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DRAFT ORDINANCE.

The following Draft of a proposed Ordinance is published for general information:—

An Ordinance to make provision in Rural and Planting Districts for the Education of Children in the Vernacular Languages.

Preamble.

WHEREAS it is expedient to make provision in rural and planting districts for the education in the vernacular languages of children for whose education other adequate provision has not been made: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

1 This Ordinance may be cited as "The Rural Schools Ordinance, 1906," and is divided into parts as follows:

Part I.—Preliminary.

Part II.—School Districts and School Divisions.

Part III.—Constitution, Powers, and Duties of District School Committees.

Part IV.—Powers and Duties of Village School Committees.

Part V.—Estate Schools.

Part VI.—General.

PART I.

PRELIMINARY.

Commencement
and operation of
the Ordinance.

2 (1) Subject to the provisions of sub-section (3) of this section, the Governor in Executive Council may, by Proclamation, declare Parts II., III., IV., and VI. of this Ordinance to be in force in any of the school divisions, hereinafter constituted by this Ordinance, and thereupon the same shall be in force within the limits and from the date named in such Proclamation.

(2) The Governor in Executive Council may in like manner from time to time revoke or alter any such Proclamation.

(3) This Ordinance shall not be brought into operation within the limits of any municipal or local board town or of any town or village subject to "The Small Towns Sanitary Ordinance, 1892."

Interpretation.

3 In this Ordinance, unless the context otherwise requires—

"Parent" includes a guardian and any person who has actual custody of a child.

"Inspector" includes a sub-inspector of schools.

"Government school" means a school in which the teaching staff is paid by the Director of Public Instruction.

"Grant-in-aid school" means a school which has been registered by the Director of Public Instruction for receipt of grants under the code for aided schools for the time being sanctioned by the Governor in Executive Council.

"Vernacular school" includes schools in which instruction is given in English, in addition to the vernacular, provided that English does not form one of the subjects in which it is compulsory to receive instruction.

"Public vernacular school" means a vernacular school carried on, as regards religious instruction, in accordance with section 22 of this Ordinance.

"Manager" means any person recognized by the Director of Public Instruction as manager or local manager of any school or group of schools receiving grants from him.

"Estate" bears the meaning assigned thereto by "The Medical Wants Ordinances, 1880, 1882, and 1905."

PART II.

SCHOOL DISTRICTS AND SCHOOL DIVISIONS.

School districts.

4 Every revenue district shall for the purposes of this Ordinance be a school district.

School divisions.

5 (1) In parts of the island which are subject to the operation of "The Village Communities' Ordinance, 1889," every subdivision into which any chief headman's district has been divided under section 5 of "The Village Communities' Ordinance, 1889," shall be a school division for the purposes of this Ordinance.

(2) In parts of the island which are not subject to the operation of "The Village Communities' Ordinance, 1889," the Governor in Executive Council may from time to time by Proclamation appoint convenient villages or groups of villages to be school divisions for the purposes of this Ordinance, and may from time to time revoke, vary, or amend any such Proclamation.

PART III.

CONSTITUTION, POWERS, AND DUTIES OF DISTRICT SCHOOL COMMITTEES.

Constitution of district school committee.

6 For every school district there shall be a governing body to be called the district school committee, which shall consist of—

- (a) A chairman, who shall be the government agent of the province, or, in his absence, the assistant government agent of the district.
- (b) The three elected or nominated members of the district committee for the time being in office under "The Road Ordinance, 1861."
- (c) The Director of Public Instruction, or, in his absence, an officer of the Department of Public Instruction appointed by him.
- (d) One of the chief headmen of the district nominated by the government agent.
- (e) Two members interested in education in the district nominated by the Governor.

Term of office of district school committee.

7 The district school committee shall be duly constituted as soon after the commencement of this Ordinance as the members referred to in (c), (d), and (e) of the last preceding sub-section have been nominated, and shall continue in office until the expiration of the term of office under "The Road Ordinance, 1861," of the members referred to in (b). Upon a fresh election or nomination of such last-named members a fresh nomination shall be made of the members referred to in (c), (d), and (e), and the committee so constituted shall hold office during the term of office under the said Ordinance of the members referred to in (b).

Casual vacancies.

8 On a casual vacancy occurring by reason of the death, resignation, or disqualification of any of the members referred to in (c), (d), or (e), or otherwise, the authority by whom such member was nominated shall nominate another member in his place; and the person so nominated shall hold office until the time when the member in whose place he was nominated would have gone out of office.

Power of district school committee to regulate its procedure.

9 (1) The district school committee may make regulations as to their quorum, proceedings, and place of meeting, and as to the notice to be given of such meetings; but subject to such regulations, the quorum, proceedings, and place of meeting of any district committee shall be such as the committee determine.

(2) The proceedings of a district school committee shall not be invalidated by any vacancy among its members, or by any defect in the election, appointment, or qualification of the members thereof.

(3) The chairman of the district committee shall cause minutes of the proceedings of the committee to be kept in a book provided for the purpose, and a minute of those proceedings signed at the same or next ensuing meeting by a person describing himself as or purporting to be the chairman of the meeting of the committee shall be received in evidence without further proof.

Fund of district school committee.

10 The Governor in Executive Council may authorize the chairman of the provincial committee constituted by "The Road Ordinance, 1861," to pay in each year to the chairmen of the district school committees in his province the balance, or any portion of the balance, of the moneys paid by the inhabitants of the school district in commutation of labour under section 25 of Ordinance No. 31 of 1884, after provision has been made from such moneys, in pursuance of section 37 of the first-named Ordinance, for the repair, improvement, maintenance, and formation of the minor roads

and other works mentioned therein. The moneys so paid shall form a fund and be applied by the district committee as hereinafter mentioned.

Power of district school committee to provide school furniture and to assist village school committees and to defray office expenses.

11 Subject to the provisions of this Ordinance, the district school committee may make provision from the fund vested in them for the supply of furniture, gardening implements, and school apparatus for the use of schools established under this Ordinance within their district, for the temporary payment of the salaries of teachers until provision has been made under this Ordinance for such payment, and for such assistance as they may consider necessary to enable village school committees to provide and maintain suitable school accommodation for the vernacular education of the children in their school division, and also for the payment of clerks and other officers employed by them, and of the cost of stationery, printing, and other articles, and services necessary for the performance of their duties.

Keeping and audit of accounts.

12 Accounts shall be kept by each district committee of their receipts and expenditure, and those accounts shall be made up to the 31st day of December in each year, and any balance of receipts over expenditure shall be carried forward to the following year. The accounts shall be open at all times to the inspection of the Colonial Auditor and of any other authority appointed by him to inspect them, and a copy of the accounts for each year shall be forwarded to the Colonial Auditor not later than the 31st day of January of the succeeding year. A correct summary of the accounts for each year shall be published in the *Government Gazette*.

Preparation of returns of existing schools in school divisions.

13 Whenever this Ordinance is brought into force in any school division, the chairman of the school committee of the district within which such school division is situated shall cause returns to be made showing the names of the existing schools, whether government schools or grant-in-aid schools within such school division, the number and sex of the pupils attending each of them, and, in the case of grant-in-aid schools, stating whether the manager is prepared to carry on the school as a public vernacular school under this Ordinance, and for how many additional pupils any manager of such public vernacular schools is prepared to find accommodation, furniture, and teachers. The chairman shall forward a copy of such returns to the Director of Public Instruction.

Preparation of schemes for establishing vernacular education in school divisions.

14 The district school committee, as soon as may be after the receipt of these returns, shall prepare a scheme for the establishment of vernacular schools for the education of all male children, and, if they think fit, for the education of all female children, resident in the school division and within the ages prescribed in this Ordinance, for whose education efficient and suitable provision is not otherwise made.

In so doing they shall subdivide the school division into school circles consisting either of single villages or of such groups of villages as can conveniently be served by a single school.

In forming such groups they shall, as far as possible, assign villages to an existing government school or to an aided school of which the manager has stated that he is prepared to make provision for the vernacular education of the children of such village and to carry on the school as a public vernacular school under this Ordinance, but so that no child shall be compelled to attend school from a distance exceeding three miles.

If the manager of a grant-in-aid school in any village has given notice to the Director of Public Instruction that he is not willing to carry on the school as a public vernacular school under this Ordinance, the district school committee shall provide in their scheme sufficient accommodation by means of a school or schools in the village or elsewhere for the compulsory education of the children of that village, having regard to the number of children who are likely to attend the school of that manager.

Particulars of scheme.

15 The scheme prepared by the district committee shall specify—

- (a) The school circles into which the school division is subdivided with the villages assigned to each and the number of boys and girls of school-going age in each village.
- (b) Any school or schools by which instruction is already provided for any school circle, including both existing government schools and existing grant-in-aid schools, whether carried on as public elementary schools or otherwise, with the number of boys and girls attending each.
- (c) The new Government schools which it is proposed to establish in any school circle with the villages assigned to each.
- (d) The Government schools of which it is proposed to extend the existing buildings.
- (e) An estimate of the probable cost in money or labour of such new buildings and extensions and of the furniture necessary for them, together with an estimate of the money or labour which can be made available for this purpose by the village committee of the school division. Such estimate shall, if the cost is too heavy to be borne in one year, contain proposals for spreading the work over a longer period not exceeding five years.

Approval of scheme by the Director of Public Instruction

16 The scheme for each school division shall, when completed by the district committee, be forwarded through the government agent of the province to the Director of Public Instruction, and no action shall be taken to give effect to any scheme or portion of a scheme until it has been approved by the Director of Public Instruction.

Before signifying his approval of any scheme or portion of a scheme, the Director of Public Instruction shall publish in the *Government Gazette* the name of any new school which it is proposed to establish: and shall allow at least twenty-one days to elapse from the date of such publication, within which objection may be forwarded to him by any manager of a grant-in-aid school within such division.

Duty of district committee with regard to works specified in scheme.

17 Whenever any scheme has been thus approved, the district committee may from time to time, by means of a requisition, call upon the village committee to carry out, by means of the labour and funds at their disposal, such of the works specified in the scheme as the village committee are liable under section 26 to perform. The district committee may also from time to time expend such proportion of the fund vested in them as they consider is properly assignable to the village division, either by themselves carrying out the necessary works or by assisting the village committee to do so.

Power of district schools committee to carry out works.

18 (1) Whenever a village school committee has made default in carrying out within a reasonable period the requisition of the district committee under the last preceding section, the government agent, upon the application of the district school committee, may direct a headman to carry out the works assigned by the scheme to the village committee.

(2) The government agent for the purpose aforesaid may place at the disposal of such headman for such purpose such portion of the moneys deposited with him on account of the subdivision under section 56 of "The Village Communities' Ordinance, 1889," as he may think fit.

(3) The headman so appointed shall have power to enforce the village rules for calling out and enforcing the performance of labour under the village rules and to prosecute offenders thereunder.

Power of district committee to enforce compulsory attendance at school.

19 Whenever the schools in any village school division are, in the opinion of the district committee, sufficient for the education of the children in the division, the district committee may exercise the power conferred upon them by the next following section of compelling, by means of by-laws, the attendance of children at school.

BY-LAWS.

Power of district school committee to make by-laws.

20 District school committees may from time to time make, and when made may revoke, amend, alter, or vary, such by-laws as may seem necessary or expedient for the purpose of carrying out the provisions of this Ordinance, and may impose penalties for the contravention thereof not exceeding a fine of twenty rupees, and an additional fine not exceeding ten rupees per day in case of a continuing offence.

Purposes for which by-laws may be made.

21 (1) The by-laws made under the last preceding section may apply to both boys and girls or to boys only, or to girls only, and may provide among other things for—

- (a) Specifying the limits of any school division within which efficient provision has been made for education by means of public vernacular schools.
- (b) Requiring the parent of any child between the ages of six years and twelve years old, or in the case of Mohammedan and Tamil girls between the ages of six and ten, residing within such school division to cause such child to attend one of such schools, unless he has made other adequate and suitable provision for the education of such child. A parent shall be deemed to have made adequate and suitable provision for the education of his child if he proves that his child is in regular attendance at a school registered by the Director of Public Instruction for the receipt of a grant in aid, or at a school with regard to which an application for a grant in aid is under consideration, or at a school certified by the Director of Public Instruction to provide adequate and suitable instruction, or if he proves that he has made such other provision for his child's education as the Director of Public Instruction shall certify to be adequate and suitable, or if he produces a certificate from the Director of Public Instruction recommending that the child shall be exempted from compulsory attendance. Provided that no parent shall be convicted for not causing his child to attend such school, if he proves to the satisfaction of the magistrate that he has reasonable excuse for not causing such child to attend. A parent shall be deemed to have a reasonable excuse for not causing his child to attend school, if he proves that the child is prevented from attending by sickness or other unavoidable cause.
- (c) Determining the penalty not exceeding a fine of twenty rupees to be attached for the breach of any by-law.
- (d) Determining the days on which and the hours during which children shall attend such school.
- (e) Prescribing, on the recommendation of the Director of Public Instruction, the course of instruction to be given in schools.
- (f) Prescribing the forms in which any return required by this Ordinance shall be made.
- (g) For every other purpose which may be deemed necessary for carrying out the provisions of this Ordinance.

Provided that nothing herein contained shall in any way restrict or be construed to restrict the generality of the power conferred by the last preceding section, but such powers shall extend to all matters, whether similar or not to those in this section mentioned, as to which it may be expedient to make by-laws for the better carrying into effect the objects of this Ordinance.

(2) No by-law or revocation, amendment, alteration, or variation of any by-law shall have effect until the same has been confirmed by the Governor in Executive Council. All by-laws when so confirmed shall be proclaimed in the *Government Gazette* in the English, Sinhalese, and Tamil languages, and shall thereupon, subject to the provisions of the next following sub-section, be as legal, valid, effectual, and binding as if they had been enacted in this Ordinance.

(3) All by-laws when proclaimed as aforesaid shall be laid, as soon as conveniently may be, before the Legislative Council, and if a resolution is passed within forty days of their being laid before the Legislative Council praying that any by-law shall be annulled, such by-law shall thenceforth be void, but without prejudice to anything done thereunder.

Religious instruction.

22 No school in which religious instruction is given shall be considered a public vernacular school, unless the district committee is satisfied—

- (a) That religious instruction is given only during the times specified in the school time table ;
- (b) That religious instruction is not given to pupils of other denominations than that to which the school belongs if the parents object ;
- (c) That pupils who do not attend religious instruction are employed in other studies during the hours allotted to religious instruction ;
- (d) That such pupils, if their parents object to their being present in the room where religious instruction is given, are either allowed to study in some other part of the school premises during the hours when such instruction is given or their presence in the school during such hours is excused ; and
- (e) That a copy of this section in the English, Sinhalese, and Tamil languages is conspicuously posted up in the school.

Repeal of village rules by proclamation of by-laws.

23 Upon the proclamation under the last preceding section of any by-laws in any school division, any rules made by the inhabitants or by the village committee of the subdivision under the provisions of section 6 of "The Village Communities' Ordinance, 1889," for securing the attendance of children at school which may then be in force in such school division, shall from the date of such Proclamation be rescinded and shall cease to have effect, and no rules for such purpose shall thereafter be made ; but nothing in this section shall prejudice anything lawfully done under such rules.

PART IV.

POWERS AND DUTIES OF VILLAGE COMMITTEES.

Village school committee when school division is not also a subdivision.

24 For every school division there shall be a governing body called the "village school committee," which, in cases where the school division is also a subdivision for the purposes of the Village Communities' Ordinance, shall be the village committee of the subdivision elected under the provisions of the said Ordinance.

Village school committee where school division is not a subdivision.

25 (1) In cases where the school division is not also a subdivision for the purposes of "The Village Communities' Ordinance, 1889," the village school committee shall be elected by the inhabitants in the manner prescribed by the said Ordinance with regard to the election of village committees.

Every such election shall be held on the requisition of the government agent, and at such time and place as he shall appoint ; and the provisions of the said Village Communities' Ordinance with regard to convening and holding meetings, the qualifications of voters and committeemen, the term of office of the committee, and the filling of casual vacancies shall be applicable, with the necessary modifications, to the election of village school committees in the cases provided by this section.

(2) Every village school committee under this section may from time to time make rules for—

- (1) Constructing and repairing school rooms for the education of boys and girls ; and
- (2) For the purposes set out in sub-sections 17 (a), 17 (b), and 17 (c) of section 6 of "The Village Communities' Ordinance, 1889," but not for the other purposes enumerated in the section.

(3) The provisions of sections 7, 8, and 9 of the said Ordinance shall be applicable to rules made under the section by a village school committee as if such rules had been made by the inhabitants of a subdivision.

Duty of village school committee as regards provision of school rooms.

26 The village school committee of every school division shall, subject to this Ordinance, make provision, by means of the labour of the inhabitants and from the funds vested in them, and with such assistance as the district school committee may afford them, for the establishment and maintenance of sufficient accommodation in vernacular schools for the education of children resident within the school district for whose education efficient and suitable provision is not otherwise made.

Powers of village school committees to make rules.

27 It shall be the duty of village school committees to make and enforce rules in manner provided by section 6 of "The Village Communities' Ordinance, 1889," providing for the construction, maintenance, and repair of school rooms by means of the funds and labour at the disposal of the committee. Such rules may provide for—

- (a) The carrying out of all ordinary repairs to the school buildings, teachers' dwelling-houses, fences, wells, and other offices and premises of any Government school which children resident in the school division attend, whether or not the school is situated within the division.
- (b) The erection of new school buildings, the extension of existing school buildings, the making and fencing of school gardens and play grounds, the construction of wells for school gardens, and the construction of teachers' dwelling-houses and other necessary premises and offices.

PART V.

ESTATE SCHOOLS.

Commencement of Part V.

28 Part V. of this Ordinance shall come into operation at such time as the Governor in Executive Council shall, by Proclamation in the *Government Gazette*, appoint.

Application of Part V. to estates.

29 Parts II., III., and IV. of this Ordinance shall not apply to estates as hereinbefore in this Ordinance defined; but, whenever it appears that the children of the labourers employed on any estate can be more conveniently educated by means of the schools of the school division within or near which such estate is situated, the Governor may, by order in the *Government Gazette*, exempt such estate from the operation of Part V., and direct that it shall be subject to Parts II., III., and IV. of the Ordinance.

Combined schools.

30 Two or more estates may, with the sanction in writing of the Director of Public Instruction, combine for the purpose of providing a common school under a joint manager for the instruction of the children on such estates.

Duty of superintendent as regards education of children on estate.

31 It shall be the duty of the superintendent of every estate to provide for the vernacular education of the children of the labourers employed on the estate between the ages of six and twelve, and to set apart and keep in repair a suitable school room.

Return of children of school-going age.

32 (1) Every superintendent shall, before the expiration of six months from the date when Part V. of this Ordinance comes into force, forward to the Director of Public Instruction a return showing the following particulars, namely:

- (a) The number of the boys and girls, being the children of labourers employed on the estate, between the ages of six and twelve.

(b) The number of such boys and girls who attended school during the twelve months ending on the 31st December last preceding the date when this Part of the Ordinance came into force.

(c) The number of days during such period on which school was held.

(d) The description of building in which instruction was given.

(2) Such returns shall be made on forms which will be furnished by the Director of Public Instruction on the application of superintendents free of charge.

Register of children of school going age.

33 It shall be the duty of the superintendent to cause the school teacher to keep a register showing the names and ages of the boys and girls, being the children of labourers employed on the estate, between the ages of six and twelve, and also an attendance register showing the presence or absence of each child on every day on which school is held. Such register shall be corrected or renewed on or before the tenth day of each month, and shall be open to inspection as hereinafter provided.

Inspection of schools.

34 The Director of Public Instruction shall from time to time cause estate schools to be inspected, and on such inspection the superintendent, who shall have at least three days' clear notice of the inspection, shall afford the inspector all reasonable facilities for inspecting the registers hereinbefore required to be kept and the children on the estate. Upon such inspection the inspector shall give children who have learnt enough to pass the fourth standard in reading, writing, and arithmetic a certificate exempting them from attendance at school.

Enforcement of obligation of superintendent to provide for education of children.

35 Whenever provision has not been made to the satisfaction of the Director of Public Instruction for the vernacular instruction of the children on any estate and for the supply of a suitable school room, the Director of Public Instruction may issue a notice to the superintendent calling upon him to make provision for the vernacular education of the children and for a school room; and if such notice has not been complied with to the satisfaction of the Director of Public Instruction within six months from the date when it was given, the Governor in Executive Council may authorize some person to enter upon the estate and erect a suitable school room thereon and to provide suitable instruction for such children. The cost of erecting and maintaining a school room and of providing instruction for the children shall from time to time be certified by the person so authorized, and shall be recovered in the manner provided by the "The Medical Wants Ordinance, 1880," for the recovery of money payable under sections 15 and 19 of the said Ordinance.

PART VI.

GENERAL.

Appointment and payment of teachers of vernacular schools provided by village committees.

36 The Director of Public Instruction shall appoint teachers and pupil teachers to give instruction in vernacular schools provided by village school committees under Part IV. of the Ordinance, and, subject to the provisions of section 11, shall make provision for their payment from such sums as shall be voted annually for this purpose by the Legislative Council.

Application by manager for grant in aid.

37 The Director of Public Instruction, in case of any application from a manager for a grant in aid for a vernacular school situated in a school division subject to this Ordinance, shall refer such application to the district school committee for report. If the committee report that the registration of such school is unnecessary or prejudicial to other schools, it shall not be registered until the Director of Public Instruction has held an inquiry, due notice of which shall be given to all parties concerned. If, after such inquiry, the Director of

Responsibility of occupier of premises for children. Disposal of fines.	<p>Public Instruction decides that the school ought to be registered, he shall notify this to the chairman of the district committee, and shall not register such school until at least three weeks have elapsed from the date of such notification.</p> <p>38 The occupier of the premises in which any child usually resides shall be presumed to have the custody of such child until the contrary is proved.</p> <p>39 All fines under this Ordinance shall be paid into the funds of the school division in which the school in relation to which the offence was committed is situated.</p>
Jurisdiction in respect of offences.	<p>40 All offences under this Ordinance shall be triable either in the village tribunal or committee or in the police court of the district in which the offence was committed, wholly or in part, and such court shall have jurisdiction to award the maximum punishment prescribed therefor, anything in the Criminal Procedure Code or in "The Village Communities' Ordinance, 1889," to the contrary notwithstanding.</p>
Procedure.	<p>41 With regard to proceedings before a police magistrate or village tribunal under this Ordinance or under any by-law or rule thereunder, the following provisions shall have effect, namely:</p> <p>(1) Any police magistrate or president may, instead of imposing a penalty, make an order directing that the child shall attend school, and that if he fails to do so, the person on whom such order is made shall pay a penalty not exceeding the penalty to which he is liable for failing to comply with the by-law.</p> <p>(2) Any police magistrate or president may require by summons any parent of a child required by by-law to attend school to produce the child before him, and any person failing without reasonable excuse, proof whereof shall lie on the parent, to comply with such summons, shall be liable to a penalty not exceeding twenty rupees.</p> <p>(3) When a child is apparently of the age alleged for the purpose of the proceeding, it shall lie on the defendant to prove that the child is not of that age.</p> <p>(4) A certificate purporting to be under the hand of the Director of Public Instruction stating that a child has reached a particular standard of education, or is or is not under adequate and suitable instruction, or stating that any school does or does not provide adequate and suitable instruction, shall be evidence of the facts stated in such certificate.</p>
Acquisition of land for purposes of Ordinance.	<p>42 Any private land which may be required for the purposes of, or incidental to, the erection or extension of school buildings, teachers' houses, offices, or premises, or for the establishment of school gardens or play grounds, or otherwise for the purposes of this Ordinance, may be acquired by the Crown for such purpose under the provisions of "The Land Acquisition Ordinance, 1876," or of any other Ordinances for the time being in force providing for the acquisition of private land for public uses.</p>

By His Excellency's command,

G. M. FOWLER,

Colonial Secretary's Office,

Acting Colonial Secretary.

Colombo, December 22, 1903.

Statement of Objects and Reasons.

THE general object of the Bill is to introduce into rural districts a system of compulsory vernacular education similar to that established with regard to towns by "The Town Schools Ordinance, 1906," and to make provision for the vernacular education of the children of estate labourers.

2. The scheme of the Bill differs materially from that of the measure introduced during the last Session of the Council; and, as a result, the greater part of that measure is not reproduced.

3. The Bill proceeds on the principle of utilizing as far as possible the existing administrative divisions and authorities for educational purposes.

With this view the Bill proposes to establish school divisions corresponding to revenue districts, and village school divisions corresponding to the subdivision of the chief headman's district created by "The Village Communities' Ordinance, 1889."

The governing body of the school district is a district school committee consisting of the district committee elected or nominated under "The Road Ordinance, 1861," reinforced by the addition of four members, one of whom is the Director of Public Instruction or his representative.

The governing body of the village school division is the village school committee, which is identical with the village committee elected under "The Village Communities' Ordinance, 1889."

4. The necessary school accommodation will be provided principally by means of the funds and labour at the disposal of the village school committee, but the district school committee is empowered to apply to educational purposes such portion of the unexpended balance of the moneys paid by the inhabitants in commutation of labour as the Governor may authorize. The teachers of schools provided by village committees will be appointed by the Director of Public Instruction and paid out of public funds.

5. The district school committee is charged with the duty of framing a scheme subdividing their district into school circles and indicating the additional school accommodation required.

6. The village school committees are liable, on the requisition of the district school committee, to provide this additional school accommodation from the means at their disposal, with any assistance they may receive from the district school committee.

7. When the school accommodation required by the scheme has been provided, the district school committee is empowered to enforce the attendance of children at school by means of by-laws. The sections authorizing the district school committee to make by-laws for this purpose are borrowed, with slight modifications, from the Town Schools Ordinance of last year.

8. Part V. of the Ordinance dealing with estate schools comes into force on a day to be appointed by the Governor in Council. It imposes upon the superintendent of the estate the obligation of providing for the vernacular education of the children on the estate between the ages of 6 and 12 and of providing and maintaining a suitable school room.

When provision is not made for the instruction of children and for the supply of a suitable school room, the Director of Public Instruction is empowered to require the superintendent to make such provision, and in default of compliance with such requisition the Governor is empowered to cause the necessary measures to be taken at the cost of the estate.

9. Part V. also requires the superintendent to make returns of the children of a school-going age on the estate and to cause an attendance register to be kept. The Director of Public Instruction is also empowered to cause estate schools to be inspected with due notice to the superintendent.

ALFRED G. LASCELLES,
Attorney-General.

December 3, 1906.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of
Jurisdiction. Nanumi Arachchige Christina
No. 2,703 C. Perera, late of Maradana in
Colombo, deceased.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 17th day of December, 1906, in the presence of Mr. Arthur Alvis, Proctor, on behalf of the petitioner Meegama Gurunanselage Don John Solomon of Rosmead Place, Cinnamon Gardens, Colombo; and the affidavit and petition of the said petitioner, dated respectively the 11th and 12th days of December, 1906, having been read and considered:

It is ordered that the said petitioner be and he is hereby declared entitled to have letters of administration to the estate of the above-named deceased, Nanumi Arachchige Christina Perera, issued to him, unless Nanumi Arachchige Isaac Perera of Waniya street, Kurunegala, shall, on or before the 24th day of January, 1907, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,
District Judge.

The 4th day of December, 1906.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and
Jurisdiction. Testament of Clifford Henry Arm-
No. 2,706. strong, late of Colombo, deceased.

THIS matter coming on for disposal before J. R. Weinman, Esq., District Judge of Colombo, on the 17th day of December, 1906, in the presence of Messrs. Julius & Cressy, Proctors, on the part of the petitioner Walter Lamont of Colombo; and the affidavit of the said Walter Lamont, dated 10th December, 1906, having been read:

It is ordered that the will of Clifford Henry Armstrong, deceased, dated the 15th day of June, 1905, be and the same is hereby declared proved, unless any person interested shall, on or before the 17th day of January, 1907, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Walter Lamont is the attorney of the executor named in the said will, and that he is entitled to have letters of administration, with will annexed, issued to him accordingly, unless any person interested shall, on or before the 17th day of January, 1907, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,
District Judge.

The 17th day of December, 1906.

In the District Court of Kandy.

Testamentary Jurisdiction. In the Matter of the Estate of the late Seena Esubu Lebbo, of Uguressapitiya in Kulugammanesiya pattu of Harispattu, deceased.

THIS matter coming on for disposal before John Harvey Templer, Esq., District Judge of Kandy, on the 20th day of November, 1906, in the presence of Mr. Jayatileke, Proctor, on the part of the petitioner William Marcellus de Silva, Secretary of the District Court of Kandy :

It is ordered that the petitioner William Marcellus de Silva, Secretary of the District Court of Kandy, be and he is hereby declared entitled to letters of administration to the estate of Seena Esubu Lebbo of Uguressapitiya in Kulugammanesiya pattu of Harispattu, deceased, as the Secretary of the said District Court of Kandy, unless (1) Kadya Umma, (2) E. Mohammado Allya, (3) E. Mimosi Natchiya Umma, the 2nd and 3rd respondents by their guardian *ad litem* Ana Omasu Ally of Uguressapitiya aforesaid, shall, on or before the 17th day of December, 1906, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,
District Judge.

17th December, 1906.

The notice for showing cause against the *decree nisi* is extended to 11th January, 1907.

J. H. TEMPLER,
District Judge.

In the District Court of Kandy.

Testamentary Jurisdiction. In the Matter of the Estate of the late Alacola-angogedara Menika, of Arattana in the Palispattu West of Lower Dumbara deceased.

THIS matter coming on for disposal before John Harvey Templer, Esq., District Judge of Kandy, on the 4th day of December, 1906, in the presence of Mr. Jayatileke, Proctor, on the part of the petitioner, Mutu Banda Rambukwello Korala of Palispattu West, residing at Toldeniya in Lower Dumbara; and the affidavit of the said petitioner, dated December 3, 1906, having been read :

It is ordered that each of the respondents—(1) Alacola-angogedara Kir, (2) Alacola-angogedara Pumba, (3) Alacola-angogedara Hapumaloo, (4) Alacola-angogedara Bodiya, (5) Alacola-angogedara Hewadiya, all of Arattana in the Palispattu West in Lower Dumbara—be and they are hereby declared entitled to letters of administration to the estate of Alacola-angogedara Menika of Arattana in the Palispattu West of Lower Dumbara, deceased, as the heirs of the said deceased, and in the event of any one of them not obtaining the letters of administration, the 6th respondent, W. M. de Silva, Secretary of the District Court of Kandy, be and he is hereby declared to letters of administration to the estate of the said deceased, as the Secretary of the District Court of Kandy, and on the further event of his failing to obtain letters of administration, the petitioner, Mutu Banda Rambukwelle, Korala of Palispattu West residing at Toldeniya in Lower Dumbara, be and he is hereby declared entitled to letters of administration to the estate of the said deceased, as the Korala of the korale which the intestate died, unless the above-named respondents shall, on or before the 21st day of January, 1907, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,
District Judge.

The 5th day of December, 1906.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Kartikosa Aiyar Sapatliya of Tollippalai West, deceased.

Sapapathaiyer Paramasamyaiyer of Tollippalai West Petitioner.

Vs.

(1) Pollaiyavadda-aiyer Muttuswami-kurukkal of Tollippalai, (2) Maman-kam, daughter of Pullaiyavadda-aiyer of Tollippalai..... Respondents.

THIS matter of the petition of Sapapathaiyer Paramasamyaiya, praying for letters of administration to the estate of the above-named deceased Kartikosa-aiyer Sapapathaiyer, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 5th day of December, 1906, in the presence of Mr. K. Tambiah, Proctor, on the part of the petitioner; and affidavit of the petitioner dated December 5, 1906, having been read : It is declared that the petitioner is the sole heir of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before the 21st day of January, 1907, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,
District Judge.

This 5th day of December, 1906.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Sinnattampi Arumugam of Irupalai, deceased.

Parupati, widow of Arumugam, of Irupalai Petitioner.

Vs.

(1) Sinnappodiyar Sinnattampi and his wife (2) Sinnappilai of Irupalai Respondents.

THIS matter of the petition of Parupati, widow of Arumugam of Irupalai, praying for letters of administration to the estate of the above-named deceased Sinnattampi Arumugam, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 10th day of December, 1906, in the presence of Messrs. Casippillai and Cathiravelu, Proctors, on the part of the petitioner; and affidavit of the petitioner dated December 7, 1906, having been read : It is declared that the petitioner is the lawful widow of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondents or any other person shall, on or before the 23rd day of January, 1907, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,
District Judge.

This 10th day of December, 1906.

In the District Court of Matara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Don David de Silva Wijesinha, Vidane Arachchi of Wakamulgampalata, deceased, of Hinbunna. No. 1,528.

THIS matter coming on for disposal before T. R. E. Loftus, Esq., District Judge of Matara, on the 28th day of August, 1906, on the motion of Messrs. Proctors G. E. and G. P. Keuneman on the part of the petitioner Don Allias de Silva Wijesinha Appuhamy of Getamanna; and the affidavit of the said petitioner, dated 27th August, 1906, having been read: It is ordered that the said Don Allias de Silva Wijesinha Appuhamy be and he is hereby declared entitled to have letters of administration to the estate of the deceased Don David de Silva Wijesinha issued to him, as son of the said deceased, and that Don Migel Wijesinha, Vidane Arachchi, Don Nikulas Wijesinha Appuhamy, and Cornelia Dissanaiké Hamine be and they are hereby appointed guardian *ad litem* over the minors Don Barlis Wijesinha Appuhamy, Don Sedris Wijesinha Appuhamy, and Wijesinghage Hinni Hamine, respectively, unless the respondents—(1) Cornelia Dissanaiké Hamine, (2) Don Migel Wijesinha, Vidane Arachchi, (3) Dona Gimara Wijesinha Hamine, (4) Don Nikulas Wijesinha Appuhamy—shall, on or before the 5th day of October, 1906, show sufficient cause to the satisfaction of this court to the contrary.

TROS. R. E. LOFTUS,
District Judge.

The 28th day of August, 1906.

Extended for 14th January, 1907.

In the District Court of Batticaloa.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Sinnapillai Katirammai of Navetcuda. No. 477.

Palani Atikari Sinnatamby of Navetcuda. Petitioner.

Vs.

(1) Sinnattamby Katiramattamby, (2) Sinnattamby Palanitamby, (3) Sinnattamby Katiramalai, (4) Sinnattamby Sinnepillai, (5) Nakapper Elayatamby, all of Navetcuda Respondents.

THIS matter coming on for disposal before G. W. Woodhouse, Esq., District Judge of Batticaloa, on the 19th October, 1906, after reading the affidavit and petition dated 19th September, 1906, praying for letters of administration:

It is ordered that the petitioner be declared entitled to administer the estate of the deceased, and letters

of administration to the said estate be granted to him, unless the respondents show sufficient cause to the contrary on the 8th January, 1907.

G. W. WOODHOUSE,

District Judge.

This 19th day of October, 1906.

In the District Court of Kurunegala.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Kurugamage Hendrick Perera of Medirivilla. No. 860.

Kurugamage John Perera of Dandugama in Negomb District. Petitioner.

Vs.

(1) Uswathaleanage Gustina Pereira, (2) Kurugamage Maria Madalena Perera, both of Medirivilla in Katugampola Hatpattu konale, Kurunegala Respondents.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Kurunegala, on the 13th day of December, 1906, in the presence of the petitioner, and the affidavit of the petitioner, dated 13th December, 1906: It is ordered that Kurugamage John Perera of Dandugama, the said petitioner, be declared entitled to have letters of administration to the estate of the late Kurugamage Hendrick Perera of Medirivilla issued to him, as the son and an heir of the said intestate, unless the said respondents aforesaid or any other persons interested shall, on or before the 18th day of January, 1907, show sufficient cause to the satisfaction of this court to the contrary.

ALLAN BEVEN,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Sevamaly Amma of Chilaw, deceased. No. 726.

THIS matter coming on for disposal before R. G. Saunders, Esq., District Judge of Chilaw, on the 17th December, 1906, after reading the affidavit of the petitioner and his application of the same date: It is ordered that letters of administration to the estate of the late Sevamaly Amma of Chilaw do issue to her son Nena Kavenna Muhammadu Mira Saibo of Chilaw, unless sufficient cause be shown to the contrary on the 22nd January, 1907, by the respondents or any other person or persons interested in the estate of the deceased.

R. G. SAUNDERS,
District Judge.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Districts of Chilaw and Puttalam will be holden at the Court-house at Colombo on Thursday, January 10, 1907, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

C. V. REBEIRA,
Fiscal's Office,
Kurunegala, December 20, 1906.
for Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,236.

In the matter of the insolvency of Segu Meera Lebbe Uduma Lebbe Marikar of No. 25, San Sebastian street, in Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 24, 1907, for the grant of a certificate of conformity to the above-named insolvent.

By order of court,

J. B. Misso,
Secretary.

Colombo, December 20, 1906.

In the District Court of Colombo.

No. 2,242.

In the matter of the insolvency of John Henry Schokman of Sedawatta in Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 24, 1907, for the grant of a certificate of conformity to the above-named insolvent.

By order of court,

J. B. Misso,
Secretary.

Colombo, December 20, 1906.

In the District Court of Colombo.

No. 2,251.

In the matter of the insolvency of William Charles Atwell of Kalubowilā in the Pallo pattu of Salpiti korale.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 24, 1907, for the grant of a certificate of conformity to the above-named insolvent.

By order of court,

J. B. Misso,
Secretary.
Colombo, December 20, 1906.

In the District Court of Negombo.

No. 78.

In the matter of the insolvency of Arthur Clementi Smith of Negombo.

WHEREAS Arthur Clementi Smith has filed a declaration of insolvency, and a petition for the sequestration of the estate of the said Arthur Clementi Smith has also been filed under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Arthur Clementi Smith insolvent accordingly, and that two public sittings of the court, to wit, on January 28 and February 28, 1907, will take place for the said insolvent to surrender and conform to agreeably to the provisions of the said Ordinance, and for the taking of other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

N. PARANAVITANA,
Secretary.
Negombo, December 20, 1906.