

No. 9 of 1879.

An Ordinance to provide for the validity of the registration of certain Marriages, Births, and Deaths made in certain Districts in the Southern Province of this Island.

(See No. 6 of 1847.)

Preamble.

WHEREAS by the Ordinance No. 6 of 1847, intituled "An Ordinance to amend in certain respects the Law of Marriages and to provide for the better registration of Marriages, Births, and Deaths," it is enacted that it shall be lawful for the Governor, with the advice of the Executive Council, to establish from time to time such and so many districts within any of the provinces of the said island as shall appear expedient for the purposes of registration under the said Ordinance; and to appoint one Registrar-General of Marriages in this colony, one provincial registrar in each of the provinces thereof, and one or more registrar or registrars to each of such districts:

And whereas by virtue thereof the Southern Province of the said island of Ceylon was by a Proclamation dated the thirty-first day of January in the year of our Lord One thousand Eight hundred and Sixty-seven, under the hand of His Excellency Sir Hercules George Robert Robinson, the then Governor of Ceylon, divided into twenty-three districts:

Irregular Registration.

And whereas by the Ordinance No. 18 of 1867, intituled "An Ordinance relating to the registration of Births and Deaths," it is provided that for the purpose of the said Ordinance the Registrar-General, the provincial registrars, and the district registrars of marriages shall also respectively be and act as Registrar-General, provincial and district registrars of births and deaths, and that the division of each province of this island into districts for the registry of marriages shall also form the division for the registry of births and deaths :

And whereas provision is further made by the said Ordinances for the solemnization and registration by district registrars of marriages, births, and deaths occurring within the several districts respectively :

And whereas Francis Ernest Gunaratna, Don Carolis de Alwis Samarasinha Gunawardhana, and Don Alexander de Silva Madanayaka were appointed district registrars of marriages, births, and deaths for the district comprising the town, fort, and four gravets of Galle and Akmimana, in the Southern Province :

And whereas Don David de Silva Abhayawikkrama was appointed district registrar of marriages, births, and deaths for the district of Gangaboda pattu in the aforesaid province :

And whereas Abraham de Silva Wirasekhara was appointed district registrar of marriages, births, and deaths for the Ambalangoda district in the aforesaid province :

And whereas each of them, the said Francis Ernest Gunaratna, Don Carolis de Alwis Samarasinha Gunawardhana, and Don Alexander de Silva Madanayaka, have on divers occasions owing to inadvertence acted as registrars of marriages, births, and deaths which occurred out of their respective jurisdictions, (to wit) in the villages of Mabotuwana, Natewala, Kimbiya, Talgampola, and Udubettawa, in the district of Gangaboda pattu :

And whereas Don David de Silva Abhayawikkrama has on divers occasions owing to inadvertence acted as registrar of marriages, births, and deaths which occurred out of his jurisdiction, (to wit) in Ambana, Pinikahana, Kahaduwa, Polgahavila, and Waturavila, of the Wellaboda pattu, and in Niyagama and Horangalla, of the district of Bentota :

And whereas Abraham de Silva Wirasekhara has on divers occasions through inadvertence acted as registrar of marriages, births, and deaths which occurred out of his jurisdiction, (to wit) in Duwa and Godahena of the district of Wellaboda pattu :

And whereas the said Francis Ernest Gunaratna, Don Carolis de Alwis Samarasinha Gunawardhana, Don Alexander de Silva Madanayaka, Don David de Silva Abhayawikkrama, and Abraham de Silva Wirasekhara did solemnize and register, and act as registrars in and about divers of such marriages, births, and deaths :

Irregular Registration.

And whereas it is expedient to remove all doubts as to the validity and sufficiency for all purposes of such solemnization and registration, notwithstanding such irregularity as aforesaid : It is hereby enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows :

Irregular
registrations
declared valid.

1 The solemnization and registration of all marriages and the registration of all births and deaths which shall have occurred up to the date of the passing hereof in the said villages Mabotuwana, Natewala, Kimbiya, Talgampola, Udubettawa, and shall have been registered before the date of the passing hereof, by the said Francis Ernest Gunaratna, Don Carolis de Alwis Samarasinha Gunawardhana, and Don Alexander de Silva Madanayaka, and which shall have occurred up to the date of the passing hereof in the villages Ambana, Pinikahana, Kahaduwa, Polgahavila, Waturavila, of the Wellaboda pattu, and in Horangalla and Niyagama of the Bentota district, and shall have been registered before the date of the passing hereof by the said Don David de Silva Abhayawikkrama, and which shall have occurred up to the date of the passing hereof in the villages Duwa and Godahena in the Wellaboda pattu, and shall have been registered before the passing hereof by the said Abraham de Silva Wirasekhara ;—shall be as valid and effectual for all purposes intended by or relating to or connected with the provisions of the aforesaid Ordinances No. 6 of 1847 and No. 18 of 1867, and of the amending Ordinances No. 13 of 1863, entitled “An Ordinance to amend in certain respects the Law of Marriages in this Island, and to provide for the due registration thereof,” and No. 8 of 1865, entitled “An Ordinance to amend the Ordinance No. 13 of 1863,” as if the said Francis Ernest Gunaratna, Don Carolis de Alwis Samarasinha Gunawardhana, Don Alexander de Silva Madanayaka, Don David de Silva Abhayawikkrama, and Abraham de Silva Wirasekhara, had been respectively duly appointed registrars of the districts within which the said villages are situate at the respective dates of such registration and solemnization, and at the time when they so acted.

Certain villages
declared parts of
certain districts
up to passing of
this Ordinance.

2 Up to the date of the passing hereof, but not thereafter, the villages of Mabotuwana, Natewala, Kimbiya, Talgampola, and Udubettawa shall be taken to belong to and be part of the district of the town, fort, and four gravets of Galle and Akmimana ; and the villages Ambana, Pinikahana, Kahaduwa, Polgahavila, Waturavila, Horangalla, and Niyagama shall be taken to belong to and be part of the district of Gangaboda pattu ; and the villages of Duwa and Godahena shall be taken to belong to and be part of the district of Ambalangoda for the purposes of registration, and the district registrars of marriages, births, and deaths of the town, fort, and four gravets of Galle and Akmimana, and of the Gangaboda pattu, and of the Ambalangoda district, respectively, shall have jurisdiction over such villages aforesaid up to the date of the passing hereof, but not thereafter, anything to the contrary notwithstanding.

3 All notices which shall have been given to the aforementioned district registrars of marriages of intended marriages out of their respective jurisdictions, and on which certificates have not been issued in pursuance of the 9th clause of the Ordinance No. 13 of 1863, and after the issue of which three months have not elapsed, shall, at the passing of this Ordinance, be transferred to the district registrars having lawful jurisdiction in that behalf; and such last mentioned registrars shall, on receipt of such notices, and if the said notices be otherwise regular, issue the certificates by the said 9th clause provided; and such certificates shall be as valid and effectual as if the preliminary notices had been given to such last mentioned registrars themselves.

Notices upon which certificates have not been issued transferred to right registrars, who may issue them.

4 Nothing herein contained shall give any validity to the solemnization or registration of any marriage or registration of births and deaths, so irregularly solemnized and registered as aforesaid, except so far as relates to defects thereof caused by the non-appointment of the said registrars, respectively, for the districts, respectively, within which the said villages are situate.

No other defect cured in such registration.

1st December, 1879. ———