

**LEGISLATIVE COUNCIL.***Tuesday, 5th 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. Pain 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 J. Mullin, A.I.M.M., F.S.I., Commissioner of Lands and Mines.

The Honourable N. Cannon (Senior Member 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 J. Eleazar (Junior Member for New Amsterdam).

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

The Honourable S. H. Seymour, A.M.I. Mech. E. (Nominated Unofficial Member).

**MINUTES.**

The minutes of the meeting of the Council on the 1st March, as printed and circulated, were confirmed.

**ANNOUNCEMENT.****THE KING'S ILLNESS.**

**The PRESIDENT:** The following message has been received from the Secretary of State, dated 2nd March, 1929:

Message contained in your telegram dated 26th February has been laid before Her Majesty the Queen who desires an expression of Her grateful appreciation and thanks may be conveyed to the Legislative Council.

**PAPERS LAID.**

The following documents were laid on the table:—

Report of the Auditor for the year 1927.  
Despatch from the Secretary of State regarding the re-organisation of the West Indies Court at the Imperial Institute.—*(Colonial Secretary).*

**UNOFFICIAL NOTICE.****SEWERAGE SCHEME.**

**Mr. CRANE:** I give notice that at the Committee stage of "A Bill to pro-

vide 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 Waterworks of Georgetown, and to provide for the maintenance thereof" I shall move the amendments contained in the memorandum which I hand in.

#### ORDER OF THE DAY.

#### TOWN COUNCILS' BILL.

The Council resolved itself into Committee and resumed consideration of "A Bill to provide that 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."

**The ATTORNEY-GENERAL: (Mr. Hector Josephs):** Sir, when the Council adjourned we were discussing clause 22 of the Bill, paragraph 3. Hon. members have been commenting on that paragraph and after consideration I think it might be amended in this way, and I move an amendment accordingly: That between the words "company" and "society" the word "or" be added and that the words at the end of the paragraph "or body of persons" be struck out and there be substituted the words "of which he is not a director." As a result, therefore, sub-clause 3 will read thus: "Any incorporated company or society of which he is not a director." I think, sir, those alterations will meet the points which have been raised by hon. members. They will meet the case of what has been termed "the one man company," because where you have a "one man company" the

one man is governing director, and it will meet the case of the general director. I may point out that as the law now stands, having regard to the view expressed in a late case on the subject in the House of Lords, a director would not be excluded unless he was specifically excluded in the statute. The only thing which would exclude a director would be if he is remunerated by a commission on the business done by the company or a commission on the profits. Where you have a director who is paid an ordinary director's fee and whose remuneration does not vary with the profits of the company, he would not be excluded unless he was specifically mentioned as is now proposed.

**Mr. WEBBER:** I may say I do not think the amendment goes entirely to the root of the objection I had in view. At present, sir, the exclusion extends to directors of a company, whereas there is another class of shareholders who, I think, should be excluded and that is the executive officers of the company. I know there are many shareholders who are not allowed to be on the directorate but who are general managers and are paid a percentage of the profits. I know of one particular firm in which one of the largest shareholders is not a director but general manager of the company. He is never allowed a seat on the directorate. There are also some companies whose managers are paid in addition to salary a commission. I understand, however, that this man I have referred to does not get a commission. I do not think it is the intention of Government that such persons should be excluded.

**The CHAIRMAN:** Perhaps the Attorney-General will explain.

**The ATTORNEY-GENERAL:** With regard to a shareholder who gets remuneration based upon a commission on the profits, he is excluded because his interest will not be merely that of having a share in the company. So long as any shareholder gets munera-

tion dependent on the profits of the company in the way of commission he is excluded on the decisions, and the authority on the decisions is quite a recent one.

**Mr. WEBBER:** I accept the law on the point: that affects those paid a commission. But what about the man who gets no commission at all but a flat salary of so much per annum?

**The ATTORNEY-GENERAL:** Perhaps I may explain that in the case to which I referred, which is the guiding authority on the interpretation of the law on the point, the view taken is that a man whose remuneration is by a flat salary stands in a different position to the man who is paid by profits. That is the distinction which was drawn in the case in the House of Lords. That is a case where a man happened to be managing-director of a company and who was also elected a member of a Town Council—the case of the Municipal Corporations Act of 1882, sections 13 and 14. Objection was made that he came within a section similarly worded as this clause, but the House of Lords took the view that a director was a paid servant of the company and as a director he was employed in that way as he got a flat salary, but they said that the position was totally different where the man's salary varied with the profits of the company. They therefore said that the law excluded the one and did not exclude the other. Although the director was a shareholder, he was in no different position from a manager who was not a shareholder and was paid a fixed salary. I venture to submit that the same principle holds good. It is quite true that the answer is: the man is paid a flat salary and is interested because the more business the company gets it increases the dividends. That applies equally to everybody in the company, but it is a different thing where remuneration is dependent entirely on the profits. Take the case of the ordinary shareholder. He would not as this clause is worded be excluded from membership, even though

the company in which he is a shareholder had a contract with the Council, yet as the result of that contract with the Council his dividends would increase. It is different from the personal remuneration of the man which is dependent on profits. I submit to the Council that the danger would be sufficiently met by the amendment I propose without unduly narrowing the scope of selection.

**Mr. WEBBER:** I understand the temper of the Town Council, whatever the law in England may have been to safeguard certain things. Do I understand it is the intention of Government that a salaried person—I leave out a shareholder—a man in the position of a general manager of the company, who holds as it were the company's fortune in his hands, would be permitted to keep his seat in the Town Council and his company be in contractual relation with the Town Council without let or hindrance? In a private company, I submit, he would be excluded, and even in a public company (corporate bodies in Water Street.) I think public opinion would be against his being on the Town Council if his company was in contractual relationship with the Town Council. I think, therefore, the general manager of a company, even though it be a limited liability company, should not sit on the Corporation on which he is going to vote in respect to his firm's business, because everybody knows that the manager's salary is fixed for one year or a term of years and the renewal of the contract increasing or decreasing his emoluments will depend on the profits that accrue to his master's company. Therefore it is his business to see that his company gets the best of the bargain with the Town Council because of the reward he hopes to draw in some part of the future. I cannot believe that Government will resist a further amendment to this clause. I suggest "director or executive officer of such companies." I cannot see it would do any harm and possibly it would do a deal of good. I know the Attorney General does not like any interference with his draft Ordinances but I appeal

to him to abandon his resistance in this instance and accept the amendment.

**The CHAIRMAN:** I would like to hear what any other hon. member has to say on that point.

**Mr. CRANE:** Sir, as I took part in the debate which took place on this clause last Friday, perhaps I may be expected to say whether or not I agree that the amendment submitted by Government meets the case. I think the learned Attorney General is correct as to the statement of what the law in England is, but the hon. Junior Member for Berbice goes a little further and merely asks that we should make our own provision on the subject and not rely on the state of things which exists in England to-day. I think, sir, it is desirable that Councillors who are salaried servants of a limited liability company should be excluded from serving on the Council if they are in such a position that their interest in the company may conflict with their duty as representatives of the public. We are not disputing the statement of law made by the learned Attorney General, but we are endeavouring to set up by statute a different state of things than exists in England and not depend on the interpretation of the law as it stands in England to-day. We want to get beyond that and it would help to do that if we do what is asked for.

**The CHAIRMAN:** In other words the hon. member agrees with what the hon. Junior Member for Berbice says.

**Mr. CRANE:** I do, sir.

**Mr. ELEAZAR:** I would like to say "Ditto to Mr. Burke." What we are trying to guard against is the possibility of a person who happens to be concerned with any company, whether he is a salaried servant or a director or beneficially interested, being on the Council and in contractual relations with the Council. It is but natural—it is human nature—that a person must try to get the best of a bargain for his

company. What is to prevent him? In that way he would be able to use his influence with the other Councillors for the benefit of his company. You put him in an invidious position. His duty and interest are bound to conflict and he certainly would have to look after his interest first.

**The CHAIRMAN:** I would like the hon. Colonial Secretary to tell the Council what would be the drawbacks if we did introduce an amendment which would exclude a manager or other salaried officer of a company.

**The COLONIAL SECRETARY (Mr. C. Douglas-Jones)** Sir, as I understand the remarks of the hon. members who have spoken, one wishes to exclude from candidature as a member the Town Council the manager of a firm who is likely to enter into contracts with the Town Council. The hon. Member for West Demerara took it a step further and suggested that no employee of a firm who is likely to do business with the Town Council should stand for election as a Councillor. Now, sir, I would like to look at it from a slightly different angle. We have here two distinct ideas. Let us take first the man who is a contractor and enters directly into contract with the Town Council, we say, for example, the manufacture of some particular article which the Town Council is always using. He may be a contractor for roads or for buildings. That is the man whose business is to contract for work on tenders called for by the Town Council. He certainly should not be allowed to stand for election as a Town Councillor.

We now come to the other individual, the man who is a paid manager or director or is connected in some way or other with a firm which does business in Georgetown and can accept contracts or sell goods by tender to the Council. Now, sir, if we place the manager of such a firm in this category, or ever those who are employed by that firm, we are shutting out a very considerable and, I submit sir, a very desirable class of people in a town of this sort who would be willing or like-

ly to stand as Councillors. Let us take the case of the manager of a big firm here. His firm is largely interested in the welfare of the town. His firm is probably a very heavy ratepayer and owns a considerable amount of property, and, as I say, is interested in the welfare of the town. Now, sir, he is, I submit, an essentially desirable person to have as a Councillor.

Let us consider how he can, as manager of that firm, influence in any degree the sale of articles or secure the contract of the Town Council with his firm. His firm has tendered, we will say, for the supply of galvanized iron or any other article the Town Council desire. His firm puts a tender up against other firms. He, as manager, has decided the price upon which the tender should be made as is done by other managers. He happens to be a member of the Town Council and the tenders are considered, I take it, either by the Town Council as a whole or by a Tenders Committee. Not necessarily the lowest tender is accepted, and his tender may not be the lowest. Assuming for the sake of argument that it is not the lowest, but that it is generally assumed that the supply of galvanized iron imported by that firm is better than any other to be had locally. Assuming further that the Town Council, knowing that, desire to purchase it, and accept the tender. Immediately somebody outside says "Oh yes, the manager of the firm is a member of the Town Council and that is why the contract is given to him." That accusation would be made everywhere, and even perhaps if he was not on the Council, therefore I think we can put aside accusations of that nature.

But we are limiting very considerably the selection of Councillors by the ratepayers of Georgetown and eliminating those men in whom the ratepayers have the greatest confidence and want to represent them. Probably we may also be preventing the Town Council from accepting the tender of a firm for goods which they want to buy, so we had

much better leave it and simply debar the man who is a direct contractor and a director of a private company in which he himself holds all the shares, except the statutory number which has to be issued to the public to form the company. He stands in a different position to a manager or director of a firm. I think we shall be doing an injustice not merely to the ratepayers of Georgetown, but we would be limiting their selection of candidates to the Town Council and be debarring the very people, I submit, they would wish to represent them.

**Mr. WEBBER:** I think, sir, that the hon. Colonial Secretary has rather missed the point of the debate. He has put up a general plea for the desirability of the voters to choose as they like. I have a lot of sympathy with what he has said, but the point I think he has missed is whether a manager shall be debarred as a contractor. Probably he has forgotten that we are only placing these managers and directors in the position of other persons who desire to contract with the Town Council and forcing them to seek the permission of the Governor-in-Council. The hon. Colonial Secretary has forgotten that provision has been made that these super-men who wish to serve on the Council can do so by convincing the Governor-in-Council of the purity of their motives. What I am asking Government to do is to place the salaries of the officer and the director of a company in the same position as the ordinary individual who desires to contract in his own name with the Council, and that is to go to the Governor-in-Council and get permission to be a Councillor, otherwise you are placing the general manager of a company beyond the law as it were. The general manager of a company who is equally interested as the other persons will be able to flout this Council and the Executive Council, so also the manager who gets more salary than the director—for directors only get a small honorarium.

**Mr. ELEAZAR:** I am afraid the Colonial Secretary is not aware of what

happens in these corporations. It is quite possible for a Councillor to influence a Council against importing a particular article and make them purchase from a particular firm; that actually taking place.

**The COLONIAL SECRETARY:** I do not think I missed the point. What I am deprecating is placing a large number of people who are desirable as representatives of the ratepayers under the obligation to obtain permission of the Governor-in-Council to enter into contracts with the Council. It is perfectly obvious that certain people to obtain that permission. The intention of the Ordinance is to safeguard the interests of the ratepayers and it would be carrying it too far to go beyond the people mentioned in the Ordinance.

**The CHAIRMAN:** I think we have naturally got to accept the principle advocated by the three hon. Elected Members who spoke. We have got to adopt the principle that we must do everything possible in our legislation to enable the Town Council to remain above suspicion as regards their dealings with contracts. I think that is pretty clear. The only point that arises here,—although I do not think the Council has been giving any number of contracts—is whether the exclusion of managers paid at a flat rate, or other salaried officials of a company or society, would lead in reality to there being a dearth of candidates for Town Councillors. I think it is a matter for the consideration of the Council whether it would or would not lead to a dearth of candidates, and, if it does lead to a dearth of candidates, in what way could we meet the case and preserve the reputation of the Council. I thoroughly agree with the principle that we should do everything to enable the Council to avoid any possible unpleasant occurrence. The hon. Colonial Secretary appears to think that it would lead to a scarcity of candidates of the kind we want: men of position. I would like to hear, and I am sure this Council would like to hear, other members' views on this subject.

**Mr CANNON:** It might assist this Council if Government would make a pronouncement as to whether they intend to continue the appointment of persons other than Civil Servants as their representatives on the Town Council. When the proviso was introduced in the Ordinance it was understood that it was Government's desire to nominate officials. Now they have departed from that arrangement, which has given rise to this difficulty, and if Government would say whether they intend to appoint men other than Civil Servants it would assist in the deliberation of this question.

**The CHAIRMAN:** I do not think Government can commit itself to that extent: to say whether it would confine itself entirely to nominated officials. It would all depend upon the kind of people of standing available for making good Councillors.

**Mr. CANNON:** Then I feel that the matter is a very simple one. We should not take into consideration the availability of men but stick to the law.

**Mr. CRANE:** With regard to the question you just asked, sir, as to whether, if the amendment is carried it would result in a scarcity of candidates, it is only in regard to those companies with which the Council actually deals that any difficulty can arise. If there is no contract between the Council and a firm in Water Street the question will not arise, because the manager or salaried servant would be eligible to be a Councillor. Cases of ordinary miscellaneous purchases have been held not to come within the proviso. There is a large number of companies in Water Street with very desirable salaried managers with which the Council has no contractual relations and those persons would be free to come on the Council. Contracts for a large sum of money are not so general as to make every director or manager of a firm not eligible for appointment to the Council, and I do not think the amendment suggested would result in a dearth of candidates.

**The COLONIAL SECRETARY:** I wish to point out a little fallacy in the last speaker's remarks. A firm has not a contract with the Town Council at the moment, but, using the argument of the hon. member, if the manager of that firm becomes a member of the Town Council he can influence a contract for his firm. If you only debar from sitting on the Council managers of firms who only get a contract you may be only debarring a few, but other firms can tender and the managers of those firms can influence the Town Council to obtain the contract for their firms, so in that way you are limiting the potential panel of candidates.

**Mr. CRANE:** I am speaking in terms of the Ordinance: "is either directly or indirectly pecuniarily or otherwise interested." I am only speaking of persons who have a contract and not of possibilities.

**Mr. WEBBER:** The exclusion of directors is far more likely to create a dearth of candidates than the exclusion of managers. The dearth of candidates is covered by the permission candidates may get from the Governor-in-Council. There are foreign companies in charge of attorneys and they should be placed in the same category.

**The CHAIRMAN:** The Council, I am sure, would like to hear one of the nominated members on the subject.

**Mr. WIGHT:** I am in agreement with the hon. Colonial Secretary. You have already eliminated a certain class of men. If you eliminate the managing class where are you going to get men to sit on the Council? Tenders are not considered by one person but by the Accounts Committee, which includes six or seven members of the Council. I think it is making the position more difficult, and I am in agreement with the Colonial Secretary that managers should be allowed to sit on the Council.

**Mr. SEYMOUR:** I cannot understand the statement of the hon. Junior

Member for Barbice that any person of influence can influence the Council. The Council would be a very poor body if it can be so influenced that one can get a contract. If men of honour and integrity are so few every opportunity should be given these men to serve on the Council, and I am sure that it would be to the benefit of the Council and the Colony generally.

**Mr. ELEAZAR:** I have had experience. When a manager or director gets on the Council his single idea is to benefit his firm and not the community. Very often he has to ask for the permission of his principal before he gets on the Council. Experience has shown that they go there to watch the interest of their companies and not because they want to benefit the community. When you exclude them in this way other men will come forward who are now kept out by these persons who have their own interests to serve.

**Mr. AUSTIN:** I agree with the Colonial Secretary, and I go rather further. I think it is a great pity that large firms, represented by directors who are able men of business and able to conduct their own affairs in a proper way, should be excluded from serving on the Council, on which we wish to get the best talent we possibly can in the Colony. Where a contract goes before a body that considers it in all its aspects, and the party who tenders is considered to be the best from all points of view, not only of cheapness but others, I cannot see why, because he is a contractor, he should be debarred from sitting on the Council. If the Committee of the Town Council did not do their duty the fault is theirs and not of the man who tendered. I think the amendment would keep good men out of the Council, and it is highly desirable that we should have them on the Council.

**The CHAIRMAN:** In view of Government's anxiety to give every assistance it possibly can to Town Councils to preserve their reputation—an anxiety

with which I am sure this Legislative Council sympathises—and yet not to disqualify some very valuable citizens from becoming members of the Town Council, the Attorney-General has an amendment to propose which Government is willing to adopt, which I think with clause 5 should make the whole arrangement air-proof.

**The ATTORNEY-GENERAL:** It is proposed that in paragraph (iii.) the word “or” be inserted between the words “company” and “society” and that the words “or body of persons” be struck out and the words “in which he does not hold more than one-fifth of the shares” be substituted.

**The CHAIRMAN:** I have adopted the mean course, which ought to meet the views of both sides in this debate. Perhaps the hon. Junior Member for Georgetown will say whether he considers that amendment meets the case.

**Mr. WIGHT:** I think it does, sir.

**The ATTORNEY-GENERAL:** In that event I ask leave to withdraw the previous amendment that I moved.

Leave granted, and previous amendment withdrawn.

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

The Council resumed.

Notice given that at the next meeting of the Council it would be moved that the Bill be read the third time and passed.—(*Attorney-General*).

#### GEORGETOWN IMPROVEMENT BILL.

**The COLONIAL SECRETARY:** Sir, in moving the second reading 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 Waterworks of Georgetown, and to provide for the maintenance thereof” I would ask the indulgence of the Council for a few minutes to deal with the provisions of the Bill, and more particularly with one or two clauses which are likely to affect property owners and ratepayers of Georgetown. No lengthy remarks are necessary to justify or to explain the principle embodied in this Bill: the principle of the completion of such important works as the Sewerage Scheme and Water Works Scheme and their control by a specially appointed Board of Commissioners. It is a system and principle adopted in many other places. It has for its object mainly the idea that a body of persons appointed *ad hoc* have a particular interest in these very important matters and also removes them from the undesirable atmosphere of what might be called “Municipal Politics.” That is a very desirable object when we are dealing with schemes of such importance and on which so much money has been expended. The principle has generally been admitted to be a good one and I do not think any objection will be taken to the principle as such. I will deal briefly with the various clauses and provisions of the Bill and will refer first of all to the definitions.

The definitions may be unfamiliar, because we have been accustomed when referring to the scheme to use our own nomenclature. The definition of “Sewerage System”—that is the system which is known here—is the “Main Drainage System”—that is that portion of the sewerage works apart from what is known as the external house connections or the pipes from the house to or joining with the sewer system. “House-sewer” is the connecting sewer system with the main sewer system and refers to what is known as the external house connections and the internal house connections and certain additions in connection with the Water Works.

Part 1 is to give statutory effect or to make statutory provision for the con-

struction of the scheme: so much of it as has already been completed and so much as has yet to be done. That simply gives authority for the construction of the scheme. There was certain legislative authority before but it is not applicable to present conditions, and it is desirable to put the matter right.

Part II deals with the constitution of the Board of Commissioners. It has been suggested that they should be called "The Georgetown Improvement Commissioners." I think the Town Council will make a suggestion as to the alteration of that term. I do not lay any particular stress on the term we have chosen, and if some other title is more acceptable to members of the Council, Government would be willing to accept it. The body of Commissioners is to be seven in number, of which the Mayor of Georgetown for the time being shall be the only *ex officio* member: the other six persons would be appointed by the Governor-in-Council and the Governor appoints the Chairman.

In clause 10 provision is made that the Town Clerk of Georgetown shall be Secretary of the Commissioners, but it has been thought advisable to leave a little more latitude there, and we will move in Committee the addition of the words "or such other person as may be appointed by the Governor-in-Council." I think the proper person to act in this position should be the Town Clerk, and I cannot imagine that the Town Clerk himself or the Town Council would have any great objection to that. If any objection should arise it would be well to some loophole by which somebody would be appointed, but I hope will be no difficulty about the appointment of the Town Clerk.

Clauses 11, 12 and 13 provide that the improvement works shall be vested in the Commissioners in trust for the inhabitants of Georgetown. Clauses 14, 15 and 16 I propose to deal with at the same time as clause 20, and I ask permission to deal with them at the end of my remarks, as I should like to get

rid of the other parts of the Bill first. Clauses 17, 18 and 19 deal with questions of general inspection by the City Engineer, the Medical Officer of Health, Sanitary Inspectors and other officers of the Town Council.

Part III is financial and includes clause 20, which I will deal with presently. Clause 21 regulates how the expenditure on the scheme in regard to its maintenance shall be provided. The Commissioners shall prepare estimates for the maintenance of the scheme, which estimates shall be approved by the Governor-in-Council and would be met by the Town Council through the rates.

Part IV. makes provision for Sanitary Constructors appointed by the Town Council. It is very necessary in such important matters as Sewerage and Water Works that only qualified people should be allowed to deal with them. For instance, it seems undesirable that in building a new house a householder should employ anybody to execute work in connection with the house-sewers and water-closets. Qualified men must be employed under the supervision of the City Engineer, and men in whom the City Engineer has full confidence. The other parts of the Bill are those mainly found in an enactment of this kind.

I understand that some objection may be taken to clauses 24 & 25, but they are usual provisions and simply make provision that the Town Council should get payment from somebody. If the owner of a property does not pay the authorities can recover from the occupier for the time being so much of the cost as the rent represents. I am not quite sure of the particular value of these clauses, but you will find them in most legislation of this nature, and they are probably considered desirable. Clause 28 provides for making regulations by the Governor-in-Council to carry into effect Part I. of the Bill. Then we come to the penal clauses and the last clause dealing with the repeal of legislation in the past. That is, briefly, a review of the Bill.

I will now deal with the most important part of the Bill, namely, clauses 16 and 20. Clause 16 simply makes provision for the control and recovery of expenditure incurred in the maintenance of collecting sewers as in the case of the cost of construction work under clause 20. I must in this connexion go back a little into the past history of the scheme. The scheme was originally entered into upon a basis that the estimate was made for what is known as the Main Drainage System only. That is perfectly clear from all the past correspondence and interviews with the Consulting Engineers and others. The estimate of \$2,000,000 was for the construction of the main drainage only, but, unfortunately, people seem to imagine that was going to be the cost of the whole scheme. Arrangements were made that the Government and Town Council were each to bear part of the cost of the Drainage Scheme in the proportion of 20 and 80 per cent. All past records show that no estimate or provision for the external house connections was included in the scheme. Everywhere else where such a scheme is in operation the cost of the actual house connections is a charge against the property and not a charge on the rates as the Main Drainage Scheme should be. We have been continually asked that the ratepayers of the City of Georgetown should only bear that portion of the cost of the scheme which they really thought they were going to bear, that is the cost of the Main Drainage. If we place the cost of the house connections on the property, where it should be and where it is everywhere else, the ratepayers would only have to pay interest and sinking fund on so much of the loan provided for the Main Drainage, which I think would work out at not more than half of the total cost of the scheme, therefore the ratepayers of Georgetown will be paying no more through their rates than they anticipated to do in the first instance. The inclusion of the cost of the internal house connections in the

total cost of the scheme was inadvertently done by resolution of the Combined Court at a time when I do not think the matter was sufficiently understood. As regard the external connections being placed on the property at that time there was a good deal of correspondence between the Town Council and the Government on this matter, and figures supplied by the Town Clerk in October, 1927, show that if the Council's share of the total estimated cost of the schemes was over \$3,127,000 it would mean that a special annual rate on the valuation of rateable property would have to be levied at 1.3 per cent. The cost of the external house connections would be somewhere in the neighbourhood of \$2,500,000, so that on that basis if \$2,500,000 is placed on the rates of the City a provision of 1.03 will have to be made. That together with the cost on the Main Drainage will give a total rate of 2.06 per cent. By placing the cost of the Main Drainage only upon the rates the Town Council should be able to reduce their present charges because they are now paying 80 per cent. of the whole loan during the constructional period.

There are other reasons why the cost of the house connections should be placed against the property. It is perfectly clear, I think, to most of the ratepayers that their property is appreciated to a certain extent by the fact that they have a thoroughly well operating sewerage system. They will be prepared to pay, and if they do not pay at once it would pay them to pay off their debt, over a few years, for these house connections rather than pay an increase of 1 per cent. on their rates for fifty years. Another very important consideration is this. New houses are going up all the time, and a great number of new houses have been built since the scheme started and have been connected up with the scheme in a great number of instances without further cost. It would be quite unjust that

any man who builds a house now, or builds a house in any area after the completion of the scheme, should pay not only his own but a portion of the cost of other people. Nor is it fair that a person who is willing to pay off the cost of his house connections at once should be also liable for payment of a portion of the cost of others. There is a misprint in clause 20 (3). That sub-clause permits of payment of the cost of construction of house sewers and collecting sewers by annual instalments of not less than one-fourteenth part of the whole sum originally due with interest on the principal amount from time to time remaining unpaid at the rate of five per cent. per annum. The rate of interest should be six and not five per cent. Fourteen years has been put in as the period, but there will be no objection to increasing that period if members of the Council desire that it should be, provided that any property owner can pay off at once if he wishes to do so, the total cost of his house connections. The total term might be extended to, say, twenty-five years, which is half the period of the loan, but I submit that the shorter the period the better. The same remarks would apply to the provision of clause 16 in respect of expenses incurred by the Council in putting sewers in order.

I should now just like to make a few observations with regard to the method by which it is suggested that the external house connections should be paid for. The principle is that the cost of these house connections are worked out on defined areas, and the connections are divided on what is known as points and each property is debited with the cost of so many points. There are some houses pretty close together, where what is known as a collecting sewer system is installed that reduces the cost. On the other hand, there are houses with a complete system to themselves and they would be more expensive, but having regard to the cost of the property I think the average will be the same for the City. The scheme should increase the value of property, and I do not think the cost of the house connections can be regarded as exces-

sive. Anyway, they are a great deal less than they would have been if the scheme had been completed under the original contract instead of by direct labour as is being done at the present time. I have here a letter from the Town Clerk in which he asks that certain things be considered. I do not think I need deal with them now as they will be dealt with in Committee. Some points I am quite willing to admit, but the points can better be raised when the Bill is in Committee. With those remarks I beg to move the second reading of the Bill.

**Mr. SMELLIE:** I beg to second the motion.

**Mr. WIGHT:** The main point with regard to this Bill which affects the poorer classes of the citizens of Georgetown, sir, is in relation to clause 20, which deals with house sewers and collecting sewers. Hitherto this has always been referred to as external house connections. Large property owners are quite willing to pay the cost of these connections, and probably in cash, but when it comes to the people who own small dwellings we must ask this Council to make the term of payment fifty or at least thirty years. In raising the loan for a longer period than is proposed, I think, would enhance the value of the security. I should say that the provisions of this clause constitute an important departure from the original agreement with the Town Council. I think the Colonial Secretary will grant me that concession. The people were always under the impression that the whole scheme would cost 2½ million dollars. I am satisfied that it will cost something in the vicinity of 6 and 7 millions: that is about half of the total valuation of properties in Georgetown. If we take into account what was passed in this Council some time ago, £400,000 would be the probable cost of the external house connections. 4,000 lots in Georgetown would give £100 per lot. That certainly does appear to be very high for lots in Queenstown of the value of \$300 and in Albuoystown of \$250. To add that £100 to lots in those districts would certainly be a very great hardship if the owners of those lots have

to pay their share of the cost of the scheme in fourteen years. We have worked it out. In the first year they would pay \$56.57 and in the fourteenth year \$31.28. Extended to fifty years the annual payment would be \$28 diminishing to \$17.

I think that is a concession that this Council should give serious attention to on behalf of the property owners. It was recognised in the first instance that the bulk of the property owners were small proprietors, and they were all under the impression that the house connections would be done by the Corporation and they would have time to pay for them on a moderate rate of interest. That has been all changed and we are now appealing to this Council to extend the time as long as possible. There is no doubt that the scheme was calculated on for a longer period of repayment, and the ratepayers would not have embarked upon it if they understood that payment was to be limited to fourteen years. I gather that it is not the intention of Government to contribute to the cost of the house connections. I wish to emphasise in this connection that it was understood in the first instance that Government's contribution of 20 per cent. was to be on the whole scheme; also that I do not subscribe to the view of the Colonial Secretary that it will cost the taxpayers no more if Government do not share the cost of the house connections. I ask Your Excellency to consider the question of giving the ratepayers the 20 per cent. concession with respect to clause 20. Otherwise I do not think the Bill offers any serious objections to the ratepayers. The great point is time to repay the cost of these house connections.

**Mr. CRANE:** This Bill is a very important measure because it seeks to dispose of finally the very important matter of sewage in Georgetown which has been before the public eye since 1922. There is one regret which one has. It is that before the Bill was actually published and brought before this House the Town Council was not taken into the confidence of Government and a full, frank and free discussion of all that is

involved in the measure gone into. When this matter started in 1922 the relationship between the Town Council and Government was described as partners, Government bearing 20 per cent. and the Town Council 80 per cent. This Bill, we respectfully submit, has not been drawn up and brought into the House in the same spirit of partnership. While I find myself in agreement with most that the Bill stands for, and I am going to support it after moving certain amendments, it would have come with good grace and relieved the conscience not only of Councillors but of ratepayers if Government had adopted the policy of partners of counting up the profits and losses and deciding how they should be borne. A good many people regard it as the act of a dictator and I hope Government will show that it is not going to ride the high horse by making the concessions that will be asked for.

The most important part of this measure is the financial part of it. I am not going to hark back on the contention that this scheme was originally intended to cost \$2,500,000. I agree with Your Excellency's request—"Let us forget the past"—and that is the spirit in which I am dealing with this matter. But in dealing with the financial provision we notice that whereas Government in the first instance, as partners in the scheme, agreed to bear 20 per cent. of the external house connections in regard to the Main Drainage Contract, this Bill provides for shunting the whole burden on the individual householder. I agree that the burden should go on the householder, but I do not agree that the whole of it should. When the Main Drainage Scheme was drawn up and its execution started upon it was brought to the notice of Government that the scheme did not include the House Connections Contract, and an arrangement was then entered into between Government and the Town Council that Government would bear the cost of the external house connections in the same proportion of 20 and 80 per cent. That arrangement was confirmed by a resolution of the Legislature. What the ratepayers feel is that here was a

solemn bargain between two responsible bodies, one the central Government which must set the example to stand to its bargain, on the good faith of which they embarked on the scheme which they now find is exceedingly onerous. The Colonial Secretary came to the Colony and met that arrangement, and I respectfully submit that Government should honour the bargain it then made, that it would bear 20 per cent. of the cost of the external house connections. If that is done then I am in hearty agreement with the Bill when it proposes to make the individual property owner bear the whole of the balance of the 80 per cent., but I am not in agreement with fixing it on the rates. These external house connections are an improvement on the property and they should be charged to the property. It is done so elsewhere and there is no reason why there should be any difference in this Colony. All I ask is that sufficient time be given to enable property owners to pay off the 80 per cent. of the cost.

I find that certain premises, notably tenement premises, the value of which is considerably lower than residential premises, require far more extensive appliances and outfit than private premises. You will find these tenement properties benefiting two or three times more than residential properties, and if you levy on the whole City a uniform rate to pay the cost of these house connections every owner would not bear his fair share. I submit that is a vicious system. The people embarked on the scheme on the distinct understanding that the external house connections would only cost them 80 per cent., and I ask Government for a pronouncement as to whether this clause should not be made to convey the meaning that only 80 per cent. should be attached to individual premises. There is another aspect to this matter. Government agreed to bear 20 per cent. of the Main Drainage Scheme as well as of the external house connections. Georgetown is the centre of

commercial activity and we found out on one occasion that practically one-sixth of the revenue of the Colony was borne by the citizens of Georgetown. We claim that on reconsidering this matter, just as Government at the present moment is bearing 40 per cent. of the cost of the Coastal Drainage and Pure Water Supply Scheme, it ought to reconsider the proportion in which these schemes should be borne. If nothing more is done this Bill should be put in such a shape as to carry out the original arrangement and not leave it to anyone to say that Government broke faith with the ratepayers and passed the entire burden on to them. What is going to be the position between Government and the ratepayers in the end? The whole of the expenses will be charged to the individual properties. All Government would be paying would be 20 per cent. of the Main Drainage Scheme and it would be escaping a considerable part of its original arrangement with the Town Council. The Main Drainage Scheme cost at most £280,000.

**The COLONIAL SECRETARY:** £280,000 is simply the basic cost. To that figure was never added the contractor's profit or engineer's staff. The final cost of the Main Drainage Scheme is £380,000 or approximately £400,000.

**Mr. CRANE:** In any case what the Government would be doing would be this: they would be freeing themselves entirely of 20 per cent. of the cost of the external house connections and all they would bear is 20 per cent. of the cost of the Main Drainage Scheme. There is an admitted excess in the cost of the Main Drainage Scheme and I urge that as a reason why Government should come to the assistance of the ratepayers and honour the original bargain which was entered into. As to the period of time for payment, I am sure Government must be convinced that fourteen years is too short a time. Figures worked out show that individual lots would pay \$1,088 (this is a property with

four houses), \$1,136, \$1,345, \$1,030, \$1,035, \$1,050 and \$1,004. I am told that the average would be something like £100.

**The PRESIDENT:** There is one point that strikes me there. The hon. member mentioned a lot with four houses and the cost \$1,008. Are these four houses all owned by the same person? Does he receive rent for all these four houses?

**Mr. CRANE:** I don't know, sir.

**The PRESIDENT:** Of course, that is information that would make your opinion much more valuable.

**Mr. CRANE:** I quite appreciate that, sir.

**The PRESIDENT:** Perhaps we had better deal with that in the Committee stage.

**Mr. CRANE:** At least what I am asking Government is to allow these people to pay in thirty years. The people are saddled with other liabilities. We have the Lacytown lien, in respect of which \$40, \$50 and \$60 has to be paid annually in addition to rates, and I doubt whether property as an investment would be able to pay all these liens and pay in return. There are also special rates in Wortmanville and Werken-Rust which will be an additional burden on the people. I leave the financial part of the Bill and come to that part of Government policy whereby not only the Main Drainage Scheme but certain portions of the external house connections on private premises would be vested in Commissioners. Government intends not to take over the control and supervision of the external house connections but only to the inspection chamber nearest the street. That chamber may not be so near the street as it sounds—some of them are very far inside the premises—and I submit that it would meet Government's requirements if the Main Drainage alone were left in the hands of the Commissioners. Let the Commissioners have charge of all

that is on the street and let the Municipality exercise the necessary supervision over the external house connections. The external house connections will be the property of the ratepayer. I think the external house connections from the boundary fences inwards should be under the control of the Town Council and not the small portion which this Bill seems to leave with the Council.

The Council adjourned for luncheon.

**Mr. CRANE:** When we adjourned, sir, I had reached the question of the territorial jurisdiction of the Commissioners, and I was submitting that it would be sufficient to meet the purposes of Government to restrict the jurisdiction of the Commissioners to the sewers, rising mains, pumping stations and other appurtenances on the street, and that the Council's jurisdiction should prevail from the boundary fences inside the lots. I do not think that the position was accurately appreciated when it was thought to commence the authority of the Commissioners from the first inspection chamber, which, as I said before, is a considerable distance from the boundary fence. I would not say that there would be a conflict between the two authorities, but I submit that there would be greater convenience if the jurisdiction of the Town Council were to extend from the boundary fences to everything inside. There can be no doubt as to the ability of the Council to do what is required to that part of the system, and the Council has always approached matters of this kind with the best spirit. It has on every occasion taken advice given. Although we had persons in the Colony capable of doing plumbing work we sought the advice of the President of the Institute of Sanitary Engineers in England in the selection of a man in England who is now in service. I am sure that if the work is given to the Council to keep the collecting sewers clean it would employ a competent man for that purpose. The question of the jurisdiction of the Water Works will also arise. This Bill is not sufficiently definite as to what is going to happen to the Water

Works. We all know what is going to happen to the Sewerage Scheme. The Council has always been made to understand as regards the Water Works that all Government was anxious to do was to be in control of the electrical machinery and pumping plant at the Water Works and there was no desire to take away any of the functions which the Council exercises to-day. The definition of Water Works, however, is an all-embracing definition:

"Waterworks" includes all pipes, mains, canals, weirs, buildings, erections, pumps and machinery, appliances and works used or intended to be used for or in connection with the supply for domestic purposes of water to Georgetown, but does not include service-pipes.

It seems to take in everything. The Council has very great pride in the buildings and works which it has constructed on the Shelter Belt. Arrangements were made on the advice of Mr. Howard Humphreys for the establishment of the workshop and a very elaborate workshop is erected there. All vehicles of the Council will be carried there for repair and housing, and the workshop will be carried on as a very necessary part of the Council's functions. We have a number of steam rollers, motor rollers and other motor vehicles, house service fittings, mules and donkey carts, tools and implements to repair, and we even shoe donkeys and mules. We have been spending a lot of money in employing tradesmen outside, and we thought great economy would be effected if we were to do all the Municipal work in one department. It is for that purpose we have established the workshop with modern and up-to-date laths installed. This definition takes in the whole of the Water Works, even that building. I think all the Government need take in under this Bill is the building in which the pumping machinery is. If there are any repairs to be done for the Commissioners surely they can be done under arrangement with the Town Council. It is no answer to say that the Council's work can be done under arrangements with the Com-

missioners. We have the bulk of the work to do, and the electrical machinery installed there would not be repairable in the workshop. At any rate, when the time comes I will ask for an amendment which will preserve the workshop to the Council and ingress to and egress therefrom. I will leave the other details until we get into Committee as I do not intend to detain the House longer. We all hope that this division of the functions between the Municipality and the Sewerage Commissioners would be for the benefit of the public. As far as I am concerned I promise absolute co-operation with that body, and no one would be prouder than myself to see the scheme, on which so much money has been spent, efficiently and capably handled by what is now ought to be given effect to by this Bill.

**Mr. WEBBER:** I want to add my meed to what has been said with respect to this Bill, particularly with regard to the time in which the house connections are to be paid for. The Colonial Secretary indicated Government's inclination to modify that provision and his suggestion is twenty-five years. That is hardly adequate time in which this amount should be repaid. If it were a question of Government waiting for the money without any interest one would understand the anxiety of Government to force the ratepayers into payment, but Government will not be losers because interest would be paid on the money. There is no disguising the fact that property owners are embarrassed in financial matters just now, and to press them would be iniquitous. I know it is not the intention of Government to press them, but I do ask Government to stretch its compassion and not confine the time for payment to twenty-five years. There can be no doubt that the citizens of Georgetown have not had an entirely square deal from Government in this transaction, therefore if even Government gave a little concession beyond what the people are entitled to it would not be amiss. Nobody can indict the present

Administration. Neither you, sir, nor your chief lieutenant, can be held responsible, but promises were made to the ratepayers which induced them to accept the scheme. Probably Government has been forced to break its intention, but the fact remains that the burden is falling on the unfortunate ratepayers, who, probably, would never have consented to the inauguration of the scheme had they known that Government would have been forced to go back on its promises and pledges. The hon. Member for West Demerara has referred to the Lacytown burden and we want to avoid as much as possible a repetition of that unfortunate chapter in colonial history. Even then Government tempered the blow to the ratepayers because it allowed the ratepayers of Lacytown fifty years to meet the loan. If mistakes have been made in connexion with this scheme then the whole of the responsibility should not be thrown on the ratepayers, and I join with those who would even ask Your Excellency to review the apportionment of the cost, particularly with respect to the house connections and even of the whole scheme.

The citizens of Georgetown are being mulct in the payment of 40 per cent. of the cost of drainage of portions of the Colony which some of them have never seen; if, therefore, those same portions of the Colony are called upon to pay 40 per cent. of the cost of the drainage of Georgetown it would be a little reciprocal transaction which nobody should grumble about. There is one feature, probably a minor one, with respect to revenue and expenditure of the Commissioners. Surplus funds to the end of each year are to remain with the Commissioners. I think that is bad business. If the Commissioners budget for expenditure and they get a surplus of \$5,000 or even \$5 they have over-budgeted and that amount should revert to the Town Council. We have a similar burden with regard to the Harbour Board, which has been accumulating balances while the taxpayers have been accumulating deficits. With re-

spect to the appointment of Commissioners I ask for some consideration from Government of the principle involved. I am not quite as suspicious as the hon. Member for West Demerara. I am inclined to admit that elected bodies can always be strengthened by co-opting other individuals; but I think the provision with regard to the appointment of Commissioners is going to the other extreme of the complete elimination of the elected principle. The Commissioners shall consist of the Mayor and six others. I think the principle should be widened. There are several alternatives. One may be that of the six, two shall be elected members of the Town Council. I do not think that would be regarded as circumscribing the Governor's prerogative or the choice of as efficient a Board as possible. I would suggest that the Council itself elect the two members, but Government might not be inclined to adopt that principle. However, I have got a hint from the Chair, and I am not a blind horse yet. When we get to that clause I hope Government's sympathy would be won over to the desire of this side of the House.

**Mr. HUMPHRYS:** I agree with the Bill in principle. What I am concerned about but I am not worried—is clause 20. I am not worried because I am sure that Your Excellency is not going to allow Government to be a party to go back on a contract which it has made. Government agreed to contribute 20 per cent. of the house connections. This Bill contemplates the whole of the cost being borne by the ratepayers. I have not the slightest doubt that it was an oversight and not a deliberate act on the part of Government, because I cannot conceive that any self-respecting Government would attempt to go behind a contract. I cannot conceive that anything could have occurred by which Government could claim that they are now entitled to get out of the bargain they made and say that the Council and ratepayers should pay the whole 100 per cent. While on that question I should like to refer to a remark made by the Colonial Secretary—it is a sort of fetish, I am afraid, with him with regard to

sewerage—as to how it came about that the cost is so excessive. The Colonial Secretary said that £248,000 was the basic cost of the scheme and was not intended to cover the whole constructional cost. That is completely wrong. I hold in my hand the report of the proceedings of a conference between the Council and Mr. Howard Humphreys on the 9th June, 1923. It is a verbatim report of that conference, and you have Mr. Thorne, a member of the Council, saying to Mr. Humphreys: "Before you leave that point, you have not given us the estimated cost of the scheme." Mr. Humphreys replied: "£273,290, which includes constructional cost of the work and the contractor's profit." Even assuming that it did not include Mr. Humphreys' fees and the cost of raising the loan that could not come up to £389,000 which the Colonial Secretary quoted. Constructional cost of a scheme is the entire cost of the scheme and he meant to include everything. I fail to understand how the Colonial Secretary continues to call Mr. Humphreys' estimate of £248,000 the basic cost. It is no excuse for asking the ratepayers to pay 90 per cent. of the entire scheme. As regards the house connections we all know that the estimate was very roughly made by Mr. Humphreys, viz., £121,000, and he said it was very difficult to estimate because he had not the drawings; but when we have an estimate of £400,000 we must agree that it is very hard indeed and very hard on the ratepayers at any rate. We are asking Government for nothing more than to stick to the bargain they made.

**The PRESIDENT:** I should like to ask the hon. member to enable me to get the information. Several speakers have referred to a promise. I want to know the date, where that promise was made, who made it for the Government, and what was the nature of it. The hon. member need not answer me now but before four o'clock.

**Mr. CRANE:** I will ask the Town Council to supply it, sir; they have the letter.

**Mr. CANNON:** I feel it my duty to associate myself with those who appeal to Government to stick to the promise. I happened to be the unfortunate individual who occupied the Chair at the time the contract was entered into, therefore perhaps I can speak more feelingly than most others on the question. I went into the matter personally with Mr. Howard Humphreys and the report which has been referred to incorporates all that has been said to-day. What I feel very keenly is that this dual arrangement which has been suggested by Government is not likely to work satisfactorily. My experience on the Municipality leads me to the conclusion that it is a very wrong principle for Government to embark upon dual control. We have that now with the Health Department, which overlaps considerably with the other Departments, and I feel that the same thing is going to apply here. What I earnestly ask of Government is to take over the whole system. I am willing to give up my one-half on the Council. With regard to the Water Works the position is the same. If Government feel that they should control the Water Works let them do so; but don't take a portion and leave the other half for us to wrangle over. I say take the whole hog or none.

**Mr. ELEAZAR:** I am not sure, sir, whether I have any right in this party at all (Laughter). There is a proverb known to the people of this country, sir, which runs "When rockstone gi'e dance eggs got no business there," and this is really a rockstone dance. Government and the Town Council entered into a partnership and broke faith at a certain point, and now it is a wheel within a wheel. How this Bill is going to work is for Government and the Town Council to divine. But it seems to me that Government very properly has been going on the principle of taxable capacity and special benefit. Government says that the people of Georgetown have embarked upon this elaborate sewerage system and they must pay for it. The Town Council, on the other hand, say Government particularly gave them an assurance that 20 per cent. would be

paid by Government. If Government can be assured that that promise was made I am sure that Government would not go back on it. It does not seem to me necessary to labour the point. If it is established that the arrangement was made Government will honour that obligation, even though it may have discovered since then that it had made a mistake.

I am in agreement with the idea of Government assuming control of the Sewerage Scheme. The members of the Town Council are all busy men. They cannot be there to govern the scheme and I think they ought to be proud to let Government manage the concern. But I do not think this Bill should trespass on anything the Town Council did before. The Water Works and all that appertains to them that the Council hitherto governed should continue under their government. All that is new under this scheme should certainly be handed over to the Commissioners, and if these two bodies are to work for the benefit of the community they should have a definite line of demarcation between their respective functions. I see no reason why the Town Council should not be supplied by the Commissioners with their estimates of expenditure. Theirs is only a section of the work to be done and the governing body should have the right to control these estimates. As to the constitution of the Commissioners it seems to me that there ought to be more than one representative of the Town Council. I always look upon a nominated Council of any kind as the worse of all evils. A nominated member is responsible to nobody. The Town Council should have at least two, if not three, out of the seven. Nobody would then have any need to complain, and they could work harmoniously and try to make the scheme a success. I do not think I can usefully add very much to the discussion on the Bill, except to say I notice on every page of it that the Governor-in-Council appears. We want government for the people, but this

seems very much like government upon the people, and we are regarding it with a good deal of alarm.

**Mr. SEYMOUR:** My opinion is that the scheme is a very important factor and requires for its control men who know what they are doing. The cost of the scheme has certainly been exceeded, but the land-owners should pay the cost of the internal house connections as they stand to benefit. As regards the connecting sewers approaching the border, that is done by the Town Council. If Government guaranteed to contribute 20 per cent. they should pay that 20 per cent. As regards representation I would rather not voice my opinion.

**Mr. BRASSINGTON:** I had the fortune or misfortune not to be here when this debate was opened to-day, but I ask Your Excellency to give consideration to the question of Government doing something for the ratepayers with regard to paying some portion of the cost of the house connections. The hon. member who has just sat down, if I understood him correctly, said there is no reason why the householders should not pay for the internal house connections as they benefit themselves. There is quite a number of householders who can afford to pay for them, but, on the other hand, there is also quite a number with whom, with the high taxation they have to face in connexion with Municipal rates, this is the last straw. I am not pleading for the man who can pay. There is no doubt that a very large number of the ratepayers have every reason to feel aggrieved of the fact that the estimated cost of the scheme, to which they gave their consent through their Councillors, has been greatly exceeded. I happen to know something about this matter because I was a member of the Council when the contract was entered into and Mayor in 1925-26. In July 1923.—as will be found in the very able report of the present Town Clerk—Mr. Howard Humphreys distinctly told the Councillors that he did not anticipate

the estimate would be exceeded. This is what is recorded in the official report:

After the signing of the contract Mr. Brassington addressing Mr. Humphreys said there was grave doubt expressed by a large number of the ratepayers that the scheme was going to cost double the amount estimated and it would be reassuring to know from him that unless something very unforeseen occurred the scheme will cost no more.

Replying, Mr. Humphreys said that they were not infallible; they might make a mistake in their judgment as it was hard for them to see into the soil and know exactly what they had to contend with, but as far as he knew they had provided for unforeseen contingencies and he did not anticipate that the estimate would be exceeded.

The poor ratepayers have some cause for complaint when the original estimate of £289,000 has been exceeded to something like £389,000. I agreed to the scheme on the district promise of Mr. Howard Humphreys. We took that eminent authority at his word. I then said I had very grave doubts, ignorant as I was of such constructions and the fact that I was not an engineer. I think a case has been made out to justify the Colony as a whole bearing part of the cost of the internal house connections. Mr. Howard Humphreys was given to us as "the last word on sewerage construction" and one on whose word we could rely. Later Major Nunn, on the 5th December, 1925, informed the Council that the Main Sewerage Scheme was all but completed, and that, all going well, he estimated it would be completed for £250,000—a sum which was within £1600 of the original estimate of constructional cost.

**The PRESIDENT:** Is the hon. member referring to the Main Sewerage Scheme or the house connections?

**Mr. BRASSINGTON:** I am making a plea that Government might well see their way to bear some part of the cost of the internal house connections, my argument being that the ratepayers

entered into the contract through their representatives at a certain cost. I think I am justified in saying that had the Council and ratepayers known that the cost of the scheme was going to be so greatly exceeded the scheme would never have gone through and for that reason they have a case in which the taxpayers of the Colony as a whole should come forward and help the ratepayers of Georgetown in this burden. I think it is the duty of the Colony as a whole to come forward, and whether it is 10 or 20 per cent. Government would be well advised to bear some share of the cost of the internal house connections.

**The COLONIAL SECRETARY:** The reception which this Bill has received at the hands of members of this Council is, if I may be allowed to say so, very gratifying to me and some recompense for the hard work for the last two years in trying to solve this very difficult problem. The points raised by hon. members during this debate have been confined to one or two main issues and I will try to deal with them as sympathetically as I can. Government in the past certainly undertook to pay 20 per cent, of the total cost of the scheme. In those days I do not think that the matter was quite appreciated either by the Government or the Town Council or the people connected with it. We had several conferences on the cost of the scheme and I do not propose to refer to them; in the report which has been referred to will be found what was included. The point has been raised by the hon. Member for North West Essequibo in regard to the total cost of the scheme. As I have said over and over again, the whole agreement that we made when this scheme was undertaken was based on the cost of the Main Drainage System. The question of house connections was hardly considered. It is referred to. Mr. Howard Humphreys was asked if the estimate included the house connections and he said "No" distinctly; but Government was prepared to bear 20 per

cent. of the cost of the house connections. Be that as it may I submit—

**The PRESIDENT:** Is the hon. member prepared to accept that until I see the papers on the subject?

**The COLONIAL SECRETARY:** There was undoubtedly a great deal of misunderstanding. Whether or not Government did accept the proportion of 80 and 20 per cent. to cover the house connections in the same way as in regard to the main drainage is a matter for further investigation. Certainly when I arrived in the Colony the position generally was that Government had accepted that liability. Personally, I do not think they knew what they were doing at that time, but I am sure that you, sir, and Government are willing to consider this request sympathetically. It has been urged that Government should accept liability for 20 per cent. of the house connections because the country has accepted 40 per cent. of the cost of the drainage scheme on the coastlands. Hon. members know my own personal views on "colonial questions" here and of the effect which the method of dealing with these questions has upon the finances of the Colony generally. We have to look at this matter in the light not only of the present but of the future. Government must safeguard the future in this connection. If Government undertake to pay 20 per cent. of the cost of the present house connections, what is going to be the position? Many of us here will be building houses and better houses in the future. You will be putting in new house connections and will have to pay the whole cost of them and you cannot turn to Government and say that because you paid 20 per cent. of the scheme you must pay 20 per cent. of these house connections. It will be most unjust to people building houses in the future. I submit it is a very great advantage. Taking it on the whole it is not an expensive scheme, and its value to the town from a health point of view is inestimable. I hesitate to recommend to Government to accept this suggestion. I think it was made under a misconception of the whole

position at the outset, and I think also it must be admitted that if Government do it now it will be making a mistake. It will prejudice us in the future, and those who build houses in the future and have to connect up with the scheme will have a just grievance. They will have to pay the whole cost of these connections, and it does not seem fair that they should pay in addition to their own a portion of the cost of anybody else's.

The hon. Member for West Demerara referred to a suggestion which was made that the cost of the Main Drainage Scheme should be divided. That matter does not come up at the present time. Later when the scheme is completed and we know the total cost, an Ordinance will have to be prepared allocating the whole cost to the loan and that will be the time to consider this suggestion. Whether Government at that time will be prepared to vary the present arrangement I cannot say, but I submit that it would be better for ratepayers to pay 80 per cent. on half of the scheme than 60 per cent. on the whole scheme. I want to draw a distinction, which has not been drawn yet, between the ratepayer and the property owner. Practically all the rates are collected from property owners. When we take the ratepayers and the property owners they are practically the same, but there is a difference. The ratepayer pays an assessment on his property of a sum of money called rates in exactly the same way as everybody pays on the value of his property. When it comes to house connections as part of the Sewerage Scheme that is something added entirely to his own property. It may or may not—opinions differ—improve the value of the property. But if it depreciates or increases the value of his property he should be responsible. Government is prepared to accept repayment of the cost of the house connections over a period of years. The terms have yet to be decided. The Bill stipulates fourteen years, but I think that period might be extended to twenty-five years, provided that each house-

holder is given the option of repaying any lump sum at once or at any date in the future.

The other important point that has been raised is the question of the Town Council retaining jurisdiction over part of what is termed the collecting sewer system. It is obvious that we have to find some point of demarcation between the jurisdiction of the Commissioners and the jurisdiction of the Town Council, and it seems that the most natural point should be the first inspection chamber from the main sewer, wherever it may be on the property. That first inspection chamber will be common to the Town Council and will be common to the Commissioners, but the length of the pipe to the first inspection chamber will be under the jurisdiction of the Commissioner. It is in that length of pipe between the first inspection chamber from the main sewer and the actual house connections that trouble usually occurs. We take the first inspection chamber as the point of demarcation between the jurisdiction of the Commissioners and the Town Council, and I submit it is the only practical place in the scheme which would give common access to both bodies to those parts of the system over which they have control.

The hon. Member for West Demerara referred to the workshop. That point has been considered and I do not see there need be any difficulty. It has to be handed over to somebody. I suggest it should be handed over to the Commissioners, and I see not the slightest difficulty to an arrangement being arrived at between the Commissioners and the Town Council. It is obvious that most of the work done in the workshop will be done by the Town Council and I am sure that the Commissioners will gladly hand over the workshop to the Town Council on the understanding that their Engineers will have an opportunity of carrying out all their work there. It will be a common workshop for both.

The most important part of the Water Scheme is what is known as the Shelter Belt as the pumping engines. That plant and all that part of the building should be entirely in the hands of the Commissioners.

To revert to the house connections. The hon. Member for West Demerara said he thought it was unfair to have a uniform rate for all the house connections. That is not the intention. The cost of each area or convenient block will be worked out and divided in a number of points in that area. It is bound to vary, and it will be more expensive in some than in others, but it is impossible to have a uniform rate. Finally, it has been suggested that two elected members of the Town Council should be members of the Board. I do not think that is a very material point. I feel quite sure that the Governor-in-Council, when it comes to consider the appointment of members of the Board, will have regard to the Town Council, and I think it is more than probable that one or two members of the Town Council will be placed on the Board of Commissioners, but it is absolutely essential that the Governor-in-Council should have control over the Board in the initial stages. Any other point of detail can be dealt with in Committee.

**Mr. HUMPHRYS:** I should like to refer Your Excellency to Resolution No. LV. passed on the 16th December, 1924, and to Resolution No. LXII. passed on the 17th December, 1925. I think these Resolutions will give Your Excellency all the information you require. Resolution No. LV. is as follows:

*Be it Resolved,*—That this Court hereby authorises an amount not exceeding \$2,854,000 to be raised on loan under the provisions of the Public Loan Ordinance, 1916, and any amending Ordinances, for defraying the cost of the Sewerage, Road Reconstruction, and Water Schemes for the City of Georgetown which are being undertaken by the Mayor and Town Council of Georgetown; provided that the loan shall be for a period of 50 years, and that a sum of \$2,065,797 representing four-fifths of the estimated cost of the Sew-

erage and Road Reconstruction Schemes together with a further sum of \$271,900 representing the whole estimated cost of the Water Scheme shall be repayable by the Mayor and Town Council of Georgetown to the Colony on the same terms and conditions as those on which the loan may be raised by the Colony;

*And be it further Resolved*,—That the Governor and Court of Policy is hereby authorised to enact the necessary legislation to give effect to this Resolution;

*And be it further Resolved*,—That the Resolution of this Court No. XCI, passed on the 14th day of December, 1923, is hereby rescinded.

I may mention that the house connections contract had been already executed and so it could not be included. In the second resolution we find that additional sanitary work was contemplated. That resolution, No. LXII, of the 17th December, 1925, reads:

*Whereas* by Resolution No. LV, of the 16th December, 1924, this Court authorised an amount not exceeding \$2,854,000 to be raised on loan under the provisions of the Public Loan Ordinance, 1916, and any amending Ordinances, for defraying the cost of the Sewerage, Road Reconstruction and Water Schemes which are being undertaken by the Mayor and Town Council of Georgetown;

*And Whereas* by Resolution No. LVI, of the same date the Court sanctioned a grant of \$516,303 from funds of the Colony towards the cost of the Sewerage and Road Reconstruction Schemes, such grant to be a charge against a loan to be raised by the Colony for the purpose:

*And Whereas* the Mayor and Town Council have decided to undertake certain sanitary works in houses which are considered indispensable but are not included in the original Sewerage Scheme, and which are estimated to cost approximately \$720,000;

*Be it Resolved*,—That this Court hereby authorises the amount to be raised on loan for the City Improvement Schemes to be increased by a sum of \$720,000 to defray the cost of the proposed additional sanitary arrangements in houses, and sanctions a contribution from public funds of 20 per cent. of

(a) the cost of replacing dry earth closets in houses by water closets:  
and

(b) the interest payable on the capital cost of the other additional works which capital cost is to be repaid by the owners of the houses benefited in twenty years without interest:

Provided that in each case the Town Council pays the remaining 80 per cent.

I think these resolutions make the position perfectly clear. I may mention that in the contract itself for the house connections it is provided that any liability under the contract should be borne in the proportion of 80 per cent. by the Town Council and 20 per cent. by the Government.

**The PRESIDENT:** The contract between whom?

**Mr. HUMPHRYS:** The contract between the Government, Town Council and Wild and Co.

**The PRESIDENT:** Has the hon. Member for West Demerara any more information on the point?

**Mr. CRANE:** I have a letter, dated 11th October, 1923, from the Colonial Secretary's Office forwarding a report of the Joint Committee appointed to deal with the report of Mr. Howard Humphreys on Mr. Ravenor's Road Reconstruction Scheme. It sets out (a) Main Sewers, £289,044; (b) House Connections, £138,339; (c) Water Supply, £56,646; (d) Roads, £110,437. Less Government's contribution of 20 per cent. on items (a), (b) and (d), £537,820, the understanding was that so far as the Main Drainage, External House Connections and Roads went, Government would pay 20 per cent. but the Council bear the entire cost of the Water Scheme.

**The PRESIDENT:** Dealing with a few of the points raised on the question of the dividing line of responsibility, when this draft Bill was brought before me I got the Colonial Secretary to bring together in my office the Engineers who would be concerned with the upkeep of the sewerage, because it is no good

talking about the Town Council and it is no good talking about the Government. The people who are going to keep the sewers efficient are the Engineers, and it was therefore necessary in fixing responsibility to see that the Engineers were satisfied as to the dividing line and would agree to work amicably. And after a great deal of discussion threshing out the matter, they agreed to the proposal of the Colonial Secretary that it should be the inspection chamber. I quite agree with the Colonial Secretary that it would be quite ridiculous to imagine some unmarked point in the sewer, three or four feet below the line of demarcation. What would be everybody's child would be nobody's child in a case of that sort and there would be constant bickering and inefficiency. The Engineers are perfectly satisfied with the dividing line of responsibility.

Now we come to the question which I have listened to with a great deal of interest—the percentage of cost. I quite agree that Government is justified in paying 20 per cent. of the cost of the Main Drainage System. That is Government's contribution on behalf of the Colony towards its main seaport. I fail to see how Government can in any way be justified in spending the taxpayers' money of Essequibo, Berbice, East and West Demerara, Bartica and other places in improving house property of the citizens of Georgetown. I cannot conceive the mentality of the governing body of this country—not the Government, the governing body of this country—that accepted and gave anything like a promise that an iniquitous step of that sort should be carried out. One member compared it to the Sea Defences. The cases are totally dissimilar. Georgetown, I understand, pays a share of 40 per cent. of the Sea Defences. It does not pay 40 per cent. of the share that falls to the people for the defence that keeps their town from becoming constantly flooded.

Mr. WEBBER: May I rise, sir, to a point of correction. The drainage of private land is what I referred to.

The PRESIDENT: I do not know what the hon. member talked about. The hon. member who talked about 40 per cent. is the one I am referring to. This is a question in which we are deliberately improving the properties of every citizen of Georgetown and the only possible way in which Government can pay for them would be to levy a Georgetown Sewerage rate on the whole Colony. I do not know whether the hon. Members for North-West Essequibo or Berbice, or other places outside of Georgetown, are prepared to go back to their constituents and say "We have urged on the Government to make ybu pay for the improvement of house property of the citizens of Georgetown." And yet that is what it comes to. Government has not the money to pay, nor do I recognise that Government ever made a promise. That is to say, a motion passed by the Combined Court in its last days—and the Combined Court was not to my mind the Government of this country, although it exercised the governing functions—and I refuse to accept any promise of that nature made by the Combined Court as binding on the Government for the reasons I have given.

The whole question of the Sewerage of Georgetown has been one of the grandest muddles of Colonial history. It has been a muddle from the very beginning. The first papers put into my hands both in the Colonial Office and by the Crown Agents when I heard I was going to take over this appointment were the sewerage papers of Georgetown—a pretty unsavoury mess, and a mess that looked no more savoury as one went on reading them—and I am quite in the dark now as much as I read the subject as to what were the rights and the wrongs of the case. It has been an unholy muddle from beginning to end. That is as much as I can say in criticism of the scheme without making any more direct remarks concerning the governing bodies of the day.

Personally, I think that Georgetown is very lucky to get out of the scheme

at the cost it is getting out of it, considering the muddles in contracts, etc., that have been made during the course of its history. However, one could go on talking about this for the next five or six years, and we are never going to get any satisfaction. It would be raked up over and all the time.

Now, I made an appeal when I first came here that we should try to do our best to get through and put right this muddle. If we go on in the way we are going on to-day—I must admit that the debate has been carried out in a nice spirit and I compliment hon. members on it—but if we are going to go on discussing who is responsible for the Georgetown Sewerage muddle we are going eventually to develop into bitterness on one side or the other. We do not want that. We want to settle down now. We have got a big job before us—a colossal job I might say—and if we are going to have all our time taken up by dealing with past muddles of this sort, and allowing feelings of bitterness to come between us in the co-operation necessary, we are not going to succeed. I cannot possibly accept on behalf of Government this charge of the house connections, as I cannot see my way to inflict an injustice on the whole of the rest of the Colony by compelling them to pay for the water closets of Georgetown houses. If an injustice has got to be done it has to be done to those proprietors whose houses have been increased immensely in value by this sewerage. Some of them may have to pay a very large number of points in their class, but then, on the other hand, the number of points they have to pay for depends upon the number of houses or rooms or accommodation which they rent for a property in this class. If the house owners or property owners in Georgetown can make profits—and I understand quite large profits—out of rent of their houses to the poorer classes here, then I consider that the proprietors in Georgetown can well afford to pay £10

or £15 here and there for the improvement to their properties.

I have spoken very clearly, I hope, on this subject to hon. members, because I want to make it perfectly definite that Government is not going to recognise what is alleged to be a promise because I do not regard a promise of that sort to have been made by a responsible body. Well, I congratulate hon. members for the courteous manner in which they have conducted this debate. Perhaps I am the one who has been a bit emphatic at the end, but I hope I have made Government's intention perfectly clear on this subject.

With regard to the selecting of nominated members for the Board of Commissioners, although the Mayor of Georgetown is the only member specified in the Bill there are six members to be nominated, and nothing is said as to whether these nominated members should be on the Town Council or not. It is very probable that one at least, if not more, of those members of the Board may happen to be members of the Town Council. There again I request hon. members please to understand that I am making no definite promise on the subject. I have no doubt if the Executive Council consider that two, or perhaps three members of the Town Council would be most efficient members of the Board, they will have no hesitation in saying so.

As regards the period of time I am certainly prepared, on behalf of Government, to accept any reasonable extension of time. I would only ask the Council to remember that too long an extension has its disadvantages. It is quite immaterial to Government how long the extension is for, but too long an extension has an undoubted disadvantage. Government will be perfectly prepared, on reasonable cause being shown when we go into Committee, to extend the time to 25 or 30 years. It is not my intention that the poor people in Georgetown should be hit by the property-owners having to pay for

these house connections. It is possible that the rents of the houses may be put up by a small percentage. That is all that they should be put up, because, from what I have heard, rents are quite high enough at present to stand a little expenditure on some of those houses and other structures that are being inhabited in the town and scarcely fulfil the definition of a house at all. I cannot see how the proprietors of properties in Georgetown could have a leg to stand on in saying that they have a grievance in having to pay for the replenishing of their own houses.

Question "That the Bill be read a second time" put, and agreed to.

Bill read the second time.

The Council resolved itself into Committee to consider the Bill clause by clause.

Clause 1.—Short title.

**Mr. CRANE:** In consonance with a suggestion which the Colonial Secretary indicated he would accept, I move that the word "Improvement" be struck out and "Water and Sewerage" substituted.

**The COLONIAL SECRETARY:** I prefer "Sewerage and Water."

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

Clause 2.—Interpretation of terms.

**The COLONIAL SECRETARY:** In the definition "Sewerage system" I move that the words "in a collecting-sewer nor including a house-sewer in private property" be deleted. The object of the amendment is this. Some houses have a complete sewerage system of their own and are not connected up with any other. To leave in these words would imply that the sewerage system includes or does not include the pipe that leads to the first inspecting chamber. If we leave in these words it is a technical point whether we will be eliminating a house with its own

complete sewerage system.

Question put, and agreed to.

**Mr. CRANE:** I move that the term "House-sewer" be deleted and "Drain" substituted. We were told by the Resident Engineer that the term is restricted and distinct from "drain-pipe."

**Major CRAIG (Director of Public Works):** This is a point I am not against. The proper name for the pipe is "drain-pipe." The difference between drain and sewer has been the cause of many losses in the Old Country and I know of nowhere where "drain" is not used in this particular case. I think it would lead to a great deal of confusion if the term "sewer" is retained and "drain" is the more correct word.

**The ATTORNEY GENERAL:** There is no arbitrary distinction. It is sometimes difficult to determine where drains end and sewers begin. It is quite clear from the Bill that "house-sewer" is a sewer or drain or pipe that takes sewerage to the collecting sewer and the term is a more convenient one because it describes the purpose for which it is used.

**The CHAIRMAN:** Perhaps it is very meticulous to change it.

**Mr. CRANE:** If Government is not inclined to accept I do not press it, but I have suggested it on account of what was explained to me by an engineer.

**The CHAIRMAN:** Perhaps it is a case of members of the engineering profession having a different view of the meaning of a word just as the legal profession.

**Mr. WIGHT:** I think the definition "Water-closet" should include urinals.

**The CHAIRMAN:** The word urinal is not used in the Bill so it is not necessary to put it in the definition.

**Mr. CRANE:** I move the insertion of the definition "'Service stop-cocks' mean the first two cocks from the Water Works pipes or mains."

**The COLONIAL SECRETARY:** I should like to know whether the hon. member has any particular reason for recommending this definition. I understand that "Service stop-cocks" is a well known term and there can be no misapprehension by an engineer when that term is used.

**Mr. CRANE:** I know nothing about it myself, but I have been asked by the Engineer of the Town Council to suggest it.

**Major CRAIG:** I do not think there is any necessity to put in the definition.

The term "Service stop-cocks" is self-explanatory.

Clause 4.—Powers of Resident Engineer.

**Mr. CRANE:** I move that at the end of paragraph (a) there should be inserted the words "after giving seven days' notice to the City Engineer of his intention so to do."

The Council, pursuant to Standing Order, adjourned until the following day.