

*Insolvent Estates.***No. 24.—1884.**

An Ordinance to amend Ordinance No. 7 of 1853, entitled "An Ordinance for regulating the due collection, administration and distribution of Insolvent Estates."

ARTHUR GORDON.

Preamble.

WHEREAS it is expedient to amend Ordinance No. 7 of 1853, entitled "An Ordinance for regulating the due collection, administration and distribution of Insolvent Estates," and to limit the period during which, in certain cases, insolvent debtors may be imprisoned: Be it therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows:—

Short title.

1. This Ordinance may be cited as "The Insolvent Estates Amendment Ordinance, 1884."

Construction of Ordinance.

2. This Ordinance shall, except in so far as it is inconsistent therewith, be construed as one with Ordinance No. 7 of 1853, entitled "An Ordinance for regulating the due collection, administration and distribution of Insolvent Estates," and which in this Ordinance is referred to as "the principal Ordinance."

Court may order release of insolvent, if in custody for debt contracted by fraud, &c., when detained for more than one year.

3. After the first proviso to section 36 of the principal Ordinance the following shall be held to be, and is hereby inserted, "unless it shall appear to the satisfaction of the court that the insolvent shall at the time of this Ordinance coming into operation, or at any time thereafter, have been in prison or custody under or by reason of any such judgment, order, commitment or sentence as aforesaid for a period of or exceeding one year."

Repeal of section 164 of the principal Ordinance.

4. Section 164 of the principal Ordinance is hereby repealed.

Persons not to be arrested in actions for debt when debt does not exceed Rs. 100.

5. From and after the passing of this Ordinance, no person shall be arrested on mesne process, where the sum claimed shall not exceed one hundred rupees, and no person shall be taken or charged in execution upon any judgment obtained in any court of this Colony in any action for the recovery of any debt contracted subsequently to the passing of the principal Ordinance wherein the sum recovered shall not exceed the sum of one hundred rupees, exclusive of interest and of the costs recovered by such judgment.

6. The provisions of the said section 36 of the principal Ordinance as by this Ordinance amended, and of section 37 of such Ordinance, shall hereafter be taken to apply and extend to Crown debtors, as if the Crown had been specially mentioned in such provisions of the said Ordinance.

Passed in Council the Nineteenth day of November, One thousand Eight hundred and Eighty-four.

R. H. SINCLAIR,
Acting Clerk to the Council

Assented to by His Excellency the Governor the Twenty-fifth day of November, One thousand Eight hundred and Eighty-four.

JOHN F. DICKSON,
Acting Colonial Secretary.