

LEGISLATIVE COUNCIL.*Friday, 8th March, 1929.*

The Council met pursuant to adjournment, HIS EXCELLENCY THE GOVERNOR, BRIGADIER-GENERAL SIR GORDON GUGGISBERG, K.C.M.G., D.S.O., President, in the Chair.

PRESENT.

The Honourable the Colonial Secretary, Mr. C. Douglas-Jones, C.M.G.

The Honourable the Attorney-General, Mr. Hector Josephs, K.C., B.A., LL.M. (Cantab.), LL.B. (Lond.).

The Honourable A. P. G. Austin (Nominated Unofficial Member).

The Honourable T. T. Smellie (Nominated Unofficial Member).

The Honourable F. Dias (Nominated Unofficial Member).

The Honourable T. Millard, Colonial Treasurer.

Major the Honourable W. Rain Gray, M.A., Ph.D. (Edin.), B. Litt (Oxon.), Director of Education.

The Honourable J. S. Dash, B.S.A., Director of Agriculture.

The Honourable R. E. Brassington (Senior Member for North-West Essequibo).

The Honourable R. V. Evan Wong, B.Sc., (Senior Member for South-East Essequibo).

Colonel the Honourable W. E. H. Bradburn, Inspector-General of Police.

Major the Honourable J. C. Craig, D.S.O., Director of Public Works.

The Honourable B. R. Wood, M.A., Dip. For. (Cantab), Conservator of Forests.

The Honourable S. H. Bayley, Managing Director, Colonial Transport Department.

The Honourable J. Mullin, A.I.M.M., F.S.I., Commissioner of Lands and Mines.

The Honourable N. Cannon (Senior Member for Georgetown).

The Honourable H. C. Humphrys (Member for East Demerara).

The Honourable A. V. Crane, LL.B. Lond., (Member for West Demerara).

The Honourable Percy C. Wight (Junior Member for Georgetown).

The Honourable A. R. F. Webber, F.R.G.S., (Junior Member for Berbice).

The Honourable A. E. Seeram (Member for Demerara).

MINUTES.

The minutes of the meeting of the Council on the 6th March, as printed and circulated, were confirmed.

ANNOUNCEMENT

Major. CRAIG (Director of Public Works): I am the bearer of the following Message from His Excellency the Governor:—

MESSAGE NO. 28 OF 1928.

Hon. Members of the Legislative Council,

I have the honour to invite this Council's reference to Combined Court Resolution No. 29 of 1926, approving of certain alterations being made from the Loan for defraying the cost of the Drainage and Irrigation, and the Pure Drinking Water Schemes for the more populous villages of the coastlands of the Colony, as set out in Sessional Paper No. 26 of 1926.

2. Of the \$328,000 voted for the East Coast Berbice and the Corentyne Coast about \$180,400 has been spent on the drainage of

Gibraltar to Courtland
Lancaster to Manchester
Ulverston to Salton, and
Lot 57 to Lot 63

which appear as items 4, 7, 8, and 11 in Appendix A of Combined Court Paper No. 7. of 1925.

3. To this sum must be added the cost of the Limalair-Kildonan and Grand Canal

Lots 1.25 Schemes, amounting to \$68,000, making a total of \$248,400. Expenditure as detailed below was authorised by the Combined Court when considering Resolution No. 29 of 1926:—

- (a) Drainage of East Coast—Lots 1.25, \$37,200.
- (b) Hogstye—Friendship, \$31,800.
- (c) Nurney—Bush Lot No. 27, \$16,500.

4. On further investigation and detailed reports it is found that the amounts necessary will be, in respect of (a), \$14,500 and instead of (b) and (c) a sum of \$53,500 to be spent on the Limlair-Kildonan Scheme, which comprises the major portion of (b) and (c).

5. I therefore invite this Council to approve of the revised allocations of expenditure on works connected with the Berbice District Drainage Schemes as set out in paragraph 4.

F. G. GUGGISBERG,
Governor.

Government House,
Georgetown,
8th March, 1929.

PAPER LAID.

The following communications was laid on the table:—

Letter from the British Social Hygiene Council dated 13th December, 1928, asking that delegates be sent to represent the Colony at the Imperial Conference on Social Hygiene to be held in London during July, 1929.—(*Colonial Secretary*).

GOVERNMENT NOTICE.

BERBICE DRAINAGE SCHEME.

Major. CRAIG: I give notice that at the next meeting of the Council I will move the following motion:—

That, with reference to Governor's Message No. 28 of 1928, this Council approves of the undermentioned changes being made in the estimate of cost of work to be done in connection with the drainage scheme of the East Coast, Berbice and Corentyne Coast, as set out in Appendix A of Combined Court Paper No. 7 of 1925:—

- in the place of
- (a) drainage of East Coast—Lots 1—25 \$37,200
- (b) Hogstye—Friendship.... 31,800

- (c) Nurney—Bush Lot No. 27 } 16,500
- there shall be substituted
- (a) drainage of East Coast—Lots 1—25 \$14,500
- (b) Limlair-Kildonan 53,500

ORDER OF THE DAY.

TOWN COUNCILS' REGULATION BILL.

The Standing Rules and Orders were suspended in order that "A Bill to provide for the seats of elected Councillors of the Mayor and Town Council of Georgetown and the Mayor and Town Council of New Amsterdam shall be vacant on their becoming disqualified for election or on the happening of certain other events; and to empower the Governor-in-Council to dissolve either Town Council under certain conditions" may be read the third time.

The ATTORNEY GENERAL (Mr. Hector Josephs): I move that the Bill be read the third time.

Mr. AUSTIN seconded.

Question "That this Bill be now read a third time and passed" put, and agreed to.

Bill read the third time and passed.

CUSTOMS DUTIES BILL.

The COLONIAL SECRETARY (Mr. C. Douglas-Jones): I ask leave of the Council to take the third Order of the Day "A Bill to amend the Customs Duties Ordinance, 1929, with respect to the rates of duty on certain oils."

Question put, and agreed to.

The COLONIAL SECRETARY: I move that the Bill be now read a third time and passed.

Mr. SMELLIE seconded.

Question "That this Bill be now read a third time and passed" put, and agreed to.

Bill read the third time and passed.

ADVISORY COMMITTEE ON
EDUCATION.

Major GRAY (Director of Education): With the permission of the Council I move the motion standing in my name:

That, with reference to the Governor's Message No. 27 of 1928, this Council approves of the Colony participating in a scheme proposed by the Secretary of State for the Colonies for the creation of an Advisory Committee on Education in the Colonies, and undertaking to contribute for the three years 1929.31 to the cost of the Committee to the extent of 1/600th part of the expenditure provided for educational services in the Estimates of the Colony for the year 1928.

The purpose of this motion is fully set out in the Governor's Message. It is to enable the Secretary of State for the Colonies to have the advice of a Standing Committee on Education on educational matters in all the dependencies of the Crown. Such a Committee has been working for some years in relation to the African Colonies only and it is now desired to extend the system to all other Colonies. It will be on an experimental basis for three years, at the end of which the advantages gained will be reviewed and it will be then decided whether it should be continued on a permanent basis. The contribution of the Colony is a small one, £154 per annum, and in return for that we will have the advice of the Committee on any question we may submit. Moreover, this

committee proposes to publish a bulletin on educational matters throughout the Empire, and there is no doubt that the publication of such a bulletin is very much required at the moment. In various parts of the Empire there are problems peculiar in certain respects and in other respects similar, and the bulletin will save a lot of unnecessary labour in different parts of the Empire, especially in a part like this where we

would have the views of other people dealing with the same problem.

Mr. DIAS seconded.

Mr. WEBBER: I am sorry to oppose such an apparently harmless motion, but I do so on two grounds, may be more. The first is on the question of expense. We are told that we cannot afford \$1 here and \$10 there; now we are asked to approve of the expenditure of \$750 per annum. I do not believe the expenditure will be kept to this figure. The Council is aware what Government estimates mean; even with our own control they keep soaring. Government is inclined to spend £150 despite the fact that we cannot balance our budget and Government is stopping ice water here, newspapers there, and the firing of the 8 o'clock gun. I agree that these small sums in the aggregate amount to a large sum. Secondly, I have grave suspicions about handing over the education of this Colony or submitting to the advice that the education of this Colony be brought on a level with that of the African Dependencies. There is too great a tendency in the Colonial Office to confuse the high standard of civilization and culture in British Guiana and the West Indies with that of the African Dependencies. I have not one word to say against the culture of Africa in its highest walks and of its native races and processes. But where you have millions of illiterate people, practically naked savages, you cannot compare them with the clothed and educated people of British Guiana and the West Indies. It is a mistake to endeavour to bring them down to a common level.

The PRESIDENT: May I draw the hon. member's attention on a point of order to a mistaken expression? This Advisory Committee is for the whole Empire and Africa is merely one part of it, and I happen to know that Advisory Committee is going to carry out its work in sections. It does not follow that the education and culture of Africa will be forced on the people of British Guiana.

Mr. WEBBER: The point I am making is that this Committee is the successor of the Advisory Committee to the British Tropical African Dependencies. I am not suggesting that we are going to be handed over to that Committee, but I am respectfully submitting that the new Committee will merely be an orientation of the old whatever its intention may be. We know what hereditary influence amounts to even in human beings, and this Committee is going to suffer the more from the limitations of its parents. If we want more eloquent evidence of what I indicate, I would direct the attention of Your Excellency and of this Council to a text-book which is being used at Queen's College as a reader. That is the sort of stuff which is going to be handed down by this Committee. We have a reader now which is being put into the hands of the children at Queen's College which I am hoping Your Excellency will find an opportunity to pay some attention to and order its withdrawal forthwith. It is an insult, a scandal, and a libel against the educated coloured people of these communities. It may be very suitable for circulation in the schools of the African Tropical Dependencies but it is an absolute insult and a gratuitous provocation to the goodwill of this community that such a book should—

The PRESIDENT: What is the name of the book?

Mr. WEBBER: To tell you the truth, sir, I don't know. I did not make a note of the title page I was so indignant on reading the pages to which my attention was drawn. I think it is a history book.

The PRESIDENT: Is it a book for which the Advisory Committee is responsible?

Mr. WEBBER: I do not say so, sir. I am only drawing an inference of the ignorance of the people outside of the West Indies, who may fill this

Committee and who do not appreciate their hundred of years of culture. The idea is that these places are peopled by natives who, to them, are like the Aboriginal Indians of the forest to us. It is as the result of that mistaken view that this book is foisted on the highest educational institution of the Colony. It is for these reasons that I stand in suspicion of this Advisory Body 4,000 miles away from us. The best that can be said about them is that they are going to publish a bulletin. I feel satisfied that this Committee will not give us £150 worth of enlightenment. Let us buy a copy of the bulletin—the most it can cost is twelve cents—and the Director of Education will get from it what wisdom there is to be got.

The PRESIDENT: I quite appreciate the fears of the hon. member and I am in full sympathy with him that it is absolutely dangerous, if it were not entirely groundless, to ask a Committee 4,000 miles away to advise on local problems. I happened to have been concerned with this Advisory Committee from its inception and took part in the extension of its spheres. The Advisory Committee, I can assure the hon. member, would have been delighted to have heard his remarks on the text-book question. That is one of their strong points. Our text-books, unfortunately, and those used in the schools throughout the Empire, appear to have got into the hands of very well-meaning bodies, such as Mission bodies, but they have produced a type of text-book on the whole, especially Readers or Primers, which are really too amusing to be taken seriously. The fact is they are practically useless and harmless to the children using them. That is one of the points we would get help from the Committee on—the publication of the text-books on lines which we consider suitable for local conditions.

The Committee is nothing but an advisory one. Personally, I think we get far more than \$750 value from them in a year, even in one of their

functions on which the Director of Education did not touch, and that is the Advisory Council are of extraordinary value in getting the right type of Education Officer and Headmasters. They have got a great deal of value, I know, in Africa from that and they have experienced that in Asia as well. One of the most difficult things, as the Director of Education is well aware, is to get suitable men for the educational staffs of this Colony. I do not know what the reason is, but the fact remains, and this Committee gives us a great deal of help in that respect by bringing the right type of men to our notice. I feel that the Council, in spite of the necessary for economy, will get full value out of this vote, and although, as the hon. member pointed out, all these little amounts total up a large sum. Yet the little amount which is going to have a big result should be retained on our estimate, and the other amounts which have not a corresponding result will have to go. I feel that it is most important that we should join in this movement and not be left out in the cold.

Mr. WEBBER: I withdraw my opposition, but in doing so desire to direct Your Excellency's attention to the fact that some time ago one of your predecessors appointed a Committee to consider the question of text-books for this Colony. The Committee met and reported the need of peculiar text-books in this Colony, but the report was turned down as the Government could not afford the sum of \$750 which might have been necessary to make a start.

The PRESIDENT: The hon. member can rest assured that text-books will be one of the first reforms of the Director of Education in the re-organisation. Of course it takes time to write a text-book. The question is "That the motion be passed."

Motion agreed to.

BERBICE DRAINAGE SCHEME.

Major CRAIG: I move that the Standing Rules and Orders be suspend-

ed in order to consider the motion of which I gave notice earlier.

Mr. MULLIN seconded.

Question put, and agreed to.

Major CRAIG: I beg to move the motion:—

That, with reference to Governor's Message No. 28 of 1928, this Council approves of the undermentioned changes being made in the estimate of cost of work to be done in connexion with the drainage scheme of the East Coast, Berbice and Corentyne Coast, as set out in Appendix A of Combined Court Paper No. 7 of 1925:—

In the place of—

(a) drainage of East Coast-Lots 1-25	\$37,200
(b) Hogstye-Friendship,	31,800
(c) Nurney-Dush Lot No. 27	16,500
there shall be substituted	
(a) drainage of East Coast-Lots 1-25	\$14,500
(b) Limlair-Kildonan,	53,500

Mr. MULLIN seconded.

The PRESIDENT: This motion does not involve extra expenditure but a re-allocation of the details?

Major CRAIG: A re-allocation of the details of expenditure that was approved by the Combined Court in 1926, and the actual result of this re-allocation means a saving of \$17,500 on the two schemes which are now being executed.

Motion agreed to.

GEORGETOWN SEWERAGE BILL.

The COLONIAL SECRETARY: I move that the Council resolve itself into Committee to resume consideration of "A Bill to provide for the completion of the construction of the Sewerage Works of Georgetown; to establish a body of Commissioners to control, maintain and manage the Sewerage System and

the Water Works of Georgetown, and to provide for the maintenance thereof."

Mr. SMELLIE seconded.

Question put, and agreed to.

The CHAIRMAN: I think we got to clause 20 when the debate on the apportionment of the expenses of the external house connections was brought up. During the debate on Tuesday and Wednesday elected members made a claim that Government had made a promise that they would bear 20 per cent. of the cost of the external house connections. In the absence of documentary evidence I would not accept this statement as hon. members will recollect as I am aware from experience how verbal statements are actually misconstrued as a definite promise. Since then the Colonial Secretary's letter of the 17th July, 1923, has been brought to my notice. I find there that it is stated—these are the exact words—"Subject to the approval of the Combined Court and of the Secretary of State for the Colonies, the Government will contribute 20 per cent. of the cost of the connections and fittings from house to mains forming part of the Sewerage Scheme." The Combined Court did approve of this arrangement and only half-an-hour ago I was under the impression that the Secretary of State had approved of it. Unfortunately, I find that there is no evidence to be found amongst official documents that the Secretary of State had approved of this arrangement. Hon. members can therefore perceive that I am placed—when I say I, I mean the Government for whom I have to give a decision—in a position of some difficulty. Had the Combined Court and the Secretary of State approved of the arrangement, I should unhesitatingly have decided that Government must abide by the promise that was made. I propose, therefore, to inform the Secretary of State on the whole question; to point out to him that although Government gave a definite promise in July, 1923, and specifically mentioned that it was conditional on the approval of the Secretary of State, that since

that date no effort has been made by the Government to obtain the Secretary of State's decision on this most important point, until February, 1928, when the present Colonial Secretary, who was administering the Government, brought the subject again to the Secretary of State's notice.

The facts are quite clear. Government made a definite promise. Government apparently—I say apparently because further search may reveal a document which will contradict what I am going to say—Government apparently took no steps to secure the Secretary of State's approval to a most important promise for five years. On those facts, and on others, I have got to decide that I am morally bound to accept that promise. As hon. members will quite understand, I shall have to inform the Secretary of State that I have accepted the promise made by my predecessors, in spite of the absence of his approval, because apparently that approval was never sought. I therefore accept the promise made in July, 1923. (Hear, hear). The final cost of the external house connections is not yet actually known, but 20 per cent. of that cost will be regarded as the Government contribution to the cost of external house connections. The interest and sinking fund charges on this contribution will form a part of the Colony's debt charges. Government will not, however, hold it is financially responsible in respect to the external house connections of any new house or any new point in a lot or half lot in which the drainage work has been completed. Government's decision on that point is based on very sound, practical grounds. When our Engineers constructing the work have completed all the external house connections in any lot or half lot and have left the ground they will not undertake any further house connections of which Government has to bear 20 per cent. I think that is a fair arrangement. (Hear, hear).

Naturally, the expense of opening up the ground again will cost a great deal.

but Government's Engineers will, wherever possible, during the process of their work in any plot or half-plot endeavour to meet the wishes of any owner of a house. Hon. members will, of course, remember that although that if the spirit with which the Resident Engineer will carry out the work, he is strictly limited by the amount of his estimates. Strictly speaking, Government should not be responsible for any share of the house connections that were initiated or proposed after the first estimate of the area had been drawn up, but on the principle of give and take—a principle which I hope will always characterise in future the relations between the Government and the Municipal Council—the Engineers will do what they can. We can therefore proceed this morning in view of that decision with the remainder of the Bill, hon. members always bearing in mind that in the event—in my opinion a very unlikely one—of the Secretary of State not approving of Government's action we shall have to introduce in due course the necessary amendment.

Mr. CRANE: May I, sir, thank you for the very conciliatory attitude which you have taken, and in doing so state that what you have outlined as the policy Government should pursue in the future as regards bearing a proportion of the expense was the policy which was always understood should be pursued.

The COLONIAL SECRETARY: I ask permission to revert to the new clause 14 which was inserted when the Council last met. It read as follows:

14. The Commissioners shall keep water the Water Works at such pressure so as to convey the same to the top storey of the highest dwelling-house in Georgetown."

Certain defects have been pointed out to me in the wording of the clause and therefore I will move a further amendment. I move that the words "as will" be substituted for the word "so as to" and the word "water" for the word "same."

Question put, and agreed to.

Mr. CRANE: As regards the proposed clause 15 which I moved to place in the Town Council the control of the workshop and running-shed, in view of the steps which have been taken to ascertain what arrangements would be likely to work most amicably between the Commissioners and the Council and of Your Excellency's opinion of the matter, I do not intend to proceed with the amendment.

The CHAIRMAN: By withdrawal of the amendment clause 12 should stand. I should like to tell the Council that the Mayor of Georgetown and Mr. Crane and two Engineers visited the Water Works yesterday in an endeavour to see what both parties want and a satisfactory arrangement was arrived at. I think this Council should be grateful for the care with which those four officers devoted to what threatened at one time to be a thorny and complicated subject. I think it is quite possible that the Municipality might in future reap the reward for their foresight in erecting such good workshops by getting a certain amount of revenue from Government Departments and thereby be able to reduce the rates to a certain extent. We can now turn to clause 20 (1).

Clause 20.—Payment of costs of house-sewers and collecting sewers.

The COLONIAL SECRETARY: I move that the word "All" at the beginning of the clause be deleted and the words "Four-fifths of the" be inserted in its place.

Mr. CRANE: The way in which this clause is framed leaves a little too much in doubt what exactly would be the expenses. Four-fifths of the expenses were in connection with the erection of the house connections. I am not suggesting that every private person should be given access to the books, but I think there should be something more than merely tacking on to private pro-

perty the expenses incurred by the Resident Engineer. There ought to be some means of satisfying the public that the Engineer's expenses are properly charged against the work. The Resident Engineer is at one and the same time supervising the Main Drainage Scheme and house connections and there will be allocations of overhead charges as well as other expenses which may result from the joint construction of these works. The ratepayer ought to be in a position to feel that some authority is scrutinising the accounts and they have been charged a fair sum. In other words somebody should be given the statutory duty to satisfy himself that the expenses are properly charged against the properties and that the ratepayers are not being burdened with a greater share than they ought to be. I suggest that after the word "accessories" there should be added "and which have been certified by the Colonial Auditor as properly incurred for the said purpose." I am not sure whether that amendment would give the protection I desire to the ratepayer, but I take it that a responsible officer like the Auditor will take care in performing that duty to see that fairness is done by these people.

The COLONIAL SECRETARY: It might be well here if I were to indicate what will probably be the procedure adopted to ascertain the exact cost of the house connections. It is proposed when the scheme is finished and the certificate to that effect is given by the Resident Engineer that the total cost of the house connections for the whole City be worked out. That cost and his figures and the accounts should be submitted for examination by a Board selected for the purpose, of which, no doubt, the Colonial Auditor would be one, but to leave it simply to the certificate of the Colonial Auditor is, I think, placing a rather heavy burden on that officer. I suggest that the accounts should be submitted to a Board selected for that purpose, and if that Board give a certificate that in their opinion the cost is correctly ar-

rived at that would be sufficient. When the total cost has been arrived at, and it has been proved and agreed to by the Board or some other body, then the total number of points, which will also be given by the Resident Engineer and can be checked by the plans, will be divided into that total cost. We shall then arrive at the cost per point and the cost per point will be the basis on which the householders will pay, so that every householder will pay exactly the same amount in respect of each point, and the total number of points will determine the total of his liability. I think that will give the greatest satisfaction and will be the fairest way. The Resident Engineer is the person who incurs the expenditure and he must satisfy somebody when he completes the work and gives his certificate that the cost per point is fair and reasonable.

Mr. WEBBER: Perhaps that is some reply to the exact words that have been suggested but it is not a reply to the spirit or the principle. The Colonial Secretary suggests a voluntary process on the part of the Resident Engineer that all these things should be well and wisely and properly done. I think we should establish that principle here in this clause. After the word "accessories" we might put in words to the effect "as finally determined or ascertained by the Governor-in-Council."

The CHAIRMAN: Government is in sympathy with the request as to the principle. When you have two different bodies paying for parts of the same work and have got to adjust the amount there must be somebody to decide the justice of the thing. It only remains to decide what is the most convenient place to put it in. We can come back to sub-clause (1). The Attorney General is drafting an amendment.

Mr. WEBBER: There is another amendment. I suggest that the clause should end at the word "constructed." I think there is a little danger to the limitation "within thirty days."

The ATTORNEY GENERAL: A later amendment will be made—a new sub-clause (3) which will specify that, consequently there is no necessity to alter sub-clauses (1) and (2).

Mr. CRANE: All we are asking for is that sub-clause (1) will make the entire debt due within thirty days, but sub-clause (3) may go on to say "The Council may at the request," etc. We don't want to go to the Town Council and are asking this Council to give the ratepayers a definite period to pay up the instalments. Let sub-clause (1) be a debt against the property and put in a new clause giving the right to pay up the instalments in case a person so desire.

The ATTORNEY GENERAL: The difficulty about it is that the ordinary principle is to be followed. This will be a statutory invasion of the rights of the subject. There is being conferred on people who cannot afford to pay the full amount the privilege, by agreement with the Town Council, to pay by instalments for a specific number of years. What will happen is that these people will be able to pay the instalments per annum for twenty-five years, or at any time that an instalment is due they can clear off the debt by paying off the balance then. I may point out that this is nothing new. That is what is done everywhere. The Local Authority deals with the individual for whom the installation is made. At any time he may pay off the whole and the inconvenience is a necessary consequence of these things.

Mr. WEBBER: We are at cross purposes. We are dealing merely with sub-clause (1) and asking that the words "within thirty days after demand in writing by the Town Clerk" be deleted. We want to establish first of all the debt.

The CHAIRMAN: The Attorney General says that will be met by a new sub-clause (3).

The ATTORNEY GENERAL: This is the usual form in which it is done. When you grant a man the privilege to defer payment you deal with that separately.

Mr. WEBBER: What we want is to divorce this sub-clause from any question of time. It does not matter what is customary, and we ask that we should break new ground.

The COLONIAL SECRETARY: I understand the hon. members want the words referred to to be deleted so as to enable the Town Clerk when the time arrives to collect the money at once. When the certificate is given the debt will become due and payable. I see the point the hon. members want to make and I feel inclined to agree with them that the words may be struck out.

The ATTORNEY GENERAL: Having regard to the nature of the work which is being done, in fairness to the people who will pay the money, the usual and proper thing is to tell each individual how much money he owes, and you do so by sending him a bill. You are not going to say his debt is due and payable until you notify him that the debt is due and payable.

The CHAIRMAN: What I understand is that the hon. members want the words quoted deleted. Now, I wish to know from the Attorney General what disadvantage will arise by deleting those words.

The ATTORNEY GENERAL: I do not know what is going to follow. I do not see that any advantage is to be gained by altering the sub-clause.

Mr. CRANE: What is in our minds is this: Sub-clause (1) says the debt shall become due within thirty days after demand. Sub-clause (3) goes on to say that the Town Council may give time to pay by instalments. When these words are struck out we are going to ask this Council to make provision that the debt shall be paid in so many annual instalments and to allow any person to pay off the whole

or any instalment in anticipation. To avoid any request being made to the Town Council we desire that this Council shall say that the debt shall be paid in so many instalments or in anticipation.

Mr. WEBBER: May I supplement that by pointing out that sub-clause (5) provides that if a man does not pay his instalment within thirty days he may be sued.

The ATTORNEY GENERAL: The point which I might make clear is that every person has a natural right to pay his debt in full when it becomes due. It is a privilege or concession that you permit to pay by instalments. What is proposed is going to have the extraordinary effect that the statute is going to say that the debt is payable by instalments. It is wrong in principle. The proper way to put it in is in the way it is put here. The debt becomes due at a certain date and is therefore payable and as a concession it may be paid by instalments if it cannot be paid otherwise.

The CHAIRMAN: In order that the Council may not waste time by beating around this clause the Colonial Secretary and the Attorney-General will be glad to see the two hon. members, Mr. Webber and Mr. Crane, at 2.30 and endeavour to arrive at an agreement on clause 20. If we go on at this rate we shall go on for two or three hours with everybody at cross purposes and a large number of members of the Council wasting their time, so I propose to defer clause 20 for the moment until an agreement can be come to on the question.

Clause 21.—Estimates of expenditure to be referred to Governor-in-Council.

Mr. CRANE: Sub-clause (1) makes provision for the Commissioners preparing estimates and sub-clause (2) goes on to say "The Council shall in the ensuing financial year proceed to levy, raise and collect the amount of the approved estimates by way of rate."

The ATTORNEY GENERAL: It will save time if the hon. member will discuss it with me later. He discussed it with me this morning and I have not finished giving it consideration.

Mr. WEBBER: With respect to sub-clause (2) the principle is that the Commissioners will fix the rate, send it to the Governor-in-Council and finally to the Town Council. I suggest that the Commissioners should refer the estimates to the Town Council in the first instance in order that they may make any representations to the Governor-in-Council they think fit.

The CHAIRMAN: I do not see any objection to the hon. member's proposal. It gives the Town Council early information and they can make any remarks they please on the estimate. It does not follow that the Governor-in-Council will take notice of those remarks. It is quite possible that the Governor-in-Council might be able to consider some point raised by the Town Council. We will leave clause 21 to be dealt with by a small Committee.

Clause 22 (re-numbered 23).—Power to Council to grant licences to sanitary constructors or suspend or cancel licences.

The COLONIAL SECRETARY: I move the insertion of a new sub-clause (4):

(4.) It shall not be lawful for any person other than a licensed sanitary constructor to do any work in relation to any collecting-sewer, house-sewer, water closet or soil pipe. Any unlicensed person, who does, or causes to be done by any unlicensed persons, any such work, shall be liable to a penalty not less than five dollars, and not exceeding twenty-five dollars.

Provided always that any person employed by the Commissioners or the Council shall be deemed to be a licensed sanitary constructor with regard to work done by him under the authority of the Commissioners or the Council."

That simply puts a penalty upon any householder who employs someone other

than a licensed sanitary constructor to interfere and do something to his house. I think it is very desirable to place some penalty on that, otherwise we would have all sorts of unqualified people employed.

Mr. CRANE: One difficulty has arisen in practice. It is a proper thing to insist that work should be done under the control of a sanitary constructor, but the clause should not be so worded as to prevent him from employing a man working under him. I do not think it is the intention that subordinates should also be qualified.

The ATTORNEY GENERAL: A licensed sanitary constructor is the person who may undertake work and he may employ unlicensed persons. The clause meets exactly what the hon. member refers to.

Question "That this sub-clause stand part of the Bill" put, and agreed to.

Mr. CRANE: I should like to know whether the Town Council will be empowered to make regulations for the collection of a small charge for these licences or a tariff fixing the amount for which work of a certain kind should be done. Since the Sewerage regulations have been in force representations have been made to the Council that these men are profiteering because a limited number are certified to do the work. The Council thought it might draw up a schedule of prices for installing the equipment of water closets.

The ATTORNEY GENERAL: I don't think the clause gives power to make regulations. That would have to be provided for. I suggest, however, that the matter be carefully considered before any such amendment is made, because it is such a difficult matter to prescribe for. There are so many variations as to the kind and class of work that it does not seem to me that you can possibly devise a tariff which would be practicable to carry out, and you will have to leave it to the ordinary conditions of contract.

The CHAIRMAN: Perhaps the Director of Public Works can tell us what is the custom. Is there a recognised scale in Great Britain?

Major CRAIG: I don't think it would be practicable to devise a scale that will be equitable to everybody, and I am entirely in agreement with the Attorney-General. If maximum rates are charged the probability is that inferior articles will be used and there will be as much profiteering as at present. It is a fact that many of these sanitary constructors are charging high rates for their work. In fact, in connection with public buildings I have had difficulty in getting the man who originally did the work to carry on our work because he was getting higher prices outside.

Mr. WEBBER: I am sorry to differ with my colleague. Apart from the practicability of it I do not think it is desirable that any tariff should be fixed by anybody. Let the matter be dealt with by supply and demand.

Mr. CRANE: There is another question of the charge of a small fee for the licence. Can that be done?

The ATTORNEY GENERAL: The fee, I take it, would go to the Town Council. If that is to be done we will have to specifically provide for it here, and perhaps after the adjournment the hon. member, who is familiar with the Town Council Ordinance, will suggest something.

The CHAIRMAN: There is no reason why the Town Council should not charge a fee; and I am a little alarmed about clause 22. What steps would the Council take to ascertain that a person is qualified to undertake work?

The ATTORNEY GENERAL: They have power in the regulations and could define the mode of examination.

Clause 23 (numbered 24). Recovery by Council from owner of expenses for work done

The COLONIAL SECRETARY: I move that in sub-clause (2) "six" per cent. interest be substituted for "five."

Question put, and agreed to.

The Committee adjourned for luncheon.

The ATTORNEY GENERAL: (on resuming): The first clause to be reverted to is clause 20 (1). The Colonial Secretary has already moved an amendment in sub-clause (1). The other amendment in sub-clause (1) is to strike out the words "within thirty days after demand in writing by the Town Clerk." In sub-clause (2) for "All expenses" there will be substituted "Four-fifths of the expenses" and the words "Payments shall be made within thirty days after the demand in writing by the Town Clerk" will be struck out. Then there are to be new sub-clauses numbered (3) and (4) which will read:

(3) Payment of expenses under sub-section (1) and (2) shall not be demanded until the amount has been ascertained and certified by a Board to be appointed by the Governor-in-Council.

(4.) Payment of the expenses aforesaid shall be made within thirty days after demand in writing by the Town Clerk: provided that any owner who does not within the said period of thirty days pay such expenses shall pay the same by annual instalments of one-thirtieth part of the whole sum originally due with interest on the principal amount from time to time remaining unpaid at the rate of six per centum per annum; provided also that any person may on seven days' notice in writing to the Town Clerk pay off the balance of the principal amount and any interest that might then be due.

Sub-clauses (4) and (5) as printed will then become (5) and (6).

Mr. WIGHT: I should like to ask sir, if you would not see your way in sub-clause (4) to give them thirty years instead of twenty-five.

The ATTORNEY GENERAL: The House would not be existing in thirty years' time and it would be difficult to say who is liable.

Mr. WEBBER: It is said that wooden houses last longer than concrete houses because they are improved *ad infinitum*.

The CHAIRMAN: I should like to know the views of the hon. Colonial Treasurer on the proposal.

Mr. MILLARD: I know of no objection, sir.

The CHAIRMAN: Government has no objection to the proposal.

Question "That this clause as amended stand part of the Bill" put, and agreed to.

The ATTORNEY GENERAL: For clause 21 (re-numbered 22) it is proposed to substitute the following:

22.—(1.) The Council shall have power to raise, levy, and collect in every year commencing from the 1st day of January, 1930, a rate for the purpose of this Ordinance calculated upon the appraised value of every lot or parcel of land or portion of a lot or parcel of land in Georgetown, and on any buildings and erections thereon; provided that such rate shall not be levied upon or in connection with any church lands or buildings that are not connected to the sewerage system, or upon and in respect of the Georgetown Public Free Library, or upon and in respect of any premises owned or controlled by the Council.

(2.) Every such rate shall in every year be included in the estimate of revenue and expenditure made by the Council before submission thereof by the Council for the approval of the Governor-in-Council.

(3.) Every such rate shall be a charge upon the premises upon which the rate is levied and shall be payable to the Council in such instalments and at such times, as may be fixed by the Council; and in default of payment thereof in the manner and at the times so fixed, the Town Clerk shall proceed to recover the same byparate execution in manner and form as town taxes are recovered under the Georgetown Town Council Ordinance, 1918.

Clauses 22 to 35 were re-numbered 23 to 36.

The ATTORNEY GENERAL: I move that in clause 21, re-numbered 23, the words "and shall at the same time send copies thereof to the Council" be added at the end of sub-clause (1). Then there is an amendment to sub-clause (2) in which the words "proceed to levy, raise and collect the amount of the approved estimates by way of rate in respect of all premises in Georgetown except any premises owned or controlled by the Council or the Georgetown Public Free Library or any premises used as a Church and not connected with the sewerage system, and shall" be struck out. Sub-clause (5) is deleted.

Question "That this clause as amended stand part of the Bill" put, and agreed to.

The COLONIAL SECRETARY: In clause 22, renumbered 24, the question arose as to whether the Town Council can charge a fee for examinations and licences. It is proposed to insert a new sub-clause (2) and renumber the others (3), (4) and (5). The new sub-clause will read:

(2). The Council may by regulations made under the Ordinance prescribe fees to be paid for examinations and licences of sanitary constructors.

Question put, and agreed to.

The COLONIAL SECRETARY: I move that in clause 24 (as printed) the word "may" in the first line be transposed after the word "remedy."

Question put, and agreed to.

The COLONIAL SECRETARY: In clause 26 (1) (as printed) the term "Town Clerk" appears. I move that "The Secretary" be substituted.

The ATTORNEY GENERAL: You cannot leave the Town Clerk out of it

because he has to give receipts for money and suggest "The Secretary, Town Clerk the City Engineer."

Question put, and agreed to.

Clause 27 (new 29)—Power of Commissioners to break open streets.

The COLONIAL SECRETARY: It was agreed in view of another amendment that sub-clause (4) should read:

They shall restore the street to the satisfaction of the Council.

Question "That this sub-clause as amended stand part of the Bill" put, and agreed to.

The ATTORNEY GENERAL: I move that in clause 32 (as re numbered) the word "house sewer" be substituted for the word "sewer" in the fourth line.

Question put, and agreed to.

The Council resumed.

The COLONIAL SECRETARY: I move that the Bill be read a third time and passed.

Mr. SMELLIE seconded.

The PRESIDENT: The question is "That this Bill be now read a third time and passed."

Mr. WEBBER: Will it be safe to pass the Bill without reprinting it with the amendments made?

The PRESIDENT: I have discussed that point with the Attorney General and he said he is quite competent to put all the amendments right. It will save the Council meeting again tomorrow.

The Council adjourned *sine die*.