

Ceylon Government Gazette

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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.

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.

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NOTICES OF INSOLVENCY.

In the District Court of Galle.

No. 264.

In the matter of the insolvency of
Isibu Lebbe Marikkar Mohamadu,
of Deddugoda.

NOTICE is hereby given that a certificate of conformity as of the second class was allowed on July 19, 1895, to the above-named insolvent, in terms of the 124th clause of the Ordinance No. 7 of 1853.

By order of court,
JAMES KRAUSE,
Secretary.

Galle, July 19, 1895.

No. 271.

In the matter of the insolvency of Lebun-
hewage Siman de Silva, of Petiwella.

WHEREAS Lebunhewage Siman de Silva, of
Petiwella, has filed a declaration of insolvency,

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and a petition for the sequestration as insolvent of his own estate, under the Ordinance No. 7 of 1853, and it appears that he has been in actual custody within the walls of a prison for debt for more than 21 days: Notice is hereby given that the said court has adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on August 23, 1895, and September 13, 1895, will take place for the insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

JAMES KRAUSE,
Secretary.

Galle, July 22, 1895.

B 1

In the District Court of Matara.

No. 1,373. In the matter of the insolvency of Awudu
 • Lebbe Marikar Mahamadu Ali, of
 Kadewidiya in Matara.

NOTICE is hereby given that a public sitting of this court will take place on September 2, 1895, for the allowance to the above-named insolvent of his certificate of conformity, in terms of the 124th clause of the Ordinance No. 7 of 1853.

By order of court,
 W. H. SILVA,
 Secretary.

Matara, July 18, 1895.

In the District Court of Badulla.

No. 86. In the matter of the insolvency of John
 Rayner McGuire Presslie, of Warburton
 estate, Badulla.

NOTICE is hereby given that a public sitting of this court will be held on August 20, 1895, for the

consideration of the question of the allowance of a certificate of conformity to the insolvent above-named.

By order of court,
 R. SOLOMONS,
 Secretary.

Badulla, July 22, 1895.

No. 79. In the matter of the insolvency of Merinnage
 Bastian Salgado, of Panadure, now of
 Badulla.

NOTICE is hereby given that the second sittings in the above case has been further adjourned till August 3, 1895.

By order of court,
 R. SOLOMONS,
 Secretary.

Badulla, July 22, 1895.

NOTICES OF FISCALS' SALES.**In the District Court of Colombo.**

Moona Kavenna Nena Neyena Mohamado
 Saibo, of Bankshall street, Colombo, Plaintiff.

No. 7,267/C. Vs.

Moona Kana Mohamado Mohideen, of Main
 street, Colombo, Defendant.

NOTICE is hereby given that on Monday, August 19, 1895, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property, viz. :—

The right, title, and interest of the above-named defendant in and to the lease No. 1,766, dated August 3, 1894, attested by John Caderaman, Notary Public, for a period two years and ten months commencing from December 1, 1894, of the following property, to wit :—

All that house and ground situated and lying in Main street in the Pettah of Colombo, now bearing assessment No. 104; bounded or reputed to be bounded on the north by the Main street, on the east by the house No. 46 of Ibrahim Lebba Ahamado Lebbe in Main street, No. 60 in Second Cross street of widow Mrs. Dobbratz, No. 59 in Second Cross street of Mr. P. J. Ebert, No. 58 in the Second Cross street of Mr. G. H. Ferdinand, on the south by the houses of Mr. J. Alexander, No. 7, and of Mr. D. de Neys, No. 8, and on the west by the house of widow Mrs. Muller now or lately the property of the estate of the late Mr. Solomon Ferdinands No. 40; containing in extent 14.28 square perches, together with all and singular the appurtenances thereof or thereunto in any wise belonging.

S. SENEWIRATNE,
 Acting Deputy Fiscal.
 Fiscal's Office
 Colombo, July 24, 1895.

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 or the District of Batticaloa will be holden at the Court-house at Batticaloa on Monday, July 29, 1895, at 10 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,
Batticaloa, July 9, 1895.

W. A. G. HOOD,
Deputy Fiscal.

இலங்கைத்தீவில் சங்கைபோந்த சுப்பிரீம் கோட்டா ரது கட்டளையின்படி நாம் பிரசுரித்தப்படுத்துவதாவது மட்டுக்கழப்பு நியாயஸ்தலத்திலே மேற்சொல்லிய சுப் பிரீம் கோட்டாரால் மட்டுக்கழப்பு முறைநிகழ்த்துநீர்ந்த கிரிமினல் வழக்குவிசாரணை, அதுகடும் ஆண்டு ஆடிமாதம் உகந் திகதியாகிய திங்கட்கிழமை 20 மணி தொடங்கி அன்றும் அதற்கடுத்த நாட்களிலும் நடத்தப்படும். ஆதலால் அவ்விசாரணையிற் காரியகருமுள்ள வர்களைல்லாரும் சொல்லப்பட்ட நேரத்திலே கொல்லைப்பட்ட இடத்திலே வெளிப்பட்டு அவ்விடத்தினின்றும் உத்தரவின்றி நீங்காதிருக்கக்கடவர்கள்.

පිටතට යන්ව යුද්ධවත් බවත් මෙයින් සැමදෙනාටම දන්වන්නෙමි.

විචලිත. එ. ජී. හුඩ්,
වම්කලපුවේ පිස්කල් මහ.
කෝරුවේදිස.

බණලි. එ. ජී. හුඩ්,
පිස්කල් මහ.

இலங்கைத்தீவில் சங்கைபோந்த சுப்பிரீம் கோட்டா ரது கட்டளையின்படி நாம் பிரசுரித்தப்படுத்துவதாவது மட்டுக்கழப்பு நியாயஸ்தலத்திலே மேற்சொல்லிய சுப் பிரீம் கோட்டாரால் மட்டுக்கழப்பு முறைநிகழ்த்துநீர்ந்த கிரிமினல் வழக்குவிசாரணை, அதுகடும் ஆண்டு ஆடிமாதம் உகந் திகதியாகிய திங்கட்கிழமை 20 மணி தொடங்கி அன்றும் அதற்கடுத்த நாட்களிலும் நடத்தப்படும். ஆதலால் அவ்விசாரணையிற் காரியகருமுள்ள வர்களைல்லாரும் சொல்லப்பட்ட நேரத்திலே கொல்லைப்பட்ட இடத்திலே வெளிப்பட்டு அவ்விடத்தினின்றும் உத்தரவின்றி நீங்காதிருக்கக்கடவர்கள்.

இங்கனம்,
டபிள்யூ. ஏ. ஜி. ஆட்,
டிபியூற்றி பிஸ்கால்.

மட்டுக்கழப்பு பிஸ்கால் கந்தோர்,
அதுகடும் 20 ஆடிமாதம் 20.

List of Uncertificated Insolvents in the District Court of Kandy for the Half-year ended June 30, 1895.

Date of Insolvency.	Number of Case.	Name of Insolvent.	Residence.	Remarks.				
1895. January 21	...	1,348	...	Mookan Cangany	...	Dikoya	...	Certificate refused
District Court, Kandy, July 19, 1895.				J. H. DE SARAM, District Judge.				

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Hatton by 103 labourers of Bearwell estate, Lindula, against the proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 1,260.

This 20th day of July, 1895.

O. S. MAHAMADU,
Chief Clerk.

PASSED ORDINANCES.

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

No. 1 of 1895.

An Ordinance to amend and consolidate the Law relating to the registration of Births and Deaths.

A. E. HAVELOCK.

Preamble:

WHEREAS it is expedient to amend and consolidate the law relating to the registration of Births and Deaths in the island of Ceylon, and to provide for the better registration thereof: It is hereby enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows:

Short title.
Date of
operation.

1 This Ordinance may be cited as "The Births and Deaths Registration Ordinance, 1895," and shall come into operation on such day as the Governor shall, by Proclamation to be published in the *Government Gazette*, appoint.

Repeal.

Repeal.

2 (1) The Ordinances, rules, and regulations specified in the first schedule to this Ordinance are hereby repealed, from and after the commencement of this Ordinance, to the extent specified in the third column of that schedule, provided that the rules and regulations now in force under any of the said Ordinances shall, so far as consistent with this Ordinance, continue to be in force until rules are made and published under section 9 of this Ordinance.

(2) This repeal shall not affect—

- (a) The past operation of any Ordinance, rule, or regulation hereby repealed, nor anything duly done or suffered under any Ordinance, rule, or regulation hereby repealed; or
- (b) Any right, privilege, obligation, or liability acquired, accrued, or incurred under any Ordinance, rule, or regulation hereby repealed; or
- (c) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any Ordinance, rule, or regulation hereby repealed; or
- (d) Any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid, and any such investigation, legal proceeding, and remedy may be carried on as if this Ordinance had not passed.

(3) Where any unrepealed Ordinance, rule, or regulation incorporates or refers to any provision of any Ordinance, rule, or regulation hereby repealed, such unrepealed Ordinance, rule, or regulation shall be deemed to incorporate or refer to the corresponding provision of this Ordinance or of the rule or regulation made thereunder.

Definitions.

Interpretation.

3 In this Ordinance, if not inconsistent with the context—

The term "still-birth" means a child born after the twenty-eighth week of gestation as dead or apparently dead and not called back to life;

The term "government agent" includes any person appointed by the Governor to act as government agent;

The term "assistant government agent" includes any person appointed by the Governor to act as assistant government agent;

The term "province" means any of the divisions of the island now forming, or which shall hereafter form, the territorial jurisdiction of a government agent;

The term "district" means the subdivision of a province now forming, or which shall hereafter form, the territorial jurisdiction of an assistant government agent;

The term "public institution" includes a prison, lock-up, lunatic asylum, hospital, reformatory, industrial school, barracks, and any charitable or other institution which is under the management of a public body or officer;

The term "house" includes a public institution as above defined;

The term "occupier" includes the keeper, master, matron, superintendent, or other chief, resident officer of every public institution, and where a house is let in separate apartments or lodgings, includes any person residing in such house who is the person under whom such lodgings or separate apartments are immediately held, or his agent;

The term "estate" means any land having ten acres or more in cultivation, and situated in a district appointed under the Medical Wants Ordinance, No. 17 of 1880;

The term "superintendent of an estate" means the person having the charge and supervision of the labourers and work on an estate;

The term "sign" includes "marking" when the person liable to sign is unable to sign his name in writing;

The term "relative" includes a relative by marriage;

The term "medical practitioner" means a person holding a qualification which would entitle him to be registered under the following Acts of the Imperial Parliament, to wit: The Medical Act (21 and 22 Vic., c. XC.) and the Medical Act, 1836 (49 and 50, Vic., c. XLVIII.), or any other Acts of the Imperial Parliament which may be enacted in lieu thereof;

The term "inquirer into deaths" includes a police magistrate.

Officers.

Appointment of Registrar-General, and his duties.

4 (1) It shall be lawful for the Governor from time to time to appoint some fit and proper person to be the Registrar-General of Births and Deaths in the island, and at any time to remove him and to appoint some other person in his place, or to appoint any person to act in place of a Registrar-General.

(2) In the Registrar-General and in the person appointed to act in place of the Registrar-General shall be vested, subject to the orders of the Governor, the general control and superintendence of the registration of births and deaths in the island, and of all persons appointed for or engaged in carrying out the provisions of this Ordinance.

Appointment of provincial registrar and assistant provincial registrar, and their duties.

5 (1) The government agent for the time being of any province shall be the provincial registrar of births and deaths of such province, and the assistant government agent for the time being of any district shall be the assistant provincial registrar of births and deaths of such district. The office assistant of the government agent of a province shall be the assistant provincial registrar of births and deaths of that part of the province which does not form part of the sub-division forming the territorial jurisdiction of an assistant government agent.

Provided that it shall be lawful for the Governor to appoint any person other than the government agent to be a provincial registrar in place of or in addition to such government agent, and such appointment to cancel or revoke, and such person so appointed shall, during the continuance of such appointment, have and exercise all the powers herein vested in a provincial registrar.

Provided further, that it shall be lawful for the Governor to appoint any person other than the assistant government agent of the district or an office assistant to a government agent to be an assistant provincial registrar in addition to

or in place of such assistant government agent or office assistant, and such appointment to cancel or revoke, and such person so appointed shall, during the continuance of such appointment, have and exercise all the powers herein vested in an assistant provincial registrar of births and deaths.

(2) The provincial registrar and assistant provincial registrar shall each in his province and district superintend and control, subject to the Registrar-General, the registration of births and deaths, and the registrars hereinafter mentioned, and all persons appointed for, or engaged in, carrying out the provisions of this Ordinance.

(3) The provincial registrar of each province and the assistant provincial registrar of each district and part of the province shall each have and exercise in his province and district or part of the province respectively the duties and powers exercised by a registrar in his division. The province shall be the division of the provincial registrar, and the district or part of the province the division of the assistant provincial registrar.

Appointment of registration divisions.

6 It shall be lawful for the Governor, with the advice of the Executive Council, by notification in the *Government Gazette*, to divide the several provinces of the island into such and so many divisions for the purposes of the registration of births and deaths as shall appear expedient, and such divisions at any time, with the like advice, to amend, alter, or abolish.

Provided that every district established under the provisions of the Ordinance No. 6 of 1847 or any amending Ordinance shall be deemed and taken to be a registration division appointed under the provisions of this Ordinance until such time as any new division shall be constituted in lieu thereof under the provisions of this Ordinance.

Appointment of registrars.

7 It shall be lawful for the Governor to appoint one registrar to each such division, and such registrar at pleasure to remove and to appoint some other person in his place, or in the place of any registrar who shall have died or resigned office or been granted leave of absence from his duties.

Provided that in case of the death, sudden illness, or incapacity of the registrar of a division, or in case of other emergency, it shall be lawful for the assistant provincial registrar, or, if there be no assistant provincial registrar, for the provincial registrar, by writing under his hand to appoint a person to act as registrar for such division for any period not exceeding fourteen days at any one time. Such acting appointment shall be forthwith notified by the assistant provincial registrar or provincial registrar to the Registrar-General and published in the *Government Gazette*, and shall be entered by the provincial registrar or assistant provincial registrar in a book to be kept by him for the purpose.

Continuance of office of office holders.

8 The person holding the office of the Registrar-General, and the person performing the duties of the office of the Registrar-General, and the persons holding the office of registrars of births and deaths, and the persons performing the duties of the office of registrars of births and deaths, at the time when this Ordinance comes into operation, shall be deemed and taken to have been duly appointed under the provisions of this Ordinance, and shall exercise all the powers and privileges, and be subject to all the liabilities and penalties vested in and imposed upon such officers by this Ordinance.

Rules.

Rules by the Governor in Executive Council.

9 (1) It shall be lawful for the Governor, with the advice of the Executive Council, from time to time to make rules consistent with this Ordinance for the direction of the Registrar-General, the provincial registrars, assistant provincial registrars, registrars, and of all persons whatsoever

in the discharge of their duties under this Ordinance, and generally for the effective carrying out of its provisions, and such rules, with the like advice, to revoke or alter.

(2) Rules made in pursuance of this section shall be published in the *Government Gazette* in two successive issues in the English, Sinhalese, and Tamil languages, and shall thereupon be as legal, valid, and effectual as if the same had been inserted herein.

(3) Breach of any such rule shall be an offence, and punishable on conviction with a fine not exceeding one hundred rupees.

Residence, office,
and station of
registrar.

10 (1) Every registrar shall dwell and have his office in such convenient place in his division as shall be appointed by the provincial registrar, and shall, if so directed by the provincial registrar, have within his division a station or stations as may be approved by the provincial registrar, and every such station shall, for the purpose of this Ordinance, with respect to the attendance of persons and the registration of births and deaths at the office of the registrar, be deemed to be his office. It shall be the duty of the provincial registrar forthwith to notify to the Registrar-General the residence, office, and station or stations of any registrar.

(2) The registrar shall attend at his office and at each station on such days and during such hours as shall be appointed by the provincial registrar, and shall cause his name, with the addition of "registrar of births and deaths" of the division of which he is registrar, and the hours of his attendance as appointed by the Registrar-General, to be placed in legible characters in the English, Sinhalese, and Tamil languages in a conspicuous place on or near the entrance of his office and station.

Duty of regis-
trar to ascertain
and register
every birth and
death in his
division.

11 (1) It shall be the duty of every registrar to inform himself carefully of every birth and every death that shall happen in his division after the commencement of this Ordinance, and to ascertain and register accurately and with all convenient despatch, in the language prescribed by the provincial registrar with the approval of the Governor, the particulars required to be registered of births and deaths respectively in books which shall be supplied by the Registrar-General according to the forms A and B in the second schedule hereto.

(2) Every such entry shall be made in duplicate in the order of the time in which information satisfactory to the registrar shall have been given, and such entries shall be numbered progressively from the beginning to the end of the book, and shall be signed by him.

Transmission of
duplicate to
Registrar-
General.

(3) The registrar shall at the end of each week or month or other period fixed by the Registrar-General forward the duplicate to the assistant provincial registrar, or, if there be no assistant provincial registrar, to the provincial registrar for transmission to the Registrar-General, who shall keep and preserve the same in his office; and if no birth or death shall have been registered during the period, the registrar shall send to the assistant provincial registrar, or, if there be no assistant provincial registrar, to the provincial registrar, for transmission as aforesaid a certificate that no birth or death, as the case may be, was registered.

Registration of Births.

Information
concerning birth
to be given to
registrar within
forty-two days,
and by whom.

12 The father or mother of every child born in Ceylon after the commencement of this Ordinance, or, in case of the death, illness, absence, or inability of the father and mother, the occupier or an inmate of the house in which such child shall have been born, shall, within forty-two days next after the day of every such birth, give information to the registrar of the division according to the best of his knowledge and belief of the several particulars hereby required to be known and registered touching the birth and name of such child, and in the presence of the registrar shall sign the register.

If such person cannot conveniently attend the office of the registrar it shall be competent to him to send a declaration in the form C in the second schedule hereto, giving his name, description, and place of abode, and the particulars required to be registered; and such declaration shall bear a stamp of twenty-five cents, which shall be supplied by the declarant. The registrar shall then certify those particulars in the register and shall sign the register, and shall preserve the declaration forwarded to him, provided that it shall be lawful for the provincial registrar or assistant provincial registrar, by notice in writing, to require the declarant to attend at the office or station of the registrar within seven days of the receipt of the notice to attend, and to supply such other information as may be required by such provincial registrar or assistant provincial registrar.

Information respecting finding of new-born child to be given to registrar.

13 In case any living new-born child is found exposed, it shall be the duty of any person finding such child, and of any person in whose charge such child may be placed, to give, to the best of his knowledge and belief, to the registrar of the division, within seven days after the finding of such child, such information of the particulars required to be registered concerning the birth of such child as the informant possesses, and in the presence of the registrar to sign the register.

Requisition by registrar of information concerning birth.

14 Where a birth has, from the default of the persons required to give information concerning it, not been duly registered, the registrar of the division may at any time at the end of forty-two days from such birth, or, in the case of a living new-born child found exposed, at the end of seven days after the finding of such child, require, by notice in writing, any person required by this Ordinance to give information concerning such birth to attend personally at the registrar's office within such time (not less than seven days after the receipt of such notice, nor more than three months from the date of the birth or of the finding of the living new-born child) as may be specified in such notice, and to give information, to the best of such person's knowledge and belief, of the particulars required to be registered concerning such birth, and to sign the register in the presence of the registrar; and it shall be the duty of such person, unless the birth is registered before the expiration of the time specified in such requisition, to comply with such requisition.

Duty of registrar to register births gratis.

15 It shall be the duty of the registrar, upon receiving from the informant, at any time within three months from the date of the birth of any child, or the finding of any living new-born child, information of the particulars required to be registered concerning the birth of such child, forthwith in the prescribed form and manner to register the birth and the said particulars (if not previously registered), without fee or reward from the informant, and to sign the register.

Registration of birth on estate.

16 (1) In case such birth shall have happened on an estate, information thereof shall be given within twenty-four hours of the birth to the superintendent of the estate instead of to the registrar by the persons required by sections 12 and 13 to give information to the registrar. Such superintendent shall, after verifying the information, within forty-eight hours of the birth report the birth, in the form D in the second schedule hereto, to the medical officer appointed under "The Medical Wants Ordinance, 1880," who shall transmit the report without delay to the assistant provincial registrar, or, if there be no assistant provincial registrar, to the provincial registrar within whose local jurisdiction the estate is situated, and the provincial registrar or assistant provincial registrar shall thereupon register the birth in the prescribed form and manner.

(2) The superintendent of the estate shall, for the purposes of this Ordinance, be deemed the informant, and to have signed the entry made by the registrar.

Registry of birth out of the division in case of removal.

17 (1) Any person required by this Ordinance to give information concerning a birth, who before such birth is registered leaves the division in which such birth has taken place, may within three months after such birth give the information by making and signing in the presence of the registrar of the division in which he resides a declaration in writing of the particulars required to be registered concerning such birth; and such registrar on payment of a fee of fifty cents shall receive and attest the declaration and send the same to the registrar of the division in which the birth took place; and the last mentioned registrar shall in the prescribed form and manner enter the birth in the register; and the entry so made shall, for the purposes of "The Births and Deaths Registration Ordinance, 1867," or of this Ordinance, be deemed to have been signed by the person who signed the declaration.

(2) A person making a declaration in pursuance of this section in the case of any birth shall be deemed to have complied with the provisions of this Ordinance as to giving information concerning that birth, and with any requisition of the registrar made under this Ordinance within the said three months to attend to give information concerning that birth.

Saving for father of illegitimate child

18 In the case of an illegitimate child no person shall, as father of such child, be required to give information under this Ordinance concerning the birth of such child, and the registrar shall not enter in the register the name of any person as father of such child, unless (a) at the joint request of the mother and of the person acknowledging himself to be the father of such child, or (b) upon an order from a competent court; and in case (a) the person acknowledging himself to be the father shall sign the register together with the mother, and in case (b) a summary of the order of the court shall be recorded in the register.

Registrar may call for proof of marriage before registering birth of alleged legitimate child.

19 If the registrar shall see reason to doubt the legitimacy of any child whose birth he may have to register, or to apprehend that a fraud is about to be committed on any party by any registration, it shall be lawful for the registrar to give notice to such party and to call for a certificate of the registry of the marriage of the alleged parents of the child, or for such other proof as the law may prescribe of the marriage. If satisfactory proof shall not be produced, it shall be the duty of the registrar to enter in the column set apart for that purpose that such certificate or proof was not produced.

Registration of past births.

20 (1) After the expiration of three months next after the birth of any child, a registrar shall not register such birth except as in this section provided; that is to say:

- (a) In case the birth of any child has not been registered in accordance with "The Births and Deaths Registration Ordinance, 1867," or this Ordinance, the registrar may, after three and not later than twelve months next after the birth, by notice in writing, require any person required by this Ordinance to give information concerning the birth to attend personally at the office of the Registrar-General, or provincial registrar, or assistant provincial registrar, within such time (not less than seven days after the receipt of the notice, and not more than twelve months after the date of the birth) as may be specified in the notice, and make before the Registrar-General, provincial registrar, or assistant provincial registrar, a declaration in the form E in the second schedule hereto, on a paper bearing a stamp of one rupee, which stamp shall be supplied by the party making the declaration, according to the best of the declarant's knowledge and belief, of the particulars required to be registered concerning the birth, and to sign the register in the presence of the Registrar-General, provincial registrar, or assistant provincial registrar; and upon the said

person attending before the Registrar-General, provincial registrar, or assistant provincial registrar, whether in pursuance of a requisition or not, and making such a declaration as aforesaid, and giving information concerning the birth, it shall be lawful for the Registrar-General or provincial registrar or assistant provincial registrar before whom the declaration shall have been made to order the registrar of the division within which the birth shall have taken place to register the birth according to the information given in the declaration aforesaid, and the registrar shall thereupon make and sign the entry of birth, attaching thereto the order of the Registrar-General or provincial registrar or assistant provincial registrar. The entry so made shall, for the purposes of "The Births and Deaths Registration Ordinance, 1867," and of this Ordinance, be deemed to have been signed by the person who signed the declaration.

(b) After the expiration of twelve months, and not more than seven years after the birth of any child, the birth shall not be registered except with the written authority of the Registrar-General, who shall have power, upon the application of any party interested, and on a declaration made by him before the Registrar-General, provincial registrar, or assistant provincial registrar of the particulars required to be registered concerning the birth (which declaration shall be on paper bearing a stamp of five rupees, which stamp shall be supplied by the party making the declaration), and after due inquiry, to issue an order to the registrar to register the birth, and the registrar shall thereupon make and sign the entry of birth, attaching thereto the order of the Registrar-General, and the entry so made shall, for the purposes of "The Births and Deaths Registration Ordinance, 1867," or of this Ordinance, be deemed to have been signed by the party who signed the declaration.

(c) If any person shall desire to have any birth registered which took place not earlier than the first day of January, 1868, and not later than the commencement of this Ordinance, and which has not yet been duly registered, or regarding which it is doubtful whether it has been duly registered, and the registration of which is not provided for by the preceding sub-sections, it shall be competent for him to make an application to the Registrar-General, accompanied by a declaration made according to the best of the declarant's knowledge and belief of the particulars required to be registered concerning the birth, on paper bearing a stamp of ten rupees, and it shall be lawful for the Registrar-General, after due inquiry, to cause the birth to be registered in a book to be kept by him in the form F in the second schedule hereto, and called "The Register of Past Births."

(2) The registrar shall be entitled to receive a fee of one rupee from the declarant for the registration of the birth under sub-sections (a) and (b).

(3) Every person who registers or causes to be registered the birth of any child after the expiration of three months from the day of such birth, otherwise than in accordance with this section, shall be guilty of an offence, and be liable on conviction to a fine not exceeding one hundred rupees.

Registration of the name of the child or of alteration of name.

21 When the birth of any child has been registered under sections 15 or 16 or sub-sections (a) or (b) of section 20, and the name, if any, by which it was registered is altered or added to, or if it was registered without a name, when a name or names is given to it, the parent or guardian of such child,

or other person procuring such name to be altered, added to, or given, may within twelve months next after the registration of the birth deliver to the registrar such certificate as hereinafter mentioned, and the registrar, upon the receipt of that certificate and on payment of a fee of fifty cents, shall forward such certificate with a report of the circumstances to the provincial registrar or assistant provincial registrar, who shall have power to authorize the amendment of the entry, and upon receipt of such authority the registrar shall, without any erasure of the original entry, forthwith enter in the register book the name or names mentioned in the certificate as having been given to the child, and the entry shall be signed by the registrar; and the registrar shall state upon the certificate the fact of such entry having been made, and shall forthwith send the certificate to the provincial registrar or assistant provincial registrar, together with a certified copy of the entry of the birth with the name so added.

The certificate shall be in the form G in the second schedule to this Ordinance, and shall be signed by the father, mother, or guardian of the child or other person procuring the name of the child to be given or altered.

Remedy to persons interested in such registration.

22 Any person who may have an interest in the property of the alleged parents of a child whose birth may be registered, or who shall feel aggrieved by any such entry as in the preceding sections prescribed, shall be entitled to apply to the district court of the district within which the registrar holds office to cause such entry to be rectified, and the said court shall, after due notice to the Registrar-General and the registrar who made the entry, and such other parties as to the court shall appear expedient, and after due inquiry, subject to appeal to the Supreme Court, make such order as the justice of the case may require, and the district court shall cause a certified copy of the order made by such court or by the Supreme Court in appeal to be served on the Registrar-General, who shall thereupon carry out such order. Provided that nothing herein contained shall be held to prevent any person from questioning in due course of law the correctness of any registration or entry, though he shall not have betaken himself in the first instance to the summary remedy herein provided. The procedure in regard to appeals under this section shall, so far as it is practicable, be regulated by the rules regarding appeals to the Supreme Court in appeals from the district court in its criminal jurisdiction.

Registration of Deaths.

Registry of death and cause of death.

23 The death of every person dying in the island after the commencement of this Ordinance, and the cause of such death, shall be registered by the registrar of the division where such death occurred in the manner and form prescribed.

Information concerning a death.

24 (1) When after the commencement of this Ordinance a person dies—

- (a) In a house, it shall be the duty of the nearest relatives present at the death, or in attendance during the last illness of the deceased, and in default of such relatives, of every other relative of the deceased dwelling or being in the same division as the deceased, and in default of such relatives, of each person present at the death, and of the occupier of the house in which, to his knowledge, the death took place, and in default of the persons hereinbefore in this section mentioned, of each inmate of such house, and of the person causing the body of the deceased person to be buried, to give, to the best of his knowledge and belief, to the registrar of the division, within the five days next following the day of such death, information of the particulars required to be registered concerning such death, and in the presence of the registrar to sign the register; or

(b) In a place which is not a house, or a dead body is found elsewhere than in a house, it shall be the duty of every relative of such deceased person having knowledge of any of the particulars required to be registered concerning the death, and in default of such relative of every person present at the death, and of any person finding, and of any person taking charge of the body, and of the person causing the body to be buried, to give to the registrar, within the five days next after the death or the finding, such information of the particulars required to be registered concerning the death as the informant possesses, and in the presence of the registrar to sign the register.

(2) If any person required by this section to give information cannot conveniently attend the office of the registrar, it shall be competent to him to send a declaration in the form H in the second schedule hereto, giving his name, description, and place of abode, and the particulars required to be registered; and such declaration shall bear a stamp of twenty-five cents, which shall be supplied by the declarant. The registrar shall then certify those particulars in the register and shall sign the register, and shall preserve the declaration forwarded to him. Provided that it shall be lawful for the provincial registrar or assistant provincial registrar to require, by notice in writing, the declarant to attend within seven days of receiving such notice at the registrar's office or station, and to supply such other information as may be required by the provincial registrar or assistant provincial registrar.

Certificate as to cause of death.

25 (1) In case of the death of any person who has been attended during his last illness by a medical practitioner, that practitioner shall sign and give to some person required by this Ordinance to give information concerning the death, a certificate in the form I in the second schedule hereto, stating to the best of his knowledge and belief the cause of the death, and such person shall, upon giving information concerning the death, deliver the certificate to the registrar, and the cause of death as stated in the certificate shall be entered in the register, together with the name of the certifying medical practitioner.

(2) If any such medical practitioner neglects or refuses forthwith to sign and give such certificate, or if any person to whom such certificate is given by such medical practitioner fails to deliver the certificate to the registrar, he shall be guilty of an offence and liable on conviction to a penalty not exceeding fifty rupees.

Requisition by registrar of information concerning death.

26 Where any death has, from the default of the persons required to give information concerning it, not been registered, the registrar may, at any time after the expiration of fourteen days, and within twelve months after such death or from the finding of the dead body elsewhere than in a house, by notice in writing in the form J in the second schedule hereto, require any person required by this Ordinance to give information concerning such death to attend personally at the registrar's office within such time (not less than seven days after the receipt of the notice, nor more than twelve months after the death or finding of the dead body) as may be specified in the notice, and to give the said information to the best of the informant's knowledge and belief, and to sign the register in the presence of the registrar; and it shall be the duty of such person, unless the death is registered before the expiration of the time specified in the requisition, to comply with the requisition.

Duty of registrar to register death gratis.

27 It shall be the duty of the registrar, upon receiving personally from the informant at any time within three months after the date of any death or of the finding of any dead body, information of the particulars required to be registered concerning the death, forthwith in the prescribed form and manner to register the death and the said particulars (if not previously registered) without fee or reward from the informant, and to sign the said register.

Registration of death on an estate.

28 In case such death shall have happened on an estate, information thereof shall be given within twenty-four hours of the death to the superintendent of the estate instead of to the registrar by the persons required by section 24 to give information to the registrar. Such superintendent shall, after verifying the information, within forty-eight hours of the occurrence of the death, report the death, in the form K in the second schedule hereto, to the medical officer appointed under "The Medical Wants Ordinance, 1880," who shall transmit the report without delay to the assistant provincial registrar, or where there is no assistant provincial registrar, to the provincial registrar, within whose local jurisdiction the estate is situated, and the said assistant provincial registrar or provincial registrar shall thereupon register the death in the prescribed form and manner.

The superintendent of the estate shall, for the purposes of this Ordinance, be deemed to have signed the entry made by the registrar.

Registration of death after three months.

29 (1) After the expiration of three months next after the date of any death, or of the finding of any dead body elsewhere than in a house, such death shall not be registered except with the written authority of the Registrar-General for registering the same, and the fact of such authority having been given shall be entered in the register.

(2) Every person who registers or causes to be registered any such death, except as provided in this section, shall be guilty of an offence and be liable on conviction to a penalty not exceeding one hundred rupees.

Certificate from inquirer into deaths under chapter XVII. of the Ceylon Criminal Procedure Code.

30 Where an inquiry is held on a dead body under chapter XVII. of the Ceylon Criminal Procedure Code, the inquirer into deaths shall send to the registrar of the division, within five days after the conclusion of the inquiry, a certificate under his hand, giving information concerning the death with respect to the particulars required to be registered and to the cause of death, and specifying the time and place at which the inquiry was held, and the registrar shall in the prescribed form and manner enter the death and particulars. If the death has been previously registered, the registrar shall, after verifying his entry with the inquirer's certificate, make a record of such particulars, if any, as may be at variance with the original entry without any alteration in the original entry, and shall note that the entry has been so verified.

Registration of Deaths in proclaimed places.

Proclamation by Governor.

31 (1) It shall be lawful for the Governor, with the advice of the Executive Council, from time to time by Proclamation in the *Government Gazette*, to declare that the provisions of this and the five following sections shall come into operation in any town, district, or place on a date to be fixed by such Proclamation.

(2) Every such Proclamation shall define the limits of the town, district, or place within which this and the five following sections shall come into operation, and it shall be lawful for the Governor in like manner, with the advice of the Executive Council, from time to time to amend, alter, or revoke such Proclamation.

(3) Upon the revocation of such Proclamation this and the five following sections shall cease to have any effect in the town, district, or place described in such revoked Proclamation.

Special provisions as to registration of deaths and burial of bodies in proclaimed places.

32 (1) In any town, district, or place proclaimed under the provisions of sub-section (1) of the preceding section, no dead body shall from the date fixed in the Proclamation be buried or cremated, or otherwise disposed of or removed for such purpose, or be permitted by the keeper of any place

used for such purpose to be buried or cremated, or otherwise disposed of :

- (a) Unless a person required by this Ordinance to give information to a registrar has obtained a certificate in the form L in the second schedule hereto from such registrar that notice of such death has been duly given to him ; or
- (b) Unless a certificate in the form M in the second schedule hereto has been obtained by such person from a police officer or headman resident in the division of such registrar, stating that notice of the death was not less than three hours previously to the granting of such certificate given to the registrar, or, in his absence, to such police officer or headman, and setting forth the true cause of death ; or
- (c) Unless a certificate has been obtained in terms of section 25 as to the true cause of death signed by a medical practitioner who was in attendance on the deceased person ; or
- (d) Unless upon an order which shall be in the form N in the second schedule hereto of an inquirer into deaths who shall have held an inquiry on the body of the deceased under chapter XVII. of the Ceylon Criminal Procedure Code ; or
- (e) In the case of a death occurring on an estate, unless the death has been reported to the superintendent of the estate, and he has authorized its burial in writing in the form O in the second schedule hereto.

(2) The certificate of a registrar, police officer, or headman, or medical practitioner, and the order of an inquirer, and the authority of a superintendent as aforesaid, shall be given without fee or reward from the applicant, and after such inquiry as may be necessary to ascertain the particulars required to be registered concerning the death, and with as little delay as may be consistent with the exigencies of such inquiry ; and the registrar, police officer, headman, medical practitioner, inquirer, or superintendent shall have power to enter into any house or land to make such inquiry or to inspect the body of a deceased person. The certificate of a police officer or headman, or medical practitioner, or the order of the inquirer into deaths shall be made out and issued in duplicate.

(3) The certificate of a registrar, police officer, or headman, or medical practitioner, or the authority of a superintendent, or order of the inquirer into deaths, shall be produced to the person having charge of or control over any place in which the body may be buried, cremated, or otherwise disposed of ; and until the production of such certificate or authority he shall not permit the body to be buried, cremated, or otherwise disposed of.

(4) The duplicate of the certificate of a police officer, or headman, or medical practitioner, or order of an inquirer into deaths shall, within five days after the death, be delivered to the registrar of the division by the person who received it from the police officer, headman, or medical practitioner, or inquirer into deaths ; or in the case of a death occurring on an estate and reported to the superintendent of the estate, such superintendent shall make and transmit within the said period a certificate in the form K to the medical officer appointed under "The Medical Wants Ordinance, 1880," and such medical officer shall forthwith forward the report to the assistant provincial registrar, or where there is no assistant provincial registrar to the provincial registrar.

(5) The registrar, or assistant provincial registrar, or provincial registrar, as the case may be, shall thereupon, register in the prescribed form and manner such death as well as every death of which due information shall have been given directly to him by the person required to give information.

(6) Any person who acts in breach of the 1st, 2nd, 3rd, or 4th sub-sections of this section, and any registrar, police officer, or headman, or superintendent of an estate, who, in the discharge of the duties under this section, knowingly causes unnecessary vexation to any person, shall be guilty of an offence; and shall be liable on conviction to a fine not exceeding one hundred rupees.

Registration of still-births and burial of still-born children in proclaimed places.

33 (1) In any town, district, or place proclaimed under the provisions of sub-section (1) of section 31 a person shall not bury, cremate, or otherwise dispose of any still-born child—

(a) Unless the occurrence of such still-birth shall have been reported to a registrar or to a police officer or headman of the division where it occurred by some person who would, if the child had been born alive, have been required by this Ordinance to give information concerning the birth, and unless a certificate of such report having been made has been obtained from the registrar or police officer or headman, which certificate shall be given, after such inquiry or inspection of the body as may be necessary to verify the information, by the registrar or police officer or headman, without fee or reward from the informant, and shall be in the form P in the second schedule hereto; or

(b) In the case of a still-birth occurring on an estate, unless such report has been made to the superintendent of the estate, and he has after inquiry or inspection of the body, authorized its burial; or

(c) Unless a certificate in the form Q in the second schedule hereto has been obtained from a medical practitioner who was in attendance at the birth, or has examined the body, that such child was not born alive.

(2) The certificate of a police officer or headman or of a medical practitioner shall, within the five days next following the still-birth, be forwarded to the registrar of the division by the person who obtained the certificate; or in the case of a still-birth occurring on an estate, and which has been reported to the superintendent of the estate, a certificate thereof shall, after he has verified the information, be made by the superintendent in the prescribed form and transmitted by him to the medical officer appointed under "The Medical Wants Ordinance, 1880," who shall transmit the report forthwith to the assistant provincial registrar, or, if there be no assistant provincial registrar, to the provincial registrar.

(3) The registrar, or assistant provincial registrar, or provincial registrar, as the case may be, shall enter every still-birth in a register of still-births to be kept by him in duplicate in the form R in the second schedule hereto; and the duplicate of such entry shall be transmitted to the Registrar-General as prescribed in regard to births and deaths.

(4) Any person who acts in breach of the 1st and 2nd sub-sections of this section shall be guilty of an offence and be liable on conviction to a fine not exceeding one hundred rupees.

Qualification of registrars in proclaimed places.

34 For the appointment of registrar of a division in a town, district, or place proclaimed under the provisions of sub-section (1) of section 31, only the following persons shall be eligible, that is to say, a medical practitioner or a person holding a certificate of competency for the purposes of this Ordinance from a board appointed by the Governor.

Appointment of deputy registrar.

35 It shall be lawful for the Governor to appoint any person eligible for the appointment of registrar as provided in the preceding section to be deputy to the registrar of a division appointed under the preceding section, and such deputy shall, during the absence from the division or incapacity of such registrar, have and exercise all the powers and duties, and be subject to all the liabilities and penalties vested in and imposed upon such registrar by this Ordinance.

Other provisions of Ordinance to be in force in proclaimed places.

36 So far as they are consistent with the provisions of the five preceding sections, all the other provisions of this Ordinance shall apply to and be in full force in the towns, districts, and places proclaimed under sub-section 1 of section 31.

Correction of Errors.

Correction of error in register.

37 (1) No alteration in any register of births, deaths, and still-births shall be made except as authorized by this Ordinance.

(2) Any clerical error which may from time to time be discovered in any such register may be corrected by any person authorized in that behalf by the Registrar-General, subject to the rules made under the provisions of this Ordinance.

(3) An error of fact or substance in any such register may be corrected with the authority of the Registrar-General and in the presence of the Registrar-General, provincial registrar, or assistant provincial registrar (who, as well as the registrar, shall sign such correction) by entry in the margin (without any alteration of the original entry) by the officer having the custody of the register, upon production by the person requiring such error to be corrected, of a declaration setting forth the nature of the error and the true facts of the case, and made by two persons required by this Ordinance to give information concerning the birth or death with reference to which the error has been made, or in default of such persons, then by two credible persons having knowledge of the truth of the case, and upon the production of such other evidence as the Registrar-General may require to satisfy him of the truth of the case.

(4) Where an error of fact or substance (other than an error relating to the cause of death) occurs in the information given by the certificate of an inquirer into deaths concerning a dead body upon which he has held an inquiry under chapter XVII. of the Ceylon Criminal Procedure Code, the inquirer, if satisfied by evidence on oath or affirmation that such error exists, may certify under his hand to the officer having the custody of the register in which such information is entered, the nature of the error and the true facts of the case as ascertained by him on such evidence, and the error may thereupon be corrected by such officer in the register, in the presence of the Registrar-General, provincial registrar, or assistant provincial registrar, by entering in the margin of the register (without any alteration of the original entry) the facts as so certified by the inquirer; and the correction shall be signed by the registrar as well as the Registrar-General, provincial registrar, or assistant provincial registrar.

Books, &c.

Books to be kept.

38 (1) The Registrar-General, provincial registrars, assistant provincial registrars, and registrars shall keep books for the purposes of this Ordinance of such form and material as is prescribed by this Ordinance, or as shall be prescribed by the Governor in Executive Council, and shall carefully preserve such books and shall at no time allow such books or other documents kept under this Ordinance to remain out of their possession, except in obedience to an order of a competent court, or except as provided in this Ordinance, or by any rules made by the Governor in Executive Council.

(2) Every registrar shall, when called upon by the Registrar-General, or by the provincial registrar, or assistant provincial registrar, within whose local jurisdiction such registrar resides, produce for inspection all books, documents, and papers which are in his possession as such registrar.

(3) As each book of registers is completed by the registrar, he shall forward it with all connected books, documents, and papers to the assistant provincial registrar, or, if there be no assistant provincial registrar, to the provincial registrar, who shall preserve them in his office.

Forms.

39 (1) The forms in the schedule to this Ordinance, or forms as nearly resembling the same as circumstances admit, shall be used in all cases to which they are applicable.

(2) It shall be lawful for the Governor in Executive Council, by order published in the *Government Gazette*, to alter from time to time all or any of the forms contained in the schedule to this Ordinance, or in any rule or order made thereunder, in such manner as may appear to him best for carrying into effect this Ordinance, or to prescribe new forms for that purpose. Every form when altered in pursuance of this section shall have the same effect as if it had been contained in the schedule to this Ordinance.

Sending certificates, &c., by post.

40 All notices, informations, declarations, certificates, requisitions, returns, and other documents required or authorized by this Ordinance to be delivered, sent, or given to the Registrar-General, or provincial registrar, or assistant provincial registrar, or a registrar, or by a registrar to a person who is required to give information concerning any birth or still-birth, or who gives notice of any death, may be sent by post, according to the prescribed rules of the postal department, either in a prepaid letter or free on Her Majesty's service, and the date at which they would be delivered to the person to whom they are sent in the ordinary course of post shall be deemed to be the date at which they are received; and in proving such sending, it shall be sufficient to prove that the letter was prepaid, or (if it be a letter that might according to the rules of the postal department be sent free on Her Majesty's service) that it was franked on Her Majesty's service, and that it was properly addressed and put into the post.

Search and issue of certified copies or extracts.

41 All persons shall be entitled, on making a written application to the Registrar-General, provincial registrar, assistant provincial registrar, or registrar, and under such conditions as shall be prescribed by the Governor in Executive Council, to refer to any book or document kept under this Ordinance, and in the possession of such Registrar-General, provincial registrar, assistant provincial registrar, or registrar, and shall, on a written application, and on payment of such fees as the Governor in Executive Council may prescribe, be entitled to demand a certified copy or extract of or from every entry in such book or document.

Provided that every written application shall bear stamps of the value of fifty cents where the application states the year in which the entry sought for was made, and stamps of the value of two rupees and fifty cents where the year is not stated, and provided that every such certified copy or extract shall bear stamps of the value of seventy-five cents, to be supplied by the party applying for the same.

Certified copy or extract to be *prima facie* evidence.

42 Such copy or extract, if purporting to be made under the hand of the Registrar-General, or his assistant, or of the provincial registrar, or the assistant provincial registrar, or if purporting to be made under the hand of a registrar and countersigned by the Registrar-General, provincial registrar, or assistant provincial registrar, shall be received as *prima facie* evidence of the birth or death or still-birth to which it refers without any further or other proof of such entry, provided that such entry purports to have been duly made under the provisions of this Ordinance.

Delivery of records of registrar ceasing to hold office.

43 (1) In every case in which a registrar shall cease to hold office, all the books, documents, papers, and other articles in his possession as such registrar shall be delivered by him or by his legal representative as soon as conveniently may be with a list thereof to the assistant provincial registrar of his district, or if there be no assistant provincial registrar, to the provincial registrar, who shall carefully arrange and preserve them in his office, save and except the incomplete books which were in actual use by the registrar at the time he ceased to hold office, and which shall be delivered by the assistant provincial registrar or provincial registrar to the successor in office of the registrar.

Surrender of records kept under repealed Ordinances.

44 All books of registers kept under any of the Ordinances mentioned in the first schedule to this Ordinance, and which shall have been completed at the commencement of this Ordinance, shall forthwith be forwarded, together with all connected books, documents, and papers, and a list thereof, by the registrar or any other person who may be in possession of them to the assistant provincial registrar, or if there be no assistant provincial registrar, to the provincial registrar, within whose local jurisdiction such registrar or other person resides, and shall be carefully arranged and preserved by the assistant provincial registrar or provincial registrar.

Offences.

Penalty for non-delivery.

45 If any person being, by virtue of his office as registrar or otherwise, in possession of books, documents, papers, and other articles specified in the last section shall fail, or neglect, or refuse to deliver them to the assistant provincial registrar or provincial registrar, he shall be guilty of an offence, and be liable on conviction to punishment with imprisonment of either description for any term not exceeding two years, or to a fine not exceeding one thousand rupees.

Penalty for omission to register or for loss of registers.

46 Every registrar who refuses, or without reasonable cause omits, to register any birth or death or still-birth, or particulars concerning which information has been tendered to him by an informant, and which he ought to register, or knowingly disobeys any direction of the law as to the way in which he is to conduct himself, intending or knowing it to be likely to cause injury to any person or to the Government, and every person having the custody of any register book of births or deaths or still-births who carelessly loses, or injures, or allows the injury of the same, shall be guilty of an offence and be liable to a penalty not exceeding one hundred rupees.

Duty of police officer and headman to give information of births and deaths.

47 It shall be the duty of every police officer and village headman to inform himself of every birth and of every death occurring within his jurisdiction, and to give within seven days information thereof in writing in the form S or T in the second schedule hereof, with the particulars required by this Ordinance to be registered, to the registrar of the division.

Penalty for false statement, &c.

48 Any person who—

- (1) Refuses or omits to perform any act, or give any information or notice, or make any report required of him by this Ordinance or by any rule made under the provisions thereof; or
- (2) Wilfully makes any false answer to any question put to him by a registrar, police officer, headman, or superintendent of an estate relating to the particulars required to be registered concerning any birth or death, or still-birth, or wilfully gives to a registrar, police officer, headman, or superintendent of an estate any false information concerning any birth or death, or still-birth, or the cause of any death; or
- (3) Wilfully makes any false certificate or declaration under or for the purposes of this Ordinance, or forges or falsifies any such certificate or declaration or any order under this Ordinance, or, knowing any such certificate, declaration, or order to be false or forged, uses the same as true, or gives or sends the same as true to any person; or
- (4) Wilfully makes, gives, or uses any false statement or representation as to a child born alive having been still-born, or falsely pretends that any child born alive was still-born; or
- (5) Makes any false statement with intent to have the same entered in any register of births or deaths, or still-births, or to obtain a certificate or authority under section 32 or 33;

shall be guilty of an offence, and shall be liable on conviction before a police court to a fine not exceeding one hundred rupees, or to simple or rigorous imprisonment for a term not exceeding six months, or to both fine and imprisonment, or on conviction before a district court or the Supreme Court, to such sentence as such court is authorized by law to pass.

Penalty for destruction of documents and for giving false certificates.

49 Every person who shall knowingly and wilfully tear, deface, destroy, or injure any notice, certificate, declaration, book, or any document whatsoever kept under this Ordinance or any part thereof, or certified copy thereof, or part thereof, or shall knowingly and wilfully insert any false entry of any matter relating to any birth, death, or still-birth, or sign or issue any false certificate relating thereto, or certify any writing to be a copy or extract of any such book or document, knowing such copy or extract to be false in any particular, shall be guilty of an offence, and be liable on conviction to rigorous imprisonment for a term not exceeding seven years or to a fine not exceeding one thousand rupees.

Payment of fees.

50 It shall be lawful for the Governor from time to time, with the advice of the Executive Council, by order published in the *Government Gazette*, to prescribe the fees payable for any act, matter, or thing done under, by virtue, or in pursuance of any of the provisions of this Ordinance, and the persons by whom and to whom such fees shall be payable.

Annual list of registrars.

51 The Registrar-General shall, on or before the thirtieth day of April of each year, publish in the *Government Gazette* a list of the registrars of births and deaths in the island, with their names, the names of their divisions, offices, and stations, and such list shall be suspended or affixed in a conspicuous place in the offices of the provincial registrars and assistant provincial registrars.

FIRST SCHEDULE.

Ordinance, Rule, &c.	Title.	Extent of Repeal.
No. 6 of 1847	An Ordinance to amend in certain respects the Law of Marriages and to provide for the better registration of Births and Deaths	So much as relates to births and deaths
No. 18 of 1867	The Births and Deaths Registration Ordinance, 1867	The whole
No. 15 of 1877	The Marriages, Births, and Deaths Registration Amendment Ordinance, 1877	So much as relates to births and deaths
No. 20 of 1891	An Ordinance to render more accurate and complete the Registration of Deaths	The whole
No. 11 of 1892	An Ordinance to provide for the appointment of Additional Provincial and District Registrars	The whole
All rules and regulations framed under the authority of any of the above Ordinances and now in force	—	The whole, so far as they relate to births and deaths, subject to the proviso of sub-section 1 of section 2 of this Ordinance

SECOND SCHEDULE.

A.—Register of Births.

(Section 41.)

No.	Province.	District.
When and where born ...	<i>December 17, 1894; Colombo, Maliban Street, No. 25 (or Waskaduwa in Munnwattabage pattu)</i>	
Name ...	<i>James</i>	
Sex ...	<i>Male</i>	
Name and surname of father ...	<i>Arthur Peiris</i>	
Name and maiden name of mother, and nationality ...	<i>Louisa Peiris, née De Mel; Sinhalese</i>	
Rank or profession and nationality of father ...	<i>Merchant; Sinhalese</i>	
Parents, if married ...	<i>Married at the Registrar's Office, Pohaddaramulla (or Wesleyan Chapel, Kalutara)</i>	
Name and residence of informant, and in what capacity he gives information ...	<i>David Peiris, of Waskaduwa, uncle of child (or occupier of the house where the birth occurred, or present at the birth)</i>	
Informant's signature ...	<i>David Peiris</i>	
When registered ...	<i>December 27, 1894</i>	
Signature of Registrar ...	<i>A. Fonseka</i>	
Name, if added or altered after registration of birth ...	<i>Robert</i>	
Date of addition or alteration ...	<i>September 14, 1895</i>	

B.—Register of Deaths.

(Section 11.)

No. —	Province.	District.
When and where died ...	January 7, 1893; Robinson street, Cinnamon gardens, No. 85	
Name in full ...	Magage Gabriel Pereira	
Sex and nationality ...	Male; Sinhalese	
Age ...	48 years	
Rank or profession ...	Carpenter	
Names of parents *	Magage Selestinu Perera and Wedige Ango Nona	
Cause of death and place of burial ...	Smallpox; Jawatta Cemetery	
Name and residence of informant, and in what capacity he gives information ...	Magage Thomas Perera, of Robinson street, brother of deceased (or occupier of the house where the death occurred, or present at the death)	
Informant's signature ...	Thomas Perera	
When registered ...	January 15, 1893	
Signature of Registrar ...	P. Dias	

* If the deceased was an estate labourer, here insert also the name of kangany.

C.—Declaration of Birth.

(Section 12.)

I. (name, profession, residence, and relation to child) hereby declare that on the (date), at (place of birth), there was born alive a (male or female) child whose mother's name is (name, maiden name, and nationality of mother), and whose father's name is (name and nationality of father), who were duly married at (place where the marriage was solemnized), on the (date of marriage), and I subscribe this declaration on this _____ day of _____, in the year _____, at _____, verily believing the same to be true.

(Signature of declarant) _____

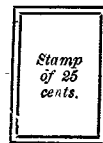
Subscribed in the presence of : _____

1. (Name of witness), living at (residence)..

(Signature of witness) _____

2. (Name of witness), living at (residence).

(Signature of witness) _____



D.—Report of Birth.

(Section 16.)

(To be forwarded to the District Medical Officer or Medical Assistant in Charge within forty-eight hours of Birth.)

No. _____

_____, 18 —. Birth on the _____ Estate, in the Medical District of _____.

1. When and where born : _____.
2. Name of the child : _____.
3. Sex : _____.
4. Name in full of the Kangany or Kanganies under whom the father and mother work _____.
5. Name and nationality of the father : _____.
6. Name and nationality of the mother : _____.
7. Parents, if married : _____.
8. Whether and when the birth was reported to the superintendent by the kangany : _____.

I do hereby declare the above to be a true and correct statement.

Witness my hand this _____ day of _____, 18 —.

Received :

Superintendent.

Medical Officer

B 4*

E.

(Section 20, Sub-section a).

Whereas the birth of the child herein-named has not been registered within the three months prescribed by the 17th section of "The Births and Deaths Registration Ordinance, 1895," and it is now necessary to register the same, I, _____, of _____, hereby declare that the following particulars to be registered concerning its birth, and name are true and correct to the best of my knowledge and belief :

1 When and where Born.	2 Name.	3 Sex.	4 Name of the Father.	5 Name and Maiden Name of the Mother.	6 Rank or Profession of the Father.	7 Parents, if Married.	8 Name and Resi- dence of Declar- ant, and in what capacity he gives information.

Declared before me at _____
this _____ day of _____, 18__.

Informant.

Registrar-General or Provincial Registrar
or Assistant Provincial Registrar.

No. and date of the registration }
(to be filled in by the Registrar) }



F.—Register of Past Births.

(Section 20, Sub-section c.)

No. _____ Province. _____ District

When and where born : _____
Name : _____
Sex : _____
Name and surname of father : _____
Name and maiden name of mother, and nationality : _____
Rank or profession and nationality of father : _____
Parents, if married : _____
Name and residence of informant, and in what capacity he gives
information : _____
Informant's signature : _____
Date of declaration : _____
Date of Registrar-General's authority : _____
When registered : _____
Signature of Registrar : _____

(Signature) _____

G.—Form certifying Name given.

(Section 21.)

I, _____, do hereby certify that the male (or female) child born
on the _____, at _____, in _____, to _____ and _____
his wife, and whose birth was registered in the division of _____
on the _____, 18__, has received the name of _____.

Witness my hand this _____, 18__.

(Signature) _____

Form for altering Name entered in Register.

(Section 21.)

I, _____, do certify that the male (or female) child born on the _____ day of _____, 18 __, at _____, in _____, to _____ and _____ his wife, and whose birth was registered in the division of _____ on the _____ day of _____, 18 __, has since had his (or her) name altered to _____.

Witness my hand this _____ day of _____, 18 __.

(Signature) _____

H.—Declaration of Death.

(Section 24.)

_____, 18 __. Death in _____ District, _____ Province.

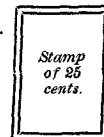
When and where Died.	Name in full.	Sex.	Age.	Rank or Profession.	Cause of Death.	Full Name, Description, and Residence of Declarant.	Name of Registered Medical Practitioner whose Certificate as to Cause of Death is annexed.

I do hereby declare the above to be a true and correct statement.

Witness my hand at _____ this _____ day of _____, 18 __.

(Signature of Declarant) _____

In the presence of (names, residences, and signatures of two witnesses).



I.—Certificate of Cause of Death.

(Section 25.)

To the Registrar of _____.

I, _____, certify that I attended _____, of _____, who was apparently aged (or stated to be aged) _____, during his (or her) last illness and until his (or her) death, and that the cause of his (or her) death was _____.

Witness my hand this _____ day of _____, One thousand Eight hundred and _____.

(Signed) _____

J.—Requisition for Information concerning Deaths.

(Section 26.)

The death of _____, of _____, which took place at _____ on the _____, not having been reported to me within fourteen days of its occurrence, you (name of the person), being legally bound to furnish information concerning such death, are hereby required to appear before me at my office at _____, on the _____, and to give the said information to the best of your knowledge and belief.

Dated at _____ this _____ day of _____, 18 —.

Registrar.

To (name and residence of the person).

K.—Report of Death.

(Section 28 and Sub-section 4 of Section 32.)

(To be fully answered and forwarded to the District Medical Officer or Medical Assistant in Charge within forty-eight hours of Death.)

No. _____.

_____ 18—. Death on the _____, in the Medical District of _____.

1. Where and when died : _____.
2. Age and sex : _____.
3. Name in full and parents' names : _____.
4. Name of kangany in whose gang deceased was actually employed on the estate : _____.
5. Class and rank (whether kangany, or labourer, or child, or wife of such) : _____.
6. Cause of death : _____.
7. If buried off the estate, state where buried : _____.

I do hereby declare the above to be a true and correct statement.

Witness my hand at _____ this _____ day of _____, 18 —.

Superintendent of _____ Estate.

L.—Certificate of Notice of Death.

(Section 32 a.)

No. _____.

I have this day received from _____, of _____, notice of the death of :

Name : _____.

Sex and nationality : _____.

Age : _____.

Date of death : _____.

Place of death : House No. _____, _____ Street.

Cause of death : _____.

_____, 18 —.

Registrar.

M.

(Section 32 b.)

I certify that information of the death, of which particulars are given below, was furnished to the Registrar of _____ (or to me, the Registrar of the division being absent), not less than three hours previously to the granting of this certificate :

Date of death : _____.

Name in full : _____.

Sex : _____.

Age : _____.

Rank or profession : _____.

Place where death occurred (village, or ward, street, and No. of house) : _____.

Cause of death : _____.

Name of last medical attendant : _____.

Name in full of informant, and residence : _____.

Dated at _____ this _____ day of _____, 18 —.

Police Officer or Headman.

N.—Inquirer's Certificate.

(Section 32 d.)

I, _____, Inquirer into Deaths of _____, certify that I have this day held an inquiry under the provisions of Chapter XVII. of the Ceylon Criminal Procedure Code on the dead body of _____, of _____, and that the particulars stated in the schedule hereto are true and correct, and I hereby authorize the burial of the said body.

Dated at _____ this _____ day of _____, 18 —.

Inquirer into Deaths.

Schedule.

Date of death : _____.
 Name in full : _____.
 Sex : _____.
 Age : _____.
 Rank or profession : _____.
 Place where death occurred (village, or ward, street, house, and No.) : _____.
 Cause of death : _____.

O.—Certificate of Superintendent of Estate.

(Section 32 e.)

I, _____, Superintendent of the _____ Estate, in _____, hereby authorize the burial of the body of (name), whose death took place on the above estate on the _____ day of _____, 18 —.

Dated at _____ this _____ day of _____, 18 —.

Superintendent.

P.—Certificate of Notice of Still-birth.

(Section 33 a.)

No. —.

I have this day received from _____, of _____, notice of the following still-birth :

Sex and nationality : _____.
 Name and maiden name and rank or profession of mother : _____.
 Date of occurrence : _____.
 Place of occurrence : _____,
 _____, 18 —.

Registrar.

Q.

(Section 33 c.)

I certify that the child whose particulars are given below was not born alive :

Date and place of occurrence : _____.
 Nationality : _____.
 Sex : _____.
 Name, maiden name, and rank or profession of mother : _____.
 Age of mother : _____.
 Number of months pregnant at time of still-birth : _____.
 Name and rank or profession of father : _____.
 Name, description, and residence of informant : _____.
 Signature of informant : _____.
 Date of information : _____,
 _____, 18 —.

Medical Practitioner.

R.—Register of Still-birth.

(Section 33 (3).)

Date and place of occurrence : _____.
 Nationality : _____.
 Sex : _____.
 Name, maiden name, and rank or profession of mother : _____.
 Age of mother : _____.
 Number of months pregnant at time of still-birth : _____.
 Name and rank or profession of father : _____.
 Name, description, and residence of informant : _____.
 Signature of informant : _____.
 Date of information : _____.

_____, 18 —.

Registrar.

S.—Report of Birth by Police Officer or Village Headman.

(Section 47.)

When and where Born.	Name.	Sex and Nationality.	Father's Name.	Mother's Name and Maiden Name.	Rank or Profession of Father.	Parents if Married.

I, (name), police officer (or village headman) of (village and district), certify that the above statement contains the true particulars of a birth which occurred in my district as above stated, and I report the same to the Registrar of _____.

Signed at _____ this _____ day of _____, 18 —.

(Signature) _____

T.—Report of Death by Police Officer or Village Headman.

(Section 47.)

Date of Death.	Name in full.	Sex and Nationality.	Age.	Profession.	Place where Death occurred.	Cause of Death.	Name and Address of Person bound to give information.

I, (name), police officer (or village headman) of (village and district), certify that the above statement contains the true particulars of a death which occurred in my district as above stated, and I report the same to the Registrar of _____.

Signed at _____ this _____ day of _____, 18 —.

(Signature) _____

Passed in Council the Tenth day of July, One thousand Eight hundred and Ninety-five.

H. L. CRAWFORD,
Clerk to the Council.

Assented to by His Excellency the Governor the Tenth day of July, One thousand Eight hundred and Ninety-five.

E. NOEL WALKER,
Colonial Secretary.

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

No. 2 of 1895.

An Ordinance to consolidate and amend the Laws relating to the registration of Marriages other than the Marriages of Kandians or of Muhammadans.

A. E. HAVELOCK.

Preamble.

WHEREAS it is expedient to consolidate and amend the laws relating to marriages in this island other than the marriages of Kandians or of Muhammadans, and to provide for the better registration thereof: 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.
Date of
operation.

1 This Ordinance may be cited for all purposes as "The Marriage Registration Ordinance, 1895," and shall come into operation on such date as the Governor shall, by Proclamation to be published in the *Government Gazette*, appoint.

Repeal.

2 (1) On and from the date on which this Ordinance comes into operation the Ordinances, rules, and regulations mentioned in the first column of the first schedule hereto shall be severally repealed to the extent mentioned in the third column thereof.

Provided that the rules and regulations now in force under any of the said Ordinances shall, as far as consistent with this Ordinance, continue to be in force until rules are made and published under section 9 of this Ordinance.

(2) The repeal shall not affect—

- (a) The past operation of any Ordinance, rule, or regulation hereby repealed, nor anything duly done or suffered under any Ordinance, rule, or regulation hereby repealed; nor
- (b) Any right, privilege, obligation, or liability acquired, accrued, or incurred under any Ordinance, rule, or regulation hereby repealed; nor
- (c) Any penalty, forfeiture, or punishment acquired, accrued, or incurred under any Ordinance, rule, or regulation hereby repealed; nor
- (d) Any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid, and any such investigation, legal proceeding, or remedy may be carried on as if this Ordinance had not passed.

(3) Where any unrepealed Ordinance, rule, or regulation incorporates or refers to any provision of any Ordinance, rule, or regulation hereby repealed, such unrepealed Ordinance, rule, or regulation shall be deemed to incorporate or refer to the corresponding provision of this Ordinance or of the rule or regulation made thereunder.

Interpretation.

3 In this Ordinance, if not inconsistent with the context—

The term "marriage" means any marriage save and except marriages contracted under and by virtue of the Ordinance No. 3 of 1870, entitled "An Ordinance to amend the Laws of Marriage in the Kandyan Provinces," and except marriages contracted between persons professing the Muhammadan faith;

The term "minister" means any person ordained or set apart for the ministry of the Christian religion according to the customs, rules, ceremonies, or rites of the church, denomination, or body to which such person belongs;

The term "government agent" includes any person appointed by the Governor to act as government agent;

The term "assistant government agent" includes any person appointed by the Governor to act as assistant government agent;

The term "province" means any one of the divisions of the island now forming, or which shall hereafter form, the territorial jurisdiction of a government agent;

The term "district" means the subdivision of a province forming, or which shall hereafter form, the territorial jurisdiction of an assistant government agent.

Appointment of Registrar-General, and his duties.

4 (1) It shall be lawful for the Governor from time to time to appoint a fit and proper person to be the Registrar-General of Marriages in this island, and at any time to remove him, and to appoint some other in his place, and from time to time to appoint any person to act in place of the Registrar-General.

(2) The Registrar-General and the person appointed to act in place of the Registrar-General shall, subject to the directions of the Governor, have the general control and superintendence of the registration of marriages in this island, and of all persons appointed for or engaged in the carrying out of the provisions of this Ordinance.

Appointment of provincial registrar and assistant provincial registrar, and their duties.

5 (1) The government agent for the time being of any province shall be the provincial registrar of marriages of such province, and the assistant government agent for the time being of any district shall be the assistant provincial registrar of marriages of such district. The office assistant of the government agent of a province shall be the assistant provincial registrar of that part of the province which does not form part of the subdivision forming the territorial jurisdiction of an assistant government agent.

Provided that it shall be lawful for the Governor to appoint any person other than the government agent to be a provincial registrar of any province in place of or in addition to such government agent, and such appointment to cancel or revoke, and the person so appointed shall, during the continuance of such appointment, have and exercise all the powers herein vested in a provincial registrar; and provided further that it shall be lawful for the Governor to appoint any person other than the assistant government agent of a district or the office assistant to the government agent of a province, to be an assistant provincial registrar in place of or in addition to such assistant government agent or office assistant, and such appointment to cancel or revoke, and the person so appointed shall, during the continuance of such appointment, have and exercise all the powers herein vested in an assistant provincial registrar.

(2) The provincial registrar and assistant provincial registrar shall in their respective province and district superintend and control, subject to the Registrar-General, the registration of marriages, and the registrars hereinafter mentioned, and all persons appointed for or engaged in carrying out the provisions of this Ordinance.

(3) The provincial registrar of each province, and the assistant provincial registrar of each district, and the assistant provincial registrar of every part of a province not forming part of a subdivision forming the territorial jurisdiction of an assistant government agent, shall each have and exercise in his province and district and part of a province respectively the duties and powers exercised by a registrar in his division. The province shall be the division of the provincial registrar, and the district or part of the province shall be the division of the assistant provincial registrar.

Appointment of registration divisions.

6 (1) It shall be lawful for the Governor, with the advice of the Executive Council, by notification in the *Government Gazette*, to divide the several provinces of the island into

such and so many divisions for the purpose of the registration of marriages as shall appear expedient, and such divisions or any of them at any time, with the like advice, to amend, alter, or abolish.

(2) Every district established under the provisions of the Ordinance No. 6 of 1847, or any amending Ordinance, shall be deemed and taken to be a division appointed under the provisions of this Ordinance, until such time as a new division shall be constituted in lieu thereof under the provisions of this Ordinance.

Appointment of registrars.

7 It shall be lawful for the Governor, by notification in the *Government Gazette*, to appoint one or more persons to each such division, who shall be called registrars, and any such registrar at pleasure to remove and to appoint some other person in his place or in the place of any registrar who shall have died or resigned office, or been granted leave of absence from his duties.

Provided that in case of the death, sudden illness, or incapacity of the registrar of a division, or in case of other emergency, it shall be lawful for the provincial registrar or assistant provincial registrar to appoint by writing under his hand a person to act as registrar of such division for any period not exceeding fourteen days at any one time. Such acting appointments shall be forthwith notified to the Registrar-General and published in the *Government Gazette*, and shall be entered by the provincial registrar or assistant provincial registrar in a book to be kept by him for the purpose.

Continuance in office of present officers.

8 The person holding the office of Registrar-General, and the person performing the duties of the office of Registrar-General, and the persons holding the office of registrar of marriages, and the persons performing the duties of the office of registrar of marriages, at the time when this Ordinance comes into operation, shall be deemed and taken to have been duly appointed under the provisions of this Ordinance, and shall exercise all the powers and privileges, and be subject to all the liabilities and penalties vested in and imposed upon such officers by this Ordinance.

Rules by the Governor in Executive Council.

9 (1) It shall be lawful for the Governor, with the advice of the Executive Council, from time to time to make rules consistent with this Ordinance for the direction of the Registrar-General, the provincial registrars, assistant provincial registrars, registrars, ministers, and all persons whomsoever in the discharge of their duties under this Ordinance, and generally for the effective carrying out of its provisions, and such rules, with the like advice, to revoke, amend, or alter.

(2) Any rules made in pursuance of this section shall be published in the English, Sinhalese, and Tamil languages in two successive issues of the *Government Gazette*, and shall thereupon become as legal, valid, and effectual as if the same had been inserted herein.

(3) Breach of any such rule shall be an offence, and punishable with a fine not exceeding one hundred rupees.

Residence, office, and station of registrar.

10 (1) Every registrar shall dwell and have his office in such convenient place in his division as shall be appointed by the provincial registrar, and shall, if so directed by the provincial registrar, have within his division a station or stations as may be approved by the provincial registrar, and every such station shall, for the purposes of the provisions of this Ordinance, with respect to the attendance of persons and the registration of marriages at the office of the registrar, be deemed to be his office.

It shall be the duty of the provincial registrar forthwith to notify to the Registrar-General the residence, office, and station or stations of every registrar of his province.

(2) The registrar shall attend at his office and at each such station on such days and during such hours as shall respectively be appointed by the provincial registrar, and shall cause his name, with the addition of "Registrar of Marriages" of the division for which he is registrar, and the hours of his attendance as appointed by the provincial registrar, to be

placed in legible characters in the English, Sinhalese, and Tamil languages in a conspicuous place on or near the entrance of his office and station.

Registration of place of worship for solemnization of marriage.

11 The minister, proprietor, or trustee of a building used as a place of public Christian worship may apply to the Registrar-General that such building may be registered for solemnizing marriages therein. Such application shall be in the form A in the second schedule hereto, and shall contain a declaration signed by at least twenty householders and countersigned by the said minister, proprietor, or trustee, that they frequent or intend to frequent such place of worship. It shall then be lawful for the Registrar-General to register such place of worship for the solemnization of marriages in a book to be kept by him for that purpose, and he shall thereupon give a certificate of such registry and of the date thereof under his hand, which certificate shall be in the form B in the second schedule hereto, and shall bear a stamp or stamps of the value of one rupee, to be supplied by the person making such application, and the Registrar-General shall give public notice of such registry by notification in the *Government Gazette*.

Provided that no building shall be registered which is not used for public Christian worship; and provided also that any building already registered at the time when this Ordinance comes into operation shall be deemed to have been registered under the provisions of this Ordinance.

And provided further that where the population in any district is so scattered that it is difficult to procure the signatures of twenty householders, it shall be lawful for the Registrar-General to issue his certificate upon a declaration signed by as many householders as live within convenient distance from the building, and countersigned by the minister, proprietor, or trustee, and upon such other evidence as the Registrar-General may require to satisfy him that the building is used for public Christian worship.

Cancellation or substitution of registration of building.

12 (1) If any building registered for the solemnization of marriages shall at any subsequent period cease to be used for the public Christian worship of the congregation on whose behalf it was registered, the Registrar-General shall cause the registry thereof to be cancelled; provided that if it shall be proved to his satisfaction that the same congregation use some other such building for the purpose of public Christian worship, he may register such new place of worship instead of the disused building.

(2) Such cancellation or substitution when made shall be entered in the book kept for the registry of such buildings, and shall be certified and published in the manner prescribed in the case of the original registry of the disused building.

(3) Every certificate of substitution shall bear a stamp of one rupee, to be supplied by the person applying for such substitution, provided that where a registered building is demolished and a new building is erected upon the site thereof, or where a permanent building is erected upon the site of a temporary building already registered, such new or permanent building shall be registered and a certificate of such registration issued free of stamp duty.

(4) After such cancellation or substitution as aforesaid it shall not be lawful to solemnize any marriage in such disused building unless the same shall be again registered in the manner prescribed by section 11.

Annual list of registered buildings.

13 On or before the thirty-first day of January of each year the minister, proprietor, or trustee for the time being of every registered building shall send to the Registrar-General a statement in the form C in the second schedule hereto, and the Registrar-General shall, after such inquiry as may be necessary, cancel the registration of those buildings which have ceased to be used for the public Christian worship of the congregation on whose behalf it was registered, and shall on or before the thirtieth day of April of each year cause to be published in the *Government Gazette*, and to be suspended or affixed in a conspicuous place in the offices of the

provincial registrars and assistant provincial registrars, a list of all such registered buildings whose registration has not been cancelled.

Annual list of registrars.

14 The Registrar-General shall on or before the thirtieth day of April of each year publish in the *Government Gazette* a list of the registrars of marriages in the island, with their names, the names of their divisions, offices, and stations.

Marriage not valid unless registered.

15 No marriage contracted after this Ordinance comes into operation shall be valid unless it shall have been duly solemnized by a minister or a registrar and registered in manner and form as is hereinafter provided.

Provided that nothing herein contained shall be construed to render invalid, merely by reason of its not having been registered, any marriage between persons professing the Hindu religion not domiciled in this island, or to preclude any legal evidence other than that of registration from being adduced in proof of such marriage.

Prohibited age of marriage.

16 No marriage shall be valid to which the male party is under sixteen years of age or the female under twelve, or, if a daughter of European or Burgher parents, under fourteen years of age.

Prohibited degrees of relationship.

17 No marriage shall be valid where either party shall be directly descended from the other, or where the female shall be sister of the male either by the full or the half blood, or the daughter of his brother or of his sister by the full or the half blood, or a descendant from either of them, or daughter of his wife by another father or his son's or grandson's or father's or grandfather's widow, or where the male shall be brother of the female either by the full or the half blood, or the son of her brother or sister by the full or the half blood, or a descendant from either of them; or the son of her husband by another mother or her deceased daughter's or granddaughter's or mother's or grandmother's husband.

Incest.

18 Any marriage or cohabitation between parties standing towards each other in any of the above enumerated degrees of relationship shall be deemed to be an offence, and shall be punishable with imprisonment, simple or rigorous, for any period not exceeding one year.

Bigamy.

19 (1) No marriage shall be valid where either of the parties thereto shall have contracted a prior marriage which shall not have been legally dissolved or declared void.

(2) Every person who shall contract a subsequent marriage before his or her prior marriage shall have been so dissolved or declared void, and every person who shall marry another whom he or she shall know to be bound by a previous marriage not so dissolved or declared void, shall be guilty of bigamy, and liable to imprisonment, simple or rigorous, for any period not exceeding three years.

Provided that no person marrying a second time whose husband or wife shall have been continually absent from such person for the space of seven years then last past, and shall not have been known by such person to be living within that time, shall be deemed to be guilty of bigamy.

Dissolution of marriage.

20 No marriage shall be dissolved during the lifetime of the parties except by judgment of divorce *a vinculo matrimonii* pronounced in some competent court, and which judgment shall be founded either on the ground of adultery subsequent to marriage or of malicious desertion, or of incurable impotency at the time of such marriage, and every court in this island having matrimonial jurisdiction is hereby declared competent to dissolve a marriage on any such ground.

Suits to compel marriage prohibited.

21 No suit or action shall lie in any court to compel the solemnization of any marriage by reason of any promise or contract of marriage, or by reason of the seduction of any female, or by reason of any cause whatsoever. No such promise, or contract, or seduction shall vitiate any marriage duly solemnized and registered under this Ordinance. Provided that nothing herein contained shall prevent any person

aggrieved from suing for or recovering in any court damages which are lawfully recoverable for breach of promise of marriage, for seduction, or for any other cause.

Provided that no action shall lie for the recovery of damages for breach of promise of marriage unless such promise of marriage shall have been made in writing.

Legitimizing
of illegitimate
children.

22 A legal marriage between any parties shall have the effect of rendering legitimate the birth of any children who may have been procreated between the same parties before the marriage, unless such children shall have been procreated in adultery.

Consent to
marriage of a
minor.

23 (1) The father of any person under twenty-one years of age not being a widow or widower, or if the father be dead or under legal incapacity or in parts beyond the island and unable to make known his will, the mother, or, if both father and mother be dead or under legal incapacity, or in parts beyond the island and unable to make known their will, the lawful guardian or guardians of the party so under age shall have authority to give consent to the marriage of such party, and such consent is hereby required for the said marriage.

(2) If there be no person authorized as aforesaid to give consent, or if the person so authorized unreasonably withholds or refuses his or her consent, it shall be lawful for the judge of the district court within whose jurisdiction the party so under age shall reside, upon the application of any party interested in such marriage, and after summary inquiry, to give consent to the said marriage, and such consent is required for the said marriage.

Preliminaries to
be observed prior
to a marriage.

24 In every case of marriage intended to be solemnized under the provisions of this Ordinance, the following preliminaries shall be observed :

(1) If both parties have been resident in the island for ten days, one of the parties shall give notice to the registrar of the division in which both parties shall have dwelt for not less than ten days then next preceding; or if both parties shall not have dwelt in the same division for ten days then next preceding, but in different divisions, then each party shall give notice to the registrar of the division in which he or she shall have dwelt for not less than ten days next preceding the giving of such notice.

(2) If one of the parties to an intended marriage shall not have been resident in the island for ten days next immediately preceding the giving of notice, notice shall be given by the other party who shall have been so resident in the island ten days to the registrar, assistant provincial registrar, or provincial registrar in whose division, district, part of a province, or province he shall have been so resident ten days then next preceding, and such notice shall be a sufficient notice of such intended marriage.

(3) If both parties to a marriage have been resident for not less than ten days in the same province, notice given by one party to the provincial registrar shall be sufficient. Provided that if both parties have been resident for not less than ten days in the same district or part of a province, notice given by one party to the assistant provincial registrar shall be sufficient.

Form of notice
and declaration.

25 (1) Every such notice may be given to the registrar at any place within his division, and shall be in the form D in the second schedule hereto, and shall state the names in full, and the age, profession, and condition of each of the parties intending marriage, and the dwelling-place of the party giving notice and of the other party if known, and if the case be so, that the other party is absent from the island or has not resided for ten days in any part of the island, as the case may be, and shall bear on its face the written consent of any person whose consent is required by law.

(2) The party giving the notice shall make and sign or subscribe a declaration in writing in the body or at the foot of such notice, that he or she believes that there is no impediment of kindred or alliance or other lawful hindrance to the

said marriage, and that he or she has for the space of ten days immediately preceding the giving of such notice dwelt within the division of the registrar to whom such notice shall be so given, and that the consent of the person or persons whose consent is required by law has been given and embodied in the notice.

(3) Every such notice and declaration shall be signed and subscribed by the party giving or making the same in the presence of the registrar of the division, or a minister or a justice of the peace or a notary, and of two credible witnesses, who shall attest the same by adding each his name, description, and place of abode, and of whom the registrar, minister, justice of the peace, notary, or both witnesses shall be personally acquainted with either or both of the parties.

(4) Every notice under sub-sections 2 and 3 of section 24 shall bear a stamp of the value of ten rupees, which shall be supplied by the party giving the notice.

Publication of
notice.

26 (1) Every registrar to whom notice of an intended marriage is duly given as aforesaid shall forthwith enter in the notice the date of its receipt and file and keep it with the records of his office, and shall forthwith enter the particulars of the notice in the form E in the second schedule hereto, in a book to be called the Marriage Notice Book, which shall be open at all reasonable times without fee to the inspection of persons interested in any entry therein.

(2) The registrar shall cause a true copy under his hand of the notice of marriage or of the particulars thereof as entered in the marriage notice book, to be suspended or affixed in some conspicuous place in his office, during twelve successive days after the entry of such notice.

(3) If the parties to the intended marriage shall have given notice to different registrars under section 24, each registrar shall, upon receipt of the notice, forward a copy thereof to the other registrar, and give a certified copy thereof to the party giving such notice, and shall also enter, file, and publish the notice as aforesaid.

Issue of
certificate.

27 At any time not less than twelve days (except as provided in section 28), nor more than three months (except as provided in section 31) from the entry of the notice, or where two notices have been given from the entry of each of the notices, the registrar, or, where the notice has been given to two registrars, either of them, shall, upon application of the party giving such notice, and on receipt of the certified copy of the notice, if any, given to the other registrar, issue a certificate in the form F in the second schedule hereto, provided that in the meantime no lawful impediment to the issuing of such certificate be shown to the registrar, and provided that the issuing of such certificate shall not have been forbidden, or a caveat entered in manner hereinafter provided.

And every such certificate shall state the particulars set forth in the notice, and the day on which it was entered, and that the issue of the certificate has not been forbidden by any person lawfully empowered in that behalf, and that the full period of twelve days has elapsed since the entry of the notice, or where two notices have been given since the entry of both the notices.

License to issue
certificate before
expiry of twelve
days.

28 (1) At any time after the entry of the notice, and upon production of a copy of such notice certified under the hand of the registrar, or where notice has been given to two registrars upon production of a copy of each of such notices certified as aforesaid, it shall be lawful for the Registrar-General, or for the provincial registrar of the province within which either notice has been given, to issue a license under his hand in the form G set forth in the second schedule hereto, authorizing either registrar to whom notice has been given to issue his certificate, provided that in the meantime no lawful impediment to the issuing of such certificate shall be shown to the satisfaction of the Registrar-General or provincial registrar, and provided that the issue

of such certificate shall not have been forbidden or a caveat entered in the manner hereinafter provided.

(2) Where the parties to the intended marriage have given notice to two registrars under sub-section (1) of section 24, the license shall be issued by the Registrar-General, or by the provincial registrar within whose province such registrar's division is situate, upon the application of the parties to either of the registrars to whom notice has been duly given, and such license shall be substantially in the form H set forth in the second schedule hereto.

(3) Before the issue of such license one of the parties to the intended marriage shall appear personally before the Registrar-General or provincial registrar or assistant provincial registrar, and make and subscribe a declaration that he or she believes that there is not any impediment of kindred or alliance, or of any other lawful cause, or other lawful hindrance, to the said marriage, and that the consent of any person or persons, if any such consent is required, has been obtained, and that the issue of the certificate has not been forbidden, nor any caveat entered, nor any suit pending in any court to bar or hinder the said marriage. Such declaration shall be written upon paper bearing a stamp of thirty rupees, which shall be supplied by the party making the declaration.

(4) The registrar, to whom the license shall have been issued, shall, upon the receipt of such license, issue his certificate, and every such certificate shall state the particulars set forth in the notice and the day on which it was entered, and that the issue of the certificate has been authorized by the license of the Registrar-General or of the provincial registrar, as the case may be.

Forbidding of
issue of
certificate.

29 Every person whose consent to a marriage is required by law may forbid the issue of the registrar's certificate by signing and subscribing, in the presence of the registrar and of two credible witnesses, who shall be personally acquainted with the person forbidding, and shall be known to the registrar or be resident within his jurisdiction, and by delivering to him a notice in writing in the form I in the second schedule hereto, with his or her name, place of abode, and relationship to the party whose marriage is forbidden.

Caveat.

30 (1) Any person may at any time before the issue of the certificate enter a caveat against its issue. Such caveat shall be in the form J in the second schedule hereto.

(2) The caveat shall contain a statement of the name and residence of the caveator, the names and residences of the parties to whose marriage he objects, and the grounds on which he objects to the marriage, and shall be written on paper bearing a stamp of ten rupees, and shall be signed in the presence of the registrar and of two credible witnesses (who shall be personally acquainted with the caveator, and shall be known to the registrar or resident within his jurisdiction), and shall be delivered to the said registrar.

Proceedings on
marriage being
forbidden or
caveat entered.

31 (1) In the event of a marriage being forbidden or of a caveat being entered as aforesaid, the registrar shall refuse to issue a certificate, and shall forthwith make report to the district judge of the district within which his division is situated. Such report shall be in the form K in the second schedule hereto, and shall contain a copy of the notice of marriage and of the notice forbidding the marriage or of the caveat entered.

(2) The district judge shall thereon proceed to make summary inquiry (in which the person forbidding the marriage or entering the caveat shall be respondent) into the grounds of objection to the marriage, and shall order the certificate to issue or not to issue as shall appear to him just, and he shall have power, if it be proved to his satisfaction in the course of the inquiry that the marriage was forbidden or caveat entered by such person on frivolous or vexatious grounds, to impose on him a fine not exceeding one thousand rupees.

(3) The order of the district judge shall be subject to appeal to the Supreme Court, and all proceedings in the district court and the Supreme Court under this section shall be exempt from stamp duty.

(4) A copy of the order of the district court or of the Supreme Court in appeal, certified under the hand of the district judge, shall be forwarded by him to the registrar, who shall thereon issue or refuse to issue the certificate as such order shall direct.

(5) The time taken up in disposing as aforesaid of the objection to the marriage shall not be taken into account in the calculation of the period of three months under section 27 or 37.

Modes of solemnization of marriage—

- (1) By minister.
- (2) By registrar.

32 On the production of the certificate of the registrar to a minister or a registrar, it shall be lawful for a marriage to be solemnized between the said parties by the minister in a registered place of worship, or by the registrar (to whom either or both the parties shall have given notice) in his office, station, or other prescribed place, provided that there be no lawful impediment to the marriage.

Solemnization of marriage by minister.

33 (1) A marriage in a registered place of worship shall be solemnized by the minister of such building or a minister thereto authorized by him, with open doors, between six o'clock in the morning and six o'clock in the afternoon, in the presence of two or more credible witnesses, and according to the rules, customs, rites, and ceremonies of the church, denomination, or body to which such minister belongs.

(2) No minister shall be compelled to solemnize a marriage between persons either of whom shall not be a member of the church, denomination, or body to which such minister belongs, nor otherwise than according to the rules, customs, rites, and ceremonies of such church, denomination, or body.

(3) Immediately after the solemnization of a marriage the minister by whom it was solemnized shall enter in duplicate, in a book to be kept for that purpose, a statement of the particulars of the marriage in the form L in the second schedule hereto.

(4) The statement shall be signed by the minister, by the parties to the marriage, and by two respectable witnesses who shall have been present at the solemnization thereof, and who shall be personally acquainted with the parties and (in the event of the parties not being known to the minister) also with the minister, and who shall add their full names and their places of residence and occupations.

(5) The minister shall see that the particulars entered in the book regarding the names, condition, age, profession or occupation, and residence of the parties to the marriage correspond with the particulars given in the registrar's certificate, and that the parties and witnesses sign their names as legibly as possible. If any party or witness signs illegibly, or affixes a mark or cross, the minister shall write the name of such party or witness immediately over such signature or mark, with the words "This is the signature of" or "This is the mark of" immediately preceding such name.

(6) The minister shall, within seven days from the date of the solemnization of the marriage, separate from the register book the duplicate statement of the marriage and transmit the same to the provincial registrar or assistant provincial registrar of the district.

(7) The provincial registrar or assistant provincial registrar shall, within twenty-four hours of the receipt of the duplicate statement, send to the minister an acknowledgment of its receipt and forward the same to the registrar upon whose certificate the marriage was solemnized, and the registrar shall forthwith enter the particulars thereof in duplicate into a marriage register book to be kept by him, in the form M in the second schedule hereto, and shall certify the entry to be a true copy of the duplicate statement of the minister, and shall carefully preserve the said duplicate until despatched to the Registrar-General as in section 35 provided.

Solemnization of marriage by registrar.

34 (1) A marriage in the presence of the registrar shall except as hereinafter provided, be solemnized between the parties at his office or station with open doors, and between the hours of six o'clock in the morning and six o'clock in the afternoon, and in the presence of two or more respectable witnesses, and in the following manner :

(2) The registrar shall address the parties to the following effect :

“ Be it known unto you, *A. B.* and *C. D.*, that by the public reception of each other as man and wife in my presence, and the subsequent attestation thereof by signing your name to that effect in the registry book, you become legally married to each other, although no other rite of a civil or religious nature shall take place; and know ye further that the marriage now intended to be contracted cannot be dissolved during your lifetime except by a valid judgment of divorce, and that if either of you before the death of the other shall contract another marriage before the former marriage is thus legally dissolved, you will be guilty of bigamy, and be liable to the penalties attached to that offence.”

(3) Each of the parties shall then make in the presence of the registrar and witnesses the following declaration :

“ I do solemnly declare that I know not of any lawful impediment, why I, *A. B.*, may not be joined in matrimony to *C. D.* here present,”

and each party shall say to the other :

“ I call upon all persons here present to witness that I, *A. B.*, do take thee, *C. D.*, to be my lawful wedded wife (or husband).”

(4) If either of the parties be deaf or dumb as well as unable to write, the declaration and statement shall be interpreted to him or her and his or her assent obtained by whatever means of communication are commonly used by him or her, and the registrar shall take special care to satisfy himself that the party understands, assents to, and adopts the declaration and statement.

(5) The registrar shall then enter in duplicate a statement of the particulars of the marriage in his marriage register book in the form N in the second schedule hereto, and shall cause the entry to be signed by the parties and witnesses, and himself sign it in the manner prescribed in regard to a marriage solemnized by a minister.

Duplicates to be transmitted by the registrar to the assistant provincial registrar.

35 The duplicate of the entry made by the registrar under sections 33 and 34 shall be separated from the book by him and forwarded, together with the duplicate (if any) received from the minister under section 33, to the assistant provincial registrar of his district, or if there be no assistant provincial registrar, to the provincial registrar, before the fifth day of the following month, and by the assistant provincial registrar or the provincial registrar to the Registrar-General, who shall cause the same to be filed and preserved in his office; and if no marriage shall have been registered during any month the said registrar shall certify such fact under his hand, and transmit such certificate in the manner prescribed in regard to the transmission of the duplicate entry.

Solemnization of marriage by minister or registrar under special license.

36 (1) In case the female party to an intended marriage belongs to a class of people to whose habits and feelings it is contrary to require their females to appear in public before wedlock, it shall be lawful for the Registrar-General, or provincial registrar, or assistant provincial registrar to issue a license empowering a registrar to solemnize the marriage of such female at such place and hour as the parties may prefer and as may be named in the license, provided that the requirements of this Ordinance in all other respects than the place and hour of marriage shall be fully complied with.

(2) In case the female party shall not belong to the class of people mentioned in the last sub-section, it shall be

lawful for the Registrar-General, or provincial registrar, or assistant provincial registrar, upon the application of one of the parties to the intended marriage, and which application shall bear a stamp of the value of fifty rupees, to issue a license empowering a registrar to solemnize the marriage at such place and hour as the parties may prefer and as may be named in the license, provided that in every other respect than the place and hour of marriage the requirements of this Ordinance shall be fully complied with.

(3) Upon application to the Registrar-General, or to the provincial registrar of the province, or to the assistant provincial registrar of the district within which the marriage is to be solemnized, by one of the parties to the proposed marriage or by the minister by whom it is intended to be solemnized, it shall be lawful for the Registrar-General, or the provincial registrar, or assistant provincial registrar, to issue a license to the minister by whom such marriage is to be solemnized empowering him to solemnize the marriage at such place specified in such license other than a registered place of worship, and at such an hour as the parties may prefer, provided that in every other respect the requirements of this Ordinance shall be fully complied with, and provided further that the requirements of section 33 sub-sections 3, 4, 5, 6, and 7 shall apply to marriages solemnized hereunder.

New notice
required after
three months.

37 Whenever a marriage shall not be had within three months, except as provided in section 31 (5), after the notice thereof shall have been entered by the registrar, or, if notices have been given to and entered by two registrars, after the earlier notice shall have been entered, the notice and any license or certificate which may have been granted thereupon, and all other proceedings thereupon, shall be utterly void; and no person shall proceed to solemnize the marriage, nor shall any registrar register the same, until new notice shall have been given and entry made and certificate thereof given in the prescribed manner.

Deathbed
marriages.

38 (1) It shall be competent for a minister to solemnize, without the preliminaries required by this Ordinance, at any convenient place, a marriage between parties of whom one is believed to be on the point of death, provided that such person is of sound mind, memory, and understanding, and provided that the minister shall immediately enter a statement of the particulars of the marriage in the book and in the manner prescribed by section 33, and shall at the foot of such entry, which shall be made in duplicate, make a certificate signed by himself and the witnesses to the solemnization, which certificate shall be substantially to this effect:

“ We certify that *A. B.*, one of the parties to the above marriage, is to the best of our knowledge and belief at the point of death, but of sound mind, memory, and understanding,”

and provided also that within twenty-four hours of such solemnization the minister shall forward to the provincial registrar or assistant provincial registrar the duplicate of such entry and certificate.

(2) The provincial registrar or assistant provincial registrar shall, upon receipt of such duplicate and certificate, forward an acknowledgment of the same to the minister, and shall cause a copy of the same to be posted for twenty-one days in a conspicuous place in his own office and in the office of the registrar within whose division the marriage was solemnized.

(3) On the expiry of twenty-one days from the date of the first posting of the copy as aforesaid by the provincial registrar or assistant provincial registrar, the provincial registrar or assistant provincial registrar shall direct the registrar to enter the marriage in the marriage register book kept by him under section 33, provided that no caveat shall have been lodged or other proceedings taken by way of prohibition under sections 29 and 30.

(4) The registrar shall, being directed thereto as aforesaid, forthwith register the said marriage, and on the registration of such marriage it shall be deemed to be valid and effectual for all purposes as if the same had been solemnized by the minister upon a certificate issued by the proper registrar.

(5) In the event of any caveat being entered or proceedings being taken by way of prohibition under sections 29 and 30, the provincial registrar or assistant provincial registrar shall not issue any direction to the registrar till the order of the district court or of the Supreme Court shall have been made under section 31.

Entry the best evidence of marriage.

39 (1) The entry made by the registrar in his marriage register book under sections 33, 34, and 38 shall constitute the registration of the marriage, and shall be the best evidence thereof before all courts and in all proceedings in which it may be necessary to give evidence of the marriage.

(2) Every such entry shall be made in a book and numbered consecutively according to the order of registration.

Proof of certain matters not necessary to validity of registered marriage.

40 After any marriage shall have been registered under this Ordinance it shall not be necessary in support of such marriage to give any proof of the actual dwelling or of the period of dwelling of either of the parties previous to the marriage within the division stated in any notice of marriage to be the place of his or her residence, or of the consent to any marriage having been given by any person whose consent thereto was required by law, or that the place or hour of marriage was the place or hour prescribed by this Ordinance, nor shall any evidence be given to prove the contrary in any suit or legal proceedings touching the validity of such marriage.

Mode of supplying omission and correcting errors in registration.

41 Where a marriage has been heretofore contracted or shall hereafter be contracted which, without fault of the parties thereto, may have been omitted to be registered, or may have been erroneously registered, it shall be lawful for either of the said parties, or in the case of his or her death, for the issue or other lawful representative of such party, to apply to the district court having jurisdiction over the division where the marriage was contracted, to have such marriage duly registered, or the erroneous registration amended, and the court, after due notice to the Registrar-General and the registrar or minister before whom the marriage was contracted, and such other parties as to the court shall seem expedient, and after hearing such evidence as may be produced before it or as it may think fit to call, shall, if it be satisfied that such marriage has been duly contracted and not registered, or not correctly registered, without fault of the parties thereto, order the marriage to be correctly registered, and the Registrar-General shall thereupon cause the marriage to be correctly registered according to the directions of the court.

Penalty on making false declaration or giving false notice.

42 Any person who shall knowingly or wilfully make any false declaration or sign any false notice required by this Ordinance for the purpose of procuring any marriage, and every person who shall forbid the granting by any registrar of a certificate for marriage by falsely representing himself or herself to be a person whose consent to such marriage is required by law, knowing such representation to be false, shall be guilty of the offence of giving false evidence under chapter XI. of the Ceylon Penal Code, and be liable to the penalties therein prescribed.

Clandestine marriages.

43 If both the parties to any marriage shall knowingly and wilfully intermarry under the provisions of this Ordinance in any place other than that prescribed by this Ordinance, or under a false name or names, or except in cases of deathbed marriages under section 38, without certificate of notice duly issued, or shall knowingly or wilfully consent to or acquiesce in the solemnization of the marriage by a person who is not authorized to solemnize the marriage, the marriage of such parties shall be null and void.

Solemnization of marriage by means of a false document.

44 If any valid marriage shall be had under this Ordinance by means of any wilfully false notice, certificate, or declaration made by either party to such marriage as to any matter to which a notice, certificate, or declaration is required, it shall be competent for the proper district court, upon the application of either of the parties; or, if the marriage shall have been had without the consent of the person whose consent was by law required, upon the application of such person or of the Attorney-General, and after due inquiry, to order and direct that all estate and interest in any property accruing to the offending party by the force of such marriage shall be forfeited, and shall be secured under the direction of the court for the benefit of the innocent party or of the issue of the marriage or of any of them, in such manner as the said court shall think fit for the purpose of preventing the offending party from deriving any interest in any real or personal estate or pecuniary benefit from such marriage; and if both the contracting parties shall in the judgment of the court be guilty of any such offence as aforesaid, it shall be lawful for the court to settle and secure such property or any part thereof immediately for the benefit of the issue of such marriage, subject to such provision for the offending party by way of maintenance or otherwise as the court may think fit. The order of the district court shall be subject to appeal to the Supreme Court.

Settlements and agreements in regard to such marriage void.

45 All agreements, settlements, and deeds entered into or executed by the parties to any such marriage in contemplation of, or before, or after, or in relation to, such marriage shall be absolutely void, and have no force or effect so far as the same shall be inconsistent with the provisions of the security and settlement made by the court as aforesaid.

Books to be kept.

46 (1) The Registrar-General, provincial registrars, assistant provincial registrars, registrars, and ministers shall keep books for the purposes of this Ordinance of such form and material as is prescribed by this Ordinance, or shall be prescribed by the Governor in Executive Council, and shall carefully preserve such books, and shall at no time allow such books or other documents kept under this Ordinance to remain out of their possession except in obedience to an order of a competent court, or except as provided in this Ordinance, or by any rules made by the Governor in Executive Council.

(2) Every registrar or minister shall, when called upon by the Registrar-General, or by the provincial registrar or assistant provincial registrar within whose local jurisdiction such registrar or minister resides, or such registered place of worship is situated, produce for inspection all books, documents, and papers kept under this Ordinance which are in his possession as such registrar or minister.

(3) As each book of registers is completed by a registrar, he shall forward it, with all connected books, documents, and papers, to the assistant provincial registrar, or, if there be no assistant provincial registrar, to the provincial registrar, who shall preserve them in his office.

Forms.

47 (1) The forms in the schedules to this Ordinance, or forms resembling the same, shall be used in all cases in which they are applicable, and when so used shall be valid in law.

(2) Provided that it shall be lawful for the Governor in Executive Council, by order published in the *Government Gazette*, to alter from time to time all or any of the forms contained in the schedules to this Ordinance, or in any rule or order made thereunder, in such manner as may appear to him best for carrying into effect this Ordinance, or to prescribe new forms for that purpose. Every form when altered in pursuance of this section shall have the same effect as if it had been contained in the schedule to this Ordinance.

Search and issue of certified copies or extracts.

48 All persons shall be entitled, on making a written application to the Registrar-General, provincial registrar, assistant provincial registrar, or registrar, and under such

conditions as shall be prescribed by the Governor in Executive Council, to refer to any book or document kept under this Ordinance, and in the possession of such Registrar-General, provincial registrar, assistant provincial registrar, or registrar, and shall on a written application and on payment of such fees as the Governor in Executive Council may prescribe, be entitled to demand a certified copy or extract of or from every entry in such book or document.

Provided that every written application shall bear a stamp of fifty cents where the application states the year in which the entry sought for was made, and a stamp of two rupees and fifty cents where the year is not stated, and provided that every such certificate, copy, or extract bears a stamp of seventy-five cents, to be supplied by the party applying for the same.

Certified copy or extract to be *prima facie* evidence.

49 Such copy or extract if purporting to be made under the hand of the Registrar-General, or of his assistant, or of the provincial registrar, or of the assistant provincial registrar, or if purporting to be made under the hand of the registrar, and countersigned by the Registrar-General, provincial registrar, or assistant provincial registrar, shall be received as *prima facie* evidence of the matter to which it relates, without any further or other proof of such entry.

Delivery of records on registrar ceasing to hold office.

• 50 (1) In every case in which a registrar shall cease to hold office, all the books, documents, papers, and other articles in his possession as such registrar, shall be delivered by him or by his legal representative as soon as conveniently may be, with a list thereof, to the assistant provincial registrar of his district, or if there is no assistant provincial registrar, to the provincial registrar, and such assistant provincial registrar or provincial registrar shall carefully arrange and preserve them in his office, save and except the incomplete books which were in actual use by the registrar at the time he ceased to hold office, and which shall be delivered by the assistant provincial registrar or the provincial registrar to the successor in office of the registrar.

(2) All books of registers kept under any of the Ordinances mentioned in the first schedule to this Ordinance, and which shall have been completed at the commencement of this Ordinance, shall be forwarded forthwith, together with all connected books, documents, and papers, and a list thereof, by the registrar or any other person who may be in possession of them, to the assistant provincial registrar, or if there be no assistant provincial registrar, to the provincial registrar within whose local jurisdiction such registrar or other person resides, and shall be carefully arranged and preserved by such assistant provincial registrar or provincial registrar.

Penalty for non-delivery.

51 If any person being, by virtue of his office as registrar or otherwise, in possession of books, documents, papers, and other articles specified in the last section, shall fail, neglect, or refuse to deliver them to the assistant provincial registrar or provincial registrar, he shall be guilty of an offence, punishable with simple or rigorous imprisonment for any term not exceeding two years and to a fine not exceeding one thousand rupees.

Penalty for losing or injuring a document.

52 Every person having the custody of any book or document made under this Ordinance, or certified copy of such book or document, or of any part thereof, who shall carelessly lose or injure the same, or carelessly allow the same to be injured while in his keeping, shall be guilty of an offence, and liable to a fine of one hundred rupees, or to imprisonment, simple or rigorous, for a period not exceeding three months, or to both fine and imprisonment.

Penalty for destruction of documents and for giving false certificates.

53 Every person who shall knowingly and wilfully tear, deface, destroy, or injure any notice, certificate, declaration, book, or any document whatsoever kept under this Ordinance, or any part thereof, or of certified copy thereof, or of part thereof, or shall knowingly and wilfully insert therein any false entry of any matter relating to any marriage or intended marriage, or sign or issue any false certificate relating thereto, or certify any writing to be a copy or

Penalty for omission to register.

extract of any such book or document, knowing such book or document to be false in any particular, shall be guilty of an offence, and be liable to imprisonment, simple or rigorous, for a term not exceeding seven years and to a fine.

54 Every registrar who without reasonable cause refuses or omits to register a marriage, or to accept or enter a notice of marriage or any particulars concerning which information has been tendered to him, and which he ought to accept and enter, shall be liable to a penalty, not exceeding one hundred rupees.

Offences by minister.

55 Any minister who shall, except in the case of a deathbed marriage under section 38, solemnize a marriage before the delivery to him of the certificate required by this Ordinance, or who shall fail to enter duly in the marriage register the statement of a marriage on the day in which it was solemnized by him, or to transmit within seven days from the date of the solemnization of the marriage the duplicate statement of the marriage to the provincial registrar or assistant provincial registrar of the district, or who shall enter in the marriage register any marriage not solemnized in accordance with the provisions of this Ordinance, or who shall fail to perform any act required of him by this Ordinance, or shall perform any act forbidden or declared unlawful, or not to be lawful by this Ordinance, shall be guilty of an offence, and shall be liable to a fine not exceeding one hundred rupees.

Undue solemnization of marriage and issue of certificate.

56 Any person who shall knowingly and wilfully solemnize or pretend to solemnize a marriage not being legally competent to do so, or between parties not legally competent to contract the same, or, except in case of a deathbed marriage under section 38, before the issue of the registrar's certificate required by this Ordinance, or in any place or at any time not authorized by the provisions of this Ordinance, or who shall knowingly and wilfully solemnize a marriage declared to be not valid or to be null and void by this Ordinance, and any registrar who shall knowingly and wilfully issue a certificate before or after the expiration of the prescribed period, or, if the marriage shall have been forbidden or a caveat entered under this Ordinance, before the disposal of such objection by a competent court, and any registrar or minister who shall knowingly disobey any direction of the law as to the way in which he is to conduct himself, intending to cause or knowing it to be likely to cause injury to any person or to the Government, shall be guilty of an offence, and liable to imprisonment, simple or rigorous, for any term not exceeding two years, and to a fine not exceeding one thousand rupees.

Sending certificates, &c., by post.

57 All notices, informations, declarations, certificates, requisitions, returns, and other documents required or authorized by this Ordinance to be delivered, sent, or given to or by the Registrar-General, or provincial registrar, or assistant provincial registrar, or a registrar, or a minister, may be sent by post (according to the prescribed rules of the postal department) either in a prepaid letter or free on Her Majesty's service, and the date at which they would be delivered to the person to whom they are sent in the ordinary course of post shall be deemed to be the date at which they were received; and in proving such receipt it shall be sufficient to prove that the letter was prepaid, or (if it be a letter that might according to the rules of the postal department be sent free on Her Majesty's service) sent free on Her Majesty's service, and that it was properly addressed and put into the post.

Fees payable.

58 The fees enumerated in the third schedule hereto shall be payable by and to the persons therein mentioned and for the duties therein specified. In default of payment of such fee, the person to whom it is payable, shall, subject to the prescribed rules, refuse, until payment, to perform the duty for which such fee is payable.

Proceedings in courts to be exempt from stamp duty.

59 All proceedings in a court of justice under this Ordinance shall be exempt from stamp duty unless otherwise specially provided.

FIRST SCHEDULE.

Ordinances, Rules, &c.	Title	Extent of Repeal.
Ord. 6 of 1847	An Ordinance to amend in certain respects the Law of Marriages and to provide for the better registration of Marriages, Births, and Deaths	So much as relates to marriages, except such portions as have been already repealed
Ord. 13 of 1863	An Ordinance to amend in certain respects the Law of Marriages in this Island and to provide for the due registration thereof	The whole
Ord. 8 of 1865	An Ordinance to amend the Ordinance No. 13 of 1863	The whole
Ord. 15 of 1877	An Ordinance to amend the Ordinances No. 6 of 1847, No. 13 of 1863, No. 8 of 1865, and No. 18 of 1867	The whole, as far as it relates to marriages
Ord. 11 of 1892	An Ordinance to authorize the appointment of Additional Provincial and District Registrars	do.
All rules and regulations framed under the authority of any of the above Ordinances and now in force		The whole, so far as they relate to marriages, subject to the proviso of subsection 1 of section 2 of this Ordinance

SECOND SCHEDULE.

A.—Application by Minister or Proprietor or Trustee to Register a place of Public Worship for the Solemnization of Marriages, with Declaration by Householders.

(Section 11.)

To the Registrar-General.

I, _____, Minister (or Proprietor or Trustee) of the under-mentioned building, certify that it is used as a place of Public Christian Worship, and I hereby apply to have it registered for the solemnization of Marriages :

Description.	Situation.		District.	Religious Denomination on whose behalf the Building is to be Registered.
	Village or Street and Division of Town.	Pattu, Koralé, or other Division of the District.		

Witness my hand at _____ this _____ day of _____, 18 —.

Minister or Proprietor or Trustee.

Declaration.

We, the undersigned Householders residing in _____, in the _____ of the _____ District, hereby declare that we intend to frequent the above-described building as a place of Public Christian Worship.*

Dated at _____ this _____ day of _____, 18__.

Countersigned by _____ | Signed : _____
 Proprietor or Trustee. | _____
 Signed : _____ | _____

 Householders.

* If application be made under the 2nd proviso of section 10, add : "and that the population in this district is so scattered that it is difficult to procure the signatures of twenty householders."

B.—Certificate of Registry of Building.

(Section 11.)

No. of Certificate _____.

In pursuance of Application and Declaration made under the 11th section of "The Marriage Registration Ordinance, 1895," I hereby certify that the building, used as a place of Public Christian Worship, described below, has been duly registered for the solemnization of Marriages : *

Description.	Situation.		District.	Proprietors or Trustees.	Religious Denomination on whose behalf the Building is Registered.
	Village or Street and Division of Town.	Pattu, Koralé, or other Division of the District.			

Witness my hand at _____ this _____ day of _____, 18__.

Registrar-General.

* In certificates of substitution, add : "in lieu of the building registered under certificate No. _____ of the _____ day of _____, 18__, which is no longer used for the public worship of the congregation on whose behalf it was registered."

C.

(Section 13.)

I do hereby declare that the following is a list of buildings registered under section 11 of "The Marriage Registration Ordinance, 1895," and in my charge, and that the particulars herein given are true and correct.

Witness my hand at _____ this _____ day of _____, 18__.

Minister or Proprietor or Trustee.

Description.	Situation.		District.	Number and Date of Certificate of Registry.	Name of Proprietor or Trustee in whose Name Registered.	Religious Denomination on whose behalf Registered.
	Village or Street and Division of Town.	Pattu, Koralé, or other Division of the District.				

D.—Form of Notice of Marriage.

(Section 25.)

To the Registrar of Marriages of the Division of *Colombo Town* in the District of *Colombo*.

I, the undersigned *Udagamage Carolis Fernando*, hereby give you notice that a marriage is intended to be had within three calendar months from the date hereof between me and the other party herein named and described, that is to say :

1	2	3	4	5	6	7	8	9	10
Names in full.	Condition.	Rank or Profession.	Age.	Dwelling-place, if any.	Division and Revenue District.	Length of Residence in Division.	Place where the Marriage is to be solemnized.	Consent, if any, by whom given.	Signature of the Person, if any, giving consent.
<i>Udagamage Carolis Fernando</i>	<i>Widower</i>	<i>Teacher</i>	<i>32</i>	<i>18, Main Street, Pettah</i>	<i>Colombo Town, in the District of Colombo</i>	<i>Fifteen days</i>	} <i>Office of the Registrar of Marriages of Ambatalenpahala Division</i>	—	—
<i>Gonsalge Ana Pieris</i>	<i>Spinster</i>	—	<i>27</i>	<i>Kosgahawatta, Wellampitiya</i>	<i>Ambatalenpahala in — Koralé, in the District of Colombo</i>	<i>Seven months</i>		<i>The father, Gonsalge Jacob Pieris</i>	<i>G. J. Pieris</i>

And I hereby solemnly declare that to the best of my knowledge and belief the several particulars stated in the above notice are true and correct, and that there is no impediment of kindred or alliance or other lawful hindrance to the said marriage, and that I, the above-named *Udagamage Carolis Fernando*, for the space of ten days immediately preceding the giving of this notice, had my usual place of abode and residence within the above-mentioned division of *Colombo* [and I further declare that I am not a minor under the age of twenty-one years, and that the other party herein named and described is not a minor under the age of twenty-one years. (If one or both of the parties be under age, the words within brackets must be expunged), (or as the case may be)].

And I further declare that the said *Gonsalge Ana Pieris*, not being a widow, is a minor under the age of twenty-one years, and that the consent of her father, *Gonsalge Jacob Pieris*, whose consent to her marriage is required by law, has been duly given thereto by his signing the above notice in the 10th column.

And I make the foregoing declaration, solemnly and sincerely believing the same to be true, pursuant to the provisions of "The Marriage Registration Ordinance, 1895," well knowing that every person who shall knowingly or wilfully make and sign or subscribe any false declaration, or who shall sign any false notice for the purpose of procuring any marriage under the provisions of the said Ordinance, shall suffer the penalties of giving false evidence under chapter XI. of the Ceylon Penal Code.

In witness whereof I have hereunto set and subscribed my hand this *fifth* day of *February*, 1895.

(Signed) *U. Carolis Fernando*.Signed and delivered by the above-named *Udagamage Carolis Fernando* in the presence of :

Name.	Rank or Profession.	Place of Residence.	Signature.	Certificate of Registrar, Justice of the Peace, Minister, or Notary.
<i>Gonsalge Jacob Pieris</i> ...	<i>Trader</i> ...	<i>Kosgahawatta, Wellampitiya</i>	—	I, <i>Richard Jayaweera</i> , Registrar of Marriages of the <i>Town of Colombo</i> (or Justice of the Peace or Minister or Notary Public), certify that the parties to the intended marriage above mentioned are known to me (or are not known to me, as the case may be), and that the witnesses <i>Jacob Pieris</i> and <i>Peter Fernando</i> are known to me (or are resident within my jurisdiction, as the case may be), and they declared to me that they were personally acquainted with both the parties.
<i>Peter Fernando</i> ...	<i>Clerk</i> ...	<i>20, Turret Road, Colombo</i>	—	
<i>Richard Jayaweera</i> ...	<i>Registrar of Marriages of Colombo Town</i>	<i>Fort, Colombo</i> ...	—	

Registrar.

E.—Marriage Notice Book of the Division of _____ in
the Province of _____.

(Section 26.)

No.	Date of giving of Notice.	Names of the Parties.	Condition.	Rank or Profession.	Age.	Dwelling-place.	Consent, if any, by whom given.	Names of Witnesses, with their Occupations and Places of Residence.	Date of Certificate.	Remarks.	Signature of Registrar.

F.—Registrar's Certificate.

(Section 27.)

I, _____, Registrar of Marriages of the Division of _____, do hereby certify that on the _____ day of _____, 18 __, notice was duly entered in the Marriage Notice Book of the said Division of the marriage intended between the parties herein named and described, delivered under the hand of _____, one of the parties, that is to say:

Names of the Parties.	Condition.	Rank or Profession.	Age.	Dwelling place.

Where the issue of the certificate has been authorized by license, the following should be inserted:

The issue of this Certificate is authorized by License of the Registrar-General (or Provincial Registrar), and has not been forbidden by any person authorized to forbid the issue thereof.

Witness my hand this _____ day of _____, 18 __.

Registrar.

This Certificate will be void unless the marriage is solemnized on or before the _____ day of _____, 18 __.

G.—Marriage License.

(Section 28.)

Whereas on the _____ day of _____, 18 __, notice was given to the* Registrar of Marriages of the Division of _____ † of a marriage intended to be had between _____ and _____ therein mentioned, and the said _____ desires to obtain a license for the immediate issue of a certificate of such notice, and has made before the Registrar-General (or Provincial Registrar of the Province of _____) the declaration required for that purpose by sub-section (3) of section 28 of "The Marriage Registration Ordinance, 1895:"

Now, therefore, in pursuance of the provisions of the said Ordinance, I do hereby authorize the said Registrar to issue the said certificate at any time hereafter, and within three calendar months of the said _____ day of _____, 18 __.

Given under my hand this _____ day of _____, 18 __.

Registrar-General or Provincial
Registrar of the Province of _____.

* Where the notice has been given to the Provincial Registrar or Assistant Provincial Registrar, substitute "to the Provincial Registrar of the Province of _____" or "to the Assistant Provincial Registrar of the district of _____ in the Province of _____" as the case may be.

† Where the license is issued by a Provincial Registrar, add "within the Province of _____ of which I am Provincial Registrar."

H.—Marriage License.

(Section 28.)

Whereas in pursuance of section 24 of "The Marriage Registration Ordinance, 1895," on the _____ day of _____, 18____, notice was given to _____, Registrar of Marriages of the Division of _____, of a marriage intended to be had between _____ and _____ therein mentioned, and a like notice on the _____ day of _____, 18____, was given to _____, Registrar of Marriages of the Division of _____:

And the said _____ desires to obtain a license for the immediate issue of a certificate, and has made before the Registrar-General (or Provincial Registrar of the Province of _____) the declaration required for that purpose by sub-section 3 of the 28th section of the said Ordinance:

Now, therefore, in pursuance of the provisions of the said Ordinance, I do hereby authorize the Registrar of the Division of _____ to issue a certificate of the notice given to him at any time hereafter and within three calendar months of the said _____ day of _____, 18____.

Given under my hand this _____ day of _____, 18____.

Registrar-General or Provincial
Registrar of the Province of _____.

* Where the license is issued by a Provincial Registrar, add: "within the Province of _____, of which I am Provincial Registrar."

I.—Notice forbidding issue of Certificate.

(Section 29.)

To the Registrar of Marriages of _____.

Take notice that I, *A. B.*, of *Colombo*, being father (or mother, or lawfully appointed guardian) of *C. D.*, of *Colombo*, do hereby, under section 29 of "The Marriage Registration Ordinance, 1895," forbid the issue of a certificate for the solemnization of the marriage intended to be had between him (or her) and *E. F.*, of *Colombo*, as the said *C. D.* is under twenty-one years of age, and has not obtained my consent to the said marriage as required by section 23 of the aforesaid Ordinance.

Dated at _____ this _____ day of _____, 18____.

Witnesses:

(Signature) _____

J.—Form of Caveat forbidding issue of Certificate.

(Section 30.)

To the Registrar of Marriages of the Division of *Colombo*.

I, *A. B.*, of *Colombo*, do hereby enter a caveat against the grant of certificate for the marriage intended to be had between *C. D.*, of *Colombo*, and *E. F.*, of *Colombo*, the parties named in the notice entered in the Marriage Notice Book of the Division of *Colombo* on the _____, on the ground (*here state ground*).

Signed at _____ this _____ day of _____, 18____, in the presence of

(1) Witness: _____

(2) Witness: _____

(3) Registrar: _____

A. B.

K.—Form of Report by the Registrar to the Judge of the District Court when issue of Certificate is forbidden.

(Section 31.)

To _____, District Judge of _____.

A. B., of *Colombo*, having entered a caveat (or delivered a notice, of which copy is annexed) forbidding the issue of the certificate for the marriage intended to be had between *C. D.*, of *Colombo*, and *E. F.*, of *Kalutara*, the parties named in the annexed copy of notice duly entered in the Marriage Notice Book on the _____, I, *G. H.*, Registrar of Marriages for the Division of *Colombo*, do hereby apply to you for adjudication and decision thereon, as provided by section 31 of "The Marriage Registration Ordinance, 1895."

Dated at _____ this _____ day of _____, 18____.

G. H.
Registrar.

(Hereto annex a certified copy of the notice of the intended marriage and of the notice or caveat forbidding issue of certificate.)

L.—Register of Marriage solemnized by a Minister.

No. — (Section 33.)

Names and Surnames of Parties.	Age.	Condition.	Rank or Profession.	Residence at time of Marriage.	Father's Name and Surname.	Rank or Profession of Father.	Name and Division of Registrar upon whose certificate the Marriage was solemnized.

Married by me this — day of —, 18 —

Minister.

This marriage was solemnized between us (signature of parties) in the presence of—

1. Name and residence of witness : —
(Signature of witness) —

2. Name and residence of witness : —
(Signature of witness) —

Signed before me :

Minister.

M.—Register of Marriage solemnized by a Minister in the — Division of the — Province.

No. — (Section 33.)

Names and Surnames of Parties.	Age.	Condition.	Rank or Profession.	Residence at time of Marriage.	Father's Name and Surname.	Rank or Profession of Father.	Name and Division of Registrar who issued Certificate.

Married by —, Minister, on the — day of —, 18 —

I certify that the above is a true copy of the statement furnished to me under section 33 of "The Marriage Registration Ordinance, 1895," of a marriage solemnized by —, Minister.

(Signature) —

Provincial Registrar or
Assistant Provincial Registrar.

N.—Register of Marriage in the _____ Division of the
 _____ Province.
 No. _____ (Section 34.)

Names and Surnames of Parties.	Age.	Condition.	Rank or Profession.	Residence at time of Marriage.	Father's Name and Surname.	Rank or Profession of Father.

This marriage was solemnized between us (signature of parties) in the presence of :

1. Name and residence of witness : _____
 (Signature) _____
2. Name and residence of witness : _____
 (Signature) _____

I certify that this marriage was duly solemnized by me (name),
 Registrar of Marriages of the division of _____, on the _____
 day of _____, in the year _____.

(Signature) _____
 Registrar.

THIRD SCHEDULE.

Payable to whom.	For what Duty.	Payable by whom.	Amount.
Registrar	Entering a notice of marriage at his office	Applicant	Rs. c. 0 25
Do.	Entering a notice of marriage at any other place	do.	2 50*
Do.	Issuing certificate of marriage ...	do.	0 25
Do.	For every marriage solemnized in his office	Parties to marriage	1 50
Do.	For every marriage solemnized outside his office under section 36 (1)	do.	5 0*
Do.	For every marriage solemnized outside his office under section 36 (2)	do.	20 0*
Do.	For searching a register of marriage extending over a year or less	Applicant	1 0
Do.	For searching a register of marriage extending over a year, for every additional year	do.	0 50
Do.	For every certified copy or extract of marriage, including certified copy under section 26 (3)	do.	0 50

* And an additional fifty cents a mile for every mile going and returning from and to his residence to and from such place.

Passed in Council the Tenth day of July, One thousand Eight hundred and Ninety-five.

H. L. CRAWFORD,
 Clerk to the Council.

Assented to by His Excellency the Governor the Tenth day of July, One thousand Eight hundred and Ninety-five.

E. NOEL WALKER,
 Colonial Secretary.

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

No. 3 of 1895.

An Ordinance to continue in force "The Wharf and Warehouse Ordinance, 1876."

A. E. HAVELOCK.

Preamble.

WHEREAS the Ordinance No. 10 of 1876, intituled "An Ordinance to repeal 'The Wharf and Warehouse Ordinance, 1865,' and to make further provision for the establishment in Colombo and regulation of a Company to perform the duties of Wharfingers and Warehousemen," as amended by Ordinance No. 8 of 1890, will expire at the end of the present session of the Legislative Council, and it is expedient to further continue the first-mentioned Ordinance for the period hereinafter mentioned: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Ordinance
No. 10 of 1876
continued.

1 The Ordinance No. 10 of 1876 as amended by Ordinance No. 8 of 1890 shall remain and continue in force until December 31, 1899.

Passed in Council the Tenth day of July, One thousand Eight hundred and Ninety-five.

H. L. CRAWFORD,
Clerk to the Council.

Assented to by His Excellency the Governor the Tenth day of July, One thousand Eight hundred and Ninety-five.

E. NOEL WALKER,
Colonial Secretary.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate, Goods and Chattels, and Rights and Credits of Athauda Aratchige Don Frederick Ameresekere, Registrar of Gonawala in the Adikari pattu of the Siyane korale, deceased.

THIS matter coming on for disposal before J. H. Templer, Esq., Acting District Judge of Colombo, on the 27th day of June, 1895, in the presence of E. W. Perera, Proctor, on the part of the petitioner Kanugalawattage Maria Perera, of Gonawala in the Adikari pattu of the Siyane korale; and the affidavit of the said Kanugalawattage Maria Perera, dated 21st June, 1895, having been read: It is ordered that the said Kanugalawattage Maria Perera be, and she is hereby declared entitled to have letters of administration to the estate of Athauda Aratchige Don Frederick Ameresekere, deceased, issued to her, as widow of the said deceased, unless the respondents—1, Athauda Aratchige Don Pabilis Ameresekere; 2, Athauda Aratchige Don Joramann Ameresekere; and 3, Athauda Aratchige Don Kirinoo Ameresekere, all of Gonawala in the Adikari pattu of the Siyane korale—shall, on or before the 1st day of August, 1895, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,
Acting District Judge.

The 27th day of June, 1895.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Last Will and Testament of James Francis Hartley, of Elmwood, Belvedere, St. Heliers, in the Island of Jersey, deceased.

THIS matter coming on for disposal before J. H. Templer, Esq., Acting District Judge of Colombo, on the 18th day of July, 1895, in the presence of W. F. H. de Saram, Proctor, on the part of the petitioner Frederick John de Saram, of Colombo; and the affidavit of the said Frederick John de Saram, dated 15th July, 1895, having been read: It is ordered that the will of James Francis Hartley deceased, dated 12th April, 1894, an exemplification thereof is now deposited in this court, be and the same is hereby declared proved.

It is further declared that the said Frederick John de Saram is the attorney of Ellen Hartley, the executrix named in the said will, and that as such he is entitled to have letters of administration with copy of the said will annexed issued to him, unless any person shall, on or before the 1st day of August, 1895, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,
Acting District Judge.

The 18th day of July, 1895.

In the District Court of Kalutara.

No. 97. In the Matter of the Estate of the late Nammuny Seneris Hamy, of Kalamulla.

THIS matter coming on for disposal before F. J. de Livera, Esq., District Judge of Kalutara, on the 14th day of May, 1895, in the presence of Mr. Theodore A. de Alwis, Proctor, on the part of the petitioner

Halnetty Moyses Perera; and the affidavit of the said Halnetty Moyses Perera, dated the 14th day of May, 1895, having been read: It is declared that the said Halnetty Moyses Perera is entitled to have letters of administration of the same issued to him accordingly, unless the respondents—(1) Halnetty Eldoris Perera; (2) Halnetty Andria Perera; (3) Halnetty Geronis Perera, all of Kalamulla—shall, on or before the 3rd day of August, 1895, show sufficient cause to the satisfaction of this court to the contrary.

F. J. DE LIVERA,
District Judge.

The 3rd day of July, 1895.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Don Joronis Dias Ponnimperuma Goonesekera, Registrar, deceased, of Kumbuke.

THIS matter coming on for disposal before F. J. de Livera, Esq., District Judge of Kalutara, on the 12th day of July, 1895, in the presence of Mr. P. A. Gooneratne on the part of the petitioner, and the affidavit of the petitioner, Don Charles Dias Ponnimperuma Goonesekera, dated 8th day of July, 1895, having been read: It is declared that the said Don Charles Dias Ponnimperuma Goonesekera is entitled to have letters of administration of the estate of the deceased Don Joronis Dias Ponnimperuma Goonesekera Registrar, issued to him, unless the respondents—Hatan Achchigey Dona Selestina Hamine, of Kumbuke, and Don Simon Dias Ponnimperuma Goonesekera of Kumbuke—shall, on or before the 12th day of August, 1895, show sufficient cause to the satisfaction of this court to the contrary.

F. J. DE LIVERA,
District Judge.

The 12th day of July, 1895.

In the District Court of Kegalla.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Intestate Estate of Edward Wijesinghe Molligoda, late Ratamahatmaya of Kegalla.

No. 27. James Robert Molligoda, of Kegalla.....Petitioner.

And

Henry Augustus Wijesinghe Molligoda, of Kegalla.....Respondent.

THIS matter coming on for disposal before C. Eardley-Wilmot, Esq., District judge of Kegalla, on the 27th day of June, 1895, in the presence of Mr. M. P. Samarasingha, Proctor, on the part of the petitioner James Robert Molligoda, of Kegalla; and the affidavit, dated the 24th day of June, 1895, of the petitioner aforesaid, having been read: It is ordered that letters of administration to the intestate estate of the deceased Edward Wijesinghe Molligoda, late Ratamahatmaya of Kegalla, be issued to the petitioner aforesaid, as son of the said deceased, and that he be declared administrator of the estate of the said deceased, unless the respondent Henry Augustus Wijesinghe Molligoda, of Kegalla, shall, on or before the 27th day of July, 1895, show sufficient cause to the satisfaction of this court to the contrary.

C. EARDLEY-WILMOT,
District Judge

The 5th day of July, 1895.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Goods and Chattels of the late Mallika Appuhamillage Don Baron-Perera, Police Vidane of Mandawala in the Gangaboda pattu of Siyane korale, deceased.
No. C/610.

THIS matter coming on for disposal before Joseph Grenier, Esq., Acting District Judge of Colombo, on the 30th day of May, 1895, in the presence of J. H. de Livera, Proctor, on the part of the petitioner Hapuarachchige Mencho Hamy, of Mandawala in the Gangaboda pattu of Siyane korale; and the affidavit of the said Hapuarachchige Mencho Hamy, dated 27th May, 1895, having been read: It is ordered that the said Hapuarachchige Mencho Hamy be and she is hereby declared entitled to have letters of administration to the estate of Mallika Appuhamillage Don Baron Perera, Police Vidane, deceased, issued to her, as widow of the said deceased, unless the respondents—1, Mallika Appuhamillage Nono Hamy, wife of 2, Rajapaksepathirennelaghe Thepanis Appu, of Henagama in the Meda pattu of Siyane korale; 3, Mallika Appuhamillage Thepanis Appuhamy, of Mandawala in the Gangaboda pattu of Siyane korale; 4, Mallika Appuhamillage Suwaris Appuhamy, of Mandawala aforesaid; 5, Mallika Appuhamillage Leisa Hamy, wife of 6, Lokuhapuarachchige Joronis Appu, of Lunugama in the Gangaboda pattu of Siyane korale; 7, Mallika Appuhamillage Neris Appu, of Mandawala aforesaid; 8, Mallika Appuhamillage Bempy Appuhamy, of Mandawala aforesaid; 9, Mallika Appuhamillage Nonò Baba Hamy, wife of 10, Jayasinhe Arachchigey Don Anoris Wijeratne Jayasundera Appuhamy, of Meddagama in the Gangaboda pattu of Siyane korale; and 11, Mallika Appuhamillage Podi Nona Hamy, of Mandawala aforesaid—shall, on or before the 11th day of July, 1895, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,
Acting District Judge.

The 30th day of May, 1895.

The *Order Nisi* is extended to the 1st day of August, 1895, and it is ordered that unless the said respondents shall, on or before that day, show cause, the said petitioner will be declared entitled to have letters of administration to the estate of the said deceased issued to her, as widow of the said deceased.

J. H. TEMPLER,
Acting District Judge.

The 11th day of July, 1895.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Goods and Chattels of the late Kudasingancuttige Davith Appu, of Walgammulla, deceased.
No. 615/C.

THIS matter coming on for disposal before J. H. Templer, Esq., Acting District Judge of Colombo, on the 27th day of June, 1895, in the presence of J. H. de Livera, Proctor, on the part of the petitioner Wellora Arachchigey Dilohamy, of Walgammulla in the Udugahapattu of Siyane korale; and the affidavit of the said Willora Arachchigey Dilohamy, dated 7th June, 1895, having been read: It is ordered that the said Willora Arachchigey Dilohamy be and she is hereby declared entitled to have letters of administration to the estate of Kudasingancuttige Davith Appu, deceased, issued to her, as widow of the said deceased, unless the respondents—1, Kudasingancuttige Caranis Appu, of Walgammulla aforesaid; 2, Kudasingancuttige Nonchohamy, wife of 3, Edrisinhe Achchigey Siadoris Appu, both of Wela-gedara in the Udugaha pattu of Siyane korale; 4, Kudasingancuttige Brampy Appu, of Walgammulla aforesaid;

5, Kudasingancuttige Punchi Menika, wife of 6, Dambawalapathirennelaghe Subaseris Appu, of Ambagaspiitiya in the Meda pattu of Siyane korale—shall, on or before the 1st day of August, 1895, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,
Acting District Judge.

The 27th day of June, 1895.

In the District Court of Kandy.

No. 1,842. In the Matter of the Estate and Effects of John Arbuthnott Smith, senior, late of Dundee in Scotland, deceased.
Frank Liesching, of Colombo Petitioner.

THIS matter coming on for disposal before John Henrious de Saram, Esq., District Judge of Kandy, on the 12th day of July, 1895, in the presence of Mr. Vanderwall, Proctor, on the part of the petitioner Frank Liesching; and the affidavit of the said Frank Liesching, dated 10th July, 1895, and the certified copies of the trust disposition and settlement of John Arbuthnott Smith, senior, deceased, dated the 3rd June, 1887, and of the testament testamentar umquhil, dated the 18th day of November, 1890, now deposited in this court, having been read:

It is ordered that the said trust disposition and settlement be, and the same are hereby declared proved, unless any person shall, on or before the 9th day of August, 1895, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Frank Liesching is the attorney of Jesse Palmer or Smith, Robert Henry Smith, Charles Frederick Smith, and James McIntosh, the trustees named in the said trust disposition and settlement, and as such entitled to have letters of administration with a copy of the trust disposition and settlement annexed issued to him, unless any person shall, on or before the 9th day of August, 1895, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,
District Judge.

The 12th day of July, 1895.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the late Barnabus Bryant, of Vannarponne East, deceased.
No. 672.

James Bates, of Vannarponne East.....Petitioner.
1, Rev. Ebner Bryant, wife 2, Abbe M. Bryant *alias* Muttupilly; 3, Robert Bryant; and 4, William Bryant, all of Changanai..... Respondents.

THIS matter of the petition of James Bates, of Vannarponne East, praying for letters of administration to the estate of the above-named deceased Barnabus Bryant, of Vannarponne East, coming on for disposal before H. Nevill, Esq., District Judge, on the 10th day of July, 1895, in the presence of Mr. T. M. Tampoo, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated the 10th day of July, 1895, having been read: It is declared that the petitioner is the uncle of the widow of said intestate, and is as such 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 20th day of August, 1895, show sufficient cause to the satisfaction of this court to the contrary,

H. NEVILL,
District Judge.

Signed this 10th day of July, 1895.