



Ceylon Government Gazette

Published by Authority.

No. 5,783—THURSDAY, MAY 23, 1901.

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

PART III.—Provincial Administration.
PART IV.—Marine and Mercantile.
PART V.—Municipal and Local.

Separate paging is given to each Part in order that it may be filed separately.

Part II.—Legal and Judicial.

| | PAGE | | PAGE |
|--|------|---|------|
| Passed Ordinances | — | Notices in Testamentary Actions | 335 |
| Draft Ordinances | 340 | Notices in Insolvency Cases | 339 |
| Notices from Supreme Court Registry | — | Notices of Fiscals' Sales | 338 |
| Notices from Council of Legal Education | — | Notices from District and Minor Courts | 339 |
| Notifications of Criminal Sessions of Supreme Court | — | List of Articled Clerks | — |
| Lists of Jurors and Assessors | — | | |

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate and Effects of Edirimoni Joseph Silva Wickremeratne, deceased, of Mutwal, Colombo.

THIS matter coming on for disposal, before F. R. Dias, Esq., Additional District Judge of Colombo, on the 27th day of March, 1901, in the presence of Messrs. J. W. & W. P. D. Vanderstraaten, Proctors, on the part of the petitioner John Gregory Perera; and the affidavit of the said petitioner, dated 12th March, 1901, having been read:

It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Edirimoni Joseph Silva Wickremeratne issued to him, as a creditor of the said deceased, unless the respondents—(1) Medebe Sophia Rajapakse, (2) Edirimoni Lambertina Silva, (3) Edirimoni Lodis Silva, (4) Edirimoni Ubert Silva—shall, on or before the 6th day of June, 1901, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
Additional District Judge.

The 25th day of April, 1901.

335

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Goods and Chattels of Thalasu Ravu, deceased, of Kotahena, Colombo.

THIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 1st day of May, 1901, in the presence of Messrs. J. W. & W. P. D. Vanderstraaten, Proctors, on the part of the petitioner Maduramuttu of Kotahena, Colombo; and the affidavit of the said petitioner, dated 17th April, 1900, having been read:

It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Thalasu Ravu issued to her, as the widow of the said deceased, unless the respondents—(1) Seethabai, wife of (2) Karuppapullai Vytilingam Ratnam, both of Maradana; (3) Ramabai of Kotahena; (4) Letchiminen Ravu of Kotahena—shall, on or before the 30th day of May, 1901, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
Additional District Judge.

The 1st day of May, 1901.

B 1

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the late Hettige Don Ladrigo Appuhamy, deceased, of Nagoda in Rayigam pattu of Alutkuru korale.
No. C 828.

THIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 11th day of May, 1901, in the presence of Mr. J. de Silva, Proctor, on the part of the petitioner Hettige Don Alberto of Welisara; and the affidavit of the said petitioner, dated 7th May, 1901, having been read:

It is ordered that the petitioner aforesaid be declared entitled to have letters of administration *de bonis non* to the estate of the deceased Hettige Don Ladrigo Appuhamy issued to him, as a brother of the said deceased, unless the respondents—1, Hettige Don Sipilino of Nagoda; 2, Weligamage Carolis of Welisara; 3, Ago Nona of Welisara; 4, Sopho Nona of Welisara; 5, Carlo of Welisara; 6, Babia of Welisara; 7, Albia of Welisara; 8, Hettige Don Theadones and her husband 9, Paranavidanilage Anthony Appu, both of Wattala; 10, Hettige Marthina and her husband 11, Amarantunga Arachchige Joronis Perera, both of Kandana; 12, Punamperume Arachchige Yasona Perera *alias* Marthina Perera, of Yantanpalawa in Kuruegala—shall, on or before the 8th day of June, 1901, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,

The 11th day of May, 1901. Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the late Hathimuni Charles Silva, deceased, of Madampitiya.
No. C 1,487.

THIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 9th day of May, 1901, in the presence of Mr. Rajapakse, Proctor, on the part of the petitioner Dikdeniyage Mango Perera of Madampitiya road in Colombo; and the affidavit of the said petitioner, dated 28th March, 1901, having been read:

It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Hathimuni Charles Silva of Madampitiya issued to her, as the widow of the said deceased, unless the respondents—(1) Hathimuni Seeting Silva, (2) Hathimuni John Silva of 214, Madampitiya road, Colombo—shall, on or before the 30th day of May, 1901, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,

The 9th day of May, 1901. Additional District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. } In the Matter of the Last Will and Testament of Nanayakkarge Don Paules Silva of Kollupitiya in Colombo, deceased.
No. C 1,493.

THIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 22nd day of May, 1901, in the presence of Mr. E. W. Perera, Proctor, on the part of the petitioner Isabella Silva of Belles Ruhe in Kollupitiya in Colombo; and the affidavit of the said petitioner, dated the 21st day of May, 1901, having been read:

It is ordered that the will of Nanayakkarge Don Paules Silva, deceased, dated 27th March, 1901, now deposited in this court, be and the same is hereby declared proved, unless any person interested shall, on or before the 30th day of May, 1901, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the executrix named in the said will, and that she is entitled to have probate of the same issued to her accordingly, unless any person interested shall, on or before the 30th day of May, 1901, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,

The 22nd day of May, 1901. Additional District Judge.

In the District Court of Negombo.

Tetamentary Jurisdiction. } In the Matter of the Estate of the late Jayakodiaratchigey Don Gabriel No. 530. } Appu of Oterawa- iya, deceased.

Halahakonge Vero Hamy of Oterawadiya Petitioner.
Vs.

1, Jayakodiaratchigey Don Eupenis Appuhamy of Oterawadiya; 2, Jayakodiaratchigey Ana Maria Hami of Galayaya; 3, Jayakodiaratchigey Balbinahami; 4, Jayakodiaratchigey Erginahami, both of Oterawadiya Respondents.

THIS matter of the petition of Halahakonge Vero-hamy of Oterawadiya praying for letters of administration to the estate of the above named deceased Jayakodiaratchigey Don Gabriel Appu coming on for disposal before Edward F. Hopkins, Esq., District Judge of Negombo, on the 18th day of May, 1901, in the presence of Mr. W. M. B. Jepakse, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated the 26th day of March, 1901, having been read:

It is declared that the petitioner is the lawful widow of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondents or any other person shall, on or before the 7th day of June, 1901, show sufficient cause to the satisfaction of this court to the contrary.

May 18, 1901.

E. F. HOPKINS,
District Judge.

In the District Court of Negombo.

Testamentary Jurisdiction. } In the Matter of the Estate and Effects of Dinayadure Benedict de Silva of Kotukampu in Negombo, deceased.
No. 523.

Tilakamuni Anne de Silva of Kotukampu Petitioner.

Vs.

Dinayadure John de Silva, by his guardian *ad litem* Wickrema Walentino Mendis of Kotukampu Respondent.

THIS matter coming on for disposal before Edward F. Hopkins, Esq., District Judge of Negombo, on the 3rd day of April, 1901, in the presence of Mr. W. M. Rajepakse, Proctor, on the part of the petitioner Tilakamuni Anne de Silva of Kotukampu; and the affidavit of the said petitioner, dated the 26th day of March, 1901, having been read:

It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Dinayadure Benedict de Silva, as widow of the said deceased, unless the respondent above-named or any other person interested shall, on or before the 29th day of May, 1901, show sufficient cause to the satisfaction of the court to the contrary.

April 3, 1901.

E. F. HOPKINS,
District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. } In the Matter of the Last Will and Testament of Hugh Pierce Shakerley, deceased, of Waragalanda estate, Madulkele.
No. 2,187.

THIS matter coming on for disposal before John Henricus de Saram, Esq., District Judge of Kandy, on the 13th day of May, 1901, in the presence of Mr. J. B. Siebel on the part of the petitioners Frederick John de Saram and Alfred Scott Berwick, both of Colombo; and the affidavit of the said Frederick John de Saram, dated 11th May, 1901, having been read:

It is ordered that the will of Hugh Pierce Shakerley of Waragalanda estate, Madulkele, deceased, dated 13th November, 1899, and now deposited in this court, be and the same is hereby declared proved, unless any person shall, on or before the 31st day of May, 1901, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Frederick John de Saram and Alfred Scott Berwick are the attorneys of Geoffrey Joseph Shakerley, one of the executors named in the said will, and that Geoffrey Charles Shakerley, the other executor therein named, having renounced all right and title to probate thereof, the said Frederick John de Saram and Alfred Scott Berwick are entitled to administration of the estate of the said deceased with copy of the will annexed, unless any person shall, on or before the 31st day of May, 1901, show sufficient cause to the satisfaction of this court to the contrary.

The 13th day of May, 1901. J. H. de SARAM,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the late Mahamadu Meeranachchiya, wife of Neyna Marakayar Meyadeenpitchai of Vannarponnai west, deceased.

Meyadeenkandu Vava Meydeen of Vannarponnai west Petitioner.

Vs.

1, Aisaamma, wife of Muhamadu Meeran-kandu Pettar; 2, Meera Meyadeen Nachchia, wife of Meyadeenpitchai; and 3, Neyna Marakayar Meyadeenpitchai of Vannarponnai west Respondents.

THIS matter of the petition of the above-named petitioner praying for letters of administration to the estate of the above-named deceased Mahamadu Meeranachchia, wife of Neynaniarakayar Meyadeen Pitchai, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 25th day of April, 1901, in the presence of Mr. C. Strantenbergh, Proctor; on the part of the petitioner; and affidavit of the petitioner, dated the 25th day of April, 1901, having been read: It is declared that the petitioner is cousin and next of kin of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before the 31st day of May, 1901, show sufficient cause to the satisfaction of this court to the contrary.

The 25th day of April, 1901. W. R. B. SANDERS,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the late Marimuttupillai, wife of Katiresar Mailvaganam of Vannarponnai, deceased.

Chanmugam Visuvanather of Vannarponnai east Petitioner.

Vs.

1, Teyvanaipillai, wife of Visuvanather of Vannarponnai east; and 2, Kathiresar Mailvaganam of Meesalai Respondents.

THIS matter of the petition of Chanmugam Visuvanather of Vannarponnai east praying for letters of administration to the estate of the above-named deceased Marimuttupillai, wife of Katiresar Mailvaganam, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 2nd day of May, 1901, in the presence of Messrs. Casippillai & Cathiravelu, Proctors, on the part of the petitioner; and affidavit of the petitioner, dated the 2nd day of May, 1901, having been read: It is declared that the petitioner is the guardian of the minor heir of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before the 10th day of June, 1901, show sufficient cause to the satisfaction of this court to the contrary.

This 2nd day of May, 1901. W. R. B. SANDERS,
District Judge.

In the District Court of Kurunegala.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Intestate Estate of the late Karunadewayalage Kiri-hapuwa of Kurundugolla in Udapola Otota korale, deceased.

Hatnagodagodayalage Babi of Kurundugolla... Petitioner.
Vs.

1, Karunadewayalage Kiri Unga; 2, Karunadewayalage Kiri Bindu; 3, Karunadewayalage Punchini; 4, Karunadewayalage Silindu, and 5, Karunadewayalage Dingiri; all of Kurundugolla in Udapola Otota korale Respondents.

THIS matter coming on for disposal before J. D. Mason, Esq., District Judge, Kurunegala, on the 17th day of April, 1901, in the presence of Mr. J. de Silva on the part of the petitioner; and the affidavit of the petitioner, dated the 17th day of April, 1901, having been read:

It is declared that the said Hatnagodagodayalage Babi, as widow of the said deceased, is entitled to letters of administration of the estate of the said deceased issued to her, unless the respondents shall, on or before the 31st day of May, 1901, show sufficient cause to the satisfaction of this court to the contrary.

The 17th day of April, 1901. J. D. MASON,
District Judge.

In the District Court of Kurunegala.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Intestate Estate of the late Singapulige Sidoris Fernando of Hemudawe, deceased.

Karunaratnehaluge Juliano Fernando of Hemudawe Petitioner.

Vs.

1, Arnolis Fernando of Hemudawe; 2, James alias Thiborsianu Fernando of Hemudawe; 3, Catherine Selestina Fernando of Colombo; 4, Lewis Fernando of Colombo; 5, Euphresia Fernando of Hemudawe ... Respondents.

THIS matter coming on for disposal before J. D. Mason, Esq., District Judge, Kurunegala, on the 20th day of May, 1901, in the presence of Mr. Daniels on the part of the petitioner; and the affidavit of the petitioner, dated the 30th April, 1901, having been read: It is ordered that the said Karunaratnehaluge Juliano Fernando of Hemudawe, the petitioner, as widow of the deceased intestate, be declared to have letters of administration of the estate of the late Singapulige Sidoris Fernando issued to her accordingly, unless the respondents shall, on or before the 21st day of June, 1901, show sufficient cause to the satisfaction of this court to the contrary.

The 20th day of May, 1901. J. D. MASON,
District Judge.

In the District Court of Kurunegala.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Last Will and Testament of Maria Dorothea de Alwis Gunatileke Dassanayeke of Kurunegala, deceased.

Emily Wilhelmina de Silva of Kurunegala... Petitioner.
Vs.

1, Venatia Alexandria de Silva; 2, Charlotte Lillian Beatrice de Silva, both of Colombo road, Kurunegala... Respondents.

THIS matter coming on for disposal before J. D. Mason, Esq., District Judge, Kurunegala, on the 13th day of May, 1901, in the presence of Mr. Daniels on the part of the petitioner; and the affidavit of Mr. G. Schokman,

Notary Public, dated the 13th day of May, 1901, having been read: It is ordered that the will of Maria Dorothea de Alwis Gunetilleke Dassanayeke of Kurunegala, deceased, dated the 1st day of November, 1876, be and the same is hereby declared proved, unless the respondents shall, on or before the 27th day of May, 1901, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Emily Wilhelmina de Silva of Kurunegala, the petitioner, as the next of kin of the testatrix and as mother of the respondents, is entitled to have probate of the same with copy of the will annexed issued to her accordingly, unless the respondents shall, on or before the 27th May, 1901, show sufficient cause to the satisfaction of the court to the contrary.

The 13th May, 1901.

J. D. MASON,
District Judge.

In the District Court of Kurunegala.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Intestate Estate of Wepatange Atapattu Mudianselage Appuhami Lekam Mahatmaya. No. 667.

Atapattu Mudianselage Kiri Menica of Wepatange in Dewamedi Medagandahaye korale Petitioner.

Vs.

1, Atapattu Mudianselage Mutu Menica residing at Natagane in Walgampattu korale; 2, Atapattu Mudianselage Banda Vidane of Wepatange; 3, Atapattu Mudianselage Dingiri Banda, Gan-arachchi of Minhetiya in Kudagalboda korale; 4, Atapattu Mudianselage Kaluhami of Balale in Katuvanna korale; 5, Atapattu Mudianselage Kiri Banda; 6, Atapattu Mudianselage Menickhami; 7, Atapattu Mudianselage Banda, all of Wepatange in Dewamedi Medagandahe korale..... Respondents.

THIS matter coming on for disposal before J. D. Mason, Esq., District Judge of Kurunegala, on the 8th day of May, 1901, in the presence of Mr. Moonemalle

on the part of the petitioner; and the affidavit of the petitioner, dated the 7th day of May, 1901, having been read: It is ordered that the said Atapattu Mudianselage Kiri Menica of Wepatange, the petitioner, as the widow of the deceased intestate, be declared to have letters of administration of the estate of the late Wepatange Atapattu Mudianselage Appuhami Lekam Mahatmaya issued to her accordingly, unless the respondents shall, on or before the 14th day of June, 1901, show sufficient cause to the satisfaction of this court to the contrary.

J. D. MASON,
District Judge.

The 8th day of May, 1901.

In the District Court of Badulla.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Intestate Estate of Ranugalle Samarakon Jayasekara Mudianselage Sudu Banda, late of Rangalla. No. B 1.

John Dharmakirti, Secretary of the District Court of Badulla.....Petitioner.

And

1, Wijayawardana Adikari Mudianselage Hin Kumarihami; 2, Samarakon Jayasekara Mudianselage Mutu Bandar, both of Ranugalle Walauwa Respondents.

THIS matter coming on for disposal before F. Bartlett, Esq., District Judge of Badulla, on the 25th day of March, 1901: It is ordered that the Secretary of this Court be declared entitled to have fresh letters of administration to the estate of the deceased Ranugalle Samarakon Jayasekara Mudianselage Sudu Banda issued to him, as Secretary of the Court, unless the respondents above-named shall, on or before the 30th day of May, 1901, show sufficient cause to the satisfaction of this court to the contrary.

F. BARTLETT,
District Judge.

The 25th day of March, 1901.

NOTICES OF FISCALS' SALES.

Western Province.

In the Court of Requests of Colombo.

Hewadewage Theodoris Fernando of Regent street, Colombo.....Plaintiff.
No. 12,756. Vs.

S. Romel Silva of Siambalapitiya in Kegalla, presently of Moratuwa.....Defendant.

NOTICE is hereby given that on June 26, 1901, commencing at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, for the recovery of the sum of Rs. 254-28, with interest thereon at 9 per cent. per annum from May 21, 1900, till payment, and costs Rs. 28-25, viz. :-

Four loungers, one round table, six chairs, one satinwood almirah, six pieces of a dining table made of horawood, one large chest, four picture frames and pictures, four brass spittoons, one jakwood whatnot, one

satinwood sideboard, one satinwood table with drawers, one glass almirah, one hanging kerosine oil lamp, three table lamps, one satinwood couch, one clock.

All that eastern portion from and out of the land called and known as Nugegahawatta, which portion is marked lot No. 3 in the figure of survey dated September 30, 1895, made by J. Mendis, Licensed Surveyor, containing in extent 7 $\frac{2}{100}$ square perches, together with the buildings constructed thereon, situated in the village Moratuwella in Moratuwa in the Palle pattu of Salpiti korale, in the District of Colombo, Western Province: which said entire land is bounded on the north by the land formerly the property of Hettiakandage Anthony Fernando, but now of Sinnattommelage Wisenti Silva, on the east by another portion of the same land acquired by the Government for the railway line, on the south by a road and the property belonging to Lindamullege Istakky Silva, and on the west by the property belonging to Lindemullege Johanis Silva; containing in extent 28 $\frac{1}{100}$ square perches.

Deputy Fiscal's Office,
Moratuwa, May 21, 1901.

P. PERERA,
Deputy Fiscal.

In the District Court of Colombo.

V. P. R. P. L. Nallacaruppen Chetty of Sea street in Colombo.....Plaintiff.

No. 13,546. Vs.

1, Yawanna Abdul Cader Hadjar; 2, Yawanna Ahamado of Alutgama.....Defendants.

NOTICE is hereby given that on Monday, June 17, 1901, commencing at 11 o'clock in the forenoon, will be sold by public auction at Warapitiya and Alutganwijje the right, title, and interest of the said defendants, for the recovery of Rs. 965.71, with interest at the rate of 9 per cent. per annum on Rs. 344.40 from March 16, 1900, and on Rs. 372.83 from March 20, 1900, till payment, less Rs. 227.11, in the following property, viz.:-

1. Half part of the soil and of the trees of a portion of Ilgankande, situate at Warapitiya; bounded on the north by a portion of this land, east by Kandegodawatte, south by a portion of Ilgankande, west by a portion of Ilgankande wherein Selanchicananama had resided.

2. The soil and trees of the defined one-fourth portion of Bogahawatta, together with the tiled boutique-house wherein second defendant resides, situate at Alutganwijje; bounded on the north by road, east by a portion of the same land, south by a portion of Bogahawatta, west by Bogahawatta.

3. Two-third parts of the soil and of the trees and of the buildings standing thereon of Bogahawatta wherein the first defendant resides, situate at Alutganwijje; bounded on the north by the road, east by a portion of Bogahawatta, south by the land wherein Ahamado Lebbe resides, and west by Bogahawatta.

4. The soil and trees of Tambitottamwatta, situate at do.; and bounded on the north by Kunusalmawatta, east by Kiriyantottam, south by Don Siman watta, west by the land wherein Packeer Bawa resides.

The sales will be held on the respective lands.

Deputy Fiscal's Office,
Kalutara, May 21, 1901.

H. O. FOX,
Deputy Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,018. In the matter of the insolvency of M. A. Don Siman Appuhamy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on June 13, 1901, for the purpose of proving claims in the above matter.

By order of court,

Colombo, May 17, 1901.

J. B. MISSE,
Secretary.

No. 1,762. In the matter of the insolvency of Alston, Scott & Co.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take

place at the sitting of this court on June 13, 1901, to declare a dividend in the above matter.

By order of court,

Colombo, May 17, 1901.

J. B. MISSE,
Secretary.

In the District Court of Negombo.

No. 51. In the matter of the insolvency of Amersinghe Arachchige Don David Saperemdoe Appuhamy of Katana.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on June 23, 1901, to consider the question of the grant of a certificate of conformity to the insolvent.

By order of court,

Negombo, May 18, 1901.

D. GUNAWARDANA,
Secretary.

DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Panwila by twenty-one labourers, late of Heel-oya estate in Uda Dumbara, against the proprietor thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 378.35.

This 14th May, 1901.

C. RASANAYAGAM,
Chief Clerk.

NOTICE is hereby given that the Sessions of the Badulla-Haldummulla Circuit Court will be held at Bandara-wela on the 15th, 17th, 18th, and 19th June, 1901, and at Haldummulla on the 20th, 21st, and 22nd June, 1901.

Badulla Office,
May 21, 1901.

F. BARTLETT,
Police Magistrate.

DRAFT ORDINANCES.

MINUTE.

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

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) "His Majesty" and "Her Majesty" shall include the heirs and successors to the Crown according to law.
- (9) "Imperial Parliament" and "Parliament" shall mean the Parliament of the United Kingdom.
- (10) 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.
- (11) "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.
- (12) "Month" shall mean a calendar month, unless words be added showing lunar month to be intended.
- (13) "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.

- (14) "Prescribed" shall mean prescribed by the Ordinance in which the word occurs, or by any rules duly made thereunder.
- (15) "Public holiday" shall mean any day which under the provisions of "The Holidays Ordinance, 1886," is to be observed as a public holiday.
- (16) "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.
- (17) "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.
- (18) The words "this island," "this colony," and "the island of Ceylon" shall be held to mean the island of Ceylon and the dependencies thereof.
- (19) "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.
- (20) "Value" used with reference to a suit shall mean the amount or value of the subject-matter of the suit.
- (21) "Will" shall include a codicil.
- (22) Words importing the masculine gender shall be taken to include females.
- (23) Words in the singular number shall include the plural, and *vice versa*.
- (24) "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
two or more
laws.

8 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.

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.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, May 15, 1901.

J. J. THORBURN,
for Colonial Secretary.