, 1905.

Southern Province.

In the District Court of Galle.

Arnolis de Abrew Wijesingha of Hakmana,
now residing at Kalamulla Plaintiff.

No. 7,560. Vs.

1, Josaphina de Abrew Rajapaksa Lama Etani of Welitara; 2, Robert Mendis Karunaratna Rajapaksa of Weliwatta in Welitara Defendants.

NOTICE is hereby given that on Saturday, October 7, 1905, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the following mortgaged property, viz.:—

1. The remaining fruit trees and entire soil (exclusive of the planter's share of the second plantation) of the garden called Dangaspitiyawatta *alias* Hakurigewatta, containing in extent 1 acre and 27-69 perches, situated at Galmangoda.

2. Eleven-twentieth parts of the soil and soil share trees, together with the fruit trees of the planter's share of the garden called Uswatta, containing in extent 1 acre and 34-96 perches, situate at ditto.

Amount, Rs. 489-50 with poundage.

C. T. LEEMBRUGGEN,
Deputy Fiscal.

Fiscal's Office,
Galle, August 30, 1905.

North-Western Province.

In the District Court of Kurunegala

S. P. A. Welleappa Chetty by his attorney
S. P. A. W. Natchiappa Chetty of
Kurunegala, and another Plaintiffs.

No. 2,741. Vs.

David Weerasingha Ralahamy of Wehera Defendant.

NOTICE is hereby given that on Saturday, October 7, 1905, commencing at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz.:—

1. Lokuruwakumbura of one pela paddy sowing extent, situate at Wehera in Tirigandahe korale; and bounded on the north by the garden of the defendant, east by the liminary ridge of Bopotuweewa, south by Achariyakotuwa, west by Lokuruwakumbura.

2. Weralugahumulawatta of half a seer kurakkan sowing extent, with the plantations and everything thereon, situate at Wehera aforesaid; and bounded on the north by the high road to Colombo, east by the limit of Howkendagewatta, south by the fence of the field, west by Setuwagewatta.

3. Galkadullehena of five lahas kurakkan sowing extent, with the plantations and everything thereon, situate at Wehera aforesaid; and bounded on the north by Saviyal Casi Chetty's chena, east by Appu's land, south by Weherakanda, west by Punchirala's chena.

4. An undivided one-fifth share of Karandagahakumbura of five pelas paddy sowing extent, situate at Wehera aforesaid; and bounded on the north by the liminary ridge of Appu's field, east by the fence of the garden, south by the liminary ridge of Ralahamy's field, west by the liminary ridge of Kuda Etena's field.

5. Bopotuwelepillewa now called Hitinawatta of about two lahas kurakkan sowing extent, with the plantations, tiled buildings, and everything thereon, situate at Wehera aforesaid; and bounded on the north by Galhinna, east by the ela, south by the ketakala tree, west by the high road to Colombo.

Amount to be levied is Rs. 1,655.75, with interest and poundage.

Fiscal's Office, C. V. REBEIRA,
Kurunegala, September 5, 1905. Deputy Fiscal.

In the District Court of Chilaw.

Rena Ramasamy Pulle of Madampe ... Plaintiff.

No. 2,995. Vs.

James Perera Ranasinhe of Vennappuwa
and another Defendants.

NOTICE is hereby given that on Saturday, October 7, 1905, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

Five-twelfth shares of Issanmedillawatta of 62 acres in extent, situate at Pambola; the entire land is bounded on the north by land belonging to the landlords, east by land belonging to the Crown, south by lands belonging to the Crown and the villagers, west by land appearing in plan No. 50,029, the said share with plantation standing thereon.

Five-twelfth shares of Miriswatta of 21 acres in extent, with the plantations standing thereon, situate at Pambola; the entire land is bounded on the north by land of Mr. Mel, east by land of Simon Moraes, south by land of Pedro Perera Ranasinhe, west by land of Mr. Mel.

Amount to be recovered Rs. 3,300, with interest on Rs. 2,750 at 1½ per cent. per mensem from September 6, 1903, up to October 19, 1903, and thereafter at 9 per cent. per annum and poundage.

Deputy Fiscal's Office, E. LAWSON KOCH,
Chilaw, September 5, 1905. Deputy Fiscal.

In the District Court of Chliaw.

Ana Runa Avenna Sidambaram Chetty of
Chilaw Plaintiff.

No. 3,393. Vs.

Vavenna Neina Muhammodo Thamby and
two others of Chilaw Defendants.

NOTICE is hereby given that on Friday, October 6, 1905, commencing at 1 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, viz. :—

1. Undivided half share of two portions of lands adjoining each other belonging to the defendants, situate at Madamavela, the entire land being about 31 acres; bounded on the north by Mungandaluwehena belonging to the Crown, east by bund of tank, south by stream, ela, and by fields of Madamavela village, west by garden of Abdul Karim Saibo and by road.

At 2 P.M.

2. Two-third shares of land called Bulugahalanda of 5½ acres in extent, situate at Karavita; the entire land is bounded on the east by water-course, east by Crown land called Pihimbiyalanda, south by land of Malingurala and others, west by reservation for a road.

At 3 P.M.

3. The land belonging to the defendant of the extent of 9 acres, situate at Tittakada; bounded on the north by reservation, east by ela reservation, south by high road, west by survey line.

At 3.30 P.M.

4. Half share of land belonging to the defendant, situate at Munnessaram; the entire land is bounded on the north by road leading to Kurunegala, east by land belonging to the late Coranis Vidane, south and west by field belonging to officer.

Amount to be levied, Rs. 500 and poundage.

Deputy Fiscal's Office, E. LAWSON KOCH,
Chilaw, September 5, 1905. Deputy Fiscal.

Province of Uva.

In the District Court of Colombo.

Savanna Keena Renganathan Chetty
of Sea Street, Colombo Substituted Plaintiff.

No. 9,234. Vs.

1, Pena Raena Ana Alagappa Chetty
of Badulla; 2, Ana Veeanna Rana
Veerappa Chetty of Sea street,
Colombo Defendants.

NOTICE is hereby given that on Saturday, September 30, 1905, at 2 o'clock in the afternoon, will be sold by public auction at the premises the following property of the first defendant mortgaged to plaintiff, viz. :—

All that tea estate and plantation called, and known as Dunhindahena, consisting of an allotment of land called Dunhindahena, situated in the village Medapatana in Rilpola palata in the District of Badulla, Province of Uva, containing in extent 97 acres and 2 roods, together with all and singular the buildings, stores, machinery, fixtures, tools, implements, cattle, and other the dead and live stock thereon or thereto belonging.

Amount to be levied, Rs. 8,500 and costs.

Fiscal's Office, M. STEVENSON,
Badulla, September 4, 1905. for Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

Sarah Louisa Rowlands Plaintiff.

No. 1,179. Vs.

Saladeen Lebbe Ahammadu Lebbe Defendant.

Colonda Marikar Kumister Abdul

Carim Marikar of Ratnapura Surety.

NOTICE is hereby given that on Saturday, September 30, 1905, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said surety in the following property for the recovery of Rs. 189.08, viz. :—

1. The whole of the tiled boutique with the ground on which it stands belonging to the surety in the above case, bearing assessment No. 469 standing in the town of Ratnapura; and bounded on the north by high road, east by boutique belonging to Mamma Ismail Notary, south by minor road, and west by boutique belonging to Hajje Marikar Mahammadu Lebbe Marikar, which said house is about 30 feet in breadth and 15 feet in length.

Fiscal's Office, E. D. ABEYRATNE,
Ratnapura, September 5, 1905. Deputy Fiscal.

DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Kandy by (1) Ramasamy, (2) Weeraie, and (3) Ramaie, labourers of Oduwelle estate, Kandy, against the proprietor thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 48.33.

Kandy, August 28, 1905.

By order of court,
JNO. HARDING,
Chief Clerk.