

No. 16.—1880.

J. R. LONGDEN.

An Ordinance to provide for the appointment of a Commissioner to hold Criminal Sessions of the Supreme Court.

Preamble.

WHEREAS in consequence of the increase, in the number of prosecutions for criminal offences before the Supreme Court, and in the appellate work of the said court, it is expedient that provision should be made for the appointment, from time to time, of a judicial officer to hold criminal sessions of the court whenever it may be necessary and convenient so to do: **IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—**

Power to Governor to appoint a Commissioner of Assize in certain cases.

1. **WHENEVER** the Chief Justice shall represent to the Governor that it is expedient that any criminal session of the Supreme Court should be held in any district or circuit, otherwise than by one of the judges of the Supreme Court, the Governor may, if he think it expedient, by Commission under the Public Seal of the Island from time to time, appoint a judicial officer to be called "Commissioner of Assize," who shall hold office during Her Majesty's pleasure, and for such criminal session or part of a criminal session of the Supreme Court, as shall be specified in the said Commission.

Such Commissioner invested with rights, powers

2. **IT** shall be lawful for every such Commissioner to hold any criminal session, or part thereof, of the Supreme Court, appointed to be holden under the provisions of "The Administration of Justice Ordinance, 1868," and for which he may be commissioned to act, and

such Commissioner during the continuance of such session, or part thereof, shall be invested with all the rights, powers, privileges, and immunities of a judge of the Supreme Court, and shall have and take rank and precedence immediately after the Puisne Judges of the said court. and privileges, &c., of a Judge of the Supreme Court.

3. EVERY criminal session or part thereof of the Supreme Court to be holden before a Commissioner under the authority of this Ordinance shall be deemed and taken to be a criminal session of the court under "The Administration of Justice Ordinance, 1868," in the same and the like manner as if the same were holden by one of the judges of the said Court, and all laws, usages, and customs applying, relating, or referring to criminal sessions of the said court, or to any act, matter or thing done or required to be done by any person with reference to or in connection with such criminal session of the Supreme Court shall apply, relate, and refer to every criminal session or part thereof to be held by the said Commissioner, and to every act, matter or thing done or to be done by any person with reference to or in connection with such last mentioned session or part thereof, in the same manner and to the same extent as if such last mentioned session or part thereof were a criminal session of the Supreme Court held by a judge thereof. Commissioner empowered to hold criminal session of Supreme Court.

4. EVERY Commissioner appointed under this Ordinance shall receive such remuneration for his services, at such rate not exceeding the salary payable to a Puisne Judge of the Supreme Court, as may from time to time be fixed by the Governor, with the advice of the Executive Council, and such remuneration shall be paid out of the Public Treasury by warrant of the Governor in the usual manner. Commissioner's salary.

Passed in Council this Sixth day of December, One thousand Eight hundred and Eighty.

J. A. SWETTENHAM,
Clerk to the Council.

Assented to by His Excellency the Governor this Eighth day of December, One thousand Eight hundred and Eighty.

J. DOUGLAS,
Colonial Secretary.