

Death of SIR CHARLES LAYARD and MR. WALTER PEREIRA.

1915.

June 10, 1915.

*Present: Wood Renton C.J., Ennis J., Shaw J., and
De Sampayo A.J.*

The Chief Justice in addressing the Attorney-General, said: It seems, Mr. Attorney, to be only a few days since here in this Court we had occasion to lament the loss of one distinguished member of the legal profession, the late Solicitor-General, Mr. James van Langerberg. We are called upon this morning to refer to two other great lawyers, Sir Charles Peter Layard and Mr. Justice Walter Pereira, and to deplore their loss. Before by own arrival in the Colony Sir Charles Layard's great task of rolling away for ever from the gates of the Supreme Court the reproach of justice delayed had been accomplished. But I had the pleasure and the honour of working along with him for the first six months of my service here, and had ample opportunity of learning to appreciate and to admire his keen and certain insight into every legal problem that came before him, his high sense of duty, and the exalted standard to which his life in every respect conformed.

The name of Mr. Justice Walter Pereira is known and honoured, not only in Ceylon, but also in the whole legal world. His monumental treatise on the laws of this country is the subject of constant reference in the Courts of the Island, and is the standard text book on the subject in every part of the British Empire. He was a

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Jurist as well as a Judge. But he was a great Judge too. There is no need for me to say much with regard to his career among you. Like his distinguished brother, Mr. H. J. C. Pereira, he commenced his professional life as a Proctor. By sheer force of character and ability he fought his way to the front rank of the Bar, to the Solicitor-Generalship, and to a Judgeship of the Supreme Court—of which he has for all to short a time been an ornament. There is one respect, however, in which perhaps Mr. Justice Pereira's work has not received all the public recognition that is its due. He was fully in sympathy with the determination both of the Bench and of the Bar that the tradition handed down to us by Sir Charles Layard should be maintained, and that, without any sacrifice of care or of thoroughness, we should dispense speedy justice still. It was largely owing to the extraordinary combination of rapidity with accuracy which his own judicial work disclosed that that end has been attained. Perhaps I might mention that on the first day of his illness, when I went to see him, his chief if not his sole anxiety was a fear lest his own absence from Court should cause inconvenience to the Bench or to the Bar. It is the spirit in which such men as those of whom I have been speaking have lived their official lives that has made British justice what it is.

The Honourable the Attorney-General (Anton Bertram, K.C.), in reply, said: May it please Your Lordships, on behalf of the Bar and the legal profession, I should like to say a few words to associate ourselves with what has fallen from Your Lordship. Your Lordship has mentioned two honoured names, one of them I might say more especially endeared to us owing to the fact that he was but recently one of us, a member of the Bar, and even on the Bench, still retaining the consciousness of the fact that he was a member of the Bar as well as of the Bench. Sir Charles Layard I never had the privilege of knowing, but I know the high traditions that prevail here with regard to his eminent attainments. But Mr. Justice Walter Pereira was my own colleague, and I worked with intimacy with him for a considerable time. I shall always cherish the remembrance of his strong and forcible personality, a personality which combined both learning and weight. He possessed in an extraordinary degree a resourcefulness, a fearlessness, and an inflexibility, which impressed all those with whom he came in contact, whether at the Bar or on the Bench. Whenever I have dealt with him, whether as a colleague, or in chambers, or in court, the impression which his personality made upon me might be well expressed in the words, *par negotiis*. One felt that one was in the presence of a man who had attainments and character which made him worthy of his high office. The eminent learning with which he combined these qualities which I have mentioned has been referred to by Your Lordship. We all of us here join with Your Lordship in deploring the heavy loss sustained by the Bench.