

GOMES AND GOMES
Solicitors.

2 Croal Street,
Georgetown,
British Guiana.

CARLOS GOMES
Commissioner of Oaths

ANDREW JOSEPH GOMES

22nd October, 1958.

Mr. R.F. Camacho,
Chairman,
Drainage and Irrigation Board,
P.O. Box 26,
Georgetown.

Sir,

We are in receipt of your letter of the 26th
September, 1958 - No. 271/55.

Our client Mrs. Mary Elizabeth Coghlan as executrix
of the estate of Joseph Patrick Coghlan does not want
Shamrock Manor and its land included in the new drainage
area, as Shamrock Manor and its land were to have free
drainage.

Our client does not wish to retain Bella Street
Bridge. Government promised to erect a wire fence marking
off our client's boundary between Bella Street Bridge and
where the drainage trench cuts through the dam opposite
North East of Lot 1 Killarney.

Our client is to retain a reserve of 14 ft. as
shewn on the Consulting Engineers' plan on the southern
side of Bella Street dam to where the drainage trench crosses
the dam opposite North East of Lot 1 Killarney and thence
the continuation of the dam to the end of Killarney section.

Unfortunately owing to the death of Captain
Coghlan our client does not know where the consulting
Engineers' plan mentioned in our letter of the 15th September,
1958, is. We will however see if we can trace same and
would like you also to look for same.

Yours faithfully,

(Sgd.) Gomes and Gomes.

FROM: Chairman, Drainage and Irrigation Board.

TO : Permanent Secretary, Ministry of Natural Resources.

No. 271/55.

DATE: 2nd December, 1959.

S U B J E C T.

North Klien Pouderoyen (Extension) Drainage and Irrigation Area. (Your file No. DI. 33/33 IV).

I have to refer to previous correspondence on the above subject and to inform you that a meeting of proprietors and Local Authorities within the proposed North Klien Pouderoyen (Extension) Drainage and Irrigation Area was held on 25th August, 1958, at St. Swithins School for the purpose of laying before the proprietors plans showing the boundaries of the new area and a copy of Order in Council No. 38 of 1958 made by the Governor in Council under section 13 of the Ordinance and to explain them fully to the persons attending the meeting.

2. Protests were received from Messrs. Gomes and Gomes, Solicitors on behalf of Captain Coghlan and a copy of their letter is attached herewith. A reply sent to Messrs. Gomes and Gomes on 26th September, 1958, by the Chairman, Drainage and Irrigation Board, is also attached for your information and their reply to this dated 22nd October, 1958.

3. The objections relate mainly to the following items:-

- (1) Bella Street Bridge and Reserve
- (2) Wire Fence marking off Boundary of Shamrock Manor
- (3) Retention of Title for Portion of Main Drainage Trench
- (4) Use of Koker Channel
- (5) Taxation
- (6) Litigation in connection with the Acquisition of Land by Drainage and Irrigation Board in existing North Klien Pouderoyen Drainage and Irrigation Area.

4. The matter was discussed at a meeting of the Drainage and Irrigation Board held on 24th November, 1959, and I submit their comments:-

- (1) Bella Street Bridge and Reserve

As in the letter of 22nd October, 1958, from Messrs. Gomes and Gomes, Mrs. Coghlan does not wish to retain Bella Street Bridge. She wishes to retain the Reserve however, and attention is invited to paragraphs 4 and 5 of the Chairman of Drainage and Irrigation Board's letter of 26th September, 1958, to Messrs. Gomes and Gomes. The proposal to declare the area does not include any proposal to alienate any lands whatsoever, and in any case the proprietors of Shamrock Manor are asking to be allowed to retain land which does not vest in them. The Board does not consider then that they have any valid grounds for objection in this respect.

- (2) Wire Fence

The Board is unaware of any promise by Government to erect a wire fence as indicated and see no reason why Government or the Board should do this.

(3) Retention of Title for Portion of Main Drainage Trench.

The proposal to declare the area does not contain any proposal with regard to the portion of the main drainage trench described as in the 3rd paragraph of Messrs. Gomes and Gomes' letter and it seems that Captain Coghlan was anticipating future action by the Board to take over this portion of what is termed the main drainage trench if the area is declared with the boundaries as proposed by the Board.

(4) Use of Koker Channel

The same comment applies as at (3).

(5) Taxation

The proprietors wish to be exempt from Drainage and Irrigation Board rates as they indicate that Shamrock Manor and its land were to have free drainage. The Board is not aware of any good reason why there should be any free drainage for this estate. At present it drains through the existing North Klien Pouderoyen Drainage and Irrigation Area via works maintained by the Board for which the Local Authority is assessed and pays rates annually.

(6) Litigation in connection with the Acquisition of Land by Drainage and Irrigation Board in the Existing Drainage and Irrigation Area.

The Board cannot see in what way the declaration of the proposed Extension Area can possibly circumvent any decision that may be made in favour of the proprietors in this litigation, and the Board therefore does not consider that there are any good grounds for objection in this respect.

5. It was therefore recommended by the Board that the area be declared a Drainage and Irrigation Area.

Sgd. Mervin Belgrave
Chairman,
Drainage and Irrigation Board.