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and General Government Notifications.

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DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to amend "The Buddhist Temporalities Ordinance, 1905."

Preamble.

WHEREAS it is expedient to remove certain doubts which have arisen as to the true interpretation of "The Buddhist Temporalities Ordinance, 1905" (hereinafter referred to as "the principal Ordinance"), and otherwise to amend the said Ordinance: 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 Buddhist Temporalities (Amendment) Ordinance, No. of 1912," and shall be read as one with the principal Ordinance.

Validation of election of *de facto* committees.

2 (1) All members of district committees who shall at any time have acted in the discharge of their functions up to the date of the passing of this Ordinance, and shall not theretofore have been judicially declared invalidly elected, shall be conclusively deemed to have been validly elected under the principal Ordinance.

(2) All pending actions, in which the validity of any such election or any circumstance alleged to affect that validity shall be put in issue, in so far as the same shall be in issue, shall abate from the date of the commencement of this Ordinance, each party bearing his own costs, unless the court shall otherwise order.

3 The following section shall be substituted for section 11 of the principal Ordinance :

Decision of objections.

(1) No objection shall be raised as to the qualification of any voter or candidate, or as to the service of any notice, or as to any other incidental formality or circumstance affecting the election, or as to the validity of the election itself, except—

- (a) At the election meeting to the president ; or
- (b) Within one month of such meeting by action in the District Court.

(2) When an objection is raised at an election meeting, the president may in his discretion either adjourn the meeting in order to allow any necessary formality to be complied with for the purpose of the adjourned meeting, or may decide the question raised then and there.

(3) If the president decide the question raised at the meeting, his decision shall be final and conclusive, unless within one month of such decision an action is instituted in the District Court.

(4) An election shall not be invalidated by any informality, unless the informality is substantial, and of such a character as to prejudice the choice of the electors.

4 The following section shall be added to the principal Ordinance :

General powers of District Court.

30 A. A District Judge may on the application of any person interested—

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

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

By His Excellency's command,

Colonial Secretary's Office,
Colombo, June 28, 1912.

HUGH CLIFFORD,
Colonial Secretary.

Statement of Objects and Reasons.

THIS is an Ordinance of a special character necessitated by a situation which has arisen in the Kandy District in connection with " The Buddhist Temporalities Ordinance, 1905."

2. The Kandy District Committee, which has been making a conscientious and comprehensive attempt to discharge the duties committed to it by the Ordinance and to establish the temporalities of its district upon a proper basis, has in so doing come in conflict with two trustees, whose action in that capacity it has impugned, and one of whom it has already dismissed. It has consequently been assailed by litigation, in which, on purely technical grounds, its legal status is put in issue and the qualifications of all its members are challenged, on the plea that all the technical formalities prescribed for their election were not strictly observed.

3. Each member sits for a separate division and is separately elected, and the nine members of the Committee whose status is attacked were elected at various dates in 1907, 1908, and 1909. They had no responsibility for the observance of the proper formalities at their election, no objection was raised to their election at the time, and they assumed and discharged their duties in good faith. They are now called upon at their own expense to justify in every technical detail proceedings of which they had no knowledge, and which they could not control. The preliminary and interlocutory litigation has already run a protracted and expensive course, and the two principal actions are now ready for trial.

4. Apart from these actions, the operations of the Committee are impeded by the fact that if these actions succeed all its previous proceedings, which cover a period of some five years, and have been of a most extensive character, will be invalidated. In actions which it has instituted in the discharge of its public duties, it has been met with the plea that it is illegally constituted and that its acts have no effect in law, and these actions are meanwhile suspended until the two principal actions have been finally decided, either by the Supreme Court or, in the event of a further appeal, by the Privy Council.

5. The District Judge of Kandy reports that the trials now impending will be of a most prolonged character, that hundreds of witnesses have been summoned, and that the actions will take several months to try, the ordinary administration of justice in the district being suspended, unless a special judge is appointed to try the cases.

6. The question has therefore arisen whether some step should not be taken at once to cut short this useless and mischievous litigation, which has too long distracted the religious life of the district, and which is a mere abuse of the forms of justice. The general rule that the State should not interfere by legislation in pending litigation applies where private rights of property are at stake, but it does not apply, or at any rate has not the same application, where the question at issue is simply the right on the part of a trustee to discharge a public trust.

7. If the Committee fails in the actions now pending, a validating Ordinance will in any case be necessary, as it would be impossible to allow all the proceedings of a Committee, which has acted in good faith for a period of five years, to be invalidated by mere technical informalities in the election of its members. It would be impossible in such an Ordinance to exclude from its scope the cases of the two trustees in question, or the cases of the various unconscientious priests and other trespassers who have put in obstructive pleas in the interval. It has accordingly been determined, with the approval of the Secretary of State, that a validating Ordinance shall be introduced at once.

8. The validating provisions will be found in section 2, which at the same time deals with pending litigation.

9. To prevent similar difficulties arising in future, provision is made by section 3 for securing that all objections to the validity of future elections must be made with promptitude, and that all objections which are without substance shall be disallowed.

10. By section 4 extensive powers are given to District Courts to give relief against mistakes and informalities, to extend the time fixed for proceedings, and to enforce the duties imposed by the Ordinance.

Attorney-General's Chambers,
Colombo, June 27, 1912.

ANTON BERTRAM,
Attorney-General.

MINUTE.

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

An Ordinance to amend "The Contagious Diseases (Animals) Ordinance, 1909."

Preamble.

WHEREAS it is expedient to amend "The Contagious Diseases (Animals) Ordinance, 1909": 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 Contagious Diseases (Animals) Amendment Ordinance, No. of 1912," and shall be read as one with "The Contagious Diseases (Animals) Ordinance, 1909," hereinafter referred to as "the principal Ordinance."

Addition of a new section.

2 After section 14 of the principal Ordinance the following section shall be added:

14 A. Where a prosecution under this Ordinance is instituted by a village headman, the court may direct that one-half of any fine recovered in the case shall be paid into the Headmen's Reward Fund.

By His Excellency's command,
Colonial Secretary's Office, HUGH CLIFFORD,
Colombo, June 27, 1912. Colonial Secretary.

Statement of Objects and Reasons.

THE object of this Ordinance is to provide a special means by which appreciation may be shown of any active and intelligent conduct of village headmen in the discharge of their duties under the Contagious Diseases (Animals) Ordinance.

2. It accordingly provides that the one-half of the fines recovered in cases instituted by village headmen under the Ordinance shall be paid into the Headmen's Reward Fund, with a view to rewards being made by the Government Agent to those who have rendered meritorious services in accordance with General Order 627.

Attorney-General's Chambers,
Colombo, May 21, 1912

ANTON BERTRAM,
Attorney-General.

MINUTE.

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

An Ordinance to amend the Law relating to Copyright.

Preamble.

WHEREAS the Act of the Imperial Parliament, as set out in the schedule to this Ordinance, known as the Copyright Act, 1911, is in force in Ceylon, and whereas the effect thereof is to supersede in Ceylon "The Copyright Ordinance, 1908": And whereas the provisions of the said Act with regard to summary remedies do not apply to Ceylon, and it is necessary to supplement the said Act in its application to Ceylon by providing for summary remedies: 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 Copyright Ordinance, No. . of 1912."

Repeal.

2 "The Copyright Ordinance, 1908," is hereby repealed.

Penalties for dealing with infringing copies, &c.

3 (1) If any person knowingly—

- (a) Makes for sale or hire any infringing copy of a work in which copyright subsists; or
- (b) Sells or lets for hire, or by way of trade exposes or offers for sale or hire, any infringing copy of any such work; or
- (c) Distributes infringing copies of any such work either for the purposes of trade or to such an extent as to affect prejudicially the owner of the copyright; or
- (d) By way of trade exhibits in public any infringing copy of any such work; or
- (e) Imports for sale or hire into Ceylon any infringing copy of any such work—

he shall be guilty of an offence under this Ordinance, and be liable on summary conviction before a Police Magistrate to a fine not exceeding thirty rupees for every copy dealt with in contravention of this section, but not exceeding seven hundred and fifty rupees in respect of the same transaction; or, in the case of a second or subsequent offence, either to such fine or to simple or rigorous imprisonment for a term not exceeding two months.

(2) If any person knowingly makes or has in his possession any plate for the purpose of making infringing copies of any work in which copyright subsists, or knowingly and for his private profit causes any such work to be performed in public without the consent of the owner of the copyright, he shall be guilty of an offence under this Ordinance, and be liable on summary conviction to a fine not exceeding seven hundred and fifty rupees; or, in the case of a second or subsequent offence, either to such fine or to simple or rigorous imprisonment for a term not exceeding two months.

(3) The court before which any such proceedings are taken may, whether the alleged offender is convicted or not, order that all copies of the work, or all plates in the possession of the alleged offender, which appear to it to be infringing copies or plates for the purpose of making infringing copies, be destroyed or delivered up to the owner of the copyright, or otherwise dealt with as the court may think fit.

(4) A Police Magistrate shall have jurisdiction to impose the full amount of the penalties to which the offender may be liable, notwithstanding any limitation of his ordinary powers or jurisdiction.

SCHEDULE.

Copyright Act, 1911.

Chapter 46.

An Act to amend and consolidate the Law relating to Copyright.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

PART I.

IMPERIAL COPYRIGHT.

Rights.

Copyright.

1. (1) Subject to the provisions of this Act, copyright shall subsist throughout the parts of His Majesty's dominions to which this Act extends for the term hereinafter mentioned in every original, literary, dramatic, musical, and artistic work, if—

- (a) In the case of a published work, the work was first published within such parts of His Majesty's dominions as aforesaid ; and
- (b) In the case of an unpublished work, the author was at the date of the making of the work a British subject or resident within such parts of His Majesty's dominions as aforesaid ;

but in no other works, except so far as the protection conferred by this Act is extended by Orders in Council thereunder relating to self-governing dominions to which this Act does not extend and to foreign countries.

(2) For the purposes of this Act "copyright" means the sole right to produce or reproduce the work or any substantial part thereof in any material form whatsoever, to perform, or in the case of a lecture to deliver, the work or any substantial part thereof in public ; if the work is unpublished, to publish the work or any substantial part thereof ; and shall include the sole right—

- (a) To produce, reproduce, perform, or publish any translation of the work ;
- (b) In the case of a dramatic work, to convert it into a novel or other non-dramatic work ;
- (c) In the case of a novel or other non-dramatic work, or of an artistic work, to convert it into a dramatic work by way of performance in public or otherwise ;
- (d) In the case of a literary, dramatic, or musical work, to make any record, perforated roll, cinematograph film, or other contrivance by means of which the work may be mechanically performed or delivered ;

and to authorize any such acts as aforesaid.

(3) For the purposes of this Act publication, in relation to any work, means the issue of copies of the work to the public, and does not include the performance in public of a dramatic or musical work, the delivery in public of a lecture, the exhibition in public of an artistic work, or the construction of an architectural work of art, but for the purposes of this provision the issue of photographs and engravings of works of sculpture, and architectural works of art shall not be deemed to be publication of such works.

Infringement of copyright.

2. (1) Copyright in a work shall be deemed to be infringed by any person who, without the consent of the owner of the copyright, does anything the sole right to do which is by this Act conferred on the owner of the copyright : Provided that the following acts shall not constitute an infringement of copyright :

- (i.) Any fair dealing with any work for the purposes of private study, research, criticism, review, or newspaper summary ;
- (ii.) Where the author of an artistic work is not the owner of the copyright therein, the use by the author of any mould, cast, sketch, plan, model, or study made by him for the purpose of the work, provided that he does not thereby repeat or imitate the main design of that work ;
- (iii.) The making or publishing of paintings, drawings, engravings, or photographs of a work of sculpture or artistic craftsmanship, if permanently situate in a public place or building, or the making or publishing of paintings, drawings, engravings, or photographs (which are not in the nature of architectural drawings or plans) of any architectural work of art :

- (iv.) The publication in a collection, mainly composed of non-copyright matter, *bona fide* intended for the use of schools, and so described in the title and in any advertisements issued by the publisher, of short passages from published literary works not themselves published for the use of schools in which copyright subsists: Provided that not more than two of such passages from works by the same author are published by the same publisher within five years, and that the source from which such passages are taken is acknowledged:
- (v.) The publication in a newspaper of a report of a lecture delivered in public, unless the report is prohibited by conspicuous written or printed notice affixed before and maintained during the lecture at or about the main entrance of the building in which the lecture is given, and, except whilst the building is being used for public worship, in a position near the lecturer; but nothing in this paragraph shall affect the provisions in paragraph (i.) as to newspaper summaries:
- (vi.) The reading or recitation in public by one person of any reasonable extract from any published work.
- (2) Copyright in a work shall also be deemed to be infringed by any person who—
- (a) Sells or lets for hire, or by way of trade exposes or offers for sale or hire; or
- (b) Distributes either for the purposes of trade or to such an extent as to affect prejudicially the owner of the copyright; or
- (c) By way of trade exhibits in public; or
- (d) Imports for sale or hire into any part of His Majesty's dominions to which this Act extends,

any work which to his knowledge infringes copyright or would infringe copyright if it had been made within the part of His Majesty's dominions in or into which the sale or hiring, exposure, offering for sale or hire, distribution, exhibition, or importation took place.

(3) Copyright in a work shall also be deemed to be infringed by any person who for his private profit permits a theatre or other place of entertainment to be used for the performance in public of the work without the consent of the owner of the copyright, unless he was not aware, and had no reasonable ground for suspecting, that the performance would be an infringement of copyright.

Term of
copyright.

3. The term for which copyright shall subsist shall, except as otherwise expressly provided by this Act, be the life of the author and a period of fifty years after his death:

Provided that at any time after the expiration of twenty-five years, or in the case of a work in which copyright subsists at the passing of this Act thirty years, from the death of the author of a published work, copyright in the work shall not be deemed to be infringed by the reproduction of the work for sale if the person reproducing the work proves that he has given the prescribed notice in writing of his intention to reproduce the work, and that he has paid in the prescribed manner to, or for the benefit of, the owner of the copyright royalties in respect of all copies of the work sold by him calculated at the rate of ten per cent. on the price at which he publishes the work; and for the purposes of this proviso the Board of Trade may make regulations prescribing the mode in which notices are to be given, and the particulars to be given in such notices, and the mode, time, and frequency of the payment of royalties, including (if they think fit) regulations requiring payment in advance or otherwise securing the payment of royalties.

Compulsory
licenses.

4. If at any time after the death of the author of a literary, dramatic, or musical work which has been published or performed in public a complaint is made to the Judicial Committee of the Privy Council that the owner of the copyright in the work has refused to republish or to allow the republication of the work or has refused to allow the performance in public of the work, and that by reason of such refusal the work is withheld from the public, the owner of the copyright may be ordered to grant a license to reproduce the work or perform the work in public, as the case may be, on such terms and subject to such conditions as the Judicial Committee may think fit.

Ownership of
copyright, &c.

5. (1) Subject to the provisions of this Act, the author of a work shall be the first owner of the copyright therein: Provided that—

- (a) Where, in the case of an engraving, photograph, or portrait, the plate or other original was ordered by some other person and was made for valuable consideration in pursuance of that order, then, in the absence of any

agreement to the contrary, the person by whom such plate or other original was ordered shall be the first owner of the copyright; and

- (b) Where the author was in the employment of some other person under a contract of service or apprenticeship and the work was made in the course of his employment by that person, the person by whom the author was employed shall, in the absence of any agreement to the contrary, be the first owner of the copyright, but where the work is an article or other contribution to a newspaper, magazine, or similar periodical, there shall, in the absence of any agreement to the contrary, be deemed to be reserved to the author a right to restrain the publication of the work, otherwise than as part of a newspaper, magazine, or similar periodical.

(2) The owner of the copyright in any work may assign the right, either wholly or partially, and either generally or subject to limitations to the United Kingdom or any self-governing dominion or other part of His Majesty's dominions to which this Act extends, and either for the whole term of the copyright or for any part thereof, and may grant any interest in the right by license, but no such assignment or grant shall be valid unless it is in writing signed by the owner of the right in respect of which the assignment or grant is made, or by his duly authorized agent:

Provided that, where the author of a work is the first owner of the copyright therein, no assignment of the copyright, and no grant of any interest therein, made by him (otherwise than by will) after the passing of this Act, shall be operative to vest in the assignee or grantee any rights with respect to the copyright in the work beyond the expiration of twenty-five years from the death of the author, and the reversionary interest in the copyright expectant on the termination of that period shall, on the death of the author, notwithstanding any agreement to the contrary, devolve on his legal personal representatives as part of his estate, and any agreement entered into by him as to the disposition of such reversionary interest shall be null and void, but nothing in this proviso shall be construed as applying to the assignment of the copyright in a collective work or a license to publish a work or part of a work as part of a collective work.

(3) Where, under any partial assignment of copyright, the assignee becomes entitled to any right comprised in copyright, the assignee as respects the right so assigned, and the assignor as respects the rights not assigned, shall be treated for the purposes of this Act as the owner of the copyright, and the provisions of this Act shall have effect accordingly.

Civil Remedies.

Civil remedies for infringement of copyright.

6. (1) Where copyright in any work has been infringed, the owner of the copyright shall, except as otherwise provided by this Act, be entitled to all such remedies by way of injunction or interdict, damages, accounts, and otherwise, as are or may be conferred by law for the infringement of a right.

(2) The costs of all parties in any proceedings in respect of the infringement of copyright shall be in the absolute discretion of the Court.

(3) In any action for infringement of copyright in any work the work shall be presumed to be a work in which copyright subsists, and the plaintiff shall be presumed to be the owner of the copyright, unless the defendant puts in issue the existence of the copyright, or, as the case may be, the title of the plaintiff, and where any such question is in issue, then—

(a) If a name purporting to be that of the author of the work is printed or otherwise indicated thereon in the usual manner, the person whose name is so printed or indicated shall, unless the contrary is proved, be presumed to be the author of the work;

(b) If no name is so printed or indicated, or if the name so printed or indicated is not the author's true name or the name by which he is commonly known, and a name purporting to be that of the publisher or proprietor of the work is printed or otherwise indicated thereon in the usual manner, the person whose name is so printed or indicated shall, unless the contrary is proved, be presumed to be the owner of the copyright in the work for the purposes of proceedings in respect of the infringement of copyright therein.

Rights of owner against persons possessing or dealing with infringing copies, &c.

7. All infringing copies of any work in which copyright subsists, or of any substantial part thereof, and all plates used or intended to be used for the production of such infringing copies, shall be deemed to be the property of the owner of the copyright, who accordingly may take proceedings for the recovery of the possession thereof or in respect of the conversion thereof.

Exemption of innocent infringer from liability to pay damages, &c.

8. Where proceedings are taken in respect of the infringement of the copyright in any work, and the defendant in his defence alleges that he was not aware of the existence of the copyright in the work, the plaintiff shall not be entitled to any remedy other than an injunction or interdict in respect of the infringement, if the defendant proves that at the date of the infringement he was not aware and had no reasonable ground for suspecting that copyright subsisted in the work.

Restriction on remedies in the case of architecture.

9. (1) Where the construction of a building or other structure which infringes or which, if completed, would infringe the copyright in some other work has been commenced, the owner of the copyright shall not be entitled to obtain an injunction or interdict to restrain the construction of such building or structure or to order its demolition.

(2) Such of the other provisions of this Act as provide that an infringing copy of a work shall be deemed to be the property of the owner of the copyright, or as impose summary penalties, shall not apply in any case to which this section applies.

Limitation of actions.

10. An action in respect of infringement of copyright shall not be commenced after the expiration of three years next after the infringement:

Summary Remedies.

Penalties for dealing with infringing copies, &c.

11. (1) If any person knowingly—

- (a) Makes for sale or hire any infringing copy of a work in which copyright subsists; or
- (b) Sells or lets for hire, or by way of trade exposes or offers for sale or hire any infringing copy of any such work; or
- (c) Distributes infringing copies of any such work either for the purposes of trade, or to such an extent as to affect prejudicially the owner of the copyright; or
- (d) By way of trade exhibits in public any infringing copy of any such work; or
- (e) Imports for sale or hire into the United Kingdom any infringing copy of any such work,

he shall be guilty of an offence under this Act, and be liable on summary conviction to a fine not exceeding forty shillings for every copy dealt with in contravention of this section, but not exceeding fifty pounds in respect of the same transaction; or, in the case of a second or subsequent offence, either to such fine or to imprisonment with or without hard labour for a term not exceeding two months.

(2) If any person knowingly makes or has in his possession any plate for the purpose of making infringing copies of any work in which copyright subsists, or knowingly and for his private profit causes any such work to be performed in public without the consent of the owner of the copyright, he shall be guilty of an offence under this Act, and be liable on summary conviction to a fine not exceeding fifty pounds, or, in the case of a second or subsequent offence, either to such fine or to imprisonment with or without hard labour for a term not exceeding two months.

(3) The court before which any such proceedings are taken may, whether the alleged offender is convicted or not, order that all copies of the work or all plates in the possession of the alleged offender, which appear to it to be infringing copies or plates for the purpose of making infringing copies, be destroyed or delivered up to the owner of the copyright, or otherwise dealt with as the court may think fit.

(4) Nothing in this section shall, as respects musical works, affect the provisions of the Musical (Summary Proceedings) Copyright Act, 1902, or the Musical Copyright Act, 1906.

2 Edw. 7, c. 15.
6 Edw. 7, c. 36.
Appeals to quarter sessions.

12. Any person aggrieved by a summary conviction of an offence under the foregoing provisions of this Act may in England and Ireland appeal to a court of quarter sessions, and in Scotland under and in terms of the Summary Jurisdiction (Scotland) Acts.

Extent of provisions as to summary remedies.

13. The provisions of this Act with respect to summary remedies shall extend only to the United Kingdom.

Importation of copies.

Importation of Copies.

14. (1) Copies made out of the United Kingdom of any work in which copyright subsists which if made in the United Kingdom would infringe copyright, and as to which the owner of the copyright gives notice in writing by himself or his agent to the Commissioners of Customs and Excise, that he is desirous that such copies should not be imported into the United Kingdom, shall not be so imported, and shall, subject to the provisions of this section, be deemed to be included in the table of prohibitions and restrictions contained in section 42 of the Customs Consolidation Act, 1876, and that section shall apply accordingly.

(2) Before detaining any such copies or taking any further proceedings with a view to the forfeiture thereof under the law relating to the Customs, the Commissioners of Customs and Excise

39 and 40 Vict., c. 36.

may require the regulations under this section, whether as to information, conditions, or other matters, to be complied with, and may satisfy themselves in accordance with those regulations that the copies are such as are prohibited by this section to be imported.

(3) The Commissioners of Customs and Excise may make regulations, either general or special, respecting the detention and forfeiture of copies the importation of which is prohibited by this section, and the conditions, if any, to be fulfilled before such detention and forfeiture, and may by such regulations determine the information, notices, and security to be given, and the evidence requisite for any of the purposes of this section, and the mode of verification of such evidence.

(4) The regulations may apply to copies of all works the importation of copies of which is prohibited by this section, or different regulations may be made respecting different classes of such works.

(5) The regulations may provide for the informant reimbursing the Commissioners of Customs and Excise all expenses and damages incurred in respect of any detention, made on his information, and of any proceedings consequent on such detention; and may provide for notices under any enactment repealed by this Act being treated as notices given under this section.

(6) The foregoing provisions of this section shall have effect as if they were part of the Customs Consolidation Act, 1876: Provided that, notwithstanding anything in that Act, the Isle of Man shall not be treated as part of the United Kingdom for the purposes of this section.

(7) This section shall, with the necessary modifications, apply to the importation into a British possession to which this Act extends of copies of works made out of that possession.

Delivery of Books to Libraries.

Delivery of
copies to
British Museum
and other
libraries.

15. (1) The publisher of every book published in the United Kingdom shall within one month after the publication deliver, at his own expense, a copy of the book to the trustees of the British Museum, who shall give a written receipt for it.

(2) He shall also, if written demand is made before the expiration of twelve months after publication, deliver within one month after receipt of that written demand, or if the demand was made before publication, within one month after publication, to some depôt in London named in the demand a copy of the book for, or in accordance with the directions of, the authority having the control of each of the following libraries, namely, the Bodleian Library, Oxford, the University Library, Cambridge, the Library of the Faculty of Advocates at Edinburgh, and the Library of Trinity College, Dublin, and, subject to the provisions of this section, the National Library of Wales. In the case of an encyclopædia, newspaper, review, magazine, or work published in a series of numbers or parts, the written demand may include all numbers or parts of the work which may be subsequently published.

(3) The copy delivered to the trustees of the British Museum shall be a copy of the whole book with all maps and illustrations belonging thereto, finished and coloured in the same manner as the best copies of the book are published, and shall be bound, sewed, or stitched together, and on the best paper on which the book is printed.

(4) The copy delivered for the other authorities mentioned in this section shall be on the paper on which the largest number of copies of the book is printed for sale, and shall be in the like condition as the books prepared for sale.

(5) The books of which copies are to be delivered to the National Library of Wales shall not include books of such classes as may be specified in regulations to be made by the Board of Trade.

(6) If a publisher fails to comply with this section, he shall be liable on summary conviction to a fine not exceeding five pounds and the value of the book, and the fine shall be paid to the trustees or authority to whom the book ought to have been delivered.

(7) For the purposes of this section the expression "book" includes every part or division of a book, pamphlet, sheet of letterpress, sheet of music, map, plan, chart, or table separately published, but shall not include any second or subsequent edition of a book, unless such edition contains additions or alterations either in the letterpress, or in the maps, prints, or other engravings belonging thereto.

Special Provisions as to certain Works.

Works of
joint authors.

16. (1) In the case of a work of joint authorship, copyright shall subsist during the life of the author who first dies and for a term of fifty years after his death, or during the life of the author who dies last, whichever period is the longer, and references in this Act to the period after the expiration of any specified number of years from the death of the author shall be construed as references to the period after the expiration of the like number of years from the death of the author who dies first or after the death of the author who dies last, whichever period may be the shorter, and in the provisions of this Act with respect to the grant of compulsory licenses a reference to the date of the death of the author who dies last shall be substituted for the reference to the date of the death of the author.

(2) Where, in the case of a work of joint authorship, some one or more of the joint authors do not satisfy the conditions conferring copyright laid down by this Act, the work shall be treated for the purposes of this Act as if the other author or authors had been the sole author or authors thereof :

Provided that the term of the copyright shall be the same as it would have been if all the authors had satisfied such conditions as aforesaid.

(3) For the purposes of this Act "a work of joint authorship" means a work produced by the collaboration of two or more authors, in which the contribution of one author is not distinct from the contribution of the other author or authors.

(4) Where a married woman and her husband are joint authors of a work, the interest of such married woman therein shall be her separate property.

Posthumous
works.

17. (1) In the case of a literary, dramatic, or musical work, or an engraving, in which copyright subsists at the date of the death of the author, or, in the case of a work of joint authorship, at or immediately before the date of the death of the author who dies last, but which has not been published, nor, in the case of a dramatic or musical work, been performed in public, nor, in the case of a lecture, been delivered in public, before that date, copyright shall subsist till publication, or performance or delivery in public, whichever may first happen, and for a term of fifty years thereafter, and the proviso to section 3 of this Act shall, in the case of such a work, apply as if the author had died at the date of such publication or performance or delivery in public as aforesaid.

(2) The ownership of an author's manuscript after his death, where such ownership has been acquired under a testamentary disposition made by the author, and the manuscript is of a work which has not been published nor performed in public nor delivered in public, shall be *prima facie* proof of the copyright being with the owner of the manuscript.

Provisions as to
Government
publications.

18. Without prejudice to any rights or privileges of the Crown, where any work has, whether before or after the commencement of this Act, been prepared or published by or under the direction or control of His Majesty or any Government department, the copyright in the work shall, subject to any agreement with the author, belong to His Majesty, and in such case shall continue for a period of fifty years from the date of the first publication of the work.

Provisions as to
mechanical
instruments.

19. (1) Copyright shall subsist in records, perforated rolls, and other contrivances by means of which sounds may be mechanically reproduced, in like manner as if such contrivances were musical works, but the term of copyright shall be fifty years from the making of the original plate from which the contrivance was directly or indirectly derived, and the person who was the owner of such original plate at the time when such plate was made shall be deemed to be the author of the work, and where such owner is a body corporate, the body corporate shall be deemed for the purposes of this Act to reside within the parts of His Majesty's dominions to which this Act extends, if it has established a place of business within such parts.

(2) It shall not be deemed to be an infringement of copyright in any musical work for any person to make within the parts of His Majesty's dominions to which this Act extends records, perforated rolls, or other contrivances by means of which the work may be mechanically performed, if such person proves—

(a) That such contrivances have previously been made by, or with the consent or acquiescence of, the owner of the copyright in the work ; and

(b) That he has given the prescribed notice of his intention to make the contrivances, and has paid in the prescribed manner to, or for the benefit of, the owner of the copyright in the work royalties in respect of all such contrivances sold by him, calculated at the rate herein-after mentioned :

Provided that—

(i.) Nothing in this provision shall authorize any alterations in, or omissions from, the work reproduced, unless contrivances reproducing the work subject to similar alterations and omissions have been previously made by, or with the consent or acquiescence of, the owner of the copyright, or unless such alterations or omissions are reasonably necessary for the adaptation of the work to the contrivances in question; and

(ii.) For the purposes of this provision, a musical work shall be deemed to include any words so closely associated therewith as to form part of the same work, but shall not be deemed to include a contrivance by means of which sounds may be mechanically reproduced.

(3) The rate at which such royalties as aforesaid are to be calculated shall—

(a) In the case of contrivances sold within two years after the commencement of this Act by the person making the same, be two and one-half per cent.; and

(b) In the case of contrivances sold as aforesaid after the expiration of that period, five per cent.

on the ordinary retail selling price of the contrivance calculated in the prescribed manner, so, however, that the royalty payable in respect of a contrivance shall in no case be less than a half-penny for each separate musical work in which copyright subsists reproduced thereon, and, where the royalty calculated as aforesaid includes a fraction of a farthing, such fraction shall be reckoned as a farthing:

Provided that if at any time after the expiration of seven years from the commencement of this Act it appears to the Board of Trade that such rate as aforesaid is no longer equitable, the Board of Trade may, after holding a public inquiry, make an order either decreasing or increasing that rate to such extent as under the circumstances may seem just, but any order so made shall be provisional only, and shall not have any effect unless and until confirmed by Parliament; but where an order revising the rate has been so made and confirmed, no further revision shall be made before the expiration of fourteen years from the date of the last revision.

(4) If any such contrivance is made reproducing two or more different works in which copyright subsists and the owners of the copyright therein are different persons, the sums payable by way of royalties under this section shall be apportioned amongst the several owners of the copyright in such proportions as, failing agreement, may be determined by arbitration.

(5) When any such contrivances by means of which a musical work may be mechanically performed have been made, then, for the purposes of this section, the owner of the copyright in the work shall, in relation to any person who makes the prescribed inquiries, be deemed to have given his consent to the making of such contrivances, if he fails to reply to such inquiries within the prescribed time.

(6) For the purposes of this section the Board of Trade may make regulations prescribing anything which under this section is to be prescribed, and prescribing the mode in which notices are to be given and the particulars to be given in such notices, and the mode, time, and frequency of the payment of royalties, and any such regulations may, if the Board think fit, include regulations requiring payment in advance, or otherwise securing the payment of royalties.

(7) In the case of musical works published before the commencement of this Act, the foregoing provisions shall have effect, subject to the following modifications and additions:

(a) The conditions as to the previous making by, or with the consent or acquiescence of, the owner of the copyright in the work, and the restrictions as to alterations in or omissions from the work, shall not apply:

(b) The rate of two and one-half per cent. shall be substituted for the rate of five per cent. as the rate at which royalties are to be calculated, but no royalties shall be payable in respect of contrivances sold before the First day of July, Nineteen hundred and Thirteen, if contrivances reproducing the same work had been lawfully made, or placed on sale, within the parts of His Majesty's dominions to which this Act extends before the First day of July, Nineteen hundred and Ten:

(c) Notwithstanding any assignment made before the passing of this Act of the copyright in a musical work, any rights conferred by this Act in respect of the making, or authorizing the making, of contrivances by means of which the work may be mechanically performed shall

belong to the author or his legal personal representatives and not to the assignee, and the royalties aforesaid shall be payable to, and for the benefit of, the author of the work or his legal personal representatives :

- (d) The saving contained in this Act of the rights and interests arising from, or in connexion with, action taken before the commencement of this Act shall not be construed as authorizing any person who has made contrivances by means of which the work may be mechanically performed to sell any such contrivances, whether made before or after the passing of this Act, except on the terms and subject to the conditions laid down in this section :
- (e) Where the work is a work on which copyright is conferred by an Order in Council relating to a foreign country, the copyright so conferred shall not, except to such extent as may be provided by the Order, include any rights with respect to the making of records, perforated rolls, or other contrivances by means of which the work may be mechanically performed.

(8) Notwithstanding anything in this Act, where a record, perforated roll, or other contrivance by means of which sounds may be mechanically reproduced has been made before the commencement of this Act, copyright shall, as from the commencement of this Act, subsist therein in like manner and for the like term as if this Act had been in force at the date of the making of the original plate from which the contrivance was directly or indirectly derived :

Provided that—

- (i.) The person who, at the commencement of this Act, is the owner of such original plate shall be the first owner of such copyright ; and
- (ii.) Nothing in this provision shall be construed as conferring copyright in any such contrivance if the making thereof would have infringed copyright in some other such contrivance, if this provision had been in force at the time of the making of the first-mentioned contrivance.

Provisions as to political speeches.

20. Notwithstanding anything in this Act, it shall not be an infringement of copyright in an address of a political nature delivered at a public meeting to publish a report thereof in a newspaper.

Provisions as to photographs.

21. The term for which copyright shall subsist in photographs shall be fifty years from the making of the original negative from which the photograph was directly or indirectly derived, and the person who was owner of such negative at the time when such negative was made shall be deemed to be the author of the work, and where such owner is a body corporate, the body corporate shall be deemed for the purposes of this Act to reside within the parts of His Majesty's dominions to which this Act extends, if it has established a place of business within such parts.

Provisions as to designs registrable under 7 Edw. 7, c. 29.

22. (1) This Act shall not apply to designs capable of being registered under the Patents and Designs Act, 1907, except designs which, though capable of being so registered, are not used or intended to be used as models or patterns to be multiplied by any industrial process.

(2) General rules under section 86 of the Patents and Designs Act, 1907, may be made for determining the conditions under which a design shall be deemed to be used for such purposes as aforesaid.

Works of foreign authors first published in parts of His Majesty's dominions to which Act extends.

23. If it appears to His Majesty that a foreign country does not give, or has not undertaken to give, adequate protection to the works of British authors, it shall be lawful for His Majesty by Order in Council to direct that such of the provisions of this Act as confer copyright on works first published within the parts of His Majesty's dominions to which this Act extends, shall not apply to works published after the date specified in the Order, the authors whereof are subjects or citizens of such foreign country and are not resident in His Majesty's dominions, and thereupon those provisions shall not apply to such works.

Existing works.

24. (1) Where any person is immediately before the commencement of this Act entitled to any such right in any work as is specified in the first column of the First Schedule to this Act, or to any interest in such a right, he shall, as from that date, be entitled to the substituted right set forth in the second column of that schedule, or to the same interest in such a substituted right, and to no other right or interest, and such substituted right shall subsist for the term for which it would have subsisted if this Act had been in force at the date when the work was made, and the work had been one entitled to copyright thereunder :

Provided that—

(a) If the author of any work in which any such right as is specified in the first column of the First Schedule to this Act subsists at the commencement of this Act has before that date assigned the right or granted any interest therein for the whole term of the right, then at the date when, but for the passing of this Act, the right would have expired the substituted right conferred by this section shall, in the absence of express agreement, pass to the author of the work, and any interest therein created before the commencement of this Act and then subsisting shall determine; but the person who immediately before the date at which the right would so have expired was the owner of the right or interest shall be entitled at his option either—

(i.) On giving such notice as hereinafter mentioned, to an assignment of the right or the grant of a similar interest therein for the remainder of the term of the right for such consideration as, failing agreement, may be determined by arbitration; or

(ii.) Without any such assignment or grant, to continue to reproduce or perform the work in like manner as theretofore subject to the payment, if demanded by the author within three years after the date at which the right would have so expired, of such royalties to the author as, failing agreement, may be determined by arbitration, or, where the work is incorporated in a collective work, and the owner of the right or interest is the proprietor of that collective work, without any such payment:

The notice above referred to must be given not more than one year nor less than six months before the date at which the right would have so expired, and must be sent by registered post to the author, or, if he cannot with reasonable diligence be found, advertised in the *London Gazette* and in two London newspapers:

(b) Where any person has, before the Twenty-sixth day of July, Nineteen hundred and Ten, taken any action whereby he has incurred any expenditure or liability in connexion with the reproduction or performance of any work in a manner which at the time was lawful, or for the purpose of or with a view to the reproduction or performance of a work at a time when such reproduction or performance would, but for the passing of this Act, have been lawful, nothing in this section shall diminish or prejudice any rights or interest arising from or in connexion with such action which are subsisting and valuable at the said date, unless the person who by virtue of this section becomes entitled to restrain such reproduction or performance agrees to pay such compensation as, failing agreement, may be determined by arbitration.

(2) For the purposes of this section the expression "author" includes the legal personal representatives of a deceased author.

(3) Subject to the provisions of section 19, sub-sections (7) and (8), and of section 33 of this Act, copyright shall not subsist in any work made before the commencement of this Act, otherwise than under, and in accordance with, the provisions of this section.

Application to British Possessions.

Application of Act to British dominions.

25. (1) This Act, except such of the provisions thereof as are expressly restricted to the United Kingdom, shall extend throughout His Majesty's dominions: Provided that it shall not extend to a self-governing dominion, unless declared by the Legislature of that dominion to be in force therein either without any modifications or additions, or with such modifications and additions relating exclusively to procedure and remedies, or necessary to adapt this Act to the circumstances of the dominion, as may be enacted by such Legislature.

(2) If the Secretary of State certifies by notice published in the *London Gazette* that any self-governing dominion has passed legislation under which works, the authors whereof were at the date of the making of the works British subjects resident elsewhere than in the dominion or (not being British subjects) were resident in the parts of His Majesty's dominions to which this Act extends, enjoy within the dominion rights substantially identical with those conferred by this Act, then, whilst such legislation continues in force, the dominion shall, for the purposes of the rights conferred by this Act, be treated as if it were a dominion to which this Act extends; and it shall be lawful for the Secretary of State to give such a certificate as aforesaid, notwithstanding that the remedies for enforcing the rights, or the restrictions on the importation of copies of works manufactured in a foreign country under the law of the dominion, differ from those under this Act.

Legislative powers of self-governing dominions.

26. (1) The Legislature of any self-governing dominion may at any time repeal all or any of the enactments relating to copyright passed by Parliament (including this Act) so far as they are operative within that dominion: Provided that no such repeal shall prejudicially affect any legal rights existing at the time of the repeal, and that, on this Act or any part thereof being so repealed by the Legislature of a self-governing dominion, that dominion shall cease to be a dominion to which this Act extends.

(2) In any self-governing dominion to which this Act does not extend, the enactments repealed by this Act shall, so far as they are operative in that dominion, continue in force until repealed by the Legislature of that dominion.

(3) Where His Majesty in Council is satisfied that the law of a self-governing dominion to which this Act does not extend provides adequate protection within the dominion for the works (whether published or unpublished) of authors who at the time of the making of the work were British subjects resident elsewhere than in that dominion, His Majesty in Council may, for the purpose of giving reciprocal protection, direct that this Act, except such parts (if any) thereof as may be specified in the Order, and subject to any conditions contained therein, shall, within the parts of His Majesty's dominions to which this Act extends, apply to works the authors whereof were, at the time of the making of the work, resident within the first-mentioned dominion, and to works first published in that dominion; but, save as provided by such an Order, works the authors whereof were resident in a dominion to which this Act does not extend shall not, whether they are British subjects or not, be entitled to any protection under this Act, except such protection as is by this Act conferred on works first published within the parts of His Majesty's dominions to which this Act extends:

Provided that no such Order shall confer any rights within a self-governing dominion, but the Governor in Council of any self-governing dominion to which this Act extends may, by Order, confer within that dominion the like rights as His Majesty in Council is, under the foregoing provisions of this sub-section, authorized to confer within other parts of His Majesty's dominions.

For the purposes of this sub-section the expression "a dominion to which this Act extends" includes a dominion which is for the purposes of this Act to be treated as if it were a dominion to which this Act extends.

Power of Legislatures of British possessions to pass supplemental legislation.

27. The Legislature of any British possession to which this Act extends may modify or add to any of the provisions of this Act in its application to the possession, but, except so far as such modifications and additions relate to procedure and remedies, they shall apply only to works the authors whereof were, at the time of the making of the work, resident in the possession, and to works first published in the possession.

Application to protectorates.

28. His Majesty may, by Order in Council, extend this Act to any territories under his protection and to Cyprus, and, on the making of any such Order, this Act shall, subject to the provisions of the Order, have effect as if the territories to which it applies or Cyprus were part of His Majesty's dominions to which this Act extends.

PART II.

INTERNATIONAL COPYRIGHT.

Power to extend Act to foreign works.

29. (1) His Majesty may, by Order in Council, direct that this Act (except such parts, if any, thereof as may be specified in the Order) shall apply—

- (a) To works first published in a foreign country to which the Order relates, in like manner as if they were first published within the parts of His Majesty's dominions to which this Act extends;
- (b) To literary, dramatic, musical, and artistic works, or any class thereof, the authors whereof were at the time of the making of the work subjects or citizens of a foreign country to which the Order relates, in like manner as if the authors were British subjects;
- (c) In respect of residence in a foreign country to which the Order relates, in like manner as if such residence were residence in the parts of His Majesty's dominions to which this Act extends;

and thereupon, subject to the provisions of this part of this Act and of the Order, this Act shall apply accordingly:

Provided that—

- (i) Before making an Order in Council under this section in respect of any foreign country (other than a country with which His Majesty has entered into a convention relating to copyright), His Majesty shall be satisfied

that that foreign country has made, or has undertaken to make, such provisions, if any, as it appears to His Majesty expedient to require for the protection of works entitled to copyright under the provisions of Part I. of this Act;

- (ii.) The Order in Council may provide that the term of copyright within such parts of His Majesty's dominions as aforesaid shall not exceed that conferred by the law of the country to which the Order relates;
- (iii.) The provisions of this Act as to the delivery of copies of books shall not apply to works first published in such country, except so far as is provided by the Order;
- (iv.) The Order in Council may provide that the enjoyment of the rights conferred by this Act shall be subject to the accomplishment of such conditions and formalities (if any) as may be prescribed by the Order;
- (v.) In applying the provision of this Act as to ownership of copyright, the Order in Council may make such modifications as appear necessary having regard to the law of the foreign country;
- (vi.) In applying the provisions of this Act as to existing works, the Order in Council may make such modifications as appear necessary, and may provide that nothing in those provisions as so applied shall be construed as reviving any right of preventing the production or importation of any translation in any case where the right has ceased by virtue of section 5 of the International Copyright Act, 1886.

49 & 50 Vict.,
c. 33.

Application of
Part II. to
British
possessions.

(2) An Order in Council under this section may extend to all the several countries named or described therein.

30. (1) An Order in Council under this part of this Act shall apply to all His Majesty's dominions to which this Act extends, except self-governing dominions and any other possession specified in the Order with respect to which it appears to His Majesty expedient that the Order should not apply.

(2) The Governor in Council of any self-governing dominion to which this Act extends may, as respects that dominion, make the like orders as under this part of this Act His Majesty in Council is authorized to make with respect to His Majesty's dominions other than self-governing dominions, and the provisions of this part of this Act shall, with the necessary modifications, apply accordingly.

(3) Where it appears to His Majesty expedient to except from the provisions of any order any part of his dominions not being a self-governing dominion, it shall be lawful for His Majesty by the same or any other Order in Council to declare that such Order and this part of this Act shall not, and the same shall not, apply to such part, except so far as is necessary for preventing any prejudice to any rights acquired previously to the date of such Order.

PART III.

SUPPLEMENTAL PROVISIONS.

Abrogation of
common law
rights.

31. No person shall be entitled to copyright or any similar right in any literary, dramatic, musical, or artistic work, whether published or unpublished, otherwise than under and in accordance with the provisions of this Act, or of any other statutory enactment for the time being in force, but nothing in this section shall be construed as abrogating any right or jurisdiction to restrain a breach of trust or confidence.

Provisions as to
Orders in
Council.

32. (1) His Majesty in Council may make Orders for altering, revoking, or varying any Order in Council made under this Act, or under any enactments repealed by this Act, but any Order made under this section shall not affect prejudicially any rights or interests acquired or accrued at the date when the Order comes into operation, and shall provide for the protection of such rights and interests.

(2) Every Order in Council made under this Act shall be published in the *London Gazette*, and shall be laid before both Houses of Parliament as soon as may be after it is made, and shall have effect as if enacted in this Act.

Saving of
university
copyright.
15 Geo. 3, c. 53.

33. Nothing in this Act shall deprive any of the universities and colleges mentioned in the Copyright Act, 1775, of any copyright they already possess under that Act, but the remedies and penalties for infringement of any such copyright shall be under this Act and not under that Act.

Saving of compensation to certain libraries.

34. There shall continue to be charged on, and paid out of; the Consolidated Fund of the United Kingdom such annual compensation as was immediately before the commencement of this Act payable in pursuance of any Act as compensation to a library for the loss of the right to receive gratuitous copies of books :

Provided that this compensation shall not be paid to a library in any year, unless the Treasury are satisfied that the compensation for the previous year has been applied in the purchase of books for the use of, and to be preserved in, the library.

Interpretation.

35. (1) In this Act, unless the context otherwise requires—

“Literary work” includes maps, charts, plans, tables, and compilations ;

“Dramatic work” includes any piece for recitation, choreographic work or entertainment in dumb show, the scenic arrangement or acting form of which is fixed in writing or otherwise, and any cinematograph production where the arrangement or acting form or the combination of incidents represented give the work an original character ;

“Artistic work” includes works of painting, drawing, sculpture, and artistic craftsmanship, and architectural works of art, and engravings and photographs ;

“Work of sculpture” includes casts and models ;

“Architectural work of art” means any building or structure having an artistic character or design in respect of such character or design, or any model for such building or structure, provided that the protection afforded by this Act shall be confined to the artistic character and design, and shall not extend to processes or methods of construction ;

“Engravings” include etchings, lithographs, woodcuts, prints, and other similar works, not being photographs ;

“Photograph” includes photo-lithograph, and any work produced by any process analogous to photography ;

“Cinematograph” includes any work produced by any process analogous to cinematography ;

“Collective work” means—

(a) An encyclopædia, dictionary, year book, or similar work ;

(b) A newspaper, review, magazine, or similar periodical ; and

(c) Any work written in distinct parts by different authors, or in which works or parts of works of different authors are incorporated ;

“Infringing,” when applied to a copy of a work in which copyright subsists, means any copy, including any colourable imitation, made, or imported in contravention of the provisions of this Act.

“Performance” means any acoustic representation of a work and any visual representation of any dramatic action in a work, including such a representation made by means of any mechanical instrument ;

“Delivery,” in relation to a lecture, includes delivery by means of any mechanical instrument.

“Plate” includes any stereotype or other plate, stone, block, mould, matrix, transfer, or negative used or intended to be used for printing or reproducing copies of any work, and any matrix or other appliance by which records, perforated rolls, or other contrivances for the acoustic representation of the work are or are intended to be made ;

“Lecture” includes address, speech, and sermon ;

“Self-governing dominion” means the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, and Newfoundland.

(2) For the purposes of this Act (other than those relating to infringements of copyright) a work shall not be deemed to be published or performed in public, and a lecture shall not be deemed to be delivered in public, if published, performed in public, or delivered in public, without the consent or acquiescence of the author, his executors, administrators, or assigns.

(3) For the purposes of this Act a work shall be deemed to be first published within the parts of His Majesty's dominions to which this Act extends, notwithstanding that it has been

published simultaneously in some other place, unless the publication in such parts of His Majesty's dominions as aforesaid is colourable only, and is not intended to satisfy the reasonable requirements of the public, and a work shall be deemed to be published simultaneously in two places if the time between the publication in one such place and the publication in the other place does not exceed fourteen days, or such longer period as may, for the time being, be fixed by Order in Council.

(4) Where, in the case of an unpublished work, the making of a work has extended over a considerable period, the conditions of this Act conferring copyright shall be deemed to have been complied with, if the author was, during any substantial part of that period, a British subject or a resident within the parts of His Majesty's dominions to which this Act extends.

(5) For the purposes of the provisions of this Act as to residence, an author of a work shall be deemed to be a resident in the parts of His Majesty's dominions to which this Act extends if he is domiciled within any such part.

Repeal.

36. Subject to the provisions of this Act, the enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule :

Provided that this repeal shall not take effect in any part of His Majesty's dominions until this Act comes into operation in that part.

Short title and commencement.

37. (1) This Act may be cited as the Copyright Act, 1911.

(2) This Act shall come into operation—

(a) In the United Kingdom, on the First day of July, Nineteen hundred and Twelve, or such earlier date as may be fixed by Order in Council ;

(b) In a self-governing dominion to which this Act extends, at such date as may be fixed by the Legislature of that dominion ;

(c) In the Channel Islands, at such date as may be fixed by the States of those islands respectively ;

(d) In any other British possession to which this Act extends, on the Proclamation thereof within the possession by the Governor.

SCHEDULES.

FIRST SCHEDULE.

Existing Rights.

(Section 24.)

Existing Right.	Substituted Right.
<i>(a) In the case of Works other than Dramatic and Musical Works.</i>	
Copyright	Copyright as defined by this Act.*
<i>(b) In the case of Musical and Dramatic Works.</i>	
Both copyright and performing right	Copyright as defined by this Act.*
Copyright, but not performing right	Copyright as defined by this Act, except the sole right to perform the work or any substantial part thereof in public.
Performing right, but not copyright	The sole right to perform the work in public, but none of the other rights comprised in copyright as defined by this Act.

For the purposes of this schedule the following expressions, where used in the first column thereof, have the following meanings :—

“Copyright,” in the case of a work which according to the law in force immediately before the commencement of this Act has not been published before that date and statutory copyright wherein depends on publication, includes the right at common law (if any) to restrain publication or other dealing with the work ;

“Performing right,” in the case of a work which has not been performed in public before the commencement of this Act, includes the right at common law (if any) to restrain the performance thereof in public.

* In the case of an essay, article, or portion forming part of and first published in a review, magazine, or other periodical or work of a like nature, the right shall be subject to any right of publishing the essay, article, or portion in a separate form to which the author is entitled at the commencement of this Act, or would, if this Act had not been passed, have become entitled under section 18 of the Copyright Act, 1842.

SECOND SCHEDULE.

Enactments Repealed.

(Section 36.)

Session and Chapter.	Short Title.	Extent of Repeal.
8 Geo. 2, c. 13	The Engraving Copyright Act, 1734	The whole Act.
7 Geo. 3, c. 38	The Engraving Copyright Act, 1767	The whole Act.
15 Geo. 3, c. 53	The Copyright Act, 1775	The whole Act.
17 Geo. 3, c. 57	The Prints Copyright Act, 1777	The whole Act.
54 Geo. 3, c. 56	The Sculpture Copyright Act, 1814	The whole Act.
3 & 4 Will. 4, c. 15	The Dramatic Copyright Act, 1833	The whole Act.
5 & 6 Will. 4, c. 65	The Lectures Copyright Act, 1835	The whole Act.
6 & 7 Will. 4, c. 59	The Prints and Engravings Copyright (Ireland) Act, 1836	The whole Act.
6 & 7 Will. 4, c. 110	The Copyright Act, 1836	The whole Act.
5 & 6 Vict., c. 45	The Copyright Act, 1842	The whole Act.
7 & 8 Vict., c. 12	The International Copyright Act, 1844	The whole Act.
10 & 11 Vict., c. 95	The Colonial Copyright Act, 1847	The whole Act.
15 & 16 Vict., c. 12	The International Copyright Act, 1852	The whole Act.
25 & 26 Vict., c. 68	The Fine Arts Copyright Act, 1862	Sections 1 to 6. In section 8 the words "and pursuant to any Act for the protection of copyright engravings," and "and in any such Act as aforesaid." Sections 9 to 12.
38 & 39 Vict., c. 12	The International Copyright Act, 1875	The whole Act.
39 & 40 Vict., c. 36	The Customs Consolidation Act, 1876	Section 42, from "Books wherein" to "such copyright will expire." Sections 44, 45, and 152.
45 & 46 Vict., c. 40	The Copyright (Musical Compositions) Act, 1882	The whole Act.
49 & 50 Vict., c. 33	The International Copyright Act, 1886	The whole Act.
51 & 52 Vict., c. 17	The Copyright (Musical Compositions) Act, 1888	The whole Act.
52 & 53 Vict., c. 42	The Revenue Act, 1889	Section 1, from "Books first published" to "as provided in that section."
6 Edw. 7, c. 36	The Musical Copyright Act, 1906	In section 3 the words "and which has been registered in accordance with the provisions of the Copyright Act, 1842, or of the International Copyright Act, 1844, which registration may be effected notwithstanding anything in the International Copyright Act, 1886."

By His Excellency's command,

Colonial Secretary's Office,
Colombo, June 26, 1912.HUGH CLIFFORD,
Colonial Secretary.*Statement of Objects and Reasons.*

THE objects and reasons of this Ordinance are sufficiently set out in the preamble.

Attorney-General's Chambers,
Colombo, June 10, 1912.ANTON BERTRAM,
Attorney-General.

MINUTE.

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

An Ordinance to amend "The Public Works Loan Ordinance, 1909."

Preamble.

WHEREAS it is expedient to amend "The Public Works Loan Ordinance, 1909," by enlarging the amount of the loan therein authorized: 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 Public Works Loan (Amendment) Ordinance, No. of 1912."

Increase in amount of authorized loan.

2 In the title, the preamble, and section 2 of the principal Ordinance, for the expression "three million," wherever the said expression occurs, there shall be substituted the expression "four million."

Modification of provision as to sinking fund.

3 For section 4 of the principal Ordinance the following section shall be substituted:

4. Contribution to sinking fund, as contemplated by the provisions of sections 13 and 27 of "The General Loan and Inscribed Stock Ordinance, 1907," shall, as regards any portion of the said loan from time to time issued, commence after the expiration of three years from the date on which the interest on the first debenture or inscribed stock of such portion shall commence to run.

4 For the schedule to the principal Ordinance the following schedule shall be substituted:

SCHEDULE.

Purposes to which the Loan is applicable.

	£
1. Colombo Harbour Works ..	800,000
2. Railway Construction (1899 programme) ..	98,400
3. Duplication of Colombo Water Main ..	55,867
4. Irrigation ..	113,333
5. Colombo Stations Extension ..	296,666
6. Ratnapura Railway ..	200,000
7. Colombo Drainage (First Series of Works) ..	333,334
8. Colombo Drainage (Second Series of Works) ..	500,000
9. Colombo Lake Development ..	319,900
10. Karaiur Reclamation, Jaffna ..	10,000
11. Duplication of Moratuwa and Ragama Railway Lines ..	180,000
12. Mannar Railway ..	409,254
13. Motor Traction ..	120,000
14. Extension of Railway where most required (nominal) ..	100
15. Railway Works (as recommended by the Railway Commission) ..	500,000
16. Further Duplication of Colombo Water Main ..	200,000
17. Housing Scheme for Government Officers stationed in Colombo ..	300,000
Total ..	4,436,854

By His Excellency's command,

Colonial Secretary's Office,
Colombo, July 4, 1912.

HUGH CLIFFORD,
Colonial Secretary.

Statement of Objects and Reasons.

THE object of this Ordinance is to authorize the issue of a loan of a million pound sterling as sanctioned by the despatch of the Secretary of State No. 143 of April 3, 1912, published in "Papers relating to the Proposed Additional Loan" (Sessional Paper XIV. of 1912).

2. It is in the form of an amendment to "The Public Loan Works Ordinance, 1909," so as to make the items interchangeable with the items of that Ordinance in accordance with paragraph 6 of that despatch.

3. The phraseology of section 4 of the principal Ordinance has been modified, so as to insure that, inasmuch as the loan is in fact issued in batches, and an appreciable quantity of the original loan still remains unissued, the interval of three years which under the section is allowed to elapse before contribution to sinking fund commences, shall have reference to each batch of the loan, and not to the first batch only.

4. For convenience a new schedule is substituted, but only the last three items of this substituted schedule are new.

Attorney-General's Chambers,
Colombo, June 21, 1912.

ANTON BERTRAM,
Attorney-General.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Estate Goods and
Jurisdiction. Chattels, Rights and Credits of Tamby
No. 4,267. Baas Sesma Lebbe of Mutwal in Colombo,
deceased.

Sesma Lebbe Abdul Majeed of No. 207, Mutwal in
Colombo Petitioner.

And

(1) Sesma Lebbe Mohamado Haniffa of Temple
road in Colombo, (2) Rahila Umma, and her
husband (3) Casie Lebbe Marikar Usubu Naina,
and (4) Sesma Lebbe Mohamado Aboosali, all of
No. 207, Mutwal in Colombo Respondents.

THIS matter coming on for disposal before Lewis Matthew
Maartensz, Esq., Additional District Judge of Colombo, on
May 30, 1912, in the presence of Mr. C. M. Brito, Proctor,
on the part of the petitioner Sesma Lebbe Abdul Majeed of
No. 207, Mutwal in Colombo; and the affidavit of the said
petitioner dated May 27, 1912, having been read:

It is ordered that the petitioner be and he is hereby
declared entitled, as an heir of the above-named deceased,
to have letters of administration to his estate issued to him,
unless the respondents or any other person or persons
interested shall, on or before June 27, 1912, show sufficient
cause to the satisfaction of this court to the contrary.

L. M. MAARTENSZ,
Additional District Judge.
May 30, 1912.

The date of showing cause against this *Order Nisi* is
extended to July 18, 1912.

L. M. MAARTENSZ,
Additional District Judge.
June 27, 1912.

In the District Court of Colombo.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late Samsie Lebbe Marikar Rahimath
No. 4,271. Natchia *alias* Alima Umma of Layard's
Broadway, Colombo, deceased.

Mohamado Lebbe Marikar Hadjar Mohamado
Sheriff of No. 88, Hulftsdorp, Colombo Petitioner.

Vs.

(1) Sakkina Umma, wife of (2) Sulaima Lebbe
Mohamado Abdul Cader of No. 126, Layard's
Broadway, Colombo, (3) Hassia Umma, wife of
(4) Assena Marikar Hamid, both of Colpetty,
Colombo, (5) Ayesha Natchia of New Moor
street, Colombo Respondents.

THIS matter coming on for disposal before Lewis Matthew
Maartensz, Esq., Additional District Judge of Colombo, on
June 1, 1912, in the presence of Messrs. Prins and Swan,
Proctors, on the part of the petitioner Mohamado Lebbe
Marikar Hadjar Mohamado Sheriff; and the affidavit of
the said petitioner dated May 29, 1912, having been read:

It is ordered that the petitioner be and he is hereby
declared entitled, as a son of the above-named deceased,
to have letters of administration to her estate issued to him,
unless the respondents or any other person or persons
interested shall, on or before July 18, 1912, show sufficient
cause to the satisfaction of this court to the contrary.

L. M. MAARTENSZ,
Additional District Judge.
June 1, 1912.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late Albany Gibson Williamson, late of
No. 4,287 C. Glencorse Estate, Puwakpitiya, Ceylon,
deceased.

THIS matter coming on for disposal before Lewis Matthew
Maartensz, Esq., District Judge of Colombo, on June 15,
1912, in the presence of Messrs. Julius and Creasy, Proctors,

on the part of the petitioner David Brainerd Williamson;
and the affidavit of the said petitioner dated June 5, 1912,
having been read:

It is ordered that the said David Brainerd Williamson
is entitled to have letters of administration issued to him
accordingly, unless any person or persons interested shall,
on or before July 18, 1912, show sufficient cause to the
satisfaction of this court to the contrary.

L. M. MAARTENSZ,
District Judge.
June 15, 1912.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late Ayesha Umma of Galkapanawatta,
No. 4,272. Colombo, deceased.

Cassim Bawa Samsadeen of Galkapanawatta,
Colombo Petitioner.

Vs.

(1) Mohamado Ibrahim, (2) Subaida Umma, (3)
Mohamado Samsudeen, (4) Hameedo Umma, (5)
Casie Lebbe Marikar Mamina Lebbe, all of
Galkapanawatta, Colombo Respondents.

THIS matter coming on for disposal before Lewis Matthew
Maartensz, Esq., Additional District Judge of Colombo, on
May 31, 1912, in the presence of Messrs. Prins and Swan,
Proctors, on the part of the petitioner Cassim Bawa
Samsadeen of Galkapanawatta, Colombo; and the affidavit
of the said petitioner dated May 13, 1912, having been read:

It is ordered that the petitioner be and he is hereby
declared entitled, as the father of the above-named deceased,
to have letters of administration to her estate issued to him,
unless the respondents or any other person or persons
interested shall, on or before July 18, 1912, show sufficient
cause to the satisfaction of this court to the contrary.

L. M. MAARTENSZ,
Additional District Judge.
May 31, 1912.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of the late Thomas Stenhouse,
No. 4,284. formerly of Bombay, in India, afterwards
of Liverpool, in the County of Lancaster,
England, but late of No. 58, Belsize Park
Gardens, in the County of Middlesex,
England, deceased.

THIS matter coming on for disposal before Lewis Matthew
Maartensz, Esq., District Judge of Colombo, on June 10,
1912, in the presence of Mr. Sydney Julius, Proctor, on the
part of the petitioner Harry Creasy of Colombo; and the
affidavit of the said petitioner dated June 8, 1912, having
been read:

It is ordered that the will of the said Thomas Stenhouse,
deceased, dated April 11, 1860, and two codicils thereto
dated March 16, 1864, and April 7, 1872, of which an
exemplification has been produced and is now deposited in
this court, be and the same is hereby declared proved; and
it is further declared that the said Harry Creasy is the
attorney of Mary Jane Stenhouse, one of the executors
named in the said will, and that he is entitled to have letters
of administration, with the will annexed, issued to him
accordingly, unless any person or persons interested shall,
on or before July 18, 1912, show sufficient cause to the
satisfaction of this court to the contrary.

L. M. MAARTENSZ,
District Judge.
June 10, 1912.

So. 4/1093
In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. the late Sally de Silva of Dematagoda,
No. 4,293. Colombo, deceased.

Maria Frederica de Silva of Dematagoda..... Petitioner.
And

(1) Marshal Adolphus de Silva, (2) Mary de Silva,
(2) Priscilla de Silva, (4) Agnes de Silva, all of
Dematagoda, in Colombo..... Respondents.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., Additional District Judge of Colombo, on June 22, 1912, in the presence of Mr. O. A. Jayasekera, Proctor, on the part of the petitioner Maria Frederica de Silva of Dematagoda, Colombo; and the affidavit of the said petitioner dated June 15, 1912, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as the mother of the above-named deceased, to have letters of administration to her estate issued to her, unless the respondents or any other person or persons interested shall, on or before July 18, 1912, show sufficient cause to the satisfaction of this court to the contrary.

L. M. MAARTENSZ,
Additional District Judge.

June 22, 1912.

So. 4/1100
In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Robert King of Leverholme, Renfrew-
No. 4,295. shire, and 115, Wellington street, Glas-
gow, Merchant, deceased.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., District Judge of Colombo, on June 24, 1912, in the presence of Mr. Frederick John de Saram, Proctor, on the part of the petitioner Eustace Frederick de Saram; and the affidavit of the said petitioner dated June 17, 1912, having been read: It is ordered that the said petitioner, as the attorney of the heirs of the above-named Robert King, deceased, be and he is hereby declared entitled to have letters of administration issued to him accordingly, unless any person or persons interested shall, on or before July 18, 1912, show sufficient cause to the satisfaction of this court to the contrary.

L. M. MAARTENSZ,
District Judge.

June 24, 1912.

So. 4/1130
In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Estate of Dewapurage
Jurisdiction. Welmina Fernando of Wellawatta, de-
No. 4,296. ceased.

Awanna Veena Kana Meyappa Chetty of Sea
street, Colombo..... Petitioner.

And

(1) Dompayalage Themanis Fernando, (2) Dompayalage Henry Meygawarna, (3) Dompayalage Edwin Meygawarna, (4) Dompayalage Laselin Meygawarna, (5) Dompayalage Wilson Meygawarna, all of Wellawatta, (6) D. M. Jansz, Secretary of the District Court of Colombo. Respondents.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., Additional District Judge of Colombo, on July 6, 1912, in the presence of Messrs. Mack, Proctors, on the part of the petitioner Awanna Veena Kana Meyappa Chetty of Sea street, Colombo; and the affidavit of the said petitioner dated June 26, 1912, having been read:

It is ordered that Mr. David Matthew Jansz be and he is hereby declared entitled, as Secretary of the District Court of Colombo, to have letters of administration to the estate of the above-named deceased issued to him, unless the respondents or any other person or persons interested shall, on or before July 25, 1912, show sufficient cause to the satisfaction of this court to the contrary.

L. M. MAARTENSZ,
Additional District Judge.

July 6, 1912.

In the District Court of Colombo:

Order Nisi.

Testamentary In the Matter of the Estate and Effects of
Jurisdiction. Hettitantrige Salmon Fernando of Uda-
No. 4,298. kananpelle, in the Gangaboda pattu of
Siyane korale, deceased.

Warnakulasuriya Aratchige Dona Maria of Uda-
kananpelle aforesaid..... Petitioner.

And

(1) Hettitantrige Francisco Fernando, (2) Hetti-
tantrige Theadora Fernando, wife of (3) Weera-
hennedige Domingo Fernando; all of Udakanan-
pelle aforesaid..... Respondents.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., Additional District Judge of Colombo, on July 4, 1912, in the presence of Mr. J. G. Fernando, Proctor, on the part of the petitioner Warnakulasuriya Aratchige Dona Maria of Udakananpelle; and the affidavit of the said petitioner dated May 18, 1912, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as the widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents or any other person or persons interested shall, on or before July 18, 1912, show sufficient cause to the satisfaction of this court to the contrary.

L. M. MAARTENSZ,
Additional District Judge.

July 4, 1912.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Kithalawalanakankanamalage Samel
No. 1,305. Appuhamy of Gaspe, in Yatigaha pattu,
deceased.

THIS matter coming on for disposal before J. Scott, Esq., District Judge of Negombo, on June 15, 1912, in the presence of Mr. Samaratunga, Proctor, on the part of the petitioner Kithalawalanakankanamalage Baronchi Appuhamy of Gaspe; and the affidavit of the petitioner dated June 11, 1912, having been read:

It is ordered that the petitioner be and is hereby declared entitled to have letters of administration of the estate of the deceased above named issued to him, unless the respondents—(1) Kithalawalanakankanamalage Babahamy of Gaspe and (2) R. Abaran Appul of Paththalagedara—shall, on or before July 25, 1912, show sufficient cause to the satisfaction of this court to the contrary.

JOHN SCOTT,
District Judge.

June 15, 1912.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Wanasinhage Don Cornelis of Gallegedara
No. 1,308. in Dasiya pattu, deceased.

THIS matter coming on for disposal before J. Scott, Esq., District Judge of Negombo, on June 19, 1912, in the presence of Mr. Samaratunga, Proctor, on the part of the petitioner Wanasinhage Don Maththo Singho of Gallegedara; and the affidavit of the petitioner dated June 14, 1912, having been read:

It is ordered that the petitioner be and is hereby declared entitled to have letters of administration of the estate of the deceased above named issued to him, unless the respondents—(1) Henanayaka Arachchige Nikonona of Gallegedara, (2) Wanasinhage Dona Emmonona, assisted by her husband (3) Obberiyage Cornelis Fonseka and by the guardian *ad litem* the 1st respondent over the minors Dona Rosalin and Don Pedrick—shall, on or before July 25, 1912, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said H. Nikonona, the 1st respondent, be appointed guardian *ad litem* over the said minors W. Dona Rosalin and W. Don Pedrick of Gallegedara for the purpose of this action.

JOHN SCOTT,
District Judge.

June 19, 1912.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Diunugalpedige Siriya, late of Kotadeniya, deceased.

THIS matter coming on for disposal before J. Scott, Esq., District Judge of Negombo, on June 29, 1912, in the presence of Mr. Salgado, Proctor, on the part of the petitioner Diunugalpedige Belinda of Kotadeniya; and the affidavit of the petitioner dated June 28, 1912, having been read:

It is ordered that the petitioner be and is hereby declared entitled to have letters of administration of the estate of the deceased above named issued to him, unless the respondents—(1) Diunugalpedige Ukku, assisted by her husband Piramanage Suragana, both of Kotadeniya—shall, on or before August 6, 1912, show sufficient cause to the satisfaction of this court to the contrary.

JOHN SCOTT,
District Judge.

June 29, 1912.

In the District Court of Kandy.

Testamentary In the Matter of the Estate of the late Una Jurisdiction. Muhammado Abdulkader, deceased, of No. 2,913. Munwatugoda in Medapalata of Yatinuwara.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., District Judge of Kandy, on May 23, 1912, in the presence of Mr. G. E. de Silva, Proctor, on the part of the petitioner Una Muhammado Meera Lebbe of Munwatugoda aforesaid; and the affidavit of the said petitioner dated March 4, 1912, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled to letters of administration to the estate of the above-named deceased as the brother of the said deceased, unless (1) Salma Umma, (2) Amina Umma, (3) Rukhia Umma, (4) Sawda Umma, the 2nd, 3rd, and 4th by their guardian *ad litem* the 1st respondent, shall, on or before June 27, 1912, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
District Judge.

May 23, 1912.

The date for showing cause is extended to July 25, 1912.

June 27, 1912.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa- Jurisdiction. ment of Peeyana Vana Muna Madar No. 2,935. Saibo, deceased, of India.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., District Judge of Kandy, on June 27, 1912, in the presence of Messrs. Beven and Beven, Proctors, on the part of the petitioner Peeyana Vana Muna Mohideen Alliar of Colombo street, Kandy; and the affidavits of the said petitioner and of Edwin Beven of Kandy, Notary Public, both dated June 20, 1912, having been read:

It is ordered that the will of Peeyana Vana Muna Madar Saibo of India, deceased, dated February 3, 1905, copy of which will is now filed in this court, be and the same is hereby declared proved, unless (1) Seyado Pathumma, (2) Mohideen Cader Meera Saibo, (3) Kadija Beebi, all of Kalankudi-iruppu in Christianagaram, Tinnevely, in South India, shall, on or before July 25, 1912, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Peeyana Vana Muna Mohideen Alliar of Colombo street in Kandy is one of the executors named in the said will, and that he is entitled to have probate of the same issued to him accordingly, and in the alternative that letters of administration do issue to him, unless (1) Seyado Pathumma, (2) Mohideen Cader Meera Saibo, and (3) Kadija Beebi, all of Kalankudi-iruppu, in Christianagaram, Tinnevely District, in South India, shall, on or before July 25, 1912, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
District Judge.

June 27, 1912.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Arthur John Philip Atkinson, deceased, No. 2,932. of Singhayapitiya estate in Gampola.

THIS action coming on for disposal before Felix Reginald Dias, Esq., District Judge of Kandy, on June 18, 1912, in the presence of Mr. Charles Vanderwall, Proctor, on the part of the petitioner Henry Charles Wills of Kandy; and the affidavit of the said petitioner dated June 18, 1912, having been read:

It is ordered that the petitioner Henry Charles Wills of Kandy be and he is hereby declared entitled to letters of administration to the estate of Arthur John Philip Atkinson of Singhayapitiya estate in Gampola, deceased, as the brother-in-law of the said deceased, unless (1) Rose Lane Lee *nee* Atkinson, (2) her husband W. Lane Lee, both of Walsingham road, Hove Sussex, (3) Mary Eve Wills *nee* Atkinson, wife of petitioner, of 4, Westbourne Terrace, Hove, Sussex, (4) Mary Laurel Frampton, (5) her husband A. H. Frampton, both of Heeressagala estate, Kandy, (6) Jane Roberts *nee* Atkinson, (7) her husband Andrew Roberts, both of 20, Yazack road, Woodseat, Sheffield, (8) Bert Atkinson, (9) William Joseph Atkinson, both of Bushmans Copper Mines, Bulawayo, Rhodesia, South Africa, shall, on or before July 18, 1912, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
District Judge.

June 18, 1912.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Ananthapurani, wife of Kantaiyah Rajaratnam, No. 2,553. ratnam, late of Manipay, deceased.

Kantaiyah Rajaratnam of Mannar..... Petitioner.

Vs.

(1) Nagamuttu, daughter of Rajaratnam of Manipay, (2) Rajaratnam Suppiramaniam of ditto, (3) Kumaravelu Vallipuram of Mannar, the 1st and 2nd respondents are minors appearing by their guardian *ad litem* the above-named 3rd respondent..... Respondents.

THIS matter of the petition of Kantaiyah Rajaratnam of Mannar, praying for letters of administration to the estate of the above-named deceased Ananthapurani, wife of Kantaiyah Rajaratnam, coming on for disposal before M. S. Pinto, Esq., District Judge, on June 26, 1912, in the presence of Mr. A. Canagaratnam, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated May 3, 1912, having been read: It is ordered that the petitioner be and he is hereby declared entitled, as lawful husband of the said deceased, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above-named or any other person shall, on or before July 17, 1912, show sufficient cause to the satisfaction of this court to the contrary.

June 28, 1912.

M. S. PINTO,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Annapillai, wife of Sapapatiar Eliatamby No. 2,563. of Vaddukodai, deceased.

Murugesar Chinnatamby of Vaddukodai West... Petitioner.

Vs.

Sapapatiar Eliatamby, Overseer at Rambukkan..... Respondent.

THIS matter of the petition of Murugesar Chinnatamby of Vaddukodai West, praying for letters of administration to the estate of the above-named deceased Annapillai, wife of Sapapatiar Eliatamby, coming on for disposal before M. S. Pinto, Esq., District Judge, on June 15, 1912, in the presence of Messrs. Tambiah S. Cooke and P. S. J. Chryssotom, Proctors, on the part of the petitioner; and affidavit

of the petitioner dated May 15, 1912, having been read: It is declared that the petitioner is the father of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before July 19, 1912, show sufficient cause to the satisfaction of this court to the contrary.

June 15, 1912.

M. S. PINTO,
District Judge.

No. 411
In the District Court of Galle.
1107
Order Nisi.
No. 4,163. In the Matter of the Estate of Ahangama Vitanege Dona Ciciliyana Hamine, deceased, of Ahangama.

THIS matter coming on for disposal before F. J. Smith, Esq., District Judge of Galle, on May 28, 1912, in the presence of Mr. W. P. Amarasinghe, Proctor, on the part of the petitioner Ahangama Vitanege Wattuhami de Silva of Ahangama; and the affidavit of the petitioner dated May 28, 1912, having been read:

It is ordered that the 1st respondent be appointed guardian *ad litem* over the 9th respondent, unless the respondents shall, on or before July 18, 1912, show sufficient cause to the satisfaction of this court to the contrary. It is further declared that the said Ahangama Vitanege Wattuhami de Silva is the husband of the deceased, and that he is as such entitled to have letters of administration issued to him accordingly, unless the respondents—(1) Ahangama Vitanege Pedirs de Silva of Ahangama, Nakanda, (2) ditto Aralina Hamine and her husband (3) Kalaha Gamage Adirian, both of Kalaha, (4) Ahangama Vitanege Embili Hamy, and her husband (5) Telikada Mudalige Abraham Appuhamy, both of Telikada, (6) Ahangama Vitanege Ninno Hamy, and her husband (7) Panalie Vedamahatmaya of Garanduwa in Kamburugamuwa, (8) Ahangama Vitanege Peris Appuhamy of Ahangama, (9) ditto Pinadera Hamine of ditto, the 9th respondent by her guardian *ad litem* the 1st respondent—shall, on or before July 18, 1912, show sufficient cause to the satisfaction of this court to the contrary.

May 28, 1912.

F. J. SMITH,
District Judge.

No. 411
In the District Court of Galle.
1107
Order Nisi.
Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Munasinghe Don Siyadoris alias Don Davit Appuhami and his wife Henekapuralalage Balahamine both of Induruwa, deceased.

THIS matter coming on for disposal before F. J. Smith, Esq., District Judge, Galle, on June 19, 1912, in the presence of Mr. D. O. D. S. Goonesekera, Proctor, on the part of the petitioners (1) Munasinghe Don Baron Appuhami, (2) ditto Don Seraneris Appuhami, and (3) ditto Don Eradis Appuhami; and the affidavit of the 1st petitioner dated June 6, 1912, and the affidavit of Pedrick Harmanis Alwis Gunatilaka dated June 11, 1893, having been read: It is ordered that the will of Munasinghe Don Siyadoris alias Don Davit Appuhami and his wife, late Henekapuralalage Balahami, deceased, dated August 8, 1889, be and the same is hereby declared proved, unless the respondent shall, on or before July 29, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said (1) Munasinghe Don Baron Appuhami, (2) ditto Don Seraneris Appuhami, and

(3) ditto Don Eradis Appuhami are the executors named in the said will, and that they are as such entitled to have probate of the same issued to them accordingly, unless Munasingha Dona Leena Hamine of Induruwa shall, on or before July 29, 1912, show sufficient cause to the satisfaction of this court to the contrary.

June 19, 1912.

F. J. SMITH,
District Judge.

In the District Court of Batticaloa.
Order Nisi.
Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Palavan Khan of Batticaloa, deceased.
No. 681.

Ibrahim Munilai Sikkander of Pottuvil. Petitioner.
And

(1) Ibrahim Munilai Mariankandu, widow of Palavan Khan, (2) Palavan Khan Dividasa, (3) Palavan Khan Ravia Ummah, (4) Palavan Khan Nooru Mohanmanusa, (5) Palavan Khan Ma-apupoo, (6) Palavan Khan Sultan Mohamanosa, (7) Palavan Khan Mohamad Ismails, minors, represented by their guardian *ad litem* the 1st respondent, all of Pottuvil. Respondents.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Batticaloa, on June 21, 1912, in the presence of Mr. A. B. Canagasabey, Proctor, on the part of the petitioner Ibrahim Munilai Sikkander; and the affidavits of the said petitioner and the attesting witnesses and notary dated May 25, 1912, having been read:

It is ordered that the will of Palavan Khan, dated March 15, 1912, whilst has been produced and deposited in the court, be and the same is hereby declared proved; and it is further ordered that the petitioner, as one of the executors named in the said will, is entitled to have probate thereof issued to him, unless the respondents or any other person or persons interested shall, on or before July 15, 1912, show sufficient cause to the satisfaction of this court to the contrary.

June 21, 1912.

T. W. ROBERTS,
District Judge.

In the District Court of Batticaloa.
Order Nisi.
Testamentary Jurisdiction. In the Matter of the Intestate Estate of Alexander Ezekiel Rasandiram Canagasabey of Batticaloa, deceased.
No. 683.

Albert Canagasabey, Modaliyar of Batticaloa. Petitioner.
And

Eliza Catherine Canagasabey of Batticaloa. Respondent.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Batticaloa, on June 18, 1912, in the presence of Mr. A. B. Canagasabey, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated June 17, 1912, having been read: It is ordered that the said petitioner be and he is hereby declared entitled, as father of the deceased above named, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondent above named or any other person or persons interested shall, on or before July 16, 1912, show sufficient cause to the satisfaction of the court to the contrary.

June 18, 1912.

T. W. ROBERTS,
District Judge.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.
No. 2,415. In the matter of the insolvency of Tambiah Palle Chelliah Ladd of No. 23, Second Cross street, Pettah, Colombo.

NOTICE is hereby given that the above-named insolvent has been allowed a certificate as of the third class, but its issue has been suspended for one year.

By order of court,

D. M. JANSZ,
Secretary.

Colombo, July 8, 1912.

In the District Court of Colombo.
No. 2,471. In the matter of the insolvency of P. J. Paul Palle of Peliyagoda.

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 August 15, 1912, for consideration of the conditions of sale.

By order of court,

D. M. JANSZ,
Secretary.

Colombo, July 8, 1912.

In the District Court of Colombo.

No. 2,476. In the matter of the insolvency of Ayaduray Kannuduray Backus of New Chetty street, Colombo.

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

By order of court,

D. M. JANSZ,
Secretary.

Colombo, July 8, 1912.

In the District Court of Colombo.

No. 2,479. In the matter of the insolvency of Reginald Dunstan Nicolle of Moratuwa.

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

By order of court,

D. M. JANSZ,
Secretary.

Colombo, July 8, 1912.

In the District Court of Colombo.

No. 2,484. In the matter of the insolvency of George Frederick Potger of Dawson street, Slave Island, 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 August 15, 1912, for the grant of a certificate of conformity to the insolvent.

By order of court,

D. M. JANSZ,
Secretary.

Colombo, July 5, 1912.

In the District Court of Colombo.

No. 2,485. In the matter of the insolvency of P. M. Neyna Mohammado of the 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 August 15, 1912, for the grant of a certificate of conformity to the insolvent.

By order of court,

D. M. JANSZ,
Secretary.

Colombo, July 5, 1912.

In the District Court of Colombo.

No. 2,487. In the matter of the insolvency of Manana-dewagey Marthelis of No. 9, Old Moor street, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on August 15, 1912, for the grant of a certificate of conformity to the insolvent.

By order of court,

D. M. JANSZ,
Secretary.

Colombo, July 5, 1912.

In the District Court of Colombo.

No. 2,495. In the matter of the insolvency of W. W. Peries of Peliyagoda.

WHEREAS the above-named W. W. Peries has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by S. D. M. M. Osman, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said W. W. Peries insolvent accordingly, and that two public sittings of the court, to wit, on August 15, 1912, and August 29, 1912, 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,

D. M. JANSZ,
Secretary.

Colombo, July 5, 1912.

In the District Court of Colombo.

No. 2,496. In the matter of the insolvency of K. P. T. P. Pethaperumal Pillai of Sea street, Colombo.

WHEREAS the above-named K. P. T. P. Pethaperumal Pillai has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by A. S. P. R. Periatamby Chetty, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said K. P. T. P. Pethaperumal Pillai insolvent accordingly, and that two public sittings of the court, to wit, on August 15, 1912, and August 29, 1912, 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,

D. M. JANSZ,
Secretary.

Colombo, July 5, 1912.

In the District Court of Colombo.

No. 2,497. In the matter of the insolvency of Kurukulasooriya Nicholas Fernando of Grandpass, Colombo.

WHEREAS the above-named Kurukulasooriya Nicholas Fernando has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by A. V. Somasundaram, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Kurukulasooriya Nicholas Fernando insolvent accordingly, and that two public sittings of the court, to wit, on August 15, 1912, and August 29, 1912, 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,

D. M. JANSZ,
Secretary.

Colombo, July 5, 1912.

NOTICES OF FISCALS' SALES.

Western Province.

In the Court of Requests of Colombo.

D?C. A. Talayaratne of Forbes road in Colombo. Plaintiff.

No. 25,621.

Vs.

(1) Baharudeen Bassurand Hassan of No. 3, Ahamat's lane, Slave Island, Colombo, (2) Wigaya Saban Kitchillan of No. 8, Forbes road in Colombo. Defendants.

NOTICE is hereby given that on Wednesday, August 7, 1912, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of

the sum of Rs. 265.15, with legal interest thereon from December 21, 1911, till payment in full, and costs Rs. 33.25, viz. :—

All that portion of the land and buildings standing thereon being a portion of an allotment of land called Duwewatta, bearing assessment No. 36, situated at Forbes road in Maradana, within the Municipality of Colombo; and bounded on the north by the Forbes road, on the east by the portion allotted to Awu Lebbe Marikar, on the south by the property of Awu Lebbe Marikar, and on the west by Forbes road; containing in extent 7 20/100 square perches more or less.

Fiscal's Office,
Colombo, July 9, 1912.

E. ONDATE,
Deputy Fiscal.

In the Court of Requests of Colombo.

J. H. Jansz of Darley road, Maradana Plaintiff.
No. 26,220. Vs.

Z. D. Mohamado of Forbes road, Maradana . . . Defendant.

NOTICE is hereby given that on Wednesday, August 7, 1912, at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 230.80, with legal interest thereon from January 17, 1912, till payment in full, and a further sum of Rs. 36.25 as costs, viz. :—

All that portion of land with five boutiques standing thereon, marked letter D and shaded pink in the plan, situated to the east of Maradana high road, within the Municipality of Colombo; bounded on the north, east, and south by the portion of the same land marked letter C belonging to Shena Lebbe, now Umma, and Dematagoda high road, and west by Maradana high road; containing in extent 4 perches, which said premises are now described as an allotment of land with the buildings standing thereon, formerly bearing assessment No. 188, now Nos. 764-188A and 288, situated at 2nd Division, Maradana, within the Municipality of Colombo; bounded on the north-east by the properties of P. C. Meera Lebbe Marikar, A. Abdul Rahaman, and R. M. Yoosof Lebbe, south-east by Dematagoda road and the property of M. C. Meera Lebbe Marikar, A. Abdul Rahaman, and K. M. Yoosof Lebbe, south-west by 2nd Division, Maradana, and on the north-west by a passage; containing in extent $4 \frac{54}{100}$ square perches.

Fiscal's Office, E. ONDATEJ, Deputy Fiscal.
Colombo, July 9, 1912.

In the Court of Requests of Colombo.

Paha Lana Ana Palaniappa Chetty of No. 173,
Sea street, Colombo Plaintiff.
No. 27,815. Vs.

(1) W. J. Alvis, Division Officer, (2) C. F. Grero,
and (3) K. C. John Alwis, all of Kollupitiya,
Colombo Defendants.

NOTICE is hereby given that on Thursday, August 8, 1912, 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. 291.65, with legal interest thereon from June 6, 1912, till payment in full and costs of suit, Rs. 29.75, viz. :—

All that portion of a garden with the buildings standing thereon bearing assessment No. 20, situated at Kollupitiya lane, within the Municipality of Colombo; bounded on the north by a lane leading to the high road to Galle, on the east by the former burial ground of the dhobies and now belonging to the Church of England, on the south by the property belonging to the estate of the late Dassanaikie Mudaliyar, and on the west by the property of Matarage James Perera and Matarage Madalena Perera, widow of Gallage Johannes Pieris and of another; containing in extent 23 square perches, as per survey and description thereof No. 3,222 dated August 6, 1896, made by Juan de Silva, Licensed Surveyor.

Fiscal's Office, E. ONDATEJ, Deputy Fiscal.
Colombo, July 9, 1912.

In the District Court of Colombo.

Joseph Boniface Michael Pereira of Rosmead
place, Colombo Plaintiff.
No. 32,847/32,848. Vs.

J. L. C. Perera of Gaetan Estate, Talangama,
in the Palle pattu of Hewagam korale in the
District of Colombo Defendant.

NOTICE is hereby given that on Tuesday, August 13, 1912, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following properties for the recovery of the sum of Rs. 4,816.86, with further interest on Rs. 4,659.60 at 9 per cent. per annum from July 6, 1911, to September 8, 1911, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit under writ No. 32,847, and Rs. 5,160.75, with interest on

Rs. 5,001.25 at 9 per cent. per annum from July 6, 1911, till payment in full, and costs of suit under writ No. 32,848, viz. :—

At 1 P.M.

(1) All that allotment of land called Delgahawatta, situated at Talangama in the Palle pattu of Hewagam korale; bounded on the north by Alubogahawatta of Koomarage Don Domingo, on the east by the Government high ground, on the south by Alubogahakumbura and the high ground of Koomarage people, and on the west by the Dewata road; containing in extent land sufficient to plant about 500 coconut plants and according to the plan thereof dated June 8, 1867, and made by Koelmeyer, Surveyor, 7 acres and 17 perches.

At 1.30 P.M.

(2) All that allotment of land called Alubogahalanda and Bataladeniyakele situated at Talangama aforesaid; and bounded on the north by lands claimed by Koomarage Don Juan, Lianage Siman Perera and others and Panagodage Don Louis, by the property of C. Don Peduru Appu and others and by lands purchased by C. Don Bastian and W. Salmon Perera, on the east by lands claimed by Weerasinghe Achchige Sarnelis Perera and by lands described in plans Nos. 77,384 and 77,389, on the south by lands described in plans Nos. 77,423, 77,386, and 77,385 and by land called Bataladeniyakumbura, and on the west by land claimed by Narampitiyage Jacob Perera; containing in extent 79 acres and 2 roods.

At 2 P.M.

(3) All that allotment of land situated at Talangama aforesaid; bounded on the north-east by land claimed by Weerasinghe Achchige Sarnelis Perera, on the south-east by lands described in plan No. 77,389, and on the south-west and north-west by land described in plan No. 77,383; containing in extent 1 rood and 5 perches.

At 2.30 P.M.

(4) All that allotment of land called Batalawattedeniya, situated at Talangama aforesaid; bounded on the north and east by land described in plan No. 77,383, on the south by land described in plan 77,386 and by land purchased by C. C. de Silva, and on the west by land called Batadeniyakumbura; containing in extent 4 acres 1 rood and 29 perches.

At 3 P.M.

(5) All that allotment of land called Delgahawatta, situated at Talangama aforesaid; bounded on the north by land claimed by Dissanayakege David Allis and others and by land described in plan No. 77,975, on the east by land described in plan No. 77,975, on the south by land described in plan No. 77,939 and by land claimed by Komanage Don Samuel and others; and on the west by land claimed by Dissanayakege David Allis and others; containing in extent 9 acres and 11 perches.

At 3.30 P.M.

(6) All that allotment of land called Banwellegodelakela and Horagahamandiyakele, situated at Talangama aforesaid; bounded on the north by land reserved for public purposes along the path, on the east by land described in plan No. 77,974, by land said to belong to the Crown, and by land claimed by Panagodage Don Louis, on the south-east by lands described in plans Nos. 77,383 and 77,934, on the south by land described in plan No. 77,934, and on the west by lands described in plans Nos. 77,939 and 77,935, by land claimed by natives and by land claimed by Dionis Allis Appuhamy and others; containing in extent, exclusive of the portion marked A described in plan No. 77,973, 63 acres.

At 4 P.M.

(7) All that allotment of land called Batadeniyakele, situated at Talangama aforesaid and Talawatugoda in the Palle pattu of Hewagam korale aforesaid; bounded on the north by a land called Batadeniyakekumbura and by land described in plan No. 77,385, on the east by land described in plan No. 77,386, on the south by a road, on the south-west by land claimed by Medawara Liyanage Don Nicholas, Notary, and on the north-west by land called Batadeniyakumbura; containing in extent 48 acres 1 rood.

Fiscal's Office, E. ONDATEJ, Deputy Fiscal.
Colombo, July 9, 1912.

B 4

In the District Court of Kalutara.

Suddahewaradage Seneris Fernando of Udahamulupattiya in Panadure.....Plaintiff.

No. 4,449. Vs.

(1) Kuruppumullage Don Siman Appu of Kuruppumulla.....Defendant.

(2) Don James Alexander Tirimanna of Kuruppumulla.....Added Defendant.

NOTICE is hereby given that on Monday, August 5, 1912, 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 for the recovery of Rs. 299.71, viz. :—

1. Undivided twenty-three-twenty-fourths part of the soil and of the trees of the land called Yakahaluwawatta, situate at Kuruppumulla in Panadure badda of Panadure totamune; and bounded on the north by a land belonging to Yakdehikandage people and the land purchased by Kuruppumullage Don Arnolis Appuhamy, east by a portion of this land wherein Yakdehikandage Abraham Kosta resides, south by the cart road, and on the west by Godaparagahawatta in the name of Kuruppumullage people; containing in extent about 1 acre and 2 roods.

2. One-third of one-third share of the trees and plantations of the second plantation and one-third of one-sixth share of the trees and plantations of the first plantation and of the soil of the land called Andiyawatta *alias* a portion of Kahatagahawatta together with the thatched house standing thereon, situate at ditto; and bounded on the north by the high road, east by Kurundugahawatta, south by a portion of this land, and on the west by a portion of this land; containing in extent about 2 acres and 2 roods.

Deputy Fiscal's Office,
Kalutara, July 9, 1912.

B. P. J. GOMES,
Deputy Fiscal.

In the District Court of Negombo.

Jeelis Perera Samaratunga Appuhamy of Ganemulla.....Plaintiff.

No. 8,357. Vs.

(1) Wanasin Achchige Don Abraham *alias* Don Poloris, (2) ditto Don Andris, both of Dewalappola.....Defendants.

NOTICE is hereby given that on August 3, 1912, commencing at 11 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. :—

The two contiguous lands called Kurugahahena *alias* Kurugahawatta, and the buildings standing thereon, situate at Ganemulla in Dasiya pattu of Alutkuru korale; and bounded on the north by the portions of land claimed by Juan Fernando, Cornis Appu, and Nonohamy, and by lands appearing in plan No. 51,826, east by lands claimed by Punchappu, Abaran Appu, Babappu, Nonohamy, Sardiell Appu, and Don Christian Appu, south-east and south by lands claimed by Don Christian, and west by lands claimed by Aturuwaladewage Ukkuwa, Juan Fernando, and Coranis Appu; containing in extent about 17 acres, 1 rood and 2 perches.

Amount to be levied Rs. 1,183.55, with interest on Rs. 762.35 at 9 per cent. per annum from February 9, 1911, till payment.

Deputy Fiscal's Office, FRED. G. HEPPONSTALL,
Negombo, July 8, 1912. Deputy Fiscal.

In the Court of Requests of Negombo.

Seena Nana Kuna Pana Arumugam Chetty of Negombo.....Plaintiff.

No. 18,919. Vs.

(1) K. S. Ugo John Fernando and (2) K. S. Juana Fernando of Negombo.....Defendants.

NOTICE is hereby given that on August 1, 1912, 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. :—

The land and the house in which the defendants are residing, situate at St. Mary's street, Negombo; and bounded

on the north and west by St. Mary's street, east by the land belonging to Kurukulasuriya Manuel John Fernando, and south by the land belonging to Kurukulasuriya Juan Fernando and others; containing in extent about 10 perches.

Amount to be levied Rs. 80.90, with interest on Rs. 65.65 at the rate of 9 per cent. per annum from October 18, 1911, till payment.

Deputy Fiscal's Office, FRED. G. HEPPONSTALL,
Negombo, July 8, 1912. Deputy Fiscal.

Eastern Province.

In the District Court of Trincomalee.

Namasivayam Kanagasapapatty of No. 8 Dition, Trincomalee.....Plaintiff.

No. 445. Vs.

T. Sampander of No. 8 Division, Trincomalee.....Defendant.

NOTICE is hereby given that on Saturday, August 3, 1912, at 4 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. :—

The life interest belonging to the defendant on a piece of land called Maniyakaranttharai or Muttuvayal, situated at Sambattivu in Trincomalee, with coconut trees, coconut plants, and palmyra trees standing thereon, and all rights relating thereto; bounded on the north-east by the land of M. Murugasu, now belonging to others, south-east by road, south-west by the land of K. Saravanai and wife Kanagasapillai and M. Swaminather, and north-west by the land belonging to S. Ponniah and his wife and children; containing in extent 5 acres 3 roods and 28 perches.

Writ amount, Rs. 2,721.82.

Deputy Fiscal's Office,
Trincomalee, July 3, 1912.

S. RAJU,
Deputy Fiscal.

North-Western Province.

In the District Court of Chilaw.

T. Don Domingo Gabriel Naide of Chilaw.....Plaintiff.

No. 4,404. Vs.

M. Anthony Tissera of Chilaw.....Defendant.

NOTICE is hereby given that on Monday, August 5, 1912, 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, specially mortgaged by bond No. 449 dated May 20, 1905, viz. :—

1. The land together with the cadjan thatched house built with bricks, situate at Sea street in Chilaw; and bounded on the north by the fence of the land of Susey Fernando, east by the fence of garden of Adappa Nachchi, south by the land of Anthony Mordem, and west by the high road; containing in extent of 12 yards from north to south and 15 yards from east to west.

2. The land called Adappanachchittottam *alias* Vilamarattadittottam with the plantations standing thereon (excluding one coconut tree therefrom), situate at Sea street in Chilaw; and bounded on the north by the land belonging to Estakey Fernando, east by the land of Santiago Fernando, south by a small road, and west by the big wall of the house belonging to Vithoria Perera; containing in extent about 20 perches.

3. An undivided 1/12 share of the land called Wanarakuppeyntottam *alias* Vilamarattadytottam, situate at Sea street in Chilaw; and bounded on the north by the land belonging to Migel Fernando, east by the land belonging to Manuel Fernando, south by the tank called Kanakkankulam, and west by the land belonging to Domingu Fernando and others; containing about 6 perches in extent.

4. An undivided 1/3 share of the land situate at Sea street in Chilaw; and bounded on the north by the fence of the garden belonging to Susey Fernando, east by the land called

Adappanachchittottam, south by the road, and west by the high road; containing in extent of 36 yards from north to south and 45 yards from east to west.

Amount to be levied Rs. 2,021·87, with interest thereon at 9 per cent. per annum from August 20, 1912, and poundage.

Deputy Fiscal's Office,
Chilaw, July 8, 1912.

A. V. HERAT,
Deputy Fiscal.

20-6/12
In the District Court of Chilaw.
Muna Kandiah of Udappu.....Plaintiff.
No. 4,514. Vs.

K. A. C. Cader Saibo Markkan and another of PulichchakulamDefendants.

NOTICE is hereby given that on Wednesday, August 7, 1912, at 11 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. :—

1. The residing garden called Kottasepandinchiwatta of about 6 acres 1 rood and 38 perches in extent, situated at Battulu-oya in Anavilundan pattu, Pitigal Korale North, in the District of Chilaw.

2. Eighteen-eightieth shares of the garden called Nikalansena of about 25 acres in extent, situated at Kiriyan-kalliya aforesaid.

Amount to be levied Rs. 554·87, with further interest on Rs. 255 from January 25, 1912, up to March 11, 1912, at 9 per cent. per annum, and poundage.

Deputy Fiscal's Office,
Chilaw, July 8, 1912.

A. V. HERAT,
Deputy Fiscal.

20-5/12
In the District Court of Chilaw.
E. R. P. L. Ramanathan Chetty of Madampe....Plaintiff.
No. 4,560. Vs.

Muna Sena Seyado Mohammadali and another of MadampeDefendants.

NOTICE is hereby given that on Saturday, August 3, 1912, 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, specially mortgaged by bond No. 2,277 dated October 8, 1909, viz. :—

1. An undivided $\frac{1}{2}$ share of the land called Hurigahaidama of about 2 acres and 2 roods in extent and of the plantations standing thereon, situated at Uraliya in Yagan pattu, Pitigal Korale Central, in the District of Chilaw.

2. Half share of the land called Kajugahahena bearing L 512 in plan No. 146,109, of about 1 acre 3 roods and 28 perches in extent, and of the plantations standing thereon, situated at Uraliya aforesaid.

3. An undivided $\frac{2}{3}$ shares of the garden called Ambagahawatta bearing No. 611 of about 4 seers kurakkari sowing extent and of the plantation standing thereon, situated at Uraliya aforesaid.

4. An undivided $\frac{1}{2}$ share of the garden called Palugahawatta of about 1 $\frac{1}{2}$ acres in extent and of the plantations standing thereon, situate at Uraliya aforesaid.

5. The field called Dewalalangakumbura of about 10 parras paddy sowing extent, situated at Potuwila aforesaid.

6. An undivided $\frac{1}{2}$ share of the garden called Palliyajangawatta alias Gansuriyagahawatta of about $\frac{1}{2}$ an acre in extent and of the plantations and the buildings standing thereon, situated at Madampe aforesaid.

On Saturday, August 3, 1912, at 3 P.M., at the premises.

7. The garden called Madangahawatta bearing Y 481 of about 1 acre 1 rood and 26 perches in extent with the plantations standing thereon, situated at Toduwawa aforesaid.

Amount to be levied Rs. 4,303·75, with interest on Rs. 2,750 at 30 per cent. per annum from February 27, 1912, and further interest at 9 per cent. per annum from April 19, 1912, and poundage.

Deputy Fiscal's Office,
Chilaw, July 8, 1912.

A. V. HERAT,
Deputy Fiscal.

In the District Court of Puttalam.

Seynadeen Marikar Ismail Nainapillai Marikkar
of PuttalamSubstituted Plaintiff.
No. 2,293. Vs.

Uduma Lebbe Marikar Sego Allavudeen Marikar
of Kalpitiya, presently of Puttalam.....Defendant.

NOTICE is hereby given that on Thursday, Friday, and Saturday, August 1, 2, and 3, 1912, commencing each day at 12 noon, will be sold by public auction at the premises the right, title, and interest of the defendant in the following property, viz. :—

1. An undivided $\frac{1}{5}$ share of the land called Ingikudi aarutottam, situated at the 2nd milepost in the Colombo, Puttalam road; and bounded on the north and east by a water-course, south by land of the heirs of Sekaladu, Kos tappu Mohideen Pitche, and on the west by ela and land of the heirs of Mira Naina Sammatty; containing in extent about 12 acres.

2. Undivided $2\frac{1}{4}/40$ shares of the land called Kom puttantotem, situated at Tetapola in Akkarai pattu; and bounded on the north by land of the villagers, east by land of the villagers and Crown land, south by Crown land, and on the west by land reserved for a road; containing in extent about 241 acres.

3. The rents and profits for a term of 15 years of an undivided $\frac{1}{2}$ of the land called Wawaltungaitotem, situated at Mugathuwaru in Kalpitiya; and bounded on the north by lake shore, east by land of the heirs of David Marian Rosairo, south by land of the heirs of Muhamedo Neina Marakar, and west by land of Ena Kawanna Elavatamby Marakar; containing in extent east to west 850 yards and north to south 800 yards.

Amount of the writ, Rs. 4,000 and interest at 9 per cent. per annum.

Deputy Fiscal's Office,
Puttalam, July 8, 1912.

E. T. DYSON,
Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

D. John Pinto of Higgashena.....Plaintiff.
No. 1,800. Vs.

(1) Malalasinha Jayasundera Mudiyansele Ranmenika, (2) Disanaike Ranasingha Atapattu Mudiyansele Tikiribandara, both of Walandene.....Defendants.

NOTICE is hereby given that on August 3, 1912, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property, specially mortgaged and decreed to be sold by the decree entered in the above case, for the recovery of the sum of Rs. 711·75, with interest on Rs. 581·25, at 9 per cent. per annum from July 1 1911, and poundage :—

1. All that Mahakumbura and aswedduma, of 1 amunam of paddy sowing extent; bounded on the north and west by Ela, east by Halgahapaluwe Inniyara and Asweddume Inniyara, south by Walapola and Dodangahaliyadde Inniyara, situate at Walandene in Kuruwiti korale, held and possessed by Ranmenike on deed No. 212, dated September 14, 1904.

2. All that Pitakotuwa and all its appurtenances, which land, together with Hatarakoralewatta (which Hatarakoralewatta is excluded from this), is bounded on the north by Godellewatta, east by Agala, south by Ela, west by Ihalakosgahapaluwe Inniyara, containing 2 pelas of paddy sowing extent, situate at Walandene aforesaid, and held and possessed as aforesaid.

3. All that Godapeliyekumbura, of 8 lahas of paddy sowing extent; bounded on the north by Walapotakumbure Inniyara, east by Halgahapaluwe Inniyara, south by Ambagaswattekumbura and Pinliyadda, and west by Pahalagodapeliyekumbura, situate at Walandene aforesaid, and held and possessed as aforesaid.

4. An undivided $\frac{1}{2}$ share of the field called Halgahapaluwa; bounded on the north by Aswedduma, east by Nindakumbura, south by Welamedadepela, and west by Walapota, situate at Walandene aforesaid, and held and possessed as aforesaid.

5. An undivided 1/12 share of Patagama ; bounded on the north by the village limit of Teppanawa (Gamima), east by the village limit of Kuruwita Dewalegama, south by land belonging to Mr. Soysa and Crown land, and west by the village limit of Kosgala, containing in extent 100 amunams of paddy sowing of fields and gardens, situate at Kuruwita, and held and possessed as aforesaid.

6. An undivided 1/4 share of Haldolahenyaya and Imbulalangahenyaya ; bounded on the north by the village limit of Ekneligoda, east by Galapitagala and Wekadagalpotta,

south by Ussangodakumbura, west by Getakahadeniya and Kanattewalanwatta and Agalakapapuhennaima, belonging to Ekneligoda Dissawa, containing within the said boundaries about 125 amunams of paddy sowing, situate at Walandene, and held and possessed by the said Tikiribanda upon deed No. 6,104, dated April 20, 1909, attested by M. D. A. Abeysinha, Notary Public.

Fiscal's Office,
Ratnapura, July 3, 1912.

R. E. D. ABEYRATNE,
Deputy Fiscal.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Kandy will be holden at the Audience Hall at Kandy on Thursday, August 1, 1912, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Kandy, July 8, 1912.

M. A. YOUNG,
Deputy Fiscal.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Kurunegala will be holden at the Court-house at Kandy on Thursday, August 1, 1912, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Kurunegala, July 8, 1912.

S. D. SAMARASINHE,
for Fiscal.

DISTRICT AND MINOR COURTS NOTICES.

Return of Testamentary Cases under Official Administration in the District Court of Mannar for the Half-Year ended June 30, 1912.

Nil.

District Court,
Mannar, July 3, 1912.

R. N. THAINE,
District Judge.

Return of Uncertified insolvents in the District Court of Mannar for the Half-Year ended June 30, 1912.

Nil.

District Court,
Mannar, July 3, 1912.

R. N. THAINE,
District Judge.

List of Uncertificated Insolvents in the District Court of Trincomalee for the Half-Year ended June 30, 1912.

Nil.

District Court,
Trincomalee, July 3, 1912.

T. A. HODSON,
District Judge.

List of all Moneys received and paid on Account of Estate under Official Administration in the District Court of Trincomalee for the Half-Year ended June 30, 1912.

Nil.

District Court,
Trincomalee, July 3, 1912.

T. A. HODSON,
District Judge.

Return of Testamentary Cases under Official Administration for the Half-Year ended June 30, 1912.

Nil.

District Court,
Trincomalee, July 3, 1912.

T. A. HODSON,
District Judge.

Statement of Fees drawn by the Official Administrator in the District Court of Puttalam for the Half-Year ended June 30, 1912.

Nil.

District Court,
Puttalam, July 8, 1912.

E. T. DYSON,
Additional District Judge.

List of Testamentary Cases under Official Administration in the District Court of Puttalam for the Half-Year ended June 30, 1912.

Nil.

District Court,
Puttalam, July 8, 1912.

E. T. DYSON,
Additional District Judge.

List of Uncertificated Insolvents in the District Court of Ratnapura for the Half-Year ended June 30, 1912.

Nil.

District Court,
Ratnapura, June 30, 1912.W. H. B. CARBERY,
District Judge.

List of Testamentary Cases under Official Administration in the District Court of Ratnapura for the Half-Year ended June 30, 1912.

No.	Name of Official Administration.	No. of Case.	Whose Estate.	Date of Appointment.	Value of Estate. Rs.
1	E. M. de Costa	564	V. H. J. Bolinna of Ratnapura	Feb. 13, 1909	2,882
2	Do.	580	S. L. Dingirimahatmaya of Embilipitiya	Feb. 13, 1910	4,740
3	Do.	582	K. Selenchi Kankanama of Kahangama	Nov. 27, 1910	2,741

District Court,
Ratnapura, July 6, 1912.W. H. B. CARBERY,
District Judge.

DRAFT ORDINANCES.

(Continued from page 425.)

MINUTE.

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

An Ordinance to amend "The Police Ordinance, 1865."

Preamble.

WHEREAS it is expedient to amend "The Police Ordinance, 1865," hereinafter referred to as "the principal Ordinance": 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 Police Amendment Ordinance, No. of 1912."

New section 60.

2 The following section shall be inserted in the principal Ordinance immediately after section 59:

Penalty on persons found drunk and incapable.

60. (1) Every person found drunk and incapable of taking care of himself in any thoroughfare or public place, whether a building or not, or on any licensed premises or tavern, and any person who shall be guilty of violent, quarrelsome, noisy, disorderly, or riotous conduct in or about such premises or tavern, shall be liable to a fine not exceeding five rupees, and on second conviction within a period of twelve months shall be liable to a fine not exceeding ten rupees, and on a third or subsequent conviction within such period of twelve months be liable to a fine not exceeding twenty rupees.

(2) Every person who in any thoroughfare or other public place, whether a building or not, is guilty while drunk of riotous or disorderly behaviour, or who is drunk while in charge on any thoroughfare or other public place of any carriage, horse, or cattle, or who is drunk when in possession of any loaded firearms, may be apprehended without a warrant, and kept in custody until he gets sober, and shall be liable, in addition, to a fine not exceeding twenty rupees, or to simple or rigorous imprisonment for any term not exceeding one month.

3 The following section shall be inserted in the principal Ordinance immediately after section 73:

73 A. (1) Every person who—

- (a) Buys, exchanges, takes in pawn, detains, or receives from a police officer or any person acting on his behalf, on any pretence whatever; or
- (b) Solicits or entices any police officer to sell, exchange, pawn, or give away; or
- (c) Assists or acts for a police officer in selling, exchanging, pawning, or making away with any Government property—

shall be liable to a fine not exceeding one hundred rupees, or to imprisonment not exceeding three months.

(2) A person found committing an offence against this section may be apprehended without a warrant, and it shall be lawful for any police officer, authorized in writing in that behalf by a Superintendent or Assistant Superintendent of Police, to search without a warrant any place where he has reasonable cause to suspect there is any property with respect to which such an offence has been committed.

(3) For the purposes of this section property shall be deemed to be in the possession or keeping of a person, if he knowingly has it in the actual possession or keeping of any other person, or in any house, building, lodging, apartment, field, or place, open or enclosed, whether occupied by himself or not, and whether the same is so had for his own use or benefit, or for the use or benefit of another.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, July 12, 1912.

HUGH CLIFFORD,
Colonial Secretary.

Statement of Objects and Reasons.

THE objects of this Ordinance are two :—

(a) *Clause 1.*—In repealing the various Ordinances relating to intoxicating liquor for the purposes of the new Excise Ordinance, section 23 of Ordinance No. 12 of 1891 was inadvertently included in the general repeal. This is the section under which the police are accustomed to deal with disorderly drunkenness, and it would seriously hamper their operations if it was allowed to disappear from the Statute Book. It is accordingly proposed to re-enact it by this Ordinance.

(b) *Clause 2.*—It is found that the present law is not effective for the purpose of preventing traffic in police uniforms and accoutrements. Persons who possess themselves of these articles are thus put into a position to impose on the public by pretending to be police constables. It is proposed therefore to enact this clause, which is modelled on certain corresponding provisions in the Imperial Army Act.

Attorney-General's Chambers,
Colombo, June 25, 1912.

ANTON BERTRAM,
Attorney-General.