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Part II.—Legal.

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DRAFT ORDINANCE.

MINUTE.

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

An Ordinance to amend "The Criminal Procedure Code, 1898."

Preamble.

WHEREAS it is expedient to amend "The Criminal Procedure Code, 1898," 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 Criminal Procedure Code (Amendment) Ordinance, No. of 1918," and shall come into operation on such date as the Governor shall, by Proclamation in the "Government Gazette," appoint.

Amendment of definition of "Police Magistrate."

2 In section 3 of the principal Ordinance the following words shall be added to the definition of "Police Magistrate" and "Magistrate," that is to say, "Municipal Magistrates and (subject to the provisions of section 84 A of 'The Courts Ordinance, 1889') Unofficial Police Magistrates."

Addition of new sub-section (3) to section 49 of principal Ordinance. Proof of service of process.

3 The following sub-section shall be added to section 49 of the principal Ordinance, immediately after sub-section (2):

(3) Any person appointed by the Governor in that behalf is hereby authorized to administer the oath or affirmation which is requisite to the making of the affidavit mentioned in sub-section (1) of this section.

Addition of new paragraph (c) to section 62 of principal Ordinance. Court may require deposit to meet expenses of executing warrant.

4 The following paragraph shall be added to section 62 of the principal Ordinance, immediately after paragraph (b):

(c) The court may make it a condition of the issue of a warrant under this section that the person applying for it shall deposit such sum as the court may deem reasonable for the purpose of defraying any expenditure that may be incurred in executing the warrant.

Addition of new section 134 A to principal Ordinance.

Provision in certain classes of cases for the recording of statements before Justices of the Peace and Commissioners for Oaths.

5 The following new section shall be inserted immediately after section 134 of the principal Ordinance, and shall be numbered 134 A :

134 A. (1) In any of the following cases, that is to say :

(a) In any case in which any person is found in the possession of property as to which the law presumes, or deems in the circumstances of the case, that an offence has been committed, or was intended to be committed, unless a satisfactory explanation or account is given, or unless some other similar condition is satisfied, by the person accused ;

(b) In any case in which a person is found at or about any premises or place as to which the law presumes, or deems in the circumstances of the case, that presence at or about such premises or place is for an unlawful purpose, unless a satisfactory explanation or account is given, or unless some other similar condition is satisfied by the person accused ;

any peace officer by whom such person is found in possession of such property, or present at or about such premises or place, may, at or about the time when he is so found, take such persons before a Justice of the Peace or Commissioner for Oaths (such Justice or Commissioner not being a police officer), and such Justice or Commissioner shall thereupon afford to the person so brought before him an opportunity to account for such possession or presence, and any statement thereupon made by such person with reference to such possession or presence recorded by such Justice or Commissioner shall (subject to the provisions of "The Evidence Ordinance, 1895," with respect to confessions) be receivable in evidence on any charge in respect of such possession or presence.

(2) Any statement so made shall be recorded and signed in the manner provided in section 302, and shall be dated, and shall thereupon be forwarded to the Police Court having jurisdiction in the matter. If the person so brought before the said Justice or Commissioner elect to make no statement, this fact shall be recorded by the said Justice or Commissioner, and the record shall be forwarded to the said court.

(3) No Justice of the Peace or Commissioner for Oaths shall record any such statement, unless, upon questioning the person making it, he has reason to believe that it was made voluntarily ; and when he records any such statement, he shall make a memorandum at the foot of such record to the following effect :

I believe that this statement was voluntarily made. It was taken in my presence and hearing, and was read over by me to the person making it, and admitted by him to be correct, and it contains accurately the whole of the statement made by him.

(Signed) A. B.,
Justice of the Peace
or Commissioner for Oaths.

(4) A record purporting to have been made and certified in accordance with this section shall be receivable in evidence on any charge against the person concerned without further proof, unless such person or the court of its own motion shall require the Justice of the Peace or Commissioner making the said record, or any person acting as interpreter for the purpose, to be produced for cross-examination.

(5) The reference in section 26 of "The Evidence Ordinance, 1895," and in section 424 of this Code to a "Magistrate" and a "Police Magistrate" respectively shall be construed as including a reference to a Justice of the Peace or a Commissioner for Oaths acting in pursuance of this section.

6 The following sub-section shall be added to section 168 of the principal Ordinance, the first part of the section being re-numbered accordingly :

(2) When the accused is charged with criminal breach of trust or dishonest misappropriation of money, it shall be sufficient to specify the gross sum in respect of which the

Addition of sub-section to section 168 of principal Ordinance.

offence is alleged to have been committed, and the dates between which the offence is alleged to have been committed, without specifying particular items or exact dates, and the charge so framed shall be deemed to be a charge of one offence within the meaning of section 179. Provided that the time included between the first and last of such dates shall not exceed one year.

Amendment of section 178 of principal Ordinance.

7 In section 178 of the principal Ordinance, for the words "except in the cases hereinafter in this chapter mentioned," there shall be substituted the words "except in the cases mentioned in sections 179, 180, 181, and 184, which said sections may be applied either severally or in combination."

Addition of proviso to section 195 of principal Ordinance.

8 The following proviso shall be added to section 195 of the principal Ordinance :

Withdrawal of charge by complainant in certain cases to be subject to consent of Attorney-General.

Provided that if the offence is one of the offences mentioned in Part B of the table annexed to section 290, the Magistrate shall not permit the withdrawal of the case without the consent of the Attorney-General.

Addition of sub-section to section 210 of principal Ordinance.

9 The following sub-section shall be added to section 210 of the principal Ordinance, the first part of the section being numbered accordingly :

(2) If the accused or his pleader announces his intention not to adduce evidence, the prosecuting pleader may address the court a second time in support of his case for the purpose of summing up the evidence against the accused.

Amendment of section 256 of principal Ordinance.

10 In the sub-section lettered (g), which was added to section 256 of the principal Ordinance by "The Criminal Procedure Code (Amendment) Ordinance, No. 8 of 1913," after the words "Public Service" there shall be inserted the words following : "or in the service of any local authority."

Power of Governor to extend exemption from jury service to persons in the service of local authorities.

11 The following sub-sections shall be added to section 299 of the principal Ordinance :

Addition of new sub-sections to section 299 of principal Ordinance. Certifications of depositions by Magistrates.

(5) When a deposition has been read over to a witness and acknowledged to be correct, the Magistrate shall append to the evidence of the witness a certificate, signed with his signature or initials, to the following effect, that is to say :

(a) In the case of an English-speaking witness : "Read over to the witness in open court in the presence of the accused and admitted by the witness to be correct" ; and

(b) In the case of other witnesses : "Read over and interpreted to the witness in open court in the presence of the accused and admitted by the witness to be correct."

(6) The absence of such a certificate in a deposition shall not be a bar to the deposition being received in evidence in any case in which it is desired to tender the deposition in evidence, if it is proved by other evidence that the requirements of this section were in fact complied with.

Substitution of new paragraph for 1 (d) of section 312 of principal Ordinance.

12 For paragraph (d) of sub-section (1) of section 312 of the principal Ordinance the following paragraph shall be substituted :

(d) The imprisonment which the court imposes in default of payment of a fine may be of either description, except—

(i.) Where the offence is not punishable with imprisonment ; or

(ii.) Is punishable with only simple imprisonment, in either of which cases it shall be simple.

Amendment of sub-section (3) of section 312 of principal Ordinance.

13 The following words shall be inserted in sub-section (3) of section 312 of the principal Ordinance, immediately at the commencement of the said sub-section :

Execution not to issue when offender imprisoned in default of payment, except in cases of contumaciousness.

"The court shall not issue such warrant in any case in which the offender is undergoing or has undergone imprisonment in default of the payment of the fine, unless it shall appear to the court that the offender is undergoing or underwent such imprisonment by reason of contumaciousness, and in all other cases"

Amendment of section 315 of principal Ordinance.

Substitution of new section for section 316 of principal Ordinance. Whipping not to be inflicted until after ten days.

Substitution of new chapter for chapter XXVI. of principal Ordinance.

Power of courts to permit conditional release of offenders.

14 In section 315 of the principal Ordinance, for the words "subject to the provisions of section 319," there shall be substituted the words "subject to the other provisions of this chapter."

15 The following section shall be substituted for section 316 of the principal Ordinance :

316. (1) When the accused is sentenced to whipping, the sentence shall not be carried out until after the expiration of ten days from the date of the pronouncement thereof, or (if an appeal is presented within that time) until the order of the Supreme Court shall have been notified to the accused, and the execution of the sentence shall be subject to the terms of such order.

Provided that if a petition is presented by the accused to the Governor praying for the remission of such sentence within ten days of the pronouncement of such sentence, or (if an appeal is presented) within five days of the notification to the accused of the order of the Supreme Court on the appeal, the sentence shall not be inflicted until the receipt of the order of the Governor, and the execution of the sentence shall be subject to the terms of such order.

(2) Subject to the provisions of the last preceding subsection and to the provisions of section 315 (1), the whipping shall be inflicted as soon as practicable after the expiry of the said period, or after the notification of the order of the Supreme Court or the receipt of the order of the Governor, as the case may be.

(3) This section shall not apply to sentences of whipping passed on male offenders under sixteen years of age.

16 The following chapter shall be substituted for chapter XXVI. of the principal Ordinance :

CHAPTER XXVI.

Release of Offenders on Probation.

325. (1) Where any person is charged before a Police Court with an offence punishable by such court, and the court thinks that the charge is proved, but is of opinion that, having regard to the character, antecedents, age, health, or mental condition of the person charged, or to the trivial nature of the offence, or to the extenuating circumstances under which the offence was committed, it is inexpedient to inflict any punishment or any other than a nominal punishment, or that it is expedient to release the offender on probation, the court may, without proceeding to conviction, either—

(a) Order such offender to be discharged after such admonition as to the court shall seem fit; or

(b) Discharge the offender conditionally on his entering into a recognizance, with or without sureties, to be of good behaviour, and to appear for conviction and sentence when called on at any time during such period, not exceeding three years, as may be specified in the order of the court.

(2) Where any person has been convicted on indictment of any offence punishable with imprisonment, and the court is of opinion that, having regard to the character, antecedents, age, health, or mental condition of the person charged, or to the trivial nature of the offence, or to the extenuating circumstances under which the offence was committed, it is inexpedient to inflict any punishment, or any other than a nominal punishment, or that it is expedient to release the offender on probation, the court may, in lieu of imposing a sentence of imprisonment, make an order discharging the offender conditionally on his entering into a recognizance, with or without sureties, to be of good behaviour, and to appear for sentence when called on at any time during such period, not exceeding three years, as may be specified in the order.

(3) The court may, in addition to any order it may make under either of the two last preceding sub-sections, order the offender to pay, within such time or by such instalments as it may direct, such damages for injury or compensation

for loss (not exceeding in the case of a Police Court one hundred and fifty rupees, or, if a higher limit is fixed by any enactment relating to the offence, that higher limit), and to pay such costs of the proceedings as the court thinks reasonable, and, if the offender is under the age of sixteen years, and it appears to the court that the parent or guardian of the offender has conduced to the commission of the offence, the court may order payment of such damages and costs by such parent or guardian.

(4) Where an order under this section is made by a Police Court, the order shall, for the purpose of re-vesting or restoring stolen property, and of enabling the court to make orders as to the restitution or delivery of property to the owner and as to the payment of money upon or in connection with such restitution or delivery, have the like effect as a conviction.

Probation orders and conditions of recognizances.

326. (1) A recognizance ordered to be entered into under this chapter shall, if the court so order, contain a condition that the offender be under the supervision of such person as may be named in the order during the period specified in the order and such other conditions for securing such supervision as may be specified in the order, and an order requiring the insertion of such conditions as aforesaid in the recognizance is in this chapter referred to as a probation order.

(2) A recognizance under this chapter may contain such additional conditions as the court may, having regard to the particular circumstances of the case, order to be inserted therein with respect to all or any of the following matters :

- (a) For prohibiting the offender from associating with thieves and other undesirable persons, or from frequenting undesirable places ;
- (b) As to abstention from intoxicating liquor, where the offence was drunkenness or an offence committed under the influence of drink ;
- (c) Generally for securing that the offender should lead an honest and industrious life ;
- (d) Providing that the offender, with his surety or sureties, if any, shall appear in chambers before the Judge or Magistrate of the court, or before the Magistrate of any Police Court, at such intervals as may be specified in the order.

(3) The court by which a probation order is made shall furnish to the offender a notice in writing stating in simple terms the conditions he is required to observe.

Probation officers.

326 A. (1) There may be appointed as probation officer or officers for any judicial district or division such person or persons of either sex as the Governor may determine, and a probation officer when acting under a probation order shall be subject to the control of the court making the order.

(2) The person named in any probation order shall be selected from among the probation officers, if any, appointed for the judicial division or district in which the offender resides. Provided that, if the court considers it expedient in view of the special circumstances of the case, the person named may be a probation officer of any other judicial district or division, or may be specially nominated as probation officer by the court.

(3) The person named in a probation order may at any time be relieved of his duties, and in any such case or in case of the death of the person so named, another person may be substituted by the court before which the offender is bound by his recognizance to appear for conviction or sentence.

Duties of probation officers.

326 B. It shall be the duty of a probation officer, subject to the directions of the court—

- (a) To visit or receive reports from the person under supervision at such reasonable intervals as may be specified in the probation order or, subject thereto, as the probation officer may think fit ;
- (b) To see that he observes the conditions of his recognizance ;

Power to vary conditions of release.

Provision in case of offender failing to observe conditions of release.

Power to make rules.

Addition of new section 362 A to principal Ordinance.

Powers of Inquirer.

Provision for authorization of specially appointed Inquirers to direct post-mortems.

(c) To report to the court as to his behaviour;

(d) To advise, assist, and befriend him, and, when necessary, to endeavour to find him suitable employment.

326 c. The court before which any person is bound by his recognizance under this Ordinance to appear for conviction or sentence may, after notice to the offender, vary the conditions of the recognizance, and may, on being satisfied that the conduct of that person has been such as to make it unnecessary that he should remain longer under supervision, discharge the recognizance.

327. (1) If the court before which an offender is bound by his recognizance under this chapter to appear for conviction or sentence, or any Police Court, is satisfied by information on oath that the offender has failed to observe any of the conditions of his recognizance, it may issue a warrant for his apprehension, or may, if it thinks fit, instead of issuing a warrant in the first instance, issue a summons to the offender and his sureties (if any) requiring him or them to attend at such court and at such time as may be specified in the summons.

(2) The offender, when apprehended, shall, if not brought forthwith before the court before which he is bound by his recognizance to appear for conviction or sentence, be brought before a Police Court.

(3) The court before which an offender on apprehension is brought, or before which he appears in pursuance of such summons as aforesaid, may, if it is not the court before which he is bound by his recognizance to appear for conviction or sentence, remand him to custody or on bail until he can be brought before the last-mentioned court.

(4) A court before which a person is bound by his recognizance to appear for conviction and sentence, on being satisfied that he has failed to observe any condition of his recognizance, may forthwith, without further proof of his guilt, convict and sentence him for the original offence; or, if the case was one in which the court in the first instance might, under section 19 of "The Youthful Offenders Ordinance, 1886," have ordered the offender to be sent to a reformatory or a certified industrial school, and the offender is still apparently under the age of sixteen years, make such an order.

327 A. The Governor may make rules for carrying the provisions of this chapter into effect, and in particular for prescribing such matters incidental to the appointment, resignation, and removal of probation officers, and the performance of their duties, and the reports to be made by them, as may appear necessary.

17 The following section shall be inserted immediately after section 362 of the principal Ordinance, and shall be numbered 362 A :

362 A. (1) Any Inquirer may, for the purpose of any inquiry under this chapter, if he considers it expedient, issue process to compel the attendance of any witness to give evidence before him, or to produce any document or other thing.

(2) If any person so summoned fails or neglects to attend at the time and place specified in such summons, the Inquirer may issue his warrant for the apprehension and production before him of such person.

(3) Every person who so fails to attend, or who refuses to take the oath of a witness, or refuses to answer any question which shall be legally asked of him, or fails or refuses to produce any document or other thing, shall be guilty of an offence, and shall be liable on conviction thereof to a fine not exceeding fifty rupees, or to imprisonment of either description for any period not exceeding three months, or to both.

18 The following amendments shall be made in sub-section (1) of section 365 of the principal Ordinance :

(a) After the words " Police Magistrate " in the first place in which the said words occur there shall be inserted the words " or any Inquirer empowered in that behalf by the Governor."

(b) After the said words in the second place in which they occur there shall be inserted the words " or Inquirer."

Amendment of tabular statement of offences in schedule II. of principal Ordinance.

19 The tabular statement of offences in schedule II. of the principal Ordinance shall be amended as follows: In the statement relating to section 180 of the Ceylon Penal Code the words " one thousand rupees " shall be substituted for the words " one hundred rupees " in the seventh column.

By His Excellency's command,
Colonial Secretary's Office, A. S. PAGDEN,
Colombo, April 27, 1918. Acting Colonial Secretary.

Statement of Objects and Reasons.

THIS Ordinance enacts a number of amendments to the Criminal Procedure Code, of varying degrees and importance.

2. Section 2 removes certain doubts as to the status of Municipal Magistrates and Unofficial Police Magistrates.

3. Section 3 makes good an omission in the machinery for the service of criminal process. Section 49, as it stands at present, declares that an affidavit of service may be sworn before an officer duly authorized to administer oaths, but contains no provision for making such authorization. The new sub-section empowers the Governor to make appointments for the purpose.

4. Section 4 legalizes an existing practice. In certain classes of cases, more particularly in the case of labour offences, when an employer applies for a warrant for the arrest of a servant who has deserted his work, it has been customary to require him to deposit an amount to defray the expenses of effecting the arrest. The object of this section is to put this practice upon a regular basis.

5. Section 5 deals with the question which was the subject of a draft Ordinance recently published, intitled " An Ordinance to amend ' The Evidence Ordinance, 1895. ' " It was decided not to proceed with that Ordinance, but to deal with the subject in another manner in the Ordinance now under consideration. The previous Ordinance provided that in certain classes of cases it should be competent for a peace officer who arrested an accused person found in possession of property, or at or about any premises or place in suspicious circumstances, to call upon him to account for his possession or presence before some independent person, and provided that any statement made to such independent person purporting to justify his possession or presence recorded by the police officer and attested by the independent person should be receivable in evidence, notwithstanding the fact that, " technically speaking, " such a statement was a confession. As it was felt that the invocation of the " independent person " gave a latitude to the police officer and quite proved dangerous, the present alternative proposal is submitted, which empowers the police officer to take a suspected person before a Justice of the Peace, and requires the Justice of the Peace to give the suspected person an opportunity of making an immediate explanation. As the appointment of the office of the Justice of the Peace has lately been restricted, and provision has been made for the appointment of officers to discharge some of the functions of a Justice of the Peace under the title of " Commissioners for Oaths, " the proposed new section puts Commissioners for Oaths on the same footing as Justices of the Peace for the purposes of this section. The section at the same time fully defines the procedure which has to be adopted in connection with the recording of any statement under this section, and provides in effect that a statement made to a Justice of the Peace or a Commissioner for Oaths under this section shall have the same effect for the purpose of the law as to confessions as a statement made to a Police Magistrate.

6. The new sub-section contained in section 6 is derived from section 222 of the Indian Criminal Procedure Code. Inconvenience has been felt in the administration of justice in this Colony through the absence of this section in our own Code.

7. The object of section 7 is to deal with the difficulty created by a recent decision of the Supreme Court. The ordinary rule in regard to charges is that every offence must be separately charged and separately tried. To this there are certain exceptions, namely :

- (a) A man may commit a series of offences. In this case three offences of the same kind committed within a year may be charged together.
- (b) An act may consist of several component parts, each by itself constituting an offence. In this case all the offences may be charged together.
- (c) An act may constitute an offence under several different sections. In this case the charges under all the sections may be laid together.
- (d) An act may be made up of several component acts themselves offences, but constituting a different offence when combined. In this case the combined offence may be charged together with the component offences.
- (e) It may be doubtful which of several offences a particular act constitutes. In such a case the charges may be laid in the alternative.
- (f) Two or more persons may jointly commit an offence. In such a case they may be charged together.

It has been held, though there appears to be nothing in the words of the Code to suggest it, that these exceptions cannot be combined. Thus, if a man commits three thefts within a short period, all the three cases may be included in one indictment, but if two men commit three such thefts in combination, the effect of the decision is that the three cases cannot be so included. Further, the thefts may be in the nature of burglaries. The effect of the decision is that whereas in the case of a single offence the indictment may combine a charge of—

- (a) House-breaking by night ; and
- (b) Theft ;

these two charges cannot be combined if it is desired to charge the other two offences of the series in the same indictment. There does not seem to be any logical reason for this interpretation, and it is accordingly proposed that the sections relating to these exceptions may be applied either severally or in combination.

8. Section 8 deals with a small point of procedure. Under section 290 there are certain offences scheduled which a Magistrate cannot allow to be compounded without the sanction of the Attorney-General. On the other hand, under section 193 the Magistrate is given a discretion to allow the withdrawal of any summary case. The arrangement ensures that a Magistrate shall not allow any case which cannot be compounded without the Attorney-General's consent to be withdrawn without a similar consent.

9. Section 9 assimilates the procedure in the District Court to that of the Supreme Court in allowing the counsel for the prosecution a right of summing up, when the accused calls no witnesses.

10. By a recent amendment of the Criminal Procedure Code (see Ordinance No. 8 of 1913) the Governor was empowered to exempt from jury service any officer in the Public Service. Section 10 extends that provision to persons in the service of any local authority.

11. Section 11 legalizes an existing practice. It is customary in Police Courts in non-summary proceedings for a certificate to be appended to all depositions by means of a rubber stamp initialled by the Magistrate to the effect that the deposition was read over to the witness in open court in the presence of the accused and admitted by the witness to be correct. Importance is attached to this certificate at the trial if the deposition for any reason is tendered in evidence, but it has no statutory sanction, being based only upon the old circular. Section 10 gives the necessary statutory sanction to the practice.

12. Section 12 corrects an obvious clerical error in section 312. Under the section, as it at present stands, rigorous imprisonment may be inflicted in default of payment of a fine

even in cases where the offence is only punishable with simple imprisonment. This cannot have been the intention, and a correction is accordingly made.

13. Section 13 makes an attempt to harmonize two inconsistent sets of provisions in the same section. Paragraphs (f), (g), and (h) of sub-section (1) of section 312 clearly contemplate that a fine may be levied by distress, even although the offender has gone to prison in default of payment of the fine. Sub-section (3), however, declares that the court shall not issue its warrant for distress if in its opinion a levy of the distress would be more injurious to the offender or his family than imprisonment, thus clearly contemplating that the processes of imprisonment and distress are alternative and not cumulative. Section 12 proposes to add words to sub-section (3) which will harmonize these two points, by providing that a warrant of distress shall only be issued, in the case of a person who is undergoing or has undergone imprisonment in default of payment of the fine, where the court is satisfied that the offender is or was imprisoned by reason of a contumacious refusal to pay the fine.

14. Sections 14 and 15 deal with a subject of wider importance, namely, the relation of the executive and the courts with regard to sentences of whipping. It is the policy of the Secretary of State in all Colonies to require that the Governor shall exercise a special personal supervision over the execution of sentences of whipping. It is desirable, therefore, that a sentence of whipping shall not be carried out until the person sentenced has had an opportunity of petitioning the Governor for the exercise of his prerogative of mercy. Under section 316, however, it is the duty of executive officers charged with the execution of sentences of whipping to carry them out as soon as practicable and at such time and place as the court may direct. The new section to be enacted in place of section 316 accordingly provides that no sentences of whipping shall be carried out until the offender has had an opportunity of petitioning the Governor, and that if he so petitions, the execution of the sentence shall be suspended until the Governor has made his order upon the petition.

15. Section 16 revises the chapter of the Criminal Procedure Code dealing with the release of offenders on probation. The present chapter was based on an English Act, namely, 50 and 51 Vict. ch. 25. That Act has now been superseded in England by the Probation of Offenders Act, 1907, which deals with the subject on more liberal and humane lines, and it is accordingly proposed that chapter XXVI. of our own Code should be re-modelled on the same lines. As the chapter stands at present, it is very largely inoperative, as it only extends to cases punishable with not more than four years' imprisonment, and consequently does not extend to some of the commonest forms of theft and criminal breach of trust. Further, the chapter at present gives no power of supervision over the offender during the probationary period. Both these defects are removed in the chapter which it is proposed to substitute. The new chapter makes provision for probation officers, *i.e.*, for the appointment of persons who will undertake the responsibility of visiting or receiving the reports of the person under probation, seeing that he observes the conditions of his cognizance, watching over his behaviour and his associations, and generally advising, assisting, and befriending him. It is thought that it would be possible to find persons to discharge these duties among members of the clergy, Justices of the Peace, and responsible and philanthropic persons.

16. Section 17 gives to an Inquirer who is conducting an inquest the same powers of issuing process and compelling the attendance of witnesses as an Inquirer possesses for the purpose of investigation of offences.

17. Section 18 extends the power of ordering post-mortems, which is at present confined to Police Magistrates, to Inquirers specially authorized for that purpose by the Governor.

18. Section 19 effects a formal amendment in Schedule II. of the Code, which is consequential upon a recent amendment of section 180 of the Penal Code.

Attorney-General's Chambers,
Colombo, October 5, 1917

ANTON BERTRAM,
Attorney-General.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,841. In the matter of the insolvency of Kaluwadewage Livinis Fernando of Weboda.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on June 4, 1918, for proof of claims.

By order of court, V. R. MOLDRICH,
Colombo, May 9, 1918. Secretary.

In the District Court of Colombo.

No. 2,865. In the matter of the insolvency of Dewage Don Abraham of Walane in Panadure.

NOTICE is hereby given that the above-named insolvent has been refused a certificate of conformity.

By order of court, V. R. MOLDRICH,
Colombo, May 11, 1918. Secretary.

In the District Court of Colombo.

No. 2,876. In the matter of the insolvency of Edgar Lionel van Twest of Bloemendhal road, Colombo.

NOTICE is hereby given that the above-named insolvent has been allowed a certificate as of the first class.

By order of court, V. R. MOLDRICH,
Colombo, May 11, 1918. Secretary.

In the District Court of Colombo.

No. 2,878. In the matter of the insolvency of Franciscus Hettige John Silva of Kanuwana, in the District of 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 June 11, 1918, for the grant of a certificate of conformity to the insolvent.

By order of court, V. R. MOLDRICH,
Colombo, May 11, 1918. Secretary.

In the District Court of Colombo.

No. 2,890. In the matter of the insolvency of Ravenna Kavenna Adam Meera Saibo of No. 82, St. John's road, Pettah, 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 June 11, 1918, for the grant of a certificate of conformity to the insolvent.

By order of court, V. R. MOLDRICH,
Colombo, May 11, 1918. Secretary.

In the District Court of Colombo.

No. 2,905. In the matter of the insolvency of Stamford William Harridge of Dematagoda, Colombo.

WHEREAS the above-named Stamford William Harridge has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Irvine Abeysekera, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Stamford William Harridge insolvent accordingly, and that two public sittings of the court, to wit, on June 11, 1918, and on June 25, 1918, 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, V. R. MOLDRICH,
Colombo, May 11, 1918. Secretary.

In the District Court of Colombo.

No. 2,906. In the matter of the insolvency of Veena Arunasala Nadan of Dematagoda, Colombo.

WHEREAS the above-named Veena Arunasala Nadan has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by V. Sudalai Madan Nadan, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Veena Arunasala Nadan insolvent accordingly, and that two public sittings of the court, to wit, on June 11, 1918, and on June 25, 1918, 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, V. R. MOLDRICH,
Colombo, May 11, 1918. Secretary.

In the District Court of Negombo.

No. 130. In the matter of the insolvency of Halahakongge Don Manual Appuhamy of Madampella.

NOTICE is hereby given that the sitting of this court in the above matter is adjourned to June 24, 1918, for the examination of the insolvent.

By order of court, T. B. CLAASZ,
Negombo, May 11, 1918. Secretary.

In the District Court of Kandy.

No. 1,610. In the matter of the insolvency of P. B. Karunatilaka of Castle Hill street, Kandy.

WHEREAS the above-named P. B. Karunatilaka has filed a declaration of insolvency, and a petition for the sequestration as insolvent of his own estate, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on June 14, 1918, and July 19, 1918, will take place for the insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, C. E. FERDINAND,
Kandy, May 10, 1918. Secretary.

In the District Court of Galle.

No. 435. In the matter of the insolvency of Tihanduwege Sediris of Gahalakoladeniya in Baddegama.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 27, 1918, to receive and consider the assignee's report and that the second sitting also has been adjourned to that date.

By order of court, RICHARD L. PERERA,
Galle, May 8, 1918. Secretary.

In the District Court of Galle.

No. 437. In the matter of the insolvency of Hewawasan Gurukandage Jandris de Silva of Dalawella.

NOTICE is hereby given that the second sitting in the above matter has been adjourned to June 21, 1918.

By order of court, RICHARD L. PERERA,
Galle, May 10, 1918. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Hewadewage Bacho Fernando, dead..... Plaintiff.

(1) Hewadewage Lilian Pedris, administratrix of the Estate and Effects of Hewadewage Bacho Fernando, late of Regent street, Colombo, deceased, assisted by her husband, (2) D. C. Pedris, both of Regent street, Colombo.....Substituted plaintiffs.

No. 41,280. Vs.

(1) O. L. M. Sariffa Umma, (2) A. L. M. Abdul Hamid, both of No. 9, Silversmith street, Colombo Defendants.

NOTICE is hereby given that on Monday, June 17, 1918, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 520, together with further sum of Rs. 32.50 per month, commencing from January 1, 1915, to December 31, 1915, jointly and severally, and costs Rs. 221.02, viz. :—

All that portion of garden, with the buildings and plantations thereon, bearing assessment No. 99, situated at 1st Division, Maradana, Colombo; and bounded on the north-east by the other part of the same premises bordering or adjoining Skinner's road, south-east by another part of the same garden, south-west by Maradana road, and north-west by the other part marked letter B; containing in extent 16 square perches more or less.

Fiscal's Office,
Colombo, May 13, 1918.W. DE LIVERA,
Deputy Fiscal.

In the District Court of Colombo.

William James O'Neil of Laxapana Mine, Maskeliya..... Plaintiff.

No. 41,983. Vs.

Kailpatnam Ibrahim Neyna Sulaiman of No. 51, Prince street, Pettah, in Colombo Defendant.

NOTICE is hereby given that on Monday, June 10, 1918, will be sold by public auction at the respective premises the following mortgaged property decreed to be sold by the decree entered in the above action for the recovery of the balance sum of Rs. 6,115.48, with interest on Rs. 6,000 at 12 per cent. per annum from June 14, 1915, to February 21, 1916, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full and taxed costs and less Rs. 292.25, Rs. 210 paid on July 23, 1917, and less Rs. 210 paid on August 28, 1917, viz. :—

At 10 A.M.

(1) All that part of a garden, with the buildings constructed thereon, bearing assessment No. 24, situated at Siripina lane, Wolfendahl street, within the Municipality and District of Colombo, Western Province; and bounded on the north by the road, on the east by a footpath six links wide and the property of Seyado Meera Lebbe Meera Lebbe Marikar, on the south by a footpath seven links wide and the property of Seyado Meera Lebbe Meera Lebbe Marikar, and on the west by the property of Ossen Saibo Nanny Mish; containing in extent 3 $\frac{32}{100}$ perches, but according to the recent survey made by C. A. O. Buyzer, Surveyor, dated October 19, 1904, it is described as follows :—An allotment of land, with the buildings thereon, bearing assessment No. 24, situated along Siripina lane, in St. Paul's Ward, within the Municipality of Colombo aforesaid; bounded on the north-east by a passage and property bearing assessment No. 23, on the north-west by Siripina lane, on the south-west by the property of Ossen Saibo Nanni Mish, and on the south-east by a passage six links wide; containing in extent 3 $\frac{57}{100}$ perches.

At 10.30 A.M.

(2) All that part of a garden, with the buildings standing thereon, bearing assessment No. 25, situated at Mosque lane, now known as Siripina lane, Wolfendahl street

aforesaid; and bounded on the north by Mosque lane, on the east by the property of Abobakkar Lebbe Ahamado Lebbe, on the south and west by the properties of Matikam Selema Lebbe Seyado Meera Lebbe; containing in extent 3 $\frac{6}{10}$ square perches, but according to the recent survey made by the said C. A. O. Buyzer, dated October 18, 1907, it is described as follows :—An allotment of land with the buildings and bearing assessment No. 25, situated along Siripina lane, in ward No. 4, within the said Municipality of Colombo; bounded on the north-east by property formerly of Abubakkar Lebbe Ahamado Lebbe now of Ibrahim Lebbe Omer Lebbe bearing assessment No. 24, on the north-west by road formerly called Mosque lane now called Siripina lane, on the south-west by property formerly of Matichchan Selema Lebbe now of Saibu Doray Samsadeen bearing assessment No. 26, and on the south-east by a passage and property formerly of Matichchan Selema Lebbe now of Madar Lebbe bearing assessment No. 23; containing in extent 3 $\frac{60}{100}$ perches, together with all the buildings standing or at any time hereafter erected thereon and all appurtenances whatsoever to the said properties and premises belonging or in any wise appurtenant or held to belong or be appurtenant thereto or used or enjoyed therewith, and all the estate, right, title, interest, property, claim, and demand whatsoever of the defendant in, to, upon, or out of the said properties and premises and each and every of them be and the same are hereby declared bound and executable.

Fiscal's Office,
Colombo, May 13, 1918.W. DE LIVERA,
Deputy Fiscal.

In the District Court of Colombo.

Francis de Silva of Modera in Colombo Plaintiff.

No. 44,195. Vs.

Bastian Korallage Lucas Rodrigo and 3 others... Defendants.

NOTICE is hereby given that on Wednesday, June 19, 1918, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property declared bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated November 20, 1917, for the recovery of the sum of Rs. 1,681.25, with interest on Rs. 1,500 at the rate of 15 per cent. per annum from January 28, 1916, to October 27, 1916, and thereafter further interest on the aggregate amount at the rate of 9 per cent. per annum till payment in full, and costs of suit, viz. :—

One undivided 16/18 parts or shares from and out of the northern $\frac{1}{2}$ of the eastern undivided 1/9 part or share of an allotment of land called Madangahawatta, situated in the village Uswetakeiyawa, in the Ragam pattu of Alutkuru korale, in the District of Colombo, Western Province; bounded on the north by the other part of the land belonging to Bastian Korallage Abilin Rodrigo Appuhamy and land belonging to others, on the east by the ditch of the grass garden of Mr. Witan, on the south by the boundary stones of the land planted by Bastian Korallage Jacolis Rodrigo, on the west by the ditch separating another portion of this land planted by Bastian Korallage Susen Rodrigo and others; containing in extent about 10 acres, excluding the canal from Colombo to Negombo.

Fiscal's Office,
Colombo, May 14, 1918.W. DE LIVERA,
Deputy Fiscal.

In the District Court of Colombo.

Wilfred Stanley Blackett of St. Helens, Kurliothan, Maradana, Colombo Plaintiff.

No. 47,098. Vs.

Hassan Lebbe Bass Abdul Hamid Hadjar of No. 97, Urugodawatta road, Colombo Defendant.

NOTICE is hereby given that on Thursday, June 13, 1918, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the following property declared bound and executable under the decree entered in the above action and ordered to be sold by the order of court

dated July 19, 1917, for the recovery of the sum of Rs. 2,769.25, with interest on Rs. 2,650 at the rate of 12 per cent. per annum from February 14, 1917, to July 13 1917, and thereafter further interest on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit and poundage, viz. :—

All that part of the garden, with the house, plantation, and trees thereon, bearing assessment No. 97, Old Urugodawatta road, now called and known as "Mosque View," situated on the southern side of the road leading to Urugodawatta at Vander Meydens Polder, within the Municipal limits of the District of Colombo, in the Western Province; bounded on the north by the road to Urugodawatta, on the east by the house and ground of Sego Ismail Lebbe Mohamado Meera Lebbe, on the south by the garden of the late Proponent Perera, and on the west by the house and ground of Onnatche Umma, widow of Sinne Tamby Vidane; containing in extent 10 $\frac{71}{100}$ perches according to the title deed bearing No. 823 dated June 22, 1916, attested by G. A. Wille, Notary Public.

Fiscal's Office,
Colombo, May 13, 1918.

W. DE LIVERA,
Deputy Fiscal.

In the District Court of Colombo.

K. M. N. M. Arunasalam Chetty of Sea street,
Colombo Plaintiff.
No. 47,854. Vs.

Hewadewage William Fernando Wimalagunawardane
of Glenfield, Kynsey road, in Colombo. Defendant.

NOTICE is hereby given that on Saturday, June 8, 1918, at 10 o'clock in the forenoon, will be sold by public auction at No. 33, Chatham street, Fort, Colombo, known as Lord Nelson Hotel, the following property declared bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated July 25, 1917, for the recovery of the sum of Rs. 3,728, with interest on Rs. 3,500 at the rate of 15 per cent. per annum from June 8, 1917, till June 25, 1917, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit, less Rs. 500, viz. :—

All that business carried on by the defendant in the premises bearing assessment No. 33, Chatham street, Fort, Colombo, under the name of Lord Nelson Hotel, together with the goodwill and property and effects of the said business, including all the furniture, goods, wares, merchandise, fittings, crockery, cutlery, glassware, and other articles and things used in the said business or appertaining thereto (nothing excepted), which are now lying in the said premises and which may hereafter be brought into the said business, and all book debts now due or hereafter that shall become due to the said business, together with all the estate, right, title, interest, claim, and demand whatsoever therein and thereto.

Fiscal's Office,
Colombo, May 15, 1918.

N. WICKREMASINGHE,
Deputy Fiscal.

In the District Court of Colombo.

R. M. M. R. Murugappa Chetty of Sea street, in
Colombo Plaintiff.
No. 48,142. Vs.

Gorakanage James de Silva of Bambalapitiya, in
Colombo Defendant.

NOTICE is hereby given that on Tuesday, June 18, 1918, at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property, decreed bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated April 16, 1918, for the recovery of the sum of Rs. 1,000 and costs of the action, viz. :—

All that undivided one-half part or share of a portion of the land called Madangahawatta and of the plantations thereon, bearing assessment No. 82, situated at Bambalapitiya, within the Municipality and District of Colombo, Western Province; and bounded on the north by the property of Don Carolis, east by the property of Joseph Anthonisz Appu, south by the property of W. J. Soysa, and

on the west by a part of the same land; containing in extent 17.16 square perches according to the survey plan No. 584 made by M. William Coorey, are held and possessed under and by virtue of deed No. 172, dated October 21, 1907, and attested by G. V. Jayasinghe of Colombo, Notary Public.

Fiscal's Office,
Colombo, May 13, 1918.

W. DE LIVERA,
Deputy Fiscal.

In the District Court of Colombo.

C. J. Hampton of Bagatelle road, Colombo, Plaintiff.
No. 49,497. Vs.

S. Ratnasamy of Elibank road, Havelock town,
Colombo Defendant.

NOTICE is hereby given that on Tuesday, June 18, 1918, at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property, primarily mortgaged with the plaintiff by bond No. 4,946 dated April 29, 1913, and attested by A. W. Alwis of Colombo, Notary Public, and declared bound and executable under the decree entered in the above action for the recovery of the sum of Rs. 10,250, with interest on Rs. 10,000 at the rate of 10 per cent. per annum from January 23, 1918, to March 5, 1918, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full and costs of suit, viz. :—

All that allotment of land, with the buildings thereon bearing assessment Nos. 5 and 6, at Elibank road, Havelock town, Colombo; bounded on the north-east by lot No. 6, on the south-east by lots Nos. 3 and 7, on the south-west by Elibank road, and on the north-west by lots Nos. 2 and 5; and containing in extent 2 roods and 33 $\frac{49}{100}$ perches, together with all servitudes and appurtenances thereto belonging.

Fiscal's Office,
Colombo, May 13, 1918.

W. DE LIVERA,
Deputy Fiscal.

In the District Court of Colombo.

Dr. C. W. van Geyzel of Lillie street, Slave Island,
Colombo Plaintiff.
No. 49,656. Vs.

Amina Umma, wife of (2) Salayma Lebbe Mohamado
Mohideen, both of Bambalapitiya in Colombo. Defendants.

NOTICE is hereby given that on Tuesday, June 11, 1918, at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property declared bound and executable under the decree entered in the above action for the recovery of the sum of Rs. 5,400, with interest on Rs. 5,000 at 12 per cent. per annum from February 1, 1918, to March 4, 1918, and thereafter on the aggregate amount of the decree at 9 per cent. per annum from date of decree, March 4, 1918, till payment in full and costs of suit, viz., Rs. 273.57 :—

All that part of the garden, with the buildings thereon, bearing assessment No. 12, situated at Union place, Maradana, now called and known as Vauxhall street, Union place, Slave Island, within the Municipality and District of Colombo, Western Province; and bounded or reputed to be bounded on the north-east by a road, on the east and south-west by the properties of Sego Lebbe Cassila Marikar; containing in extent 15 $\frac{68}{100}$ perches, which said premises are according to the recent survey made by Geo. P. Weeraratne, Licensed Surveyor, bearing No. 2,998 and dated June 18, 1912, and described as follows, to wit :—

All that property bearing assessment No. 12, Vauxhall street, situated at Vauxhall street, Slave Island, within the Municipality and District of Colombo, Western Province; and bounded on the north-west by the property bearing assessment No. 13 belonging to S. L. M. Mohideen, on the north-east by Vauxhall street, on the south-east by the property bearing assessment No. 11 of A. C. L. Uduma Lebbe Marikar, and on the south-west by the property of S. L. M. Mohideen; containing in extent 20 $\frac{97}{100}$ perches, together with all the singular the rights, servitudes, and appurtenances thereto belonging, mortgaged with the plaintiff by bond No. 5,679 dated September 30, 1916.

Fiscal's Office,
Colombo, May 13, 1918.

W. DE LIVERA,
Deputy Fiscal.

In the Court of Requests of Colombo.

Amarasinghe Aratchige Don Joseph of Peliyagoda Plaintiff.

No. 60,012. Vs.

K. S. Fernando, timber merchant, of Saw Mills, Modera street, in Mutwal, in Colombo Defendant.

NOTICE is hereby given that on Friday, June 7, 1918, at 3.30 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. 188, with legal interest thereon from October 17, 1917, till payment in full, and costs Rs. 59.05, less Rs. 38 deposited in court by the defendant, viz. :—

All that part of an allotment of land called Millagahawatta with the building thereon, now bearing assessment No. 38 76/163, situated at Modera street in Mutwal; and bounded on the north and east by the part of the same garden of Wannatchige Carolis Fonseka, deceased, on the south by the property of Senapattege Pedro Rodrigo, and on the west by the high road (Modera street); containing in extent 2 38/100 square perches.

Fiscal's Office,
Colombo, May 14, 1918.

W. DE LIVERA,
Deputy Fiscal.

In the District Court of Kalutara.

(1) Morawakkoralage Dona Susana Fonseka Hamine of Kolamediriya, (2) Dona Johana Wijekoon Kannangara and her husband (3) Don Abraham Wijekoon Kannangara of Bandaragama, (4) Dona Lera Wijekoon Kannangara of Tantirimulla, (5) Podi Nona Dasanaïke and (6) Don Aron Dasanaïke, by their next friend Don Abraham Wijekoon Kannangara, (7) Podimenika Wijenarayana and her husband (8) Jayawardene Korallage Podi Sinno Appuhamy of Boralesgamuwa, (9) Dingiri Menika Wijenarayana and her husband (10) Kotalawalage Don Peter Appuhamy of Undugoda, (11) Don Charles Wijenarayana of Kolamediriya Plaintiffs.

No. 5,039. Vs.

(1) Wijekoon Kannangara Babun Nona of Kolamediriya and her husband (2) Mannaperumage Carolis of Kolamediriya, (3) Wijekoon Kannangara Punched Nona of Aruggoda, (4) Wettasingha Don Abraham of ditto, (5) Kotalawalage Don William Appuhamy of Wellicola, (6) Wijekoon Kannangara Lengohamy, (7) Wettasingha Don Nomis Appuhamy, (8) ditto Don James Appuhamy, (9) ditto Don Arnolis Appuhamy, (10) ditto Dona Jane Hamine, (11) Jayasundara Vedarala, (12) Wettasingha Mary Hamine, (13) Dehivalaliyanage William Appuhamy, (14) Wettasingha Dona Sarah and her husband (15) Kolambage Abraham Appuhamy, (16) ditto Paulis, (17) Don Henry Richard Wijekoon Kannangara, (18) Don Pabilis Mananperi, Police Headman of Kolamediriya, (19) Don Richard Jayasundara, (20) Don Marthenis Jayasundara by his guardian the 10th defendant, substituted in room of 11th defendant, (21) Kotalawalage Paulishamy, heir of the 5th defendant, deceased Defendants.

NOTICE is hereby given that on Wednesday, June 12, 1918, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 286.03, viz. :—

1. Lot marked A of the land called Maragahawatta, appearing in plan No. 6,829 dated January 14, 1913, made by Mr. B. M. Flamer Caldera, Licensed Surveyor, situated at Kolamediriya, in Adikari pattu of Rayigam korale; and bounded on the north by Purangewatta and Radagewatta, east by Kottagewatta and lot marked C and B, south by Kanattewatta and Marakkalayawatta, and west by Pahala Gangulekumbura, Ihala Gangulekumbura, and Maragahawatta; and containing in extent 5 acres and 17½ perches.

2. Lot marked C of the aforesaid land, situated at ditto; and bounded on the north by lot marked A, east by Kottagewatta and Delgahawatta, south-east by Delgahawatta and Kanattewatta, and on the west by lot marked B; and containing in extent 3 roods and 16½ perches.

Deputy Fiscal's Office,
Kalutara, May 14, 1918.

H. SAMERESINGHA,
Deputy Fiscal.

In the District Court of Kalutara.

Dona Ciciliya de Livera Thennakoon of Paraduwa in Rayigam korale Plaintiff

No. 7,491. Vs.

(1) D. D. Karunanayake, (2) Agnes de Livera Thennakoon, both of Owitigala, presently of Matugama Defendants.

NOTICE is hereby given that on Tuesday, June 11, 1918, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 1,691.40, with interest on Rs. 1,500 at 12 per cent. per annum from May 21, 1917, till September 21, 1917, and thereafter at 9 per cent. per annum on the aggregate till payment in full, viz. :—

(1) Undivided ¾ shares of the soil and trees of the eastern portion of Delgahakurunduwatta, situated at Matugama, in Iddagoda pattu of Pasdun korale west; and bounded on the north by deni land belonging to Crown and land claimed by villagers, east by Kurunduwatta which belonged to B. Philip Perera, Muhandiram (the land belonging to Vithanage Johanis Appu), south by high road, and on the west by the western portion of Delgahakurunduwatta; containing in extent 4 acres 2 roods and 4 perches (exclusive of the portion adjoining the road, in extent 1 rood and 4 perches) and the portion above excluded, with all the buildings thereon.

(2) Undivided ¾ shares of the soil and trees and of the old waluwa only standing thereon of the land called (a portion of) Delgahakurunduwatta, situated at ditto; and bounded on the north by Ketakerellagahadeniya alias Bogahalanda, east by the land belonging to Thomas Silva, Muhandiram (the land seized as lot No. 1), south by high road, and on the west by a portion of Delgahakurunduwatta; containing in extent 4 acres 2 roods and 4 perches.

3. Undivided ¾ shares of the soil and trees and of the buildings standing thereon of the land called Bogahahenlanda, situate at ditto; and bounded on the north-east by Crown land, south-east by land appearing in plan No. 45,240, south and south-west by land appearing in plan No. 45,239, and on the north-west by the land belonging to P. M. V. Don Andris and others; containing in extent 3 acres 1 rood and 27 perches.

Deputy Fiscal's Office,
Kalutara, May 14, 1918.

H. SAMERESINGHA,
Deputy Fiscal.

In the District Court of Kalutara.

Tuiyalage Davith Fernando of Uggalboda Plaintiff

No. 7,625. Vs.

Weratamullagamage Don Thepanis Perumal of Bam-balapitiya Defendant.

NOTICE is hereby given that on Monday, June 10, 1918, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property (mortgaged by the defendant with plaintiff and declared bound and executable for the decree entered in the said case) for the recovery of Rs. 2,005, with interest on Rs. 1,700 at 12½ per cent. per annum from August 3, 1917, till October 26, 1917, and thereafter at 9 per cent. per annum on the aggregate amount till payment in full, and plaintiff's bill of costs Rs. 135.25, viz. :—

1. The ½ share of the remaining trees and of the soil, in extent 2 acres 2 roods and 39 20/100 perches of Tuttiripitiyawatta and its adjoining Gamagewatta alias Hade-kertiyawatta, situated at Desastra Kalutara; and bounded on the north by lands on which Habakkala Kankanamage Don Davith Appu, ditto Podiappu had resided, east by

new canal, south by Tuttiripitiyawatta and Kurupitiyawatta, west by the old road (excluding the planter's $\frac{1}{4}$ share of the trees of the 3rd plantation made by Hedegalleradage Welun Fernando).

At 3 P.M.

2. The $\frac{1}{4}$ share of the soil and of the trees and plantations thereon of the allotment of land called Galgodalanda, situated at Duwegama; and bounded on the north by lands belonging to K. Bastian Perera, W. D. Perera, S. Samuel Perera, land purchased by M. Andris and M. Brampy, land in plan No. 63,668, and land belonging to M. Punchi Appu and another, east by lands purchased by M. Sadiris, W. D. Siman, and land claimed by A. Dasanchiya and others, south-east by a reservation for a road, south and south-west by road and land claimed by Don Salman, Peace Officer, and west by land claimed by H. C. Marikku Appu; containing in extent about 12 acres and 29 perches.

Deputy Fiscal's Office,
Kalutara, May 14, 1918.

H. SAMERESINGHA,
Deputy Fiscal.

In the District Court of Jaffna.

Abysia Margaret Muttamma Muttunayagam of Silver Roaks, Trivandrum, in Travancore..... Plaintiff.

A. M. Muttunayagam of ditto..... Substituted plaintiff.

No. 11,041.

Vs.

Mrs. L. Brito, presently of Queen's Hotel, Kandy, executrix of the last will and testament of the late Philip Isidore Rajaratnam Brito..... Defendant.

NOTICE is hereby given that on June 15, 1918, 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 1st defendant in the following property, viz. :—

An undivided $\frac{1}{4}$ share in and to all that land called and known as Dombawinna estate, described in the title deeds thereto as all that tract of land called Dombawinnamukalana, situate at Dombawinna, in Dunagaha pattu of Alutkuru korale, with the buildings constructed thereon; and bounded on the north, east, south, and west by land belonging to private individuals; containing in extent 712 acres 1 rood and 33 perches, registered F, vol. 4, fol. 339, in the Negombo Land Registry Office, which said estate is at present said to contain in extent 758 acres 1 rood or thereabouts.

Subject to three mortgages.

Amount to be levied Rs. 32,645.21, with interest on Rs. 32,000 at 15 per cent. per annum from January 10, 1916, to April 30, 1917, and further interest on the aggregate amount at 9 per cent. per annum from April 30, 1917, till payment.

Deputy Fiscal's Office,
Negombo, May 14, 1918.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

In the District Court of Negombo.

D. J. S. Gunawardane of Negombo..... Plaintiff.

No. 12,344.

Vs.

Peter Fernandez of Lewis place, Negombo... Defendant.

NOTICE is hereby given that on June 13, 1918, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

An undivided $\frac{1}{4}$ share from Divulgahawatta, situate at Udayartoppu alias 1st Division, Tammita; and bounded on the north by land formerly belonged to Johannis de Silva, Muhandiram, and now belonging to the estate of J. L. de Croos, east by a portion of this land belonging to K. S. Francisco Fernando, south by land formerly owned by Francisco Fernando, Diago Fernando, and others, and now of Ugo Fernando, Annavi, and others, and west by Green's road; containing in extent about 1 acre and 3 perches.

Amount to be levied Rs. 1,142.47, and interest thereon at 9 per cent. per annum from November 13, 1917, less Rs. 1,000.

Deputy Fiscal's Office,
Negombo, May 14, 1918.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

In the District Court of Negombo.

Warnekulasuria Joramanu Fernando of Mahahunupitiya..... Plaintiff.

No. 12,387.

Vs.

(1) Mahamuge Ana Coste and husband (2) Mihidukulasuria Andaradige Thomas Fernando, both of Mahahunupitiya..... Defendants.

NOTICE is hereby given that on June 11, 1918, 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. :—

(1) The land called Godaparagahawatta, situate at Welihena in Dunagaha pattu of Alutkuru korale; and bounded on the north by ela, east by land of Mahamestrige Saiya Silva, south by land of Suwaris Silva, and west by land of Warnekulasuria Anthony Coonghe; containing in extent about $3\frac{1}{2}$ acres.

(2) The land called Keenagahalunda and the buildings standing thereon, situate at ditto; and bounded on the north by land of Warnekulasuria Anthony Coonghe, east also by land of the said W. Anthony Coonghe, south by land of Girigoris Silva, and west by land of Anthony Coonghe; containing in extent about 4 acres.

(3) The $\frac{5}{8}$ share of the land called Bakunigahawatta, situate at Mahahunupitiya, in Dunagaha pattu of Alutkuru korale; and bounded on the north by cart road and land belonging to others, east by dewata road, south by land of Philippu Dalpadado, and on the west by footpath; containing in extent about 2 acres.

Amount to be levied Rs. 400, with interest thereon at 9 per cent. per annum from November 13, 1917, till payment.

Deputy Fiscal's Office,
Negombo, May 14, 1918.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

In the District Court of Negombo.

V. K. N. M. Mutturaman Chetty of Sea Street, Colombo..... Plaintiff.

No. 49,072.

Vs.

(1) Don Jacolis Wickramasinghe Gunawardena Gurananse, (2) Wanniatechi Pathirannehelage Don Pedro Appuhamy, both of Andiambalama..... Defendants.

NOTICE is hereby given that on June 21, 1918, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property ordered to be sold by the order entered in the above case, viz. :—

1. All those 4 contiguous portions now forming one allotment of the field called Karandagahakumbura, situate at Andiambalama, in Dasiya pattu of Alutkuru korale; and bounded on the north by land in the name of Gabriel Perera Appuhamy now belonging to his heirs, east by the field belonging to Solanga Aratchige Elaris Appu, and on the south and west by field belonging to Don Carolis Wickramasinghe Gunawardena, Fiscal's Officer; containing in extent about 10 kurunics paddy sowing.

2. All that undivided $\frac{1}{4}$ parts or shares of all that field called Walpola Agarakumbura, situate at Andiambalama aforesaid; bounded on the north by the field which once belonged to the late Abanchi Appu and others (but now belonging to the 1st defendant), east by the field belonging to Welhenage Jusey Appu, south by the property of Wellawatantrige Gabriel Perera and Jusey Appu, and on the west by the portion of this field belonging to Wellawatantrige Gabriel Appu; containing in extent 1 acre 2 roods and $35\frac{75}{100}$ square perches.

3. All that portion of land called Jambughawatta, situate at Andiambalama aforesaid; bounded on the north by water-course separating the fields of Lokupothagamage Heranis Appu, Lokubalasureiya Engohamy, and Halgampitiyage Isohamy from this land, east by the cart road and the land of Elaris Appuhamy, south by the live fence separating this land from the land belonging to Wellun Appu and others, and on the west by the live fence separating this land from a portion of the land owned by Gustan Appu; containing in extent about 2 acres and 20 perches.

4. All that portion of the field of Karandagahakumbura, situate at Andiambalama aforesaid; bounded on the north

by a water-course, east by limitary dam (inniyara) separating a portion of this field belonging to Solanga Aratchige Don Elaris Appu from this field, south by a water-course, and on the west by the inniyara separating this field from a portion of the field belonging to Lokupothagamage Heranis Appu; containing in extent about 3 bushels paddy sowing; the aforesaid 3rd and 4th portions of land called Jambugahawatta and Karandagahakumbura now forming property, situate at Andiambalama aforesaid; bounded on the north by field of M. J. Perera and others and by the water-course, east by the field and land of Elaris Appu, south-east by the dewata road, south-west by the lands of Siyadoris Appu and Arnolis Appu, Gustan Appu, and the field of D. J. W. Gunawardena, and on the west by a portion of this field of Heranis Appu and land of M. G. Perera; containing in extent 4 acres 1 rood and 29 perches.

5. All that portion of land called Daminnagahawatta, situate at Kimbulapitiya, in Dunagaha pattu of Alutkuru korale aforesaid, marked letter B in the plan bearing No. 1,833 dated November 24, 1913, by R. A. Fernando, Licensed Surveyor; bounded on the north by Crown land now of Balapuwaduge Francisco Fernando, east by the Crown land now of Jusey Perera, south by the field of the heirs of Sembukutti Aratchige Don Siman Appu and land of Halgampitiya Gabriel Perera, and on the west by the portion marked letter A allotted to D. C. W. Gunawardena and others; containing in extent about 3 acres 3 roods and 8 perches; which said several premises are contiguous to each other and form one property and are included in one survey and plan bearing No. 1,220 dated June 3, 1916, made by P. Fernando, Licensed Surveyor, and therein depicted as being bounded on the north by lands of Don Siman Gunasekera and land of W. Andris Fernando, east by land of W. Andris Fernando, land of Sardiel Appuhamy, land of S. Elaris Appu, and a road, south by land of M. Gustan Appu, land of Jacolis Appuhamy and others, and land of Pedrick Appu, and on the west by the field of Sarah de Silva Gunasekera, the field of the heirs of M. Hendrick Perera, the field of the heirs of S. D. Pedrick, and land of Don Siman Gunasekera; containing in extent about 15 acres 2 roods and 12 perches, together with all bungalows, buildings, plantations, crops, produce, tools, utensils, implements, furniture, and effects, cattle, and other dead and live stock.

6. All that divided $\frac{1}{2}$ part of a land called Iddagodellahena, situate at Kimbulapitiya aforesaid; bounded on the north by Crown land, east and south-east by a road and part of the same land and by the land described in plan No. 119,207 on the village boundary and by land described in plans Nos. 119,206 and 119,207, south-west by land described in plan No. 119,206, and on the west by the other $\frac{1}{2}$ part of this same land allotted to Elaris Appu; containing in extent 6 acres 2 roods and 11 $\frac{1}{2}$ perches.

7. All that allotment of land called Iddagodella, situate at Kimbulapitiya aforesaid; bounded on the south-east by land said to belong to the Crown, south-west by land described in plan No. 119,206, and on all other sides by the property of Hendrick Perera Appuhamy; containing in extent about 2 acres and 3 perches.

Amount to be levied Rs. 10,428, with interest on Rs. 9,000 at 21 per cent. per annum from November 14, 1917, to November 21, 1917, and thereafter further interest on the aggregate amount at 9 per cent. per annum till payment.

Deputy Fiscal's Office,
Negombo, May 14, 1918.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Central Province.

In the Additional Court of Requests, Kandy.

Frederick Herat of Malabar street, Kandy..... Plaintiff.
No. 8,594. Vs.

Gabriel Perera of Byrd street in Gampola, now of Hospital road, Kandy Defendant.

NOTICE is hereby given that on Friday, June 14, 1918, at 12 o'clock in the noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the

sum of Rs. 280.82, with legal interest on Rs. 253.37 from March 8, 1917, till payment in full, less Rs. 170, viz. :—

All that portion of land described as of 3 roods and 32 perches in extent out of Wedageyagewatta and Koswattagegerawatta, situate at Deiyannawela, in Gangawata korale of Yatinuwara, in the District of Kandy; which said portion of land is bounded on the east by the road leading to Civil Hospital, south by the limit of the other portion of this land, west by the water-course belonging to Railway road, and on the north by the water-course of the land belonging to Gangawata Korala; together with the houses bearing assessment Nos. 89 and 92 and of the other buildings and plantations thereon.

Fiscal's Office,
Kandy, May 13, 1918.

A. V. WOUTERSZ,
Deputy Fiscal.

In the District Court of Kandy.

Vena Kana Nana Mavana Ravana Mana Ramen
Chetty of Kandy Plaintiff.
No. 25,255. Vs.

Saibo Abdul Hassan of No. 116, New Moor street,
Colombo Defendant.

NOTICE is hereby given that on Saturday, June 15, 1918, at 12 o'clock in the noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, mortgaged upon bond No. 8,088 dated June 17, 1909, and attested by J. W. Siebel of Kandy, Notary Public, and decreed to be sold for the recovery of the sum of Rs. 609.03, with legal interest on Rs. 515 from October 23, 1917, viz. :—

An undivided 3rd part or share of all that house and ground bearing assessment No. 389 (formerly 387), situated at Trincomalee street, Kandy; and bounded on the east by Trincomalee street, south by house bearing present assessment No. 390 (formerly 388), west by back wall of the house, and on the north by house bearing present assessment No. 388 (formerly 386), the whole house No. 389 being in extent 13 feet in breadth along the road and 40 feet in length from road to back, and all the right, title, interest, and claim whatsoever of the defendant into or upon or out of the said premises mortgaged by the defendant.

Fiscal's Office,
Kandy, May 13, 1918.

A. V. WOUTERSZ,
Deputy Fiscal.

Southern Province.

In the District Court of Kalutara.

Warnakula Arachchirallagey Don Saturninus Presenti
Muhuppu, of Paiyagala Plaintiff.
No. 6,514. Vs.

Barnelis Mendis Wickramasingha Appuhamy of Maha Pelana in Indurugama, in Bentota-Walallawiti korale,
Galle Defendant.

NOTICE is hereby given that on Saturday, June 8, 1918, at 12 noon, will be sold by public auction at the premises in the following mortgaged property, viz. :—

1. All that land called Baduwatta *alias* Mallegewatta and the adjoining owita of the extent of about 2 acres and 2 roods, situated at Maha Pelana of Indurugama, in Bentota-Walallawiti korale of the Galle District; and bounded on the north by Ketakerallagahawatta, east by wela, south by Mallegewatta, and on the west by Aragalkandewatta, together with the large tiled house and all the other buildings appertaining thereto standing on the said land.

2. All that land called Okandekele at Induruwa aforesaid, of the extent of about 5 acres 2 roods and 15 perches; and bounded on the north and east by land in plan No. 155,145, south by the Crown land called Bibulekele and by land appearing in plan No. 101,737, and on the west by Crown land called Kajuwattalangkotuwa, Okandeihala-kattiya, and by Okandeowita claimed by S. Cornelis.

Writ amount Rs. 4,274.29, with interest on Rs. 3,800 at the rate of 12 $\frac{1}{2}$ per cent. per annum from October 11, 1915, till August 29, 1916, and thereafter at 9 per cent. per annum till payment in full.

Fiscal's Office,
Galle, May 10, 1918.

J. A. LOURENSZ,
Deputy Fiscal.

In the District Court of Matara.

Don Davith Weeraratna Jayasuriya of Nupe. . . . Plaintiff.
No. 7,252. Vs.

Don Francis Abeywardana Wickramasingha of
Kirinda Defendant.

NOTICE is hereby given that on Thursday, May 30, 1918, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following mortgaged property for the recovery of Rs. 6,541.27½, with legal interest on Rs. 6,241.45 from October 23, 1916, till payment in full and Fiscal's charges, viz. :—

(1) All the fruit trees and soil of and all the buildings standing on Konketiyaehena bearing No. 6,091, Konkuttiyaehena bearing No. 6,090, Ittahnenehena bearing No. 6,095, adjoining each other, in extent 15 acres 1 rood and 21 perches, situate at Kirinda, in the Gangaboda pattu of Matara; and bounded on the north by the land appearing in plan No. 155,651, east by Wewalanga-dola and reservation along Wewalanga-dola, south by Wewalanga-watta claimed by E. Don Carolis Appuhamy and others and the Crown land Batadombahena, and on the west by Sinchikudahena claimed by Hettiatchige Pedris, Crown land Ittahnenehena, road, and footpath, and the land claimed by K. Siyadoris and others; valued at Rs. 3,375.

(2) All the fruit trees and soil of the portion bearing No. 6,769 of Batadolahena, situate at Kirinda aforesaid, in extent 5 acres and 32 perches; and bounded on the north by Batadolepansalchena, east by reservation along dola and land appearing in plan No. 155,664, south by land appearing in plan No. 155,667, and on the west by the land appearing in plan No. 155,667, Woralumandiyehena, and Aluadiyalangadellehena; valued at Rs. 620.

On Saturday, June 1, 1918, at 2 P.M.

(3) All the fruit trees and soil of Kabarabadulledeniya and all the buildings standing thereon, in extent 6 acres and 35 perches, situate at Ranchagoda, in the Kandaboda pattu of Matara; and bounded on the north by lot D 98 described in plan No. 97, east by lot No. 100 described in plan No. 97, south by lots Nos. 100 and 98E described in plan No. 97, and on the west by lot No. 100 described in plan No. 97; valued at Rs. 450.

(4) The land called Dissawagewila, in extent 60 acres 1 rood and 2 perches, situate at ditto; and bounded on the north by land belonging to villagers and the land belonging to the Crown, east by Crown land, and south by the lot surveyed for portion No. 17,254 appearing in preliminary plan No. 6,435 and Crown land, and on the west by the land belonging to villagers and Crown land; valued at Rs. 3,000. Total Rs. 7,445.

Deputy Fiscal's Office,
Matara, May 6, 1918.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Matara.

John Enright of Matara Plaintiff.
No. 7,547. Vs.

Don Adirian Abeywardene Wickremesinghe. . . Defendant.

NOTICE is hereby given that on Thursday, June 6, 1918, at 12 o'clock in the noon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 4,516.30, with legal interest on the aggregate amount from June 28, 1917, till payment in full, and Fiscal's charges, viz. :—

(1) All the soil, plantations, and the buildings of the land called Tanayanwatta, in extent 2 acres 3 roods and 36 perches, situated at Murutamure; and bounded on the north by Crown land, south-east by Pitohekumburana and Piritpota, south-west by Beligahakumbura and Paranamittettua, and west by land claimed by Gamage Dowa and others. Valued at Rs. 4,000.

(2) An undivided 1 amunam and 5 kurunies of paddy sowing extent of the field Puwakgahakumbura, in extent 10 pelas of paddy sowing, situated at Udapillegoda; and bounded on the north by high road, on the east by Kadukanna, south by ela, and on the west by Ritigahatippolekumbura. Valued at Rs. 530.

On Saturday, June 8, 1918, at 12 noon.

(3) The entire soil and plantation of the land Elagorakagahawatta and Galgodehena, adjoining each other and forming one property, in extent about 12 kurunies kurakkan sowing, situate at Kirinda; and bounded on the north by the village limit of Udapellegoda, east by Kajjugahacoratta, south by Delgahahena, and west by Deniwalekadedeniya and Deniwalekada. Valued at Rs. 1,200.

Deputy Fiscal's Office,
Matara, May 10, 1918.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Colombo.

A. K. K. V. S. T. Muttu Raman Chetty of Sea Street,
Colombo, and another. Plaintiffs.
No. 48,814. Vs.

John William Samaraweera of Primrose Hill, Weligama,
presently of Cinnamon Gardens, Colombo. . . Defendant.

NOTICE is hereby given that on Thursday, June 6, 1918, commencing at 1 o'clock in the afternoon and on the following days, will be sold by public auction at the premises the following mortgaged property, viz. :—

(1) All that allotment of land called Udawilakumburadeniya *alias* Horagalawiladeniya, situated in the village Udukawa in Weligama korale, in the District of Matara, Southern Province; and bounded on the north by land described in plan No. 121,673, north-east by land described in plan No. 121,673 and land claimed by S. Don Cornelis Appu and others, south-east and south-west by land said to belong to the Crown, north-west by land claimed by Don Cornelis Appu and others; containing in extent 1 acre 2 roods and 12 perches. Valued at Rs. 150.

(2) All that allotment of land called Udawilakumburawita, situated at Udukawa aforesaid; bounded on the west and north by land claimed by Punchibaba and others, north-east by land described in plan No. 121,675, east and south-east by land claimed by S. Don Cornelis Appu and others, and on the south-west by land described in plan No. 121,674; containing in extent 1 acre 2 roods and 14 perches. Valued at Rs. 150.

(3) All that allotment of land called Udawilawattedeniya, situated at Udukawa aforesaid; bounded on the north by land described in plan No. 121,677, east by lands described in plans Nos. 121,678 and 121,676, south by land claimed by S. Don Cornelis Appu and others, south-west by land described in plan No. 121,673, and on the west by land claimed by Punchibaba and others; containing in extent 2 roods and 5 perches. Valued at Rs. 100.

(4) All that allotment of land called Udawilawattedeniya, situated at Udukawa aforesaid; bounded on the north by land described in plan No. 121,678, south-east by land said to belong to the Crown, south-west by land claimed by S. Don Cornelis Appu and others, and on the west by land described in plan No. 121,675; containing in extent 2 roods and 7 perches. Valued at Rs. 75.

(5) All that allotment of land called Kosgahahena, situated at Udukawa aforesaid; and bounded on the north by land described in plan No. 111,233, east by a water-course and land claimed by natives, south by a road, south-west by land claimed by natives and by Galamunewela, and on the north-west by land described in plan No. 111,232; containing in extent 59 acres and 1 rood. Valued at Rs. 1,850.

(6) All that allotment of land called Kosgahahena, situated at Udukawa aforesaid; and bounded on the north by Kitulgahaudumulla and land said to belong to the Crown, east by land described in plans Nos. 111,233 and 111,231, south by land described in plan No. 111,231, south-west by Galamunewela and Hinirandolakumbura land said to belong to the Crown, and on the west by Kitulgahaudumulla; containing in extent, exclusive of the water-course passing through the land, 138 acres. Valued at Rs. 13,800.

(7) All the allotment of land called Kosgahahena, situated at Udukawa aforesaid; bounded on the north by land said to belong to the Crown and Mahadola, north-east and east by land said to belong to the Crown, south-east by land said to belong to the Crown, land described in plan No. 111,234, and water-course, south by land described in plan No. 111,231, and on the west by land described in plan No. 111,232 (exclusive of Mahadola passing through the land); containing in extent 107 acres. Valued at Rs. 10,700.

(8) All that allotment of land called Batadolahena, situated at Udukawa aforesaid; and bounded on the north and north-east by a road, east by land described in plan No. 121,679, south-east by land said to belong to the Crown, south-west by land said to belong to the Crown and land described in plan No. 121,676, and on the west by land described in plan No. 121,675 and 121,677; containing in extent 17 acres 1 rood and 34 perches. Valued at Rs. 2,100.

(9) All that allotment of land called Batadolahena, situated at Udukawa aforesaid; and bounded on the north by a road, east and south-east by land described in plan No. 121,678, south by land described in plans Nos. 121,678 and 121,675, south-west by lands described in plan No. 121,675 and land claimed by PUNCHIBABA and others, and on the west by lands claimed by PUNCHIBABA and others and Don Thiyadoris Samaraweera, Notary, and others; containing in extent 3 acres 1 rood and 29 perches. Valued at Rs. 320.

(10) All that allotment of land called Puwakgahawilahena situated at Udukawa aforesaid; and bounded on the north-east by a road, east and south by land said to belong to the Crown, and on the south-west and north-west by land described in plan No. 121,678; containing in extent 2 acres 3 roods and 24 perches. Valued at Rs. 330.

(11) All that allotment of land called Wila-addarahena, situated at Udukawa aforesaid; and bounded on the north-east by land said to belong to the Crown and a path, east by a path, south by a road, west by land claimed by natives and water-course, and on the north-west by a water-course and land described in plan No. 111,232; containing in extent 23 acres 2 roods and 14 perches. Valued at Rs. 2,760.

(12) All that allotment of land called Batta-addaragodella, situated at Udukawa aforesaid; bounded on the east by land described in plan 111,234, south by land described in plan No. 140,596 and Batadolakumbura claimed by D. J. Samaraweera and others, south-west and west by Batadolakumbura claimed by D. T. Samaraweera and others; containing in extent 1 rood and 23 perches. Valued at Rs. 60.

(13) All that allotment of land called Batadolagodella, situated at Udukawa aforesaid; and bounded on the north by land described in plan No. 140,595, east by land described in plan No. 111,234, south by a road, and on the west and north-west by Batadolakumbura claimed by D. T. Samaraweera and others; containing in extent 1 rood and 27 perches. Valued at Rs. 60.

(14) All that allotment of land called Udawelawatta, situated at Udukawa aforesaid; and bounded on the east by Pitakeratuwa, west by Horagahawila and deniya, and north by Udawelakumbura, and on the south by ditch. Valued at Rs. 250.

(15) All that allotment of land called Batadola, situated at Udukawa aforesaid; and bounded on the north by Rasiwattata-aiytideniya and watta, east and west by Rasinwatta, and on the south by Udawelakumbura. Valued at Rs. 30.

(16) All that allotment of land called Udawelawatte-deniya, situated at Udukawa aforesaid; and bounded on the east and north by jungle, west by Udawelakumbura, and on the south by Udawelawatta; containing in extent 1 pella of paddy sowing extent. Valued at Rs. 100.

(17) One twenty-fourth part or share of the field called Udawelakumbura, situated at Udukawa aforesaid; bounded on the east by jungle, north by Horagahawila, south by minor road, and on the west by the jungle; containing about 1 amunam of paddy sowing extent. Valued at Rs. 10.

(18) All that allotment of land called Bakiniketiyagodahagodawatta, situated at Udukawa aforesaid; and bounded on the west by Dola-ara, south by Bakiniketiyaga, east and north by Roseneath garden. Valued at Rs. 25.

(19) All that allotment of land called Udawelawattapitakoratuwa, situated at Udukawa aforesaid; bounded on the east by Puwakdola, west by ditch, Udawelawatta and north by Udawelakumbura, and on the south by jungle. Valued at Rs. 40.

(20) A portion in extent about 2 pelas of paddy sowing, $\frac{1}{2}$ share of a portion in extent, 38 kurunies of paddy sowing, valued at Rs. 1,000, from and out of the field called Udawelakumbura, situated at Udukawa aforesaid; bounded on the east by Udawelawatta belonging to the notary, and jungle, west by high road, north by high road and jungle, and on the south by Horagahawilakumbura;

containing about 5 bags of paddy sowing extent; all which said several allotments of land adjoining each other and form one property and are according to the deed No. 649 dated May 26, 1915, and attested by S. T. Weerasingha, Notary Public, described as being bounded on the north by Crown land, on the east by Samaraweera Aramaya Jayawickramaunnehegeidama and Puwakgahawila, on the south by M. S. Gooneratne's land, and on the west by Bakiniketiyagalumuna and Kitulgahaudumulla; and contains in extent 400 acres more or less, which said estate or property in according to a recent admeasurement and survey plan thereof dated September, 1915, made by J. D. D. Neise, Surveyor, and plan No. 733 dated July 4, 1916, made by A. R. Savundaranayagam, Surveyor, described as being bounded on the north by lands described in title plans Nos. 138,394, 162,190, 171,679, title plans Nos. 148,002, 97,737, 97,738, and 122,286, and on the south by lands described in title plans Nos. 137,363 and 137,364, and on the west by Galamunawela, Kosgahahena, Mirirandolakumbura, and Kitulgahaudumulla; and contains in extent 371 acres and 39 perches. Valued at Rs. 33,910.

Amount Rs. 65,775, with interest on Rs. 60,000 at 15 per cent. per annum from October 12, 1917, to November 2, 1917, and thereafter further interest on the aggregate amount at the rate of 9 per cent. per annum till payment in full and costs.

Deputy Fiscal's Office,
Matara. May 13, 1918.

J. R. TOUSSAINT,
Deputy Fiscal.

Eastern Province.

In the District Court of Batticaloa.

Ponnampalam Ambalavanar of Tellipalai, presently at Batticaloa Plaintiff.

No. 4,632.

Vs.

Vytilingam Sathasivam of Puliyantivu Defendant.

NOTICE is hereby given that on Friday, June 7, 1918, at 9 o'clock in the morning, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. :—

The south-eastern portion out of the northern side of the garden called Kannapertotam bearing assessment No. 6, situated at Puliyantivu in Manmunai pattu, Batticaloa, Eastern Province; and which south-eastern share is bounded on the east by road, west by the south-western share obtained in dower by Rasamuttu and her husband, north by lane, and south by the garden of Konamalai; containing in extent from east to west 22 fathoms and from north to south $15\frac{1}{2}$ fathoms, with all the tiled house of three rooms, portico, and kitchen, and the rights, title, and interest thereto belonging. Valued at Rs. 1,250.

Judgment Rs. 704.60, with interest on Rs. 704.60 at 9 per cent. from March 13, 1918, till payment.

Fiscal's Office,
Batticaloa, May 13, 1918.

S. O. CANAGARATNAM,
Deputy Fiscal.

North-Western Province.

In the District Court of Kurunegala.

Kuna Mana Muttu Ramen Chetty, by attorney Kuna Mana Muna Arunasalam Chetty of Kurunegala... Plaintiff.

K. R. Palaniappa Chetty of Kurunegala Substituted plaintiff.

No. 5,594.

Vs.

(1) Kawenna Lena Sego Tamby Marikkar of Wadiyawa in Karandapattu korale, (2) Ana Chena Suna Ahamado Tamby of Kuliypitiya, in Yatikaha korale Defendants.

NOTICE is hereby given that on Monday, June 10, 1918, commencing at 11 o'clock in the morning, will be sold by public auction at the premises the right, title, and

interest of the said defendan's in the following property, mortgaged by bond No. 36,102, dated January 16, 1914, and attested by A. M. Abesekara, Notary Public, viz. :—

1. An undivided $\frac{1}{2}$ share of Bakmigahawela of 1 amunam of paddy sowing extent, and adjoining Moragollehena of 1 amunam of kurakkan sowing extent, situate at Akarawatta, in Karandapattu korale; and bounded on the east by the limit where hick tree stands of Hikgahamulahena of Baiya, on the south by limit of chena of Ukkua and others, on the west by the limit of the village Kanatabowa, and on the north by limit of Dehigahamulahena of the Crown.

2. Bogahamulahena of about 5 lahas of kurakkan sowing extent, situate at Akarawatta aforesaid; and bounded on the east by Weupara, on the south and west by tank, and on the north by field of Segotamby Marikar.

3. Dambagahawetiyehehena of 15 lahas of kurakkan sowing extent, situate at Akarawatta aforesaid; and bounded on the east by Assedumepillewa, south by tank bund, on the west by Dangahamulahena, and on the north by chena of Menika and others.

4. An undivided $\frac{1}{2}$ share of Thalagahamulawatta of 2 kurunies of kurakkan sowing extent, situate at Akarawatta aforesaid; and bounded on the north by fence of the garden of Kalingi and others, and on the west by field.

5. Dalupotekumbura of about 1 pela of paddy sowing extent, situate at Akarawatta aforesaid; and bounded on the north by field of Baiya Duraya, on the east by Talagahamulawatta, on the south by field of Horatala Maru Duraya, and on the west by field of Tikka.

6. Kumbukgahakumbura of about 1 pela of paddy sowing extent, situate at Akarawatta aforesaid; and bounded on the north by field of Tikka Maru Duraya, on the east by ela, on the south by field of Kiriya Vel-Duraya, and on the west by jungle.

7. An undivided $\frac{1}{2}$ share of Halmillagahamulawatta of 3 lahas of kurakkan sowing extent, situate at Akarawatta aforesaid; and bounded on the north by fence of the garden of Menika and others, on the east by fence of the garden of Bandiya Vel-Duraya, and on the south by fence of the garden of Dingiri and others, and on the west by limitary ridge of Dalupotakumbura.

8. An undivided $\frac{1}{2}$ share of Ehatugahamulawatta of 1 laha kurakkan sowing extent, situate at Akarawatta aforesaid; and bounded on the north and east by fence of the garden of Tikira, on the south by the fence of the garden of Menika and others, and on the west by field of Tikira.

9. An undivided $\frac{1}{2}$ share of Lolugahamulahena of 2 lahas of kurakkan sowing extent, situate at Akarawatta aforesaid; and bounded on the north by fence of the garden of Dingiriya Vel-Duraya and fence of the garden of Menika, on the east by limit of the portion of this land allotted to Podiya, on the south by the limit of the portion of this land allotted to Ungi, and on the west by garden of Tikira.

10. An undivided $\frac{1}{2}$ share of Ganegodehena of 6 lahas of kurakkan sowing extent, situate at Akarawatta aforesaid; and bounded on the north by limit of the chena belonging to Menika and others, on the east by Otukumbura, on the south by chenas belonging to Horatala ex-Duraya, and on the west by limit of the chena of Podiya.

11. An undivided $\frac{1}{2}$ share of Wewaihalatalagahamulahena of 3 lahas of kurakkan sowing extent, situate at Akarawatta aforesaid; and bounded on the north by chena of Andirala, on the east by chena belonging to Menika and others and by Godawela, on the south by chena belonging to Menika and others, and on the west by Weupara belonging to and possessed by the defendant; these mentioned high and low lands, shares of lands, and all the buildings, plantations, and everything appertaining thereto.

12. Puhudiulgahamulahena of about 7 lahas of kurakkan sowing extent, situate at Moragalla, in Karandapattu korale aforesaid; and bounded on the east by Korakahawehena, on the south by chena of Menika and others, on the west and north by the chenas of the defendant (Segu Tamby Marikar).

13. An undivided $\frac{1}{2}$ share of Paragahakumbura of about 10 beras of paddy sowing extent, and adjoining Werallehena and Meegahahena, both of about 1 bera and 12 seers of kurakkan sowing extent, situate at Hammannapakuwa, in Karandapattu korale, aforesaid; and bounded on the north by kon tree on the limit of the chena of Menika, on

the east by chena of Aruma Duraya, on the south by chena of Ama Lebbe, and on the west by chena of Bilinda.

14. Netiliwellepillewa of about 1 kuruni of kurakkan sowing extent, situate at Ambagahagedara, in Karandapattu korale aforesaid; and bounded on the north by limit of the chena of Bindu, on the east by the limitary ridge of Ambagahakotuwa, on the south by the high road, and on the west by the limitary ridge of Upasakawela.

15. Siyambalagahakotuwa of about 4 seers of kurakkan sowing extent, situate at Thorawela, in Karandapattu korale aforesaid; and bounded on the east by Patasakanda, on the south by Gansabhawa road, on the west by kotuwa of Madira and others, and on the north by kotuwa of Segu Tamby Marikar.

16. Kahatagahamulahena of about 2 $\frac{1}{2}$ lahas of kurakkan sowing extent, situate at Konkadawela, in Karandapattu korale aforesaid; and bounded on the east by the Gansabhawa road, on the south by garden of Balaya, on the west by Kumbukgahamulawatta, and on the north by the chena of Ellie and others.

17. An undivided $\frac{1}{2}$ share of Kajugahamulainnawatta of about 1 laha of kurakkan sowing extent, situate at Kanatalawa, in Karandapattu korale aforesaid; and bounded on the east by fence of the garden of Mohata, on the south by fence of the garden of Balaya, on the west and north by field.

18. Galagawawatta of about 4 seers of kurakkan sowing extent, with the plantations and everything thereon, situate at Udiyawala, in Karandapattu korale aforesaid; and bounded on the east by garden of Bandia and others, on the west by field, and on the north by the Gansabhawa road.

19. An undivided $\frac{1}{2}$ share of Walgesmekumbura of 2 pelas of paddy sowing extent, situate at Widiyawala, in Karandapattu korale; and bounded on the east by field of Puncha and others, on the south by Crown field, on the west by Dungala and Pataha pond, and on the north by Gansabhawa road.

Amount to be levied Rs. 3,456, with interest at 21 per cent. per annum from May 16, 1915, to November 20, 1916, and thereafter at 9 per cent. per annum until payment in full.

Fiscal's Office,
Kurunegala, May 13, 1918.

S. D. SAMARASINGHE,
Deputy Fiscal.

In the District Court of Kurunegala.

Madurawe Liane Disanayaka Mudiyansege Sebastian
Samarasinghe Siriwardene of Alawwa Plaintiff.

No. 6,292.

Vs.

Madurawalage Don Lazarus Jayasundara Donewardene
of Dalugama, in Siyane korale Defendant.

NOTICE is hereby given that on Saturday, June 15, 1918, 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. An undivided $\frac{1}{2}$ share of Hankoladeniyewatta and Hankoladeniyekumbura of about 4 acres in extent, situate at Kosinna, in Dambadeni Udukaha korale south; and bounded on the east by the gardens of Bawa Lebbe and Haramanis, south by the garden of Sinnappu, west by Indigollehena, and on the north by the garden of Hetuwa; and everything appertaining thereto.

2. An undivided $\frac{1}{2}$ share of Indigollehena and Kajugahamulawatta of about 27 acres in extent, situate at Kosinna aforesaid; and bounded on the east by Hankoladeniyewatta and field, south and west by field, and on the north by field, the gardens of Ukkurala and Mudalihamy, and Elagawawatta; and everything appertaining thereto.

3. An undivided $\frac{1}{2}$ share of Hakkumbura of about 3 acres in extent, situate at Kosinna aforesaid; and bounded on the east by the field of Mudalihamy, south by the garden of Threewilangan, west by owita, and on the north by Midellawetiya; and everything appertaining thereto.

4. An undivided $\frac{1}{2}$ share of Weddamalapitiyekumbura of about 4 acres in extent, situate at Kosinna aforesaid; and bounded on the east by the field of Mudalihamy and others, south by Kahatagahamulakumbura, west by Midellawetiya, and on the north by Indigollehena; and everything appertaining thereto.

5. An undivided 7/24 shares of Modaramulle Bokkuwagawa-ayahadawatta of about 2 acres in extent, situate at Koholana, in Dambadeni Udukaha korale east; and bounded on the east by Ma-oya, south by the land of Siriwardana Korala, west by the land and field of Kiri Mudiyanse, and on the north by the garden of Siriwardana, the plaintiff.

Amount to be levied Rs. 1,027.42, and with legal interest on Rs. 850 from October 18, 1916, till payment in full.

Fiscal's Office,
Kurunegala, May 13, 1918.

S. D. SAMARASINGHE,
Deputy Fiscal.

In the District Court of Kurunegala.

Kuna Mana Muna Arunasalem Chetty, Nana Meyappa Chetty, by their attorney Suna Pana Arumugam Pillai of Narammala Plaintiffs.

No. 6,536.

Vs.

(1) Pathiraja Mudiyansele Kandappuhamy Aracci,
(2) ditto Appuhamy, both of Yakarawatta, in Yatikaha korale Defendants.

NOTICE is hereby given that on Wednesday, June 12, 1918, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

1. Hakkutuwwatta, containing in extent 8 acres 3 roods and 35 perches; and bounded on the north by lot No. 5 and lands in P. P. No. 969 and road, on the east by the village limit of Poogalla, on the south by land in T. P. No. 297,750 and lot No. 1 E in P. P. No. 969, and on the west by land in T. P. No. 291,356; situate at Yakarawatta, in Yatikaha korale.

2. Innawatta, containing in extent about 15 acres; and bounded on the east by the garden of Veluppulle and others, on the south by the village limit of Narangalla, on the west by the field of Unguhamy Vedarala and others, and on the north by the high road; together with the plantations thereon, situate at Yakarawatta as aforesaid.

Amount to be levied Rs. 805.43, with further interest on Rs. 730 at the rate of 24 per cent. per annum from May 15 1917, till August 24, 1917, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit.

Fiscal's Office,
Kurunegala, May 13, 1918.

S. D. SAMARASINGHE,
Deputy Fiscal.

In the District Court of Chilaw.

Ana Rupa Avanna Arumugam Chetty of Chilaw .. Plaintiff.

No. 6,770.

Vs.

Segu Noordeen Seiyadu Lebbe of Ichchampiyya and another Defendants.

NOTICE is hereby given that on Saturday, June 15, 1918, commencing at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

(1) The remaining undivided portion of land called Palamarattaditottam, marked letter F, situate at Ichchampiyya, in Chilaw town, with the plantations and buildings standing thereon; and bounded on the north by garden of Kader and others, east by garden belonging to the mosque and land called Palamarattaditottam, south by garden of Jewambu and others, and west by garden called Wedikarantottam of Ismail Lebbe Marikar and others; containing in extent 1 acre and 8 perches, exclusive of the undivided portion of the northern side, together with the other appurtenances, which is of the extent of 37 yards from north to south sold prior to this.

(2) The soil, coconut trees, and buildings on the undivided 90/96 shares of the land called Palamarattaditottam, marked H, situate at Ichchampiyya aforesaid; and bounded on the north by garden of Kader and others, east by garden of W. N. Mohammado Tambi and others, south by garden of the mosque, and west by Palamarattaditottam; containing in extent about 3 roods.

(3) The soil and coconut trees of Watawanatottam, situate at Watawana, in Anavilundan pattu of Pitigal korale north, in the District of Chilaw; and bounded on the

north, east, south, and west by the lands of the heirs of Assen Neina Marikar, Notary; containing in extent 4 acres 1 rood and 10 perches.

Amount to be levied Rs. 11,205, with interest on Rs. 8,000 at 17 per cent. per annum from May 15, 1917, till August 21, 1917, and further interest on the aggregate amount of principal and interest at 9 per cent. per annum till payment in full, and poundage.

Valuation Rs. 6,000.

Deputy Fiscal's Office,
Chilaw, May 13, 1918.

CHARLES DE SILVA,
Deputy Fiscal.

In the Court of Requests of Chilaw.

G. M. Perera of Mundal Plaintiff.

No. 17,539.

Vs.

Abdulla Mohammado Saidu of Anavilundawa and another Defendants.

NOTICE is hereby given that on Tuesday, June 11, 1918, commencing at 11.30 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, subject to mortgage bonds Nos. 1,617 and 1,637 :—

(1) The portion of land bearing No. 5,143, situate at Arachchikattuwa, in Anavilundan pattu of Pitigal korale north, in the District of Chilaw; the said portion is bounded on the north by portion of this land, north-east by reservation along the road, south and west by land called Timbiripatahamukalana belonging to Crown; containing in extent about 4 acres.

(2) The undivided $\frac{1}{2}$ share of the land called Timbiri-pathahakele, bearing No. 10,251, situate at Arachchikattuwa aforesaid; and bounded on the north by Crown land and pond, east by land in plan No. 159,624, south by reservation along the road, and west by Crown land; containing in extent about 2 acres.

Amount to be levied Rs. 241.25, with interest on Rs. 250 at 2 per cent. per mensem from June 8, 1916, to August 2, 1916, and thereafter at legal rate till payment in full, and poundage.

Deputy Fiscal's Office,
Chilaw, May 8, 1918.

CHARLES DE SILVA,
Deputy Fiscal.

North-Central Province.

In the District Court of Anuradhapura.

The Attorney-General, Colombo Plaintiff.

No. 707.

Vs.

(1) Kapuralage Ukkurula, (2) Ukkurula Gamarala, (3) Kapuruhamige Punchirala, (4) Wannakuralage Ukkurula, (5) Kadiratege Naindurala, (6) Nainduralage Appurula, (7) Kadiratege Kandappurula, (8) Kandatege Menikrula, (9) Kapurala, ex-Vel-Vidane, (10) Punchirala, ex-Vel-Vidane, all of Wattewewa, in Kunchuttu korale of Hurulu palata. Defendants.

NOTICE is hereby given that on Monday and Tuesday, June 10 and 11, 1918, commencing at 9 o'clock in the forenoon, each day, will be sold by public auction at the spots, the right, title, and interest of the said defendants in the following property for the recovery of Rs. 1,501.95, viz. :—

(1) An extent of 3 acres or 3 pelas paddy sowing called and known as Dambagaha-accara, situated at Kudagama of Wattewewa, belonging to the 1st defendant; and bounded on the east by jungle, on the south by jungle, on the west by Accaradaha-ateidama, and on the north by jungle.

(2) An extent of 2 acres or 2 pelas paddy sowing, out of the 25 acres called Meegaha-accaraidama, situated at Kudagama, belonging to the same defendant; and bounded on the east by jungle, south by land belonging to Kadiratege Naindurala, west by Maha-ela, and north by field belonging to Ukkurula Gamarala.