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PART I.—General: Minutes, Proclamations, Appointments, and General Government Notifications.

PART II.—Legal and Judicial.

PART III.—Provincial Administration.

PART IV.—Marine and Mercantile.

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Part II.—Legal and Judicial.

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DRAFT ORDINANCES.

THE following draft of a proposed Ordinance for defining the meaning of certain terms and for shortening the language used in Ordinances and other written Laws and for other purposes is published for general information and to elicit criticism and suggestions.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, November 22, 1900.

W. T. TAYLOR,
Acting Colonial Secretary.

An Ordinance for defining the meaning of certain terms and for shortening the Language used in Ordinances and other written Laws and for other purposes.

Preamble.

WHEREAS it is expedient to define more precisely the meaning of certain terms and to shorten the language used in Ordinances and other written Laws and to make certain provisions relating to the same: Be it therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited for all purposes as "The Interpretation Ordinance, 1900."

Repeal of Ordinances
No. 1 of 1852 and
No. 23 of 1884.

2 The Ordinances No. 1 of 1852 and No. 23 of 1884 are hereby repealed.

Interpretation
clause.

3 In this Ordinance and in every written Law, whether made before or after the commencement of this Ordinance, unless there be something repugnant in the subject or context—

- (1) "Abet" with its grammatical variations and cognate expressions shall have the same meaning as in the Penal Code.
- (2) "Chapter," "part," "section," and "schedule" shall denote respectively a chapter, part, and section of, and schedule to, the Ordinance in which the word occurs, and "sub-section" shall denote a sub-section of the section in which the word occurs.
- (3) "Commencement" used with reference to an Ordinance shall mean the day on which the Ordinance comes into force.
- (4) "Gazette" or "Government Gazette" shall mean the *Gazette* published by the order of the Government of the island of Ceylon, and shall include any *Extraordinary Gazette* so published.
- (5) "The Government" shall mean the Governor.
- (6) "Governor" shall mean the Governor of this island, and shall include the officer for the time being administering the government of this island.
- (7) "Governor with the advice and consent of the Executive Council," "Governor with the advice of the Executive Council," "Governor in Council," or "Governor in Executive Council" shall mean the Governor acting with the advice of the Executive Council of the island of Ceylon, but not necessarily acting in such council assembled, nor necessarily in accordance with such advice.
- (8) "Her Majesty" shall include her heirs and successors to the Crown according to law.
- (9) "Immovable property" shall include land, benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth.
- (10) "Imperial Parliament" and "Parliament" shall mean the Parliament of the United Kingdom.
- (11) The expressions "rigorous imprisonment," "simple imprisonment," and "imprisonment of either description" shall have the same meaning as in the Penal Code, and "imprisonment" shall mean simple imprisonment.
- (12) "Land" shall include messuages, tenements and hereditaments, houses, and buildings of any tenure, unless where there are words to exclude houses and buildings, or to restrict the meaning to tenements of some particular tenure.
- (13) "Master" used with reference to a ship shall mean any person (except a pilot) having for the time being control or charge of a ship.
- (14) "Month" shall mean a calendar month, unless words be added showing lunar month to be intended.
- (15) "Ordinance" shall mean an Ordinance made by the Legislative Council of this island, whether before or after the commencement of this Ordinance, and shall include regulation.
- (16) "Prescribed" shall mean prescribed by the Ordinance in which the word occurs, or by any rules duly made thereunder.
- (17) "Public holiday" shall mean any day which under the provisions of "The Holidays Ordinance, 1886," is to be observed as a public holiday.
- (18) "Registered" used with reference to a document shall mean registered under the provisions of the law for the time being applicable to the registration of such document.

- (19) "Sign" with its grammatical variations and cognate expressions shall, with reference to a person who is unable to write his name, include "mark" with its grammatical variations and cognate expressions.
- (20) The words "this island," "this colony," and "the island of Ceylon" shall be held to mean the island of Ceylon and the dependencies thereof.
- (21) "Oath" and "affidavit" shall, in the case of persons for the time being allowed by law to affirm or declare instead of swearing, include affirmation and declaration, and "swear" shall, in the like case, include affirm and declare.
- (22) "Value" used with reference to a suit shall mean the amount or value of the subject-matter of the suit.
- (23) "Will" shall include a codicil.
- (24) Words importing the masculine gender shall be taken to include females.
- (25) Words in the singular number shall include the plural, and *vice versa*.
- (26) "Written law" shall mean and include all Ordinances of the Legislative Council of the island of Ceylon, and all orders, proclamations, letters patent, rules, by-laws, regulations, warrants, and process of every kind made or issued by any body or person having authority under any statutory or other enactment to make or issue the same in and for the island of Ceylon or any part thereof, but it shall not include any imperial statute extending expressly or by necessary implication to the island of Ceylon, nor any order of the Queen in Council, royal charter, or royal letters patent.

Powers to be exercisable from time to time.

4 Any power conferred by any Ordinance on the Governor, or on the Governor with the advice and consent of the Executive Council, or on the Governor in Council, or on the Governor in Executive Council may be exercised from time to time as occasion requires.

Effect of repeals.

5 (1) Whenever any written law repealing either in whole or part a former written law is itself repealed, such repeal shall not, in the absence of any express provision to that effect, revive or be deemed to have revived the repealed written law, or any right, office, privilege, matter, or thing not in force or existing when the repealing written law comes into operation.

(2) Whenever any written law repeals in whole or part a former written law and substitutes therefor some new provision, such repeal shall not take effect until such substituted provision comes into operation.

(3) Whenever any written law repeals either in whole or part a former written law, such repeal shall not, in the absence of any express provision to that effect, affect or be deemed to have affected—

- (a) The past operation of or anything duly done or suffered under the repealed written law ;
- (b) Any offence committed, any right, liberty, or penalty acquired or incurred under the repealed written law ;
- (c) Any action, proceeding, or thing pending or incomplete when the repealing written law comes into operation, but every such action, proceeding, or thing may be carried on and completed as if there had been no such repeal.

(4) This section shall apply to written laws made as well before as after the commencement of this Ordinance.

Making of rules in interval between passing and commencement of Ordinance.

6 Where by any Ordinance which is not to come into force immediately on the passing thereof a power is conferred on the Governor, or the Governor with the advice and consent of the Executive Council, or the Governor in Council, or the Governor in Executive Council, or any other body or person to make rules or to issue orders with respect to the application of such Ordinance, or with respect to the

establishment of any office or the appointment of any officer thereunder, or with respect to the person by whom, or the time when, or the place where, or the manner in which, or the fees for which anything is to be done under such Ordinance, the power may be exercised at any time after the passing of such Ordinance, but rules or orders so made or issued shall not take effect till the commencement of such Ordinance.

Computation
of time.

7 (1) Where a limited time from any date or from the happening of any event is appointed or allowed by any written law for the doing of any act or the taking of any proceeding in a court or office, and the last day of the limited time is a day on which the court or office is closed, then the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day thereafter on which the court or office is open.

(2) Where by any written law any act or proceeding is directed or allowed to be done or taken in a court or office on a certain day, then if the court or office is closed on that day the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day thereafter on which the court or office is open.

(3) Where a limited time not exceeding six days from any date or from the happening of any event is appointed or allowed by any written law for the doing of any act or the taking of any proceeding in a court or office, every intervening Sunday or public holiday shall be excluded from the computation of such time.

(4) Where by any written law a day is named for the doing or taking of any act or proceeding not being an act or proceeding to be done or taken in a court or office or for the happening of any event, and that day falls upon a Sunday or public holiday, such written law shall be read as if the first lawful day next succeeding such Sunday or public holiday had been named.

(5) This section shall apply to written laws made as well before as after the commencement of this Ordinance.

Provisions as to
offences under
more than one
law.

8 Where an act or omission constitutes an offence under any Ordinance, which offence is punishable at common law or under any other law for the time being in force in the colony, the offender shall not, in the absence of express provision to that effect, be exempt from any proceeding at common law or under such other law, but he shall not be liable to be punished twice for the same offence.

9 In all Ordinances—

Commencement
of time.

(1) For the purpose of excluding the first in a series of days or any period of time, it shall be deemed to have been and to be sufficient to use the word "from ;"

Termination of
time.

(2) For the purpose of including the last in a series of days or any period of time, it shall be deemed to have been and to be sufficient to use the word "to ;"

Official chiefs
and subordinates.

(3) For the purpose of expressing that a law relative to the chief or superior of an office shall apply to the deputies or subordinates lawfully executing the duties of such office in place of such chief or superior, it shall be deemed to have been and to be sufficient to prescribe the duty of such chief or superior ;

Successors.

(4) For the purpose of indicating the relation of a law to the successors of any functionaries or corporations having perpetual succession, it shall be deemed to have been and to be sufficient to express its relation to the functionaries or corporations ; and

Substitution of
functionaries.

(5) For the purpose of indicating the application of a law to every person or number of persons for the time being executing the functions of an office, it shall be deemed to have been and to be sufficient to mention the official title of the officer executing such functions at the time of the passing of the Ordinance.

Reference to repealed enactments.

10 (1) Where in any written law or document reference is made to any written law which is subsequently repealed, such reference shall be deemed to be made to the written law by which the repeal is effected or to the corresponding portion thereof.

(2) This section shall apply to written laws and documents made as well before as after the commencement of this Ordinance.

General provisions with respect to power given to any authority to make rules

11 (1) Where any Ordinance, whether passed before or after the commencement of this Ordinance, confers power on any authority to make rules, the following provisions shall, unless the contrary intention appears, have effect with reference to the making and operation of such rules :

- (a) Any rule may be at any time amended, varied, rescinded, or revoked by the same authority and in the same manner by and in which it was made ;
- (b) There may be attached to the breach of any rule such penalty not exceeding fifty rupees as the authority making the rule may think fit, and any such penalty may be recovered in the same manner as a fine imposed by a police court ;
- (c) No rule shall be inconsistent with the provisions of any enactment ;
- (d) All rules shall be published in the *Gazette* and shall have the force of law ; and
- (e) The production of a copy of the *Gazette* containing any rule, or of any copy of any rule purporting to be printed by the Government Printer, shall be *prima facie* evidence in all courts and for all purposes whatsoever, of the due making and tenor of such rule.

(2) In this section the expression "rules" includes rules and regulations, regulations, and by-laws.

Acts done under rules, &c., to be deemed done under Ordinance by which rules authorized.

12 An act shall be deemed to be done under any Ordinance, or by virtue of powers conferred by any Ordinance, or in pursuance or execution of the powers of or under the authority of any Ordinance if it is done under or by virtue of or in pursuance of any rule, order, or by-law or regulation made under any power contained in such Ordinance.

Imperial Acts to be read with necessary modification.

13 Whenever by any Ordinance any Act of the Imperial Parliament is extended to this island, such Act shall be read with such formal alterations as to names, localities, courts, offices, persons, moneys, penalties, and otherwise as may be necessary to make the same applicable to the circumstances of this island.

Saving of rights of the Crown.

14 No enactment shall in any manner affect the right of the Crown unless it is therein expressly stated, or unless it appears by necessary implication, that the Crown is bound thereby.

Provisions as to offences under two or more laws.

15 Where any act or omission constitutes an offence under two or more laws, whether either or any of such laws came into force before or after the commencement of this Ordinance, the offender shall, unless the contrary intention appears, be liable to be prosecuted and punished under either or any of those laws, but shall not be liable to be punished twice for the same offence.

5, Don Andreas Jayasooriya, both of Weligama; 6, Baba Nona Wijesooriya and her husband William Wimalasooriya, both of Gampola—shall, on or before the 30th day of October, 1900, show sufficient cause to the satisfaction of this court to the contrary.

F. J. DE LIVERA,
District Judge.

The 25th day of September, 1900.

It is ordered that the *Order Nisi* of the 25th September last be and the same is hereby extended to 22nd day of November, 1900, for the purpose of serving copies of the respondent named therein.

It is further ordered that unless the said respondents shall on that day show sufficient cause to the contrary, letters of administration of the estate of the deceased Don Louis Wijesooriya, deceased, of Kataluwa, will be issued to Don Bastian Wijesooriya, of Kataluwa, the applicant.

F. J. DE LIVERA,
District Judge.

October 30, 1900.

In the District Court of Galle.

Order Nisi declaring Will proved, &c.

Testamentary } In the Matter of the Estate of the
Jurisdiction. } late Guardiye Warnakulage Mathes
No. 3,329. } de Silva, deceased, of Galle.

THIS matter coming on for disposal before F. J. de Livera, Esq., District Judge of Galle, on the 29th day of October, 1900, in the presence of Mr. N. Dias Abeyasinghe, Proctor, on the part of the petitioner Fransisku Badaturuge Angohami, of Kataluwa, dated 6th day of August, 1900, having been read:

It is ordered and declared that the said Fransisku Badaturuge Angohami, of Kataluwa, is widow of the above-named deceased, and that she is as such entitled to have letters of administration of the estate of the above-named deceased issued to him accordingly, unless the respondents—1, Guardiye Warnakulage Bastian Appu; 2, Guardiye Warnakulage Elias Appu; 3, Guardiye Warnakulage Peeris Appu; 4, Guardiye Warnakulage Puchi Sinno, all of Kataluwa, by their guardian *ad litem* the 5th respondent; 5, Fransisku Badaturuge David de Silva, of Ahangama; 6, Guardiye Warnakulage Podihami, of Kataluwa—shall, on or before the 11th day of December, 1900, show sufficient cause to the satisfaction of this court to the contrary.

F. J. DE LIVERA,
District Judge.

The 29th day of October, 1900.

In the District Court of Tangalla.

Order Nisi declaring Will Proved, &c.

Testamentary } In the Matter of the Estate of the
Jurisdiction. } late Walgama Kodituwakkuge Don
No. 323. } Juwanis *alias* Babappu, deceased,
of Kambussawala.

THIS matter coming on for disposal before Thomas Brownlee Russell, Esq., District Judge, Tangalla, on the 30th day of July, 1900, in the presence of Wickrama Hillege Babahami; and the affidavit of Wickrama Hillege Babahami, dated 30th July, 1900, having been read: It is ordered that letters of administration do issue to Wickrama Hillege Babahami, unless the respondents—1, Walgama Kodituwakkuge Don Andris, of Kambussawala; 2, Walgama Kodituwakkuge Dingihami, of Kadurupokuna; 3, Wanniarachchige Don Andris, of Kadurupokuna; 4, Walgama Kodituwakkuge Bilinduhami; and 5, Migasdeniya Kankanange Aliyashami, both of Kambussawala—shall, on or before the 20th day of December, 1900, show sufficient cause to the satisfaction of this court to the contrary.

T. B. RUSSELL,
District Judge.

The 13th day of November, 1900.

In the District Court of Kurunegala.

Order Nisi.

Testamentary } In the Matter of the Intestate Estate of
Jurisdiction. } the late Ramanaikie Mudienselage
No. 651. } Appuhami, of Ihalakotuwalla in
Meda pattu korale, deceased.

Senanaikie Amarasinghage, Batin Nona, of Ihalakotuwalla in Meda pattu koralePetitioner.

Vs.

1, Ramanaikie Mudienselage Josin Nona; 2, Ramanaikie Mudienselage Podi Nona; 3, Ramanaikie Mudienselage Puchi Banda; 4, Ramanaikie Mudienselage Ranmenika, all of Ihalakotuwalla in Meda pattu korale of Katugampola hatpattu Respondents.

THIS matter coming on for disposal before J. D. Mason, Esq., District Judge, Kurunegala, on the 2nd day of October, 1900, in the presence of Mr. J. de Silva, on the part of the petitioner; and the affidavit of the petitioner, dated the 7th day of September, 1900, having been read: It is ordered that the said Senanaikie Amarasinghage Batin Nona, the petitioner, as wife of the said deceased, be and she is hereby declared entitled to have letters of administration to the estate of the said intestate issued to her, and that such letters be issued to her, unless the respondents shall, on or before the 30th day of November, 1900, show sufficient cause to the satisfaction of this court to the contrary.

J. D. MASON,
District Judge.

The 2nd October, 1900.

In the District Court of Kurunegala.

Order Nisi.

Testamentary } In the Matter of the Intestate Estate
Jurisdiction. } of the late Vidhanaheneyage Kira
No. 653. } Heneya, of Bamunawela in the Tira-
gandahe korale, deceased.

Vidhanaheneyalage Kiri Ukkuwa Heneya, of Bamunawela in the Tiragandahe korale... Petitioner.

1, Vidhanaheneyalage Ukku Ridi; 2 Vidhanaheneyalage Puchi Ridi, both of Bamunawela in the Tiragandahe korale Respondents.

THIS action coming on for disposal before J. D. Mason, Esq., District Judge, Kurunegala, on the 18th October, 1900, in the presence of the petitioner, and the affidavit of the petitioner, dated the 11th day of October, 1899, having been read: It is ordered that the said Vidhanaheneyalage Kiri Ukkuwa Heneya, the petitioner, as son of the deceased intestate, be and he is hereby declared entitled to have letters of administration to the estate of the deceased intestate issued to him, unless the respondents shall, on or before the 30th day of November, 1900, show sufficient cause to the satisfaction of this court to the contrary.

J. D. MASON,
District Judge.

The 18th day of October, 1900.

In the District Court of Chilaw.

Order Nisi.

Testamentary } In the Matter of the Intestate Estate
Jurisdiction. } of the late Rajapaksepige Peththa,
No. 602. } of Hattiniya, deceased.

THIS matter coming on for disposal on the 16th October, 1900, before John George Fraser, Esq., District Judge of Chilaw, and on reading the affidavit and petition of Morasinhapedige Gomee, of Hattiniya, dated the 15th day of October, 1900: It is ordered that the said Marasinhapedige Gomee, is entitled to letters of administration of the said estate, and that such letters be issued to her, unless sufficient cause be shown to the contrary by the respondents Rajapaksepige Kulandi and Rajapaksepige Suddi, both of Hattiniya, or by any other person interested in this matter, on or before the 28th day of November, 1900.

J. G. FRASER,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the late Pathiraja Ratnayeke Hittige Don Gabriel Appu.

Pathiraja Ratnayeke Hittige Don Salmon Perera, of Horagolla Applicant.

Vs.

Jayacodi Arachchige Dona Christinahami, of Horagolla..... Respondent.

THIS matter coming on for disposal before J. G. Fraser, Esq., District Judge of Chilaw, on the 25th

day of July, 1900, in the presence of the petitioner, and after reading the petition, dated 16 July, 1900, it is ordered that the petitioner Pathiraja Ratnayeke Hittige Don Salmon Perera, of Horagolla, be and is hereby declared entitled to have letters of administration to the estate of the late Pathiraja Ratnayeke Hittige Don Gabriel Appu, of Horagolla, deceased, issued to him, unless the respondent shall, on or before the 10th day of September, 1900, show sufficient cause to the satisfaction of this court to the contrary.

J. G. FRASER,
District Judge.

Time for showing cause extended to the 26th November, 1900.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 1,981. In the matter of the insolvency of K. Marthinus Perera, of the Pettah, Colombo.

NOTICE is hereby given that a certificate of conformity as of the third class has this day been awarded to the above-named insolvent.

By order of court,

J. B. Misso,
Secretary.

Colombo, November 15, 1900.

No. 2,007. In the matter of the insolvency of John Collin David, of Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on December 20, 1900, to consider the grant of a certificate of conformity to the said insolvent.

By order of court,

J. B. Misso,
Secretary.

Colombo, November 15, 1900.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Joseph Peter Mendis Gunawardana Wijey-singhe, of Forbes road, Maradana, Colombo Plaintiff.

No. 12,891. Vs.

C. H. Ahlip, of Colombo, executor of the last will and testament of the late J. G. de Kroes, deceased.....Defendant.

NOTICE is hereby given that on Monday, December 17, 1900, at 4 o'clock in the afternoon, will be sold by public auction at the premises the following property belonging to the estate of the late J. G. de Kroes, deceased, for the recovery of the sum of Rs. 785'62, viz. :—

All that land and boutique No. 79, situated at St. John's road, Pettah, within the gravets of Colombo ; and bounded on the north by boutique No. 78A, on the east by the new road, now St. John's road, on the south by the property of Petronella Rodrigo, No. 80, and on the west by the property of Petronella Rodrigo ; containing in extent 1 $\frac{1}{10}$ perches more or less.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, November 21, 1900.

In the District Court of Colombo.

Sina Kana Mana Somasuntharam Chetty, of Sea street.....Plaintiff.

No. 13,381 C. Vs.

1, Ann S. Hayward ; 2, Archibald Gomes ; 3, A. C. Gomes ; 4, S. Gomes, all of Flower road ; and 5, S. de Rozairo, of New Bazaar in Colombo.....Defendants.

NOTICE is hereby given that on Monday, December 17, 1900, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said first defendant in the following property, for the recovery of the sum of Rs. 631'25, with interest thereon at 9 per cent. per annum from January 18, 1900, till payment in full, and costs of suit, viz. :—

All that house and ground bearing assessment No. 4, situated at Flower road in Colpetty, within the gravets of Colombo; bounded on the north by the property No. 3 belonging to Frederick de Silva and others, on the east by Flower road, on the south by the property bearing No. 5 belonging to Hendrick Appuhamy, and on the west by grass field; containing in extent one acre more or less.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, November 21, 1900.

In the Court of Requests of Colombo.

Sesma Lebbe Mohamadu Thamby, of Messenger street, Colombo.....Plaintiff.
No. 13,481. Vs.

Mohammadu Thamby Sesma Lebbe, of Messenger street.....Defendant.

NOTICE is hereby given that on Monday, December 17, 1900, at 3 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. 150, with interest thereon at 9 per cent. per annum from September 22, 1900, till payment in full, and costs Rs. 21.25 and poundage, viz. :—

All that house and ground bearing assessment No. 5, situated at 1st Division, Maradana, within the Municipality of Colombo; and bounded on the north by the house of Assen Lebbe, on the east by road, on the south by the other part of this land now belonging to Abdul Rahiman, and on the west by the property of David de Alwis, Mudaliyar; containing in extent 3.90 square perches more or less.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, November 21, 1900.

In the District Court of Colombo.

John de Croos, Belmont, in Cinnamon Gardens, Colombo..... Plaintiff.
No. 13,919 C. Vs.

Suppremanian Thiagarajah, of Barnes Acre, Cinnamon Gardens, Colombo..... Defendant.

NOTICE is hereby given that on Monday, December 17, 1900, at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property, specially mortgaged by the defendant and decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 27,000, with interest thereon at 9 per cent. per annum from February 21 to March 31, 1900, with interest at 12 per cent. per annum from April 1, 1900, to September 14, 1900, and at 9 per cent. per annum from September 15, 1900, until payment in full, and Rs. 232.55½ for costs of suit, viz. :—

All that allotment of land marked H with the house and buildings standing thereon, bearing assessment No. 27, situated at Barnes street, Cinnamon Gardens, within the Municipality of Colombo, called and known as "Barnes Acre;" bounded on the north by Barnes street, on the south by the land described in plan No. 90,568, on the east by the other portion of this land, and on the west by land described in plan No. 84,940; containing in extent one acre more or less.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, November 21, 1900.

In the District Court of Negombo.

Una Lana Wana Kannappa Chetty, of Negombo.....Plaintiff.
No. 2,679. Vs.

Jayakodi Arachchige Don Francisco Appuhami, of Katana.....Defendant.

NOTICE is hereby given that on December 29, 1900, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property, specially hypothecated by bond No. 8,665, dated February 21, 1894 :—

1. The one-half share of the land called Amuhainkanatta, situate at Katana in the Dunagaha pattu of the

Alutkuru korale, which said one-half share of the land is bounded on the north by the remaining half share of this land belonging to the heirs of the late Francisco Fernando, on the east by the garden formerly of Pedro Fernando and now of Gabriel Silva Appuhami, on the south by the garden of Simeon Fernando, and on the west by the garden formerly of Paulo Fernando and now of Pedro Fernando Annavirala; containing in extent 3 acres more or less.

2. The northern two-third shares of the land called Pihimbiyagahawatta *alias* Pihimbiyagahalanda, at do.; which said northern two-third shares of the land is bounded on the north by the garden of the heirs of the late Jayakodi Arachchige Mathes Appu, through him on the east by the land formerly of Lintotagey Markku Fernando and now of Simeon Fernando, by the garden called Pihimbiyagahawatta *alias* Talgahawatta, and by the garden of Don Francisco Appuhami; on the south by the remaining one-third share of this land belonging to Awndeal Perera; and on the west by the four contiguous portions of land called Kendagahalanda, Kosgahawatta *alias* Kongahawatta, Amuhainkanatta, and Pihimbiyagahawatta; containing in extent 2 acres more or less.

3. The one-half share of the land called Pihimbiyagahawatta *alias* Talgahawatta, at do.; which said one-half share of land is bounded on the north by the land of Siman Fernando, on the east by the remaining half share of this land belonging to Isan Silva Appuhami, on the south by the land of Don Francisco Appuhami, and on the west by the land called Pihimbiyagahawatta *alias* Pihimbiyagahalanda aforesaid; containing in extent 2 roods more or less, and declared liable to be sold in satisfaction of the decree entered in the above case.

Amount to be levied Rs. 3,634.25, and interest on Rs. 3,500 at 30 per cent. per annum from August 22, 1895, of which Rs. 4,949.78 recovered.

SWAMPILLE JOSEPH,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, November 20, 1900.

Eastern Province.

In the District Court of Batticaloa.

Kadirgamer Tombuthor Kandaperumal, of Uppodai in Kallady.....Plaintiff.
No. 2,114. Vs.

Omerupillai P. H. Ahamado Levepody, of Karunkodditivu.....Defendant.

NOTICE is hereby given that on Saturday, December 22, 1900, at 10 o'clock in the morning, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. :—

The paddy land called Puthukandapoomie, situate at Paddunedduvattai at Tambiluvil in Akkarai pattu; and bounded on the north by land of Athemlevai and others and water-course, south by land of Kanapathipillay and water-course, east by the land of Kannappapandaperumal, presently belonging to Assana Levvai Marakair Sinna Ahamatulevvai Udayar, and on the west by the lands of Atham Randopody Esma Lebbe and others, of the extent of 18 acres, with all rights.

Amount to be levied Rs. 363.50, with interest on Rs. 290 at 16½ per cent. per annum from October 24, 1896, to March 12, 1900, with further interest on the accrued sum at 9 per cent. per annum from March 13, 1900, to June 13, 1900.

T. SINNATAMBY,
Deputy Fiscal.

Fiscal's Office,
Batticaloa, November 16, 1900.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

M. M. Coorey, by his attorney A. de Mel, of
Rakwana.....Plaintiff.

No. 906. Vs.

The Ceylon Prospecting Syndicate, Limited...Defendant.

NOTICE is hereby given that on December 17, 1900, at 11 o'clock in the forenoon, will be sold by public auction at Butiyatenne the right, title, and interest of the said defendant in the following property, viz.:-

1 engine and boiler	12 files
1 iron wire	7 pieces of lead
3 hand carts	15 carpenters' instruments
1 letterpress	4 hammers

6 jumpers
1 trowel
3 lamps
1 gravel sifter
18 crowbars
2 mamoties
6 crowbars
8 buckets
1 oven
1 bugle
4 tables
1 thermometer
6 padlocks
1 rain gauge

1 broken chair
2 ropes
2 iron wires
7 empty packing cases
36 empty bottles
42 books
2 old hats
2 footrules
1 whetstone
1 vice
4 boxes containing instruments and nails
5 pulleys
2 iron chains

Amount to be levied Rs. 3,744.61, and legal interest on Rs. 3,707.61 from June 25, 1899, till payment.

Fiscal's Office, C. R. P. JAYAWARDANE,
Ratnapura, November 16, 1900. Deputy Fiscal.

DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that a suit No. 1,881 has been instituted in the Court of Requests of Avisawella by two labourers against the proprietor of Pambe-gama estate, under the Ordinance No. 13 of 1889, for the recovery of their wages Rs. 24 and costs of suit.

ALFRED PRONK,
Chief Clerk.

Police Court,
Avisawella, November 15, 1900.

NOTICE is hereby given that the next sessions of the Badulla-Haldummulla Circuit Court will be held at Bandarawela on November 24, 26, 27, and 28, 1900, and at Haldummulla on November 29 and 30, 1900, and December 1, 1900.

F. BARTLETT,
Police Magistrate.

Badulla Office,
November 15, 1900.

PASSED ORDINANCES.

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

No. 15 of 1900.

An Ordinance for the better preservation of the Antiquities of the Island.

WEST RIDGEWAY.

Preamble.

WHEREAS it is expedient to provide for the better protection of antiquities which may be found in this Island: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

CHAPTER I.

General.

Short title.

1 This Ordinance may be cited for all purposes as "The Antiquities Ordinance, 1900."

Definitions.

2 In this Ordinance, unless the context otherwise requires:

- (1) The expression "person" includes bodies corporate.
- (2) The "owner" of any property movable or immovable means any person whose title to the same is recognized by the law of the island.
- (3) The expression "antiquities" shall mean and include any of the following objects, lying or being, or being found in the island, which date or may reasonably be believed to date from a period prior to the annexation of the Kandyan kingdom by the British; that is to say:
 - (a) Statues and statuary, sculptured or dressed stone and marble of all descriptions, engravings, carvings, inscriptions, paintings, writings, and the material whereon the same appear, all specimens of ceramic, glyptic, metallurgic, and textile art, coins, gems, seals, jewels, jewellery, arms, tools, ornaments, and generally all objects of art and movable property of antiquarian interest.
 - (b) Temples, churches, monuments, tombs, buildings, erections, or structures and immovable property of a like nature or any part of the same.

Antiquities the absolute property of the Crown.

3 (1) No antiquity shall, by reason merely of its being discovered on land in the ownership of any person, be claimed to be the property of such person; provided that such person shall be deemed to be interested in the same, in accordance with the provisions of this Ordinance.

(2) The antiquities referred to in sub-section (3) (b) of section 2 shall be deemed to be the absolute property of the Crown, unless in any case some person shall be the owner of the same.

(3) All undiscovered antiquities of the class referred to in sub-section (3) (a) of section 2, whether the same be lying on the surface of the ground or be hidden beneath the surface, are hereby declared to be the property of the Crown, subject to the provisions of this Ordinance.

Antiquities not the absolute property of the Crown.

4 (1) On the discovery of any antiquities other than those referred to in section 2, sub-section (3) (b), one-third part thereof shall be taken by the Crown, one-third part by the owner of the land where the antiquities have been discovered, and subject to the provisions of this Ordinance, one-third part by the finder.

(2) Where the finder is himself the owner of the land where the antiquities have been discovered, subject as aforesaid, two-third parts shall be taken by him and one-third part by the Crown.

(3) Where any such antiquities as aforesaid are discovered on land belonging to the Crown, two-third parts of the same shall be taken by the Crown, and, subject as aforesaid, the remaining one-third part by the finder.

CHAPTER II.

Permission to excavate.

Excavations prohibited without permission and penalty for illegal excavations.

5 No person shall excavate with the object of unearthing or of discovering antiquities, whether on land belonging to himself or otherwise, without permission in that behalf first had and obtained from the Governor in accordance with the provisions of this Ordinance; and every person so excavating in contravention of this section shall be guilty of an offence, and shall on conviction be liable to a fine not exceeding one thousand rupees, or in default of payment of the same to imprisonment of either description which may extend to six months, and any antiquities discovered in the course of such excavations shall be confiscated.

Penalty for buying illegally excavated antiquities.

6 Whoever, knowing or having reasonable grounds for believing that any antiquities have been excavated without the permission in the last preceding section required, shall purchase, remove, or otherwise acquire the same, whether on his own account or as agent for another, shall be guilty of an offence, and shall on conviction be liable to a fine not exceeding one thousand rupees.

Application for permission.

7 Every application for permission to excavate shall be in writing, addressed to the Government Agent of the province, and shall contain a full and accurate description of the nature, extent, and boundaries of the land in which the excavation is intended to be carried on.

Permission when granted.

8 If it is proved to the satisfaction of the Governor, after causing such inquiry to be made as he shall think proper—

(1) That the owner or other person beneficially interested in the land where the proposed excavation is intended to be made has consented to the excavation; and

(2) That the proposed excavation will not cause any damage or inconvenience to the inhabitants of the place where it is proposed to excavate, or to any place dedicated to religion, or to any cemetery, school, water source, irrigation work, or public road, or that, if such damage is likely to be caused, adequate provision has been made for the payment of compensation therefor, the Governor may, if he shall think fit, grant a permit under the hand of the Colonial Secretary authorizing the applicant to excavate in accordance with the terms thereof.

Nature of permit.

9 Every such permit shall state the period during which it shall remain in force, and shall contain such stipulations as the Governor shall think fit—

(1) As to the supervision of the excavation by officers appointed by the Governor for that purpose;

(2) As to the payment of such officers by the person to whom the permit is granted;

(3) As to the keeping by the person to whom the permit is granted of a record in duplicate, in such form as may be prescribed, of all antiquities discovered.

- Security.** 10 The Governor may require any person to whom a permit is granted under the provisions of this Ordinance to enter into security for the due observance of the conditions upon which the permit is given.
- Withdrawal of permit.** 11 Any permission to excavate under the provisions of this Ordinance may, at the discretion of the Governor, be withdrawn by him without compensation, notwithstanding that the term for which it was granted has not expired.
- Share of Crown how taken.** 12 The share of the Crown under the provisions of this Ordinance in any antiquities discovered in the course of excavation may be taken, as the Governor shall think proper, in value or in kind, and the Governor may, if he thinks fit, agree with the holder of the permit as to the manner in which the share of the Crown shall be ascertained.
- Share of Crown how ascertained.** 13 In default of any special agreement as to the manner in which antiquities are to be apportioned between the Crown and the persons entitled to shares therein, or, in case the Crown has elected to take its share in value, as to the manner in which the sum to be paid to the Crown is to be ascertained, the apportionment or the valuation of the share of the Crown shall be referred to arbitrators, one to be chosen by each of the interested parties, and the arbitrators, before proceeding to a division or valuation, shall select an umpire, whose decision in case of disagreement shall be final.
- Renewal of permit.** 14 Upon the expiration of the period for which a permit is granted, the Governor may renew the same for a further term either upon the terms on which the original permit was granted or upon such other terms as he shall think fit.
- Immunity of Crown from damage.** 15 No action shall lie against the Crown by reason of any loss or damage occasioned to any person in the course of excavations carried on under a permit granted by the Crown.

CHAPTER III.

Accidental discovery of Antiquities.

- Accidental discovery of antiquities.** 16 Whoever having accidentally discovered any antiquities shall fail to report such discovery and to give a full and accurate description of the antiquities discovered to the government agent of the province within fifteen days of the discovery shall be guilty of an offence, and shall on conviction be liable to a fine not exceeding one thousand rupees, and in addition shall forfeit any share in the antiquities to which, but for his failure to report as aforesaid, he would have been entitled. Provided that no person shall be liable to be convicted under this section if the antiquities discovered are, in the opinion of the court, insignificant or of trivial value.
- Share of accidental discovery.** 17 Any person who accidentally discovers antiquities and gives notice of such discovery in the manner required by section 16 of this Ordinance shall be entitled to the same share therein as if he had discovered the same after having received permission to excavate.

CHAPTER IV.

Export of Antiquities.

- Export of antiquities without permission prohibited.** 18 Antiquities shall not be exported from the island without the permission in writing of the Governor, and any person who exports or attempts to export antiquities in contravention of this section shall be guilty of an offence, and shall on conviction be liable to a fine not exceeding one thousand rupees, and the antiquities in respect of which such offence is committed shall be forfeited.
- Permission to export how obtained.** 19 Any person desiring permission to export antiquities shall forward to the Colonial Secretary a list of the antiquities sought to be exported, and shall name a place where the antiquities may be inspected by a person or persons to be appointed by the Governor.

Refusal of permission to export when antiquities required by museum.

20 If it shall appear desirable that any of the antiquities intended to be exported shall be acquired for the Colombo or other museum, the Governor shall refuse to grant permission to export the same, and it shall be lawful for the museum to acquire the same in the manner in the next following section provided.

Acquisition of antiquities by museum.

21 (1) If the trustees or other persons entrusted with the management of such museum shall fail to agree with the owner as to the price to be paid for the antiquity sought to be acquired, the price shall be fixed in manner provided in section 13.

(2) On payment of the amount agreed or fixed as aforesaid the antiquity shall become the property of the museum. If after the lapse of two months from the date on which the price shall be so fixed the sum so fixed remain unpaid, the museum shall be deemed to have lost all right to the acquisition of the antiquity, and permission to export the same shall be granted by the Governor.

CHAPTER V.

Miscellaneous.

Disposal of antiquities and money received by the Crown.

22 The share of the Crown in any antiquity where the same is taken in kind, and any antiquity which may be confiscated under the provisions of this Ordinance, shall be deposited in the Colombo or other museum, and, subject to the next following section, the proceeds of all fines under this Ordinance and all moneys taken by the Crown when the share of the Crown in any antiquity is taken in value shall be credited to general revenue.

Reward to informer.

23 On any conviction for an offence under this Ordinance the court may order that any part of the fine imposed, not exceeding one-half, shall be paid to any person through whose information the conviction has been obtained.

Penalty for wilfully injuring antiquities.

24 Any person wilfully injuring, defacing, or tampering with any of the objects declared by this Ordinance to be the absolute property of the Crown shall be guilty of an offence, and shall on conviction be liable to a fine not exceeding one thousand rupees, or to imprisonment of either description not exceeding six months, or to both such punishments.

Passed in Council the Fourteenth day of November, One thousand Nine hundred.

A. G. CLAYTON,
Clerk to the Council.

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

W. T. TAYLOR,
Acting Colonial Secretary.