

*Sudden Deaths.*

No. 11.—1885.

An Ordinance to amend the Law relating to Enquiries into sudden or unnatural Deaths.

ARTHUR GORDON.

**W**HEREAS it is expedient to amend the law relating to enquiries into sudden or unnatural deaths: Be it therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows:—

1. Whenever an enquiry shall be made by a person appointed by the Governor under section 195 of "The Criminal Procedure Code, 1883," it shall be lawful for the person holding such enquiry to receive and record the evidence which may be given thereat, in the English, the Sinhalese, or the Tamil language, as he may, in the interests of justice, deem best.

2. The record and detailed report of such enquiry when made shall be forwarded by the person who shall have held the enquiry to the Police Magistrate of the district in which such enquiry shall have taken place, anything in section 192 of "The Criminal Procedure Code, 1883," to the contrary notwithstanding, and such Police Magistrate shall, if necessary, cause a translation of the report to be made in the English language, and shall forward the record together with the translation thereof (if any) to the Attorney-General.

3. Any person holding an enquiry as aforesaid may exercise any of the powers conferred upon a Police Magistrate under sections 161, 162, 163, 164, 165, 166, 167, and the first paragraph of section 168 of the "Criminal Procedure Code, 1883," as well as any of the powers so conferred under sections 187, 188, 189, 190, and 191 of the said Code. Provided that if the person holding the enquiry is of opinion at the conclusion thereof that there are sufficient grounds for further proceedings against an accused party, he shall cause such accused party to be taken before the Police Magistrate, to whom shall be forwarded the report of the proceedings of the enquiry.

4. The three respectable householders of the district who are to be associated with the person holding enquiry, shall attend for such purpose upon receiving notice from the person appointed to hold such enquiries, that their attendance is required, and they shall at the conclusion of the enquiry record their opinion on the evidence given, provided that the person holding the enquiry, shall not be bound by such opinions.

5. The Police Magistrate to whom the report of any investigation held under this Ordinance may be sent, or before whom a suspected party may be brought, shall, if he is of opinion that no further evidence is necessary, remand the party arrested, and transmit the report to the Attorney-General, who may exercise in respect thereof any of the powers conferred on him by chapters XVI. and XX. of "The Criminal Procedure Code, 1883."

Evidence taken in enquiries under section 195 of the Criminal Procedure Code, may be taken down in the English, Sinhalese or Tamil language.

Record of enquiry to be sent in first instance to Police Magistrate.

Person holding enquiry may issue warrant for arrest of suspected party.

Householders to attend on notice.

Police Magistrate to transmit report to Attorney-General, if he considers no further evidence necessary.

ORDINANCE No. 11 of 1885.

*Sudden Deaths.*

Police  
Magistrate may  
hold enquiry  
under Chapter  
XVII. of  
Criminal  
Procedure Code  
in addition to  
previous enquiry,  
or proceed at  
once to hold  
enquiry under  
Chapter XVI.

Persons  
appointed  
under section 195  
of "Criminal  
Procedure Code"  
to be deemed  
public officers.

Ordinance to be  
read with "The  
Criminal  
Procedure Code,  
1883."

6. Should the Police Magistrate on receiving such report consider further enquiry necessary, he may hold an enquiry into the cause of the death in question in addition to the investigation held by the person appointed under section 195 of "The Criminal Procedure Code," and, if he does so, he shall do so in accordance with the provisions of chapter XVII. of "The Criminal Procedure Code, 1883," or, if the Police Magistrate on receipt of such report shall have reason to believe that any person has committed an offence cognizable before a superior Court, such Police Magistrate may at once deal with such person under the provisions of chapter XVI. of the said Code.

7. Persons appointed to hold inquiries under section 195 of "The Criminal Procedure Code, 1883," shall be deemed public servants within the meaning of that term as defined in the "Ceylon Penal Code."

8. This Ordinance shall be read and construed as one Ordinance with "The Criminal Procedure Code, 1883," except in so far as the provisions of the said Code are inconsistent herewith.

Passed in Council the Twenty-first day of February, One thousand Eight hundred and Eighty-five.

R. H. SINCLAIR,  
Acting Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-first day of February, One thousand Eight hundred and Eighty-five.

JOHN F. DICKSON,  
Acting Colonial Secretary.