

VILLAGE OBLIGATIONS.

Sec. 2 of Law 7 of 1901 (at p. 926) has been repealed and the following substituted therefor:—

2. In this Law:—

"Householder" includes any male inhabitant of a village of not less than eighteen years of age whether assessed for taxation or not and any female inhabitant of a like age who is assessed for any form of taxation;

"Proprietor" means any person of not less than eighteen years of age possessing any immovable property or entitled to enjoy any water rights within the boundaries of the lands of the village;

"Village Community" means the community of a village possessing a Mukhtar and Azas and includes the community of any quarter possessing as such a Mukhtar and Azas.

34 of 1928

3. Whenever, at a meeting convened for the purpose by the Commissioner of the District, at least ten days' notice shall have been given, the majority of the householders then present decide that any contract or obligation shall be entered into on behalf of the Village Community, and the High Commissioner is satisfied that such contract or obligation is for the benefit of the village, the High Commissioner may authorize the Mukhtar, and any one member of the Village Commission to execute the contract or obligation on behalf of the village; and every contract or obligation so executed shall be binding upon the Village Community according to the terms thereof.

Mukhtar to represent village in legal proceedings. Formerly s. 3.

4. The Mukhtar for the time being of any village shall be competent to sue and be sued for and on behalf of the Village Community in any legal proceedings arising out of or relating to any contract or obligation entered into in accordance with this Law.

List of householders and proprietors.

5.—(1.) If any Village Community wishes to enter into a contract or obligation under this Law an application in writing (signed and sealed by the Mukhtar) must be sent to the Commissioner of the District expressing such desire and accompanied by a list of the householders and proprietors of the village, signed and sealed as aforesaid.

(1) Ss. 5-14 = 5, 1908, ss. 3-12.

VILLAGE OBLIGATIONS.

7 OF 1901.⁽¹⁾

TO ENABLE VILLAGE AUTHORITIES TO ENTER INTO CONTRACTS AND OBLIGATIONS ON BEHALF OF VILLAGE COMMUNITIES.

W. F. HAYNES SMITH.]

[July 8, 1901.]

Short title.

1. This Law may be cited as the Village Obligations Law, 1901.

Definitions.
5, 1908, 2.

2. In this Law:—

“Householder” includes any male inhabitant of a village of not less than 18 years of age whether assessed for taxation or not and any female inhabitant of a like age who is assessed for any form of taxation; and

“Proprietor” means any person possessing any immovable property or entitled to enjoy any water-rights within the boundaries of the lands of the village.

Power of
Mukhtar and
Aza to
execute
obligations
on behalf of
Villages.
Formerly s. 2.

3. Whenever, at a meeting convened for the purpose by the Commissioner of the District (of which at least ten days' notice shall ~~in writing, shall have been posted in two conspicuous places in the village~~ have been given) the majority of the householders then present decide that any contract or obligation shall be entered into on behalf of the Village Community, and the High Commissioner is satisfied that such contract or obligation is for the benefit of the village, the High Commissioner may authorize the Mukhtar, and any one member of the Village Commission to execute the contract or obligation on behalf of the village; and every contract or obligation so executed shall be binding upon the Village Community according to the terms thereof.

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village in
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ceedings.
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4. The Mukhtar for the time being of any village shall be competent to sue and be sued for and on behalf of the Village Community in any legal proceedings arising out of or relating to any contract or obligation entered into in accordance with this Law.

List of house-
holders and
proprietors.

5.—(1.) If any Village Community wishes to enter into a contract or obligation under this Law an application in writing (signed and sealed by the Mukhtar) must be sent to the Commissioner of the District expressing such desire and accompanied by a list of the householders and proprietors of the village, signed and sealed as aforesaid.

⁽¹⁾ Ss. 5-14 = 5, 1908, ss. 3-12.

(2.) On receipt of the said lists the Commissioner shall cause a copy thereof to be posted in the village and any person desiring to make any objection to either of the lists must apply within seven days of the posting to the Commissioner who shall cause such alterations to be made in the lists as he shall deem necessary.

6. No contract or obligation which may impose any pecuniary liability upon a Village Community shall be entered into on behalf of a Village Community unless more than one-half of the aggregate number of householders and proprietors of such Village Community are in favour of such contract or obligation being entered into on behalf of such Village Community.

Pecuniary liability on village not permissible without agreement of majority.

7. No contract or obligation which may impose a total pecuniary liability averaging not less than five shillings upon each householder and proprietor of a Village Community shall be entered into on behalf of a Village Community unless more than three-fourths of the aggregate number of householders and proprietors

Pecuniary liability averaging five shillings and upwards on each householder and proprietor in

repealed by Law 34 of 1922

Sec. 8 of Law 7 of 1901 (at p. 927) has been repealed and the following substituted therefor:-

8. If at a meeting convened in manner required by section 3 of this Law, to which the proprietors of the village shall be also summoned, and for the purpose of deciding if any contract or obligation which may impose any pecuniary liability upon a Village Community shall be entered into, there are not present at any such meeting more than one-half of the aggregate number of householders and proprietors of such Village Community required under the provisions of section 6 of this Law for the purpose of deciding if such contract or obligation shall be entered into, the Commissioner of the District in which such Village Community is domiciled shall ascertain in manner hereinafter described if more than one-half of the aggregate number of householders and proprietors of the Village Community are in favour of such contract or obligation being entered into on behalf of such Village Community.

Vide Law 34 of 1928 sec. 5.

meeting insufficiently attended.

(2.) On receipt of the said lists the Commissioner shall cause a copy thereof to be posted in the village and any person desiring to make any objection to either of the lists must apply within seven days of the posting to the Commissioner who shall cause such alterations to be made in the lists as he shall deem necessary.

6. No contract or obligation which may impose any pecuniary liability upon a Village Community shall be entered into on behalf of a Village Community unless more than one-half of the aggregate number of householders and proprietors of such Village Community are in favour of such contract or obligation being entered into on behalf of such Village Community.

Pecuniary liability on village not permissible without agreement of majority.

7. No contract or obligation which may impose a total pecuniary liability averaging not less than five shillings upon each householder and proprietor of a Village Community shall be entered into on behalf of a Village Community unless more than three-fourths of the aggregate number of householders and proprietors of such Village Community are in favour of such contract or obligation being entered into on behalf of such Village Community.

Pecuniary liability averaging five shillings and upwards on each householder and proprietor in village.

repealed by Law 34 of 1922 sec. 4

8. If at a meeting convened in manner required by section 3 of this Law, to which the proprietors of the village shall be also summoned and for the purpose of deciding if any contract or obligation which may impose any pecuniary liability upon a Village Community or a total pecuniary liability averaging not less than five shillings upon each householder and proprietor of a Village Community shall be entered into there are not present at any such meeting more than one-half or three-fourths of the aggregate number of householders and proprietors of such Village Community respectively required under the provisions of sections 6 and 7 of this Law for the purpose of deciding if such contract or obligation shall be entered into the Commissioner of the District in which such Village Community is domiciled shall ascertain in manner hereinafter described if more than one-half or three-fourths of the aggregate number of householders and proprietors of the Village Community as the case may be are in favour of such contract or obligation being entered into on behalf of such Village Community.

Power of Commissioner to ascertain views when meeting insufficiently attended.

9. If at a meeting convened in manner and for the purposes referred to in section 8 of this Law there is not present a number of householders and proprietors sufficient to decide if any contract or obligation in relation to which the meeting is convened shall be

Mode of ascertaining views when meeting insufficiently attended.