

TYNWALD COURT.

DOUGLAS, TUESDAY, JANUARY 26, 1915.

Present in the Council: His Excellency the Lieut.-Governor (President), the Clerk of the Rolls, Deemster Moore, Deemster Callow, the Archdeacon, the Receiver-General, and the Vicar-General; and in the Keys: The Speaker (Mr Dalrymple Maitland, J.P.), Messrs. J. R. Kerruish, E. J. Curphey, R. S. Corlett, J. W. Walton, W. Christian, T. H. Cormode, T. C. Kermode, W. Quayle, J. Qualtrough, W. C. Southward, W. J. Radcliffe, W. F. Crennell, A. Qualtrough, M. Carine, J. Garside, R. Moughtin, T. F. Quine, W. E. Cowell, R. Lucas, and Col. Moore.

BILLS FOR SIGNATURE.

The Governor laid before the Court for signature the Companies Bill and the Poor Prisoners Defence Bill.

EXTENSION OF IMPERIAL ACTS TO THE ISLE OF MAN.

The Governor laid before the Court copies of Orders of the King in Council extending the following Acts of the Imperial Parliament to the Isle of Man under the Isle of Man (War Legislation) Act, 1914:

The Defence of Realm Act, 1914, as amended by the Defence of the Realm (No. 2) Act, 1914.

The Aliens Restriction Act, 1914.

The Courts (Emergency Powers) Act, 1914.

The Intoxicating Liquor (Temporary Restriction) Act, 1914.

The Defence of the Realm (Consolidation) Act, 1914.

The Trading with the Enemy Act, 1914, and the Trading with the Enemy Amendment Act, 1914.

The Patents, Designs, and Trade Marks (Temporary Rules) Acts, 1914.

MONEY-LENDERS ACT.

The Governor also laid before the Court the draft regulations made by his Excellency the Lieut.-Governor under section 4 (1) of the Money-Lenders Act, 1908. His Excellency remarked: Under section

4, sub-section 1, of the Money-Lenders Act, 1908, the Governor, with the approval of Tynwald, is empowered to make regulations respecting the registration of money-lenders carrying on their business within the Island, whether individuals, firms, societies, or companies; and as to the form of register and the particulars to be entered therein, the fees to be paid on registration, and renewal of registration, and the inspection of the register and the fees payable therefor. Hitherto no such regulations have been made, but recently an inquiry was received at the Government Office from a money-lender in England, as to what regulations were in force in this Island. It is, therefore, considered desirable to have regulations framed in the event of money-lenders from across the water extending their business to the Isle of Man. The draft regulations, copies of which have been circulated amongst the members of the Court, are similar to those which are in force in the United Kingdom, and it is proposed to charge a fee of £1 for each registration or renewal of registration. This is the maximum amount allowed to be charged under the Act, and is the fee payable in the United Kingdom.

Mr Crennell: In connection with the Acts extended to the Isle of Man, will copies of these be circulated?

The Governor: They have been circulated. I do not know whether they have been specially circulated to the members of the Court, but they have been issued to the public—not the Acts themselves, but the orders extending them.

Mr Crennell: I mean these Acts that are extended to the Isle of Man now.

The Governor: I am afraid they have not been circulated. We have copies of some of them, but not all.

The Clerk of the Rolls: A book has been published containing nearly all the war legislation, and copies have been sent to the officials, and to the Rolls Office. I do not know whether it contains all those Acts or not. The cost of the volume is 3s. 6d. I think it would be very con-

venient if all members of the Court had them. Members ought to be able to make themselves acquainted with the provisions—I do not say they will. (Laughter). I suggest we incur the expense of sending copies to all members of the Legislature.

The Governor: Very well, I will do that.

Mr Curphey: Will you bind them in a paper cover?

The Governor: They are bound. The Acts are all bound together to a very recent date—at any rate within a month.

BOARD OF ADVERTISING.

The Governor laid before the Court the report of the Board of Advertising for the year ended 31st December, 1914:—

To his Excellency the Lord Raglan, C.B., Lieut.-Governor, and the Honourable the Council and Keys in Tynwald assembled.

Your Lordship and Gentlemen.—We have the honour to report that, for the year ending the 31st December, 1914, the returns of passengers landed at Insular ports during the months May to September inclusive, show a decrease of 218,106 as compared with the corresponding months of 1913.

Consequent on the outbreak of war at the beginning of August, your Board much deplore it had no adequate opportunity of demonstrating the value to the Island of the increased grants for advertising. We may, however, congratulate the Court on the considerable increase in passenger traffic up to the 31st of July (which date concluded the period unaffected by the war), the comparative numbers being 283,835 against 269,105 in 1913; a net increase of 14,731.

Our main efforts during the early part of the year were directed to influencing an increase of holiday traffic in May and June, and the results amply justify our action, and the Island has benefited thereby.

In this connection we would express our appreciation of the great assistance given to our work by the Douglas Carnival advertising, which helped considerably in influencing traffic during June and July. We desire to state our firm opinion that the success of the earlier period of the season fully demonstrates the value of the view held by us strongly for years past, that an advance is possible at that part of the season, by earlier and judicious advertising of the unique merits of the Island as a health and pleasure resort.

Our work has again derived much advantage from the advertising done by the Isle of Man Steam Packet Company, the other large carrying companies running services to the Island, and the various advertising committees in Insular localities.

In formulating our programme in the early spring, we estimated to spend the amount originally voted, viz., £1750, and our plans were, therefore, made much on the lines which, in the past, we have found the most valuable for such a sum, that is, in the issue of attractively-prepared handbooks and lists of accommodation. The principal book was much improved, and many highly commendatory opinions have been expressed regarding it and the other publications of the Board. The numbers contracted for were:—

30,000 illustrated official guides, containing 152 pages.
20,000 No. 2 handbook, giving lists of accommodation and short descriptive matter.
10,000 No. 3 handbook, giving list of accommodation only.

On receiving assurance of further grants from revenue and rates, the Board at once arranged a very extensive and comprehensive newspaper campaign of large and striking advertisements in the "Daily Mail," "Daily Dispatch," "Daily Sketch," and in 18 of the best London and Provincial papers. A list of 49 papers thoroughly representative of the whole of the British Isles was compiled, and advertisements were inserted for six months from the 31st March. In addition, the Board were able to arrange 17 full pages in various papers, containing attractive articles on the Island, supported by advertisements for local hotels and boarding-houses. The full-page and display advertisements, as above, influenced a large demand for our books, and your Board have every confidence in stating that the maximum value has been received for the amount spent by them. Other forms of advertising and display have been carried on as heretofore, with greater success, owing to the experience gained during past years. Efforts have been continued in giving prospective permanent residents all necessary information to induce these to take up residence on the Island.

When the visiting season seemed likely to collapse, in mid-August, special advertisements were inserted in many of the prominent newspapers circulating in the North of England, in the endeavour to counteract the misleading statements in circulation regarding the Island's food supply and other vital matters, and in this we were joined by the Douglas Corporation, the Douglas Boarding-House Keepers' Association, and many of the principal companies concerned—all of whom gave generous aid.

As a result of the Board's advertising campaign, applications for literature and information numbered 13,412, and were received as follows:—

Douglas Office—Postal and general.....	9,140
London Office—	
Postal	3,014
Personal	1,258
	4,272
	13,412

An analysis of these shows them to be received from the following districts:—

London and Eastern Counties of England—	
Letters	3,115
Personal	1,258
Northern counties of England—Letters	4,561
Western counties of England (including Wales)—Letters	1,062
Southern counties of England—Letters	795
Ireland—Letters	507
Scotland—Letters	1,098
Foreign and Colonial—Letters	75
Unclassified—Letters	15
Douglas office—Personal	1,026
	13,412

Resulting from notices in our guide book soliciting further inquiries as to respective localities, letters were received by the various local authorities, supplementing the above figures by 546.

The "returns of inquiries" for the preceding year were:—

Douglas	11,417
London	4,802
	16,219

The London office of the Board continues to be of value, and the services of Mrs Rigby in charge of it have given the highest satisfaction.

Mr A. W. Tongue, who has satisfactorily and efficiently acted as secretary to this Board since March, 1903, resigned his post in March last. His resignation was accepted with regret. Mr Wesley Kenneally was appointed in his place. As Mr Tongue had been instrumental in formulating the Board's programme for the year, his services were retained in an advisory capacity until the end of July, with gratifying results to the Board.

On comparing the traffic returns for former years, it will be noted that, notwithstanding the disastrous effect on the August and September returns by the outbreak of war, the total results for the past season show a good advance over the year 1905, and all years prior to that date.

The substantial increase in our grants, and its fixed and permanent character, will greatly assist in making the Island's just claims more widely known, and we believe that the Insular revenue, and the Island generally, will in future benefit by the vote of the Legislature.

The coming year is viewed with anxiety and perplexity by all interested in the visiting season. Your Board are of opinion that the conditions require all our strenuous and judicious efforts, and that no relaxation of endeavour or expenditure would be advisable, but rather that further effort should be made to maintain our position in the ensuing years against rival resorts.

The statement of receipts and payments will be presented to the Court in due course.

Some difficulty is being experienced in collecting outstanding accounts due for advertising in our guides, and the Board fear that many such may have to be carried forward to next year's account.

JNO T. DOWELL, Chairman.
JOHN R. KERRISSE, Vice-Chairman.
W. H. KITTIN.
JOSEPH GARSIDE.
AMERSE QUAILTROUGH.
ROBERT CORLETT.
J. LAWTON.
R. W. TEARE.
RICH QUAILTROUGH.

THE ADVERTISING RATE.

Mr Garside: In accordance with notice given to your Excellency, I would like to ask will the Agricultural and Rural Industries Act be promulgated before 5th July this year? If not, what arrangements will be made for the levying of the advertising rate this year? I think it is desirable we should know, because the Advertising Board will meet shortly to lay their plans.

The Governor: The hon. member cannot make a speech in asking a question. The Bill in question has not yet received the Royal Assent. If the Bill has not received the Royal Assent in time, I propose to take the customary vote for advertising, as usual.

Mr Garside: But that will not include the increased vote made last year. The

reason why I ask is, that the extra vote was taken last year, and if it is not obtained this year the Board of Advertising will revert to what they did before.

The Governor: The Board of Advertising is a year ahead with its money, you know.

Mr Garside: I am aware of that, but not as regards the extra rate and grant to make up the £3,000, which we got last year.

The Governor: That will be included.

BILLETING OF TROOPS AND BETTER-CLASS ALIENS.

Mr Garside: The next question is, if you will lay before the Court the correspondence between your Excellency and the various departments of the Imperial Government, and any other information relating, first, to the billeting of troops in the Island, and placing better class aliens in hotels or boarding or lodging-houses in the Island; second, the promise made or implied that troops would be placed here for training purposes, in the event of the Insular Government agreeing to the establishment of a second camp for the internment of aliens at Knockaloe?

The Governor: I am sorry I cannot lay the official correspondence on the table of the Court without the leave of the departments concerned. With regard to the second part of the question, I have no recollection of any promise or bargain being made that troops would be sent here for training, and there is no official correspondence implying that.

PURCHASE OF PULROSE.

The Vicar-General: I beg to present the report of the Committee appointed to inquire into the application of the Douglas Corporation for the purchase of Pulrose at a sum of £19,000. I observe that since the Committee reported, the Corporation of Douglas have introduced a Bill for the purpose of authorizing this purchase, and enabling them to deal with this estate after it has been purchased. I do not know whether they propose to go on with the petition.

The Committee's report was as follows: To his Excellency the Right Honourable the Lord Raglan, C.B., and the Honourable the Council, Deemster, and Keys, in Tynwald assembled.

The Committee to which was referred the petition of the Mayor, Aldermen, and Burgesses

of the borough of Douglas for leave to purchase the estate of Pulrose, and to borrow £19,000 for that purpose, have the honour to report as follows:—

The Committee met in Douglas on the 1st December, 1914. Notice of the sitting of the Committee had been given in the public Press.

Mr Edward G. Kneen appeared for the petitioners in support of the application. No opposition was offered by any ratepayer.

Plans were produced of the land proposed to be purchased.

It consists of:—

- (1) The estate of Upper Pulrose, containing 153 acres;
- (2) The estate of Lower Pulrose, containing 7½ acres;
- (3) A small field situate at the junction of the main road to Castletown and Kewaigue-road and containing over one acre;
- (4) Three fields at the junction of the main road to Castletown and St. Mark's-road, containing nearly eight acres;
- (5) Pulrose Cottage, outbuildings and fields, containing nearly eight acres;
- (6) Kewaigue Corn Mill buildings, and field containing 2½ acres;
- (7) Pulrose Mansion House, grounds, and premises, containing 5½ acres;
- (8) Pulrose Steam Laundry, containing 3½ acres;
- (9) A small field adjoining main road to Peel and road leading to Belle Vue, containing nearly two acres;

the total contents of the land being about 255 acres.

Evidence as to the value of the property was given by Mr Thomson, auctioneer, and Mr W. M. Kerruish, F.S.A., accountant, who considered the price to be paid reasonable.

According to the evidence of Mr Thomson (who was the auctioneer in charge of the sale), the property at the sale by auction on the 29th day of July, 1914, was first put up in lots, and then as a whole.

The highest bid obtained was for the property as a whole. This was the sum of £19,000, at which, although being rather less than the reserve fixed by the vendors prior to the sale, it was knocked down to Mr W. A. Waid, of Douglas, who acted on behalf of the Corporation of Douglas.

The net rent obtained for the property at present is £730 per annum.

The purposes for which the property is said to be required by the Corporation are as set out in the petition—namely, for a depot for town refuse, and for the erection of public conveniences, and other public purposes under the Local Government Acts.

Evidence in support of the application was given by the Mayor of Douglas, by several members of the Town Council, and by the Town Clerk. From their evidence it appeared clear that the main reason which induced the Corporation to enter into the agreement to purchase was to acquire a place where the town refuse could be satisfactorily disposed of.

The present method of disposing of it by deposit depots at various places, and by taking it to sea in the hopper barge, had led to difficulties, and was not satisfactory, and had, in fact, given rise to many complaints, particularly in the summer season.

Depots were increasingly hard to obtain, the occupiers of properties adjacent strongly objecting to them. The barge could not cope with the increasing quantity of refuse, and, whenever the barge broke down and had to undergo

repairs, the position became acutely inconvenient.

The Town Council had endeavoured, but without success, to come to a satisfactory arrangement with the Railway Company for the conveyance of the refuse and its distribution amongst farmers.

After long deliberation, the Council had come to the conclusion that a refuse farm was the best solution of the difficulty, and the resolution to acquire Pulrose for the purpose was, it was stated, unanimously passed by the Council.

The purchase, it was claimed, was strongly approved by the general body of ratepayers.

The Committee pointed out to the petitioners that, by the Local Government Acts, the Corporation could only acquire—even with the consent of Tynwald—land for the purposes of the Local Government Act; and that it was clear to the Committee that a much smaller quantity of land would be sufficient for the purposes indicated. Even if Tynwald authorised the sale, no legal sanction to purchase could follow.

The petitioners replied that they could profitably use the whole of the land for purposes recognised by the Local Government Acts. They pointed out that on the field in the Peel-road they proposed to erect public conveniences, which were greatly needed in that locality; that they had at present to take on lease a considerable quantity of land for grazing purposes for their tramway horses, and also had to buy a considerable quantity of corn, etc., for feeding; and that recreation grounds and public walks were also most desirable, and that the Council were satisfied that all the land could be well used. They did, however, propose to let a portion.

Asked why they had proceeded by petition and not by Bill, petitioners replied that under the conditions of sale the purchase was to be completed on the 12th day of November, and that a Bill could not be passed and promulgated before July next; but that they did propose, subsequent to the purchase, to have introduced into the Legislature a Bill to give them powers to sell and let portions of the land, and to work other portions for agricultural purposes. This, however, was only being done so that they might put the land to the most profitable use. They could, they contended, without a Bill, use the property for the purposes specified by the Local Government Acts.

After careful consideration, the Committee are satisfied that, on general grounds, it is not undesirable that this estate should be acquired by the Corporation, and they are satisfied that the price is not unreasonable.

Part of the property is suitable for the chief purpose for which it is sought to be acquired—that of a refuse farm.

But the Committee cannot come to the conclusion that the contemplated purchase could be considered legal, or that any sanction of Tynwald could give validity to any agreement entered into for acquiring the property.

If, however, such agreement has, subject to the consent of Tynwald, legal force, the Committee recommend that authority be given as asked for.

18th December, 1914.

G. T. W. HUGHES-GAMES.
J. KEWLEY.
ROBERT MOUNTAIN.
J. W. WALTON.
W. T. CRENNELL.

Mr Cruickshank: I propose, on behalf of the Corporation, to suggest to the Court that, notwithstanding the fact that the Corporation have introduced the Bill deal-

ing with this subject in detail and every aspect of it, and, notwithstanding the somewhat adverse opinion expressed by the Committee in the report, the Court should proceed to sanction the purchase, and to authorize the Corporation to borrow this money, so as to enable them to carry out the purchase at the earliest possible moment. It is of the greatest importance to the Corporation that that should be done. The vendors are pressing for their money; arrangements of some kind must be made with them, and it would be exceedingly inconvenient if that part of the transaction had to be postponed until the Bill actually becomes law.

The Vicar-General: Then I may explain what the difficulty is.

Mr Cruickshank: I was going to refer to the point raised by the Committee as to the difficulty they encountered.

The Vicar-General: The members of the Court will have had the report before them, and will have observed the difficulty which confronted the Committee in reporting in favour of the application. The powers of the local authority to purchase lands—

The Clerk of the Rolls: I think it would be more convenient, if counsel has the point before him, to allow him to finish, and you can deal with it afterwards.

Mr Cruickshank: I take it that, generally, upon the merits of the application, the Committee's report is in favour of it, but they seem to consider that the powers vested in the Corporation under the Local Government Act do not cover an application of this kind, inasmuch as the Committee consider that it was unnecessary to acquire the whole of the estate for the strictly defined purposes stated in the Act. Now, that may be true. It is true that the Corporation is not in a position at the present moment to say what portion of this estate they will allocate to dealing with the refuse of the town, or what portion they may allot to public recreation, what portion to public conveniences, and so on. But, generally speaking, they have had the difficulty to contend with in such an acute form that they were bound to acquire a property which came into the market, which met their requirements, notwithstanding the fact that they might not eventually be able to use every portion of it for purposes strictly within the purposes of the Act. Now, I think this Court, on a technicality of that kind, will not be called upon to unduly strain the construction of the Act which empowers the Corporation to acquire

land; but, on a liberal view of that section, they will be enabled to say the Corporation are, at any rate, within their rights in securing this particular estate in the particular circumstances attending the case. Now, in England, under the corresponding section of the Public Health Act, the local authority seeking to acquire land has not to obtain the sanction of the Legislature or the sanction of the Local Government Board to the actual purchase. They are empowered to purchase land for the purposes of the Act in the same way as we are, but there is no reference to the consent of Parliament, as we have here the consent of the Tynwald Court being obtained for the purchase, but they have to obtain the consent of the Local Government Board to borrowing the money to pay for it. So far as the real point in question is concerned—that is of the Legislature here exercising a similar jurisdiction to the Local Government Board in England on the important point of raising the money and empowering Corporation funds to be employed, a similar condition of affairs exists. I would call attention to what Judge Lumley, in his work on Public Health, says under somewhat similar circumstances on that section with regard to the purchase of lands. On page 414 Justice Lumley says: "Any local authority may for the purposes, and subject to the provisions of this Act, purchase or take on lease lands within or without their district," and so on. Then in a note to that he says:

It sometimes happens that a district council finds it desirable to acquire lands (e.g., when property is suddenly placed upon the market) although they are not prepared with any precise scheme of utilisation. In such a case, if a loan is required, the Local Government Board usually allow only a short term for the repayment, but if during the period the Council resolve upon some scheme for using the land, the Board are willing to entertain an application for sanction to a re-borrowing for an extended period.

Continuing, Mr Cruickshank said: Here an opportunity arises of acquiring this property which is peculiarly adapted for every purpose set out in the memorandum, and the point is that, until the actual purposes are more clearly defined to which this property is eventually to be put, this Court should not authorise the borrowing. If that view should be taken, I suggest we should be allowed a limited time to borrow this money, such a period in fact as would merely permit us convenient time to carry the Bill which will have to be proceeded with for other purposes, but which will include the power to purchase and make good any doubt which may arise in the minds

of members of the Committee or members of the Court—that the Corporation should be allowed to borrow the money for such limited time as would enable them to get their Bill eventually through the Legislature. If it is contended that because a portion—perhaps an infinitesimally small portion of the property, which has to be purchased as a whole or not at all, cannot be sanctioned because it is not available for such purposes by their Act, then I am afraid many applications that come before this Court would have to fail. A very similar thing happened in connection with the Isolation Hospital at Ramsey. The Ramsey Commissioners had to buy Cronk Ruagh estate, but only a small portion was required for the actual hospital, yet a considerable quantity of farm land was authorised to be acquired which could not be considered necessary in connection with the hospital itself. But the Ramsey local authority was able to use that land, which was very poor land at the time, and convert it into very good land by using it as a refuse farm, and it has been a good speculation. Then, later on, they acquired a meadow on the other side of the road to use in a similar manner. It could not be said to be for town purposes, except that it was converted into land in the same way as the other, by gradually using it for disposing of town refuse. It is impossible here to say to what extent this estate may be utilised for that purpose, but a considerable portion is to be so used. In connection with such a purpose as a depot, which is to be used to such an extent, you cannot put that on a particular portion. You must provide a certain margin so as to prevent complaint from adjoining proprietors of nuisance, and so on. Taking the whole circumstances of this particular case into consideration, I think the Court would not be unduly straining the construction of this section, if they authorised this application and limited it in the way the Local Government Board do in England, to borrowing for such a term, as to see that the local authority did in a limited time put the question at rest, if there is any question of informality. The Bill which has been referred to by the Vicar-General provides all that. It provides not only for solving any doubt being cast upon the powers here to grant this application summarily, but to deal with other matters relating to the surplus lands not required by the Corporation. Under these circumstances, and in view of the urgency of the matter as regards the com-

pletion of the purchase, I think we might very well ask this Court to grant the application in the limited sense I have indicated.

The Clerk of the Rolls: Have you prepared a resolution in any concrete form, as to what you think ought to satisfy the Court?

Mr Cruickshank: It would be simply a matter, instead of fifty or sixty years, as in the petition, to substitute a short term of years—whatever in the opinion of the Court would be a reasonable time to allow the local authority to obtain their Bill and put the matter in form.

The Clerk of the Rolls: You cannot go the length of saying the purchase will fall through if this petition is not granted?

Mr Cruickshank: The difficulty, so far as that is concerned, is between the vendor and the individual purchaser, acting on behalf of the Corporation.

The Clerk of the Rolls: Any person who has bought the property is perfectly safe to get the money back again on a re-sale. I do not see why some temporary arrangement could not be made by which the so-called purchaser can find the purchase money. I do not want the Court to go off with the idea that if they do not pass this to-day the purchase will be lost.

Mr Cruickshank: The only arrangement that strikes one—the only arrangement that has occurred to the Corporation and the purchaser as the representative of the Corporation—is that the Corporation has to find the money to complete or partially complete the purchase, so as to fall in with the views of the vendor who requires the money.

The Clerk of the Rolls: I have understood there was a considerable mortgage on the property in the first instance, so there is only the balance of the money to be found. I should think the vendor, with the Corporation at its back, would have no difficulty in arranging for the advance of the money.

Mr Cruickshank: I understand that £7,000 has to be found after allowing the mortgage to remain on. That is a considerable sum of money to find, unless we are armed with the authority of the Court to approve the purchase, so far as the Court can approve it. If the approval of the Court is given, I am told there will be no difficulty about the matter.

The Clerk of the Rolls: The Court having given its approval, the question arises what control the Court can retain, except by

refusing future applications, unless a Bill is obtained.

Mr Cruickshank: The Court may limit the term of borrowing. Suppose that next year, or the year after, the Corporation had to find this money again, that would be a sufficient safeguard to anyone concerned, that the Corporation would proceed with diligence to carry out the whole thing by Bill.

The Clerk of the Rolls: The Legislature has always control by refusing future applications, unless the wish of the Court, in any important matter, is carried out. I do not wish to put any obstacle in the way of the Corporation; if they are prepared to face that position which might be taken up by any branch of the Legislature, I am inclined to let the matter go through. Is there any opposition?

Mr Cruickshank: There has been no opposition from any section of the rate-payers. It is accepted all round as being desirable. It would be a thousand pities if on a point of this kind the matter fell through.

The Clerk of the Rolls: I am speaking entirely for myself. I think it is important the Corporation should have the property.

Mr Cruickshank: The Keys have possession of the Bill already, and are proceeding to deal with it.

The Vicar-General: Counsel for the Corporation have sufficiently indicated what the difficulty was before the Committee. I am quite sure no member of the Committee will take any active steps to defeat them in this application. On the contrary, every member of the Committee thought the purchase was desirable—or, at all events, not undesirable—on the whole, desirable. There was sufficient evidence of the desirability to effective sanction being given, if it had not been the difficulty which confronted the Committee. It is not the slightest use saying this is a technicality. It is not a technicality; it is purely a question of law. I have often heard, where a question of law has been raised as an obstacle to a local authority, that we had rigid technical minds, and ought to sweep aside these trifles, and not in any way attach importance to them. But these are not technicalities. What the various officials of local authorities call mere technicalities are matters of considerable difficulty raised as absolute questions of law. This seems to be a case in point. If, in point of fact, the Corporation had no power to enter

into this contract, if by doing so they acted ultra vires, no sanction or authorisation by Tynwald can give validity to that agreement. I am entirely in favour of this purchase, but I am so little convinced by the arguments of the counsel that I feel compelled to vote against the application before the Court. I believe the Committee are unanimous in their opinion that the Corporation have acted ultra vires in making this contract, and, therefore, no sanction of Tynwald will put the matter further. Therefore, they cannot borrow the sum of money, either for a short or a long period, and our consent would not help them in the least. If the transaction is illegal, it is liable to be set aside by a proper application to the Court. I do not intend to be led by any specious argument into voting for what I consider illegal, and I shall have to vote, against my own inclination, against this proposal.

The Governor: There is no motion at this moment before the Court.

Capt. Moughtin: I beg leave to move that the prayer of the petition be granted, and, as a further reason to put before the Court why they should approve this application, I would mention that, at the present moment, the hopper barge has broken down, and is under repair. Any further break down leaves us without any power of disposal of refuse, and we have no place to put it. I think, as the matter has gone so far, and can be arranged, the Court might stretch a point, and give the Corporation permission, at any rate for the time being, until a Bill can be got through, to grant the prayer of the petition, and let the Corporation complete the sale.

Mr W. F. Cowell: I have great pleasure in seconding it. Having been a member of the Douglas Corporation for a number of years, I have realised the serious position they are in as regards dealing with refuse from the town. The hon. member for South Douglas has mentioned the difficulty in connection with the hopper barge, and I know, when I was chairman of the Stores Committee for one year, we were in a most difficult position. We set out to find depots in the north part of Douglas, and made application for different sites, but the result, wherever we went, was that the neighbourhood all round about for half a mile distant suffered from the nuisance of waste paper flying about and the carting operations. Where one horse will take a ton load, along the lower level, it takes a

pair of horses to drag it to North Douglas. I consider this is a good speculation on the part of the Corporation of Douglas, and I heartily support the prayer of the petition.

Mr Cormode: I hope we are not going to have long speeches on the merits of this petition, because there is a unanimous report of the Committee on its merits. As far as I can understand, every member of the Court thinks this is a very excellent scheme. We are held up entirely by the legal difficulty. I do not know how many legal gentlemen share the view of the Vicar-General, but if that is the view of the gentlemen who are competent to form an opinion, I think the Corporation will be well advised to withdraw the petition. There is no chance of it going through, if the majority of the Council are opposed to it, and their opposition will be all the worse for the ultimate issue of the Corporation's application. I think the Corporation would be wise to withdraw, and push on with the Bill as rapidly as possible.

The Clerk of the Rolls: I was going to suggest, if this matter stands adjourned for the present, I understand the House of Keys meets next Tuesday, and we might proceed with the Bill at once as a matter of urgency. It cannot take very long, and within a month the Corporation will know one way or the other, where they are. The Bill is ready, I understand. I do not see why we should not meet and dispose of the matter within a month. I do not see how any inconvenience can arise. With regard to the remarks of the hon. member for Peel, I do not think it is well for the judges to give a positive opinion, one way or the other, and I do not propose to give any further opinion with regard to that point. But I do think, if the Bill is proceeded with at once, both branches will have an opportunity of considering the matter in more detail, and no substantial harm will accrue to the promoters. I move that the petition be postponed.

Mr Kermod seconded.

Mr Cruickshank: It is not a matter of the Bill passing both branches of the Legislature; it is a matter of the Bill becoming law.

The Clerk of the Rolls: I think we can get over that difficulty.

Mr Cruickshank: I propose, in the interests of my clients, to fall in with the suggestion of the Clerk of the Rolls. (Hear, hear.)

Mr A. Qualtrough: With regard to this purchase, and the purchase of Villa Marina—if I remember rightly, an organ played a great part in the Villa Marina purchase; this is only a small purchase, why not have a harmonium in connection with it? Perhaps that would get over the legal difficulty. (Laughter.)

The Governor: I think the Clerk of the Rolls' amendment is about the best way out of the difficulty. I do not know whether this is a very large Bill.

Mr Cruickshank: No. I have a copy here. It is a short Bill.

The Governor: That is all right. The Keys are meeting next Tuesday. As soon as the Bill is through, I can hold a meeting of the Council and dispose of it. Once both branches have passed the Bill there will be no difficulty in proceeding with the purchase.

The Clerk of the Rolls: Have you received any notice of opposition to the Bill?

Mr Cruickshank: None whatever.

The Governor put the amendment "that the consideration of the petition be postponed," and declared it carried.

Mr A. Qualtrough: I will for a division. ("No, no.")

AUDITORS' SURCHARGES.

Deemster Moore: The question of the auditors' surcharges was referred to the Local Government Board as a committee, and they now report, and I move that the report of the committee be placed on the table, and also move that the report be printed and circulated. There is also a matter that is not on the agenda. I hold in my hand a summary of the annual report of the Board. It is the usual thing to present this summary to the Court, and I move that it be printed.

The Speaker seconded.

Carried.

NEW ATTENDANCE ENFORCING OFFICER.

The following motion was on the agenda: Council of Education—Attendance Enforcing Officer—Mr Crennell to move—

Whereas, by section 6, sub-section 12, of the Education Act, 1893, it is enacted that the Council of Education may appoint an officer or officers to enforce the attendance of children at School, the approval of the Tynwald Court being necessary to the fixing of the amount of salary or remuneration payable to any persons so appointed;

And whereas, by minute dated the 18th September, 1914, the Council of Education

appointed Mr James Moore Dugdale as attendance enforcing officer for the parishes of Balaugh, Jurby, Andreas, Bride, and Jezayre, and, subject to the approval of the Tynwald Court, fixed his salary at £52 per annum:

Resolved, "That the Court do approve of such salary."

Mr Crennell: I regret that owing to the death of one of the best enforcing officers ever in the service of the Council of Education in the Island, it has become necessary to appoint a new enforcing officer, and I move that he be appointed at a salary of £52, which is £18 less than his predecessor was getting.

The Clerk of the Rolls: How does it rise?

Mr Crennell: There are no stated times.

The Clerk of the Rolls: What did the old officer get?

Mr Crennell: £18 more than this, but he had been in office for a number of years.

The Clerk of the Rolls: If the enforcing officer is satisfied.

Mr Crennell: It will be increased.

Mr J. R. Kernish seconded.

The motion was carried.

LEASE OF SNAEFELL.

The Trustees of the Common Lands presented a petition for confirmation of lease to Mr W. J. Lee of the Snaefell Mountain, for the term of 14 years (but terminable at option of either party in 1921), at an annual rental of £360.

Mr Cruickshank: I appear for the Trustees of Common Lands. By the Act of 1866, it is provided that the Trustees may let land for a term of years, but not more than seven years, without the approval of Tynwald. It is now proposed to let land for fourteen years. The lease is dated 21st November last, and made between Mr John Lee, and lets 4,428 acres at a rent of £300, which is a large increase in the rent received under the former lease. It is an increase of £100 on the old lease. I will call Mr Clucas, who is acting as Secretary for the Trustees.

Mr J. D. Clucas, called, deposed: I have been acting as Secretary to the Commons Trustees, and I am a Trustee.

Mr Cruickshank: The former lease of the land was £200 a year, and that expired on the 12th November last, and the Trustees have agreed to let to Mr Lee on a fourteen years' lease at an increase of £100 a year.

Witness: That is so.

Mr Cruickshank: It is the best rent obtainable?

Witness: I think so.

Mr Cruickshank: It is a fair rent?

Witness: Yes.

Mr Crennell: Is it a new tenant?

Witness: Yes. The old tenant did not apply, and it was advertised both here and in England. This is the best rent we could obtain, and the Trustees consider it a satisfactory rent.

Mr Cornode: I move that the prayer of the petition be granted. I am quite satisfied that it is a good bargain.

Mr Crennell seconded, and it was carried.

LISTS OF VOTERS.

The Clerk of the Rolls: I beg to move—

That a committee of this Court be appointed to examine the accounts of expenses incurred in forming and revising the lists of voters under the House of Keys Election Acts for the year ended 30th September, 1914.

The Clerk of the Rolls: This is the ordinary motion; the accounts have been sent in and are waiting to be paid. I hope to be able to report before the rising of the Court. The Speaker, the Receiver-General, and myself have usually been the Committee.

Mr Jos. Qualtrough seconded, and it was carried.

The Governor: The Clerk of the Rolls, the Receiver-General, and the Speaker were the committee last year.

Mr Kernode: I propose they be re-elected.

Mr Walton: I second that.

Carried.

SUPPLEMENTARY VOTES.—PRINTING AND ADVERTISING.

The Clerk of the Rolls: I beg to move—

That the Treasurer of the Isle of Man be authorized to apply from the current revenue of this Island a supplementary sum not exceeding £150 to defray, during the year ending 31st March, 1915, the expenses incurred, or to be incurred, for printing official publications and for advertising, such amount to be in addition to the sum of £500 voted by this Court on the 9th June, 1914.

The Clerk of the Rolls: The increase in the cost of printing arises on account of some outstanding accounts which were not sent in having come in this year, amounting to £100, and the rest is due to extra printing and advertising due to the war. The Treasurer has now arranged to have the printing and advertising accounts rendered monthly, so that we will not get into the same position again.

Mr Walton seconded, and it was carried.

PROBATION OF OFFENDERS ACT.

The Receiver-General: I have to move—

That the Treasurer of the Isle of Man be authorized to apply from the current revenue of this Island a supplementary sum not exceeding £20 to defray, during the year ending 31st March, 1915, the expenses incurred, or to be incurred, under the Probation of Offenders Act, 1913, such amount to be in addition to the sum of £40 voted by this Court on the 9th June, 1914.

The Receiver-General added: There was an error in the vote before the Court in June last, it having been set down at £40 instead of £60. The expenses under the Act have been £45, and £15 further expenses will be incurred, which brings it up to the £60. I only regret that this Act is not taken more advantage of by the justices of the Island. Any increased amount necessary under the Act for the prevention of juvenile crime would be readily voted. The Court will not begrudge money spent in this direction.

Capt. Moughtin: I second that.

The Governor: I should also like to urge upon the Justices the necessity of taking every advantage of this Act.

The motion was carried.

MAINTENANCE OF CHILDREN IN REFORMATORIES.

The Receiver-General: I beg to move.—

That the Treasurer of the Isle of Man be authorised to apply from the current revenue of this Island a supplementary sum not exceeding £120 to defray, during the year ending 31st March, 1915, the expenses incurred, or to be incurred, in maintaining children committed to reformatories and industrial schools, such amount to be in addition to the sum of £300 voted by this Court on the 9th June, 1914.

Continuing, the Receiver-General said: This is a supplementary sum to cover the expenses to 31st March, 1915. The difficulty which the Treasurer has to face in making the estimates is that he cannot tell how many children in any one year will be committed to these schools by the Justices of the Island. This additional sum has been found necessary, owing to the increased number of children committed during the past year, and also to the increased charges made by the different reformatory schools, both Protestant and Roman Catholic. Previous to 1910, when the Justices committed a child to an industrial school or a reformatory, arrangements for the school to which the child was committed were made by the Government Office, and they, therefore, knew exactly what expenses were likely to be incurred. Under the 1910 Act, the power was given to the Justices to fix the school. I think that some little amendment of that Act is necessary, not to

take the power away from the Justices, but to make it very necessary for the Justices, or their clerk, to at once notice the Treasurer of the Island with regard to any commitments that have been made, so that he will know what money will be needed. The cost this year of the children at present in the schools is estimated at £480. I move the resolution.

Mr Crennell seconded, and it was carried.

PRINTING DEBATES.

The Clerk of the Rolls: I beg to move:—

That the Treasurer of the Isle of Man be authorized to apply from the current revenue of this Island a supplementary sum of £52 to defray, during the year ending 31st March, 1915, the expenses incurred in connection with printing debates of the Insular Legislature, such amount to be in addition to the sum of £300 voted by this Court on the 9th June, 1914.

Continuing, the Clerk of the Rolls added: All the members are more or less responsible for this expenditure. The item is really a pro-rata charge for printing the debates during the past year. Under the contract of £300 we are entitled to a book of 500 pages, and we had a book of 582 pages, and the vote asked for represents the difference between the 500 pages and the 582 pages.

Mr Garside: I beg to second that.

Mr Crennell: I think that the reports we get of the proceedings are very correct, and we find them very useful, but I think the members of the Council might undertake to pay this extra cost, as it must be due to excessive talk on their part last session. (Laughter.) The work is of very great value to those who take an interest in the debates, but I would like to say that they would be still more valuable if the regulations were strictly adhered to. The conditions are not being fulfilled, and the loss of this during the past year has been felt. It is a very useful arrangement, at least, I find it so. I am one of those who give considerable trouble to the printer in the matter of corrections, but I think it should be pointed out that the contract is not being fulfilled strictly in accordance with the resolution of the Committee, and I hope it will be done in the future.

The Clerk of the Rolls: I have drawn the attention of the Treasurer to the fact that the conditions are not strictly observed.

The Governor: I would recommend to members of the Court a more liberal use of the blue pencil when they are given their proofs. (Laughter.)

The motion was agreed to.

ST. PATRICK'S ISLE SEA WALL.

The Receiver-General: I move:—

Whereas the sea wall of the causeway connecting St. Patrick's Isle, at Peel, with the mainland has been damaged by the sea:

And whereas the damaged portion of such wall has been temporarily repaired; but it is necessary that further repairs of a more permanent character should be executed thereat, and that the rest of the wall should be strengthened:

Resolved, "That a sum not exceeding £300 be applied from the moneys standing to the credit of the Isle of Man Accumulated Fund for the purpose of carrying out such further work to the said causeway as may be necessary.

The Receiver-General added: Members of the Court will remember the storms that we had last December, and that very considerable damage was done by them at Peel, but it will be a gratification to the Court to know that very little damage was done elsewhere in the Island. Some little damage was done at the Douglas Breakwater, more especially at the cattle-landing steps and some damage was also done at the Port St. Mary roadway, but it does not amount to much. With reference to this wall at Peel, we have found that it is very much more seriously damaged than we at first thought. I will read to you Mr Blaker's report:—

I regret to say that on December 3rd considerable damage was done to the lower part of the wall forming the west side of the causeway connecting St. Patrick's Isle to the mainland.

In order to make the following report more clearly understood, I should explain that the wall which has been damaged is very old, and forms the west side of the original narrow causeway built very long ago (I have been informed that it was built by order of one of the Countesses of Derby). In or about the year 1852 the causeway was widened to its present dimensions, and the new western wall was built upon the old wall as a foundation.

The portion of the wall which has been damaged was originally built dry (i.e., with no mortar in the joints), and the stones are placed on edge instead of on the flat. In the 1852 wall the stones are laid flat on their natural bed. Behind the old wall is rubble filling. The old wall was pointed up with cement mortar many years ago (probably about 1832), and thus was very considerably strengthened; but it has always been a source of anxiety, and has always received careful attention.

At the time the Peel Breakwater was extended a cart slipway was built alongside the Hill end of this old wall, and this of course has protected it. From the foot of the slipway for a distance of about 100ft. to the rocks at the Castle end, the old wall is exposed to the full fury of the waves. The almost continuous battering which this exposed piece of the wall has received during the recent protracted spell of exceptionally stormy weather proved too much for a part of it, and at daybreak on Thursday morning a breach, roughly 14ft. long by 6ft. high, and 3ft. from the foot of the slipway, had been made in the old wall by the waves, and the filling behind to a depth of about 3ft. had been scoured out. Fortunately, the comparatively new wall built in 1832 had

remained intact over the portion which spans the breach in the old wall below.

From a close examination of the hearting, the damage done appears to be confined to the immediate neighbourhood of the breach; but, even so, it will take about 30 cubic yards of concrete to fill the voids and make the hearting which has been affected solid.

It is a most difficult thing to say with any certainty what the cost of this repair will be; but I think that to cover the cost of what has already been done, and is now being done, £151 will be required.

I do not propose to touch the timber shuttering, which was fixed up on Saturday night, during the winter, but next summer it will have to be taken off and the concrete underneath made good and faced up with stone to correspond with the rest of the wall.

Continuing, the Receiver-General added: The work cost only £100, and not £150, as anticipated, but I am not asking for a vote for that £100. The Court will be aware that the Board estimated that they would have to spend a considerable sum of money in connection with the fishing industry at Peel, and on the Quay roadway, but when the war commenced that industry stopped, and we saved the £100, and have spent it in this way. We are now asking for money for permanent repairs. In a further report on the work, Mr Blaker says:—

My report of the 9th ultimo with reference to the above was written whilst the repairs were in hand; these were finished about the middle of last month, and are partly permanent and partly temporary. The expenditure on this work so far has been about £100, which is £53 less than I anticipated.

I went over to Peel and made a careful inspection not only of the temporary repairs, but of the whole of the old wall and now beg to report as follows:—

The temporary shuttering is standing very well, and does not appear to have moved in the least since it was put in.

I regret to say that a careful examination of the whole of the old wall shows it to be in a worse state than I first thought. It has had a very bad shaking this winter. A lot of the pointing has been knocked out, and a large number of wooden wedges have been driven in between the stones to keep them from coming out.

To merely re-point the wall would be of very little use, and would be a waste of money. If we are to be relieved of anxiety with regard to this old wall in the future, there appears to me to be only two courses open, and they are—

1. To pull down the old wall and rebuild it. This would cost I estimate about £600, as it would be tide work, and the pulling down and rebuilding could only be done in short lengths.

2. To face up the old wall with a layer of concrete, about 2ft. thick, and put a concrete apron along the toe of the new facing. This would cost about £300.

I am in favour of No. 2 method: it is not only cheaper and quite as effective as No. 1, but does not involve the risk of being caught by a storm with a part of the old wall down and the new part not built. Under such conditions a storm would probably scour out a great quantity of the rubble hearting.

Continuing, the Receiver-General added:

This latter course the Board have decided upon, as suggested by Mr Blaker, and we now ask the Court to consent to the vote for £300. Members will know that the sea breaks with tremendous force against that wall, and if the work is not done soon, considerable more expenditure will be required.

Mr Cornmede: I second that.

Mr Kerraode: I support the motion. I am familiar with that wall. I don't know whether the Countess of Derby ordered it to be built or not, but I well remember the old man who built it, and who also built the shore wall at Peel. I remember him well as an old man when I was a boy. When they were building the breakwater at Peel they took thousands of tons of sand and gravel off that shore to build the breakwater, and since then the shore has been falling to the extent it is now. If some of the sand taken from the breakwater had been deposited on that beach, it might have raised it, and saved this expense, because before the breakwater was formed it was quite 15ft. higher than it is at the present time. The sand and gravel should never have been taken from the shore, but under the circumstances I don't see that there is any remedy for the damage done but that suggested by Mr Blaker.

The Clerk of the Rolls: I only want to say one word, and that is to draw attention to the very careful way the Harbour Board look after the interests of the Island. We have every reason to congratulate ourselves that in the great storms that swept over the Island last September from both east and west more damage was not done. I am sure that anyone who watched the seas breaking over the breakwater on New Year's Day must have wondered how it stood. That the damage done was hardly worth speaking about shows the care which the Board have exercised in their work.

Capt. Moughtin: When I was salving the St. George 22 years ago, there was a good cart roadway from that beach. The sea then expended its force on the shingle on the beach, and the wall took no harm whatever. At that time I also think there were a number of stones on the beach from the Fenella Hotel on the headlands, but all stones on a beach like that will be ground to sand in the course of time. By building the breakwater you have prevented sand and shingle being washed round, and I would suggest, to counteract this, and also probably to stop the silting of the harbour, that a culvert ought to be

built in this wall. Now is the time to do it, when the wall is damaged. It would also take the silt from the Neb. I am satisfied that the experiment will be well worth trying, especially in view of the enormous amount of money that has been expended on dredging in Peel.

The Clerk of the Rolls: Could we not deposit large stones on the beach?

Capt. Moughtin: They would all be ground up into small stones and sand. If you go down the Victoria Pier now you will see the large stones that were deposited on that beach have been ground down, and I am satisfied that that beach is falling. It is well worth trying the experiment of a culvert now. You could easily adopt some method of closing it from storm, and I am convinced it would be a success.

Mr Radcliffe: I think the time has arrived when we should take this matter of Peel Harbour into consideration. In any ordinary business, if a particular department of the business had proved for many years to be a failure, sensible and intelligent business men would let that department drop. Members of the Court are no strangers to the fact that, for the last ten or twelve years, Peel has been constantly begging. There seems to be no time when Peel doesn't want. And they return nothing for it. There is no justifiable reason why Peel should be kept open as a seaport town. There is no trade, and the fishing industry is decaying. I venture to say that the shipping of Peel is of very little importance indeed, and here the whole Isle of Man is losing money year by year in making large grants for the purpose of preserving harbour works that are not needed. I think that is the greatest folly in the world, and if this policy is to be continued, other ports, like Douglas, where there is a tremendous amount of traffic, and Ramsey, with its heavy work in shipping, will demand more attention. They cannot get what they ought to have, and yet Peel, which does nothing for the revenue, is constantly receiving the Island's money. I don't say I shall vote against this grant, but I think the Harbour Commissioners ought to use greater precaution in this matter. The Receiver-General has tried to bolster up the case as well as he could, but I know it is very hard to make a good case out of a bad one. (Laughter).

Mr Quine: I think the present moment is an opportune one for the Harbour Com-

missioners to consider whether they can effect any improvement at Peel. We have such a number of engineers in this Court, and sometimes amateur engineers really have their question well in hand, and are more correct than even paid engineers. Take the case of the Midland Railway Co., when they made that port on the other side, Heysham. People on that coast said it would cost more to dredge the harbour there than it was worth. Engineers from London and elsewhere, who were experts, thought otherwise, but it has been proved that the people with local knowledge were correct. There is the question spoken of by the hon. member for South Douglas. He asks the Harbour Board to do two things which appear to me to be quite opposite. First, they are to make the culvert, and then they are to put stones on the beach, to protect it. I take it that if the Board make this culvert, they would take away the protection for the beach. They must decide to do one of these two things, I think. Of course, the Harbour Board will take this suggestion into consideration, no doubt, but I think we should vote this money, and leave it to the Board.

Mr Garside: I feel that I have to vote for this grant, but I think one or two remarks are quite justifiable in criticism of the Harbour Board itself. Last year we voted £6,000 towards Peel Harbour, and then we voted a further grant of £545 in connection with the same object. At that time I don't think any members of the Court opposed the grant, but there was some criticism as to whether the policy of the Harbour Board, which had led up to such expenses recurring time after time, and applications being made to the Court in connection therewith, was quite justifiable, and a suggestion was made that a committee of the Court should take the grant into consideration. It was pointed out that the work in question needed to be done, and would have to be done in any case, and I believe that, with the pressure that was then put on the Court to pass that grant, there was an implied promise either that a committee would be appointed or that the Harbour Board, who were in close touch with the matter time after time, would give their consideration to this recurrent expenditure. I don't say that what we are discussing to-day is a recurrence of expenditure we had before us then. I am forced to my remarks this morning by the observations of the hon.

member for South Douglas, in which he says that the state of things which caused that big expenditure last year is rapidly coming towards the recurrent stage. Whilst I shall vote for this grant, I would like, and I think the Court generally would appreciate it, too, to have the Receiver-General give us some idea of what steps the Harbour Board have taken to obviate the necessity of the large recurring expenditure which was last before us last year.

Mr A. Qualtrough: I am not in favour of the Harbour Board fixing this wall again, but I am very much in favour of a culvert being bored right through the wall, although it is the finest piece of masonry work I have seen in the Isle of Man. I went there last Thursday to see it, and I believe that if a culvert was made right through the wall, it would stop any further silting at the breakwater. I don't often agree with the hon. member for South Douglas, but on this point I do. I am sure that if a way was made where the sea has pointed out that it wants a way through, there would be no further trouble at Peel. I move that the matter be adjourned, and that the Harbour Board consider the question.

Mr J. Qualtrough: I don't think it is wise to consider the question of a culvert. There are great difficulties in the way. It would destroy the approach to the harbour. A vessel coming into the harbour with a south-west wind could not get in with the rush of the current of water coming through the culvert. I don't think it would answer the purpose intended. I think that the work that the Receiver-General suggests needs to be done, and I think the Court should vote the money at once. It is repair work, and if it is not repaired, it will mean more money later on.

Mr Kermode: May I explain— (Cries of "order," and a Voice: "You have spoken already.")

Mr Kermode: I know, but— (Renewed cries of "order," during which the hon. member sat down.)

The Receiver-General (replying): I didn't come to the Court without recognising the high pinnacle upon which the hon. member for South Douglas stands in reference to nautical matters. But I do say, that on many occasions he makes very reckless statements, and statements which cannot be verified. I think I shall prove that before I sit down. Some of the statements

made by him to-day may lead the Court to think that there is a great deal more in the matter of the culvert than there really is. I have a good deal of experience of this Court, and when this vote was to be considered, I at once said to myself, as I usually do, "What is likely to be said about it?" I said, "My hon. friend, the hon. member for South Douglas, is sure to trot out his culvert, and, therefore, I must be ready to make some statement in reference to it." The matter has been very carefully considered. Some considerable time ago I had a conversation with your Excellency with reference to this question, and I then told you, as I have told members of the Court, that this matter had received the careful attention of the engineers, and we must be guided largely by the engineers' advice. I admit, with the hon. member for Rushen, Mr Quine, that you may sometimes have information outside that possessed by engineers which may be of value. But if we were to come to the Court with our own ideas only, the Court would ask at once, "What is your skilled opinion?" The hon. member for South Douglas made a statement, and I ask him for his authority for it, to the effect that sand had already accumulated in the dredged area to a very large extent. I ask him for his authority. I say that is not correct; the gales have not brought sand into the dredged area to any appreciable extent. The north-west wind it is which does that, and the recent heavy winds have been south-west, and, if that continues, we don't anticipate that there will be much trouble by silting. Then the hon. member talks about the beach, and the gravel and sand there. Mr Blaker informs me that the question of whether the beach consists of sand or shingle depends upon whether the wind is in or off shore. We know that on that shore there is a considerable amount of sand when the wind is driving it in, but if the wind shifts, in a very short time the sand is gone. Another question is, the shore does not belong to the Harbour Board, but to the Peel Town Commissioners, and they are guarding it very carefully. The shore is a bathing-place. (Mr Cormode: "No.") At least, that is the impression they give us, that if we put anything on the shore that is detrimental to bathing, it will be a serious matter for Peel. We could tip as much sand on to the shore as we could take out of the harbour mouth, hoping that it would fill up

the shore, and also relieve us of the liability of cutting to a place further away. But the Peel Town Commissioners are exceedingly anxious that the shore should be maintained in a nice sandy face for the purposes of bathing. It is gratifying, I must admit—for I am only human—that one should now and then hear some kind and generous words said about the Harbour Board, and I appreciate to the fullest extent what has been said by the Clerk of the Rolls, the congratulations offered by him, because, through the foresight of our officials, a considerably greater amount of damage has been prevented. On the other hand, we have the hon. member for Ayre, Mr Radcliffe, always against poor little Peel. (Laughter). Whenever he is in the act of abusing Peel, he always advocates the claims of Douglas; but does he ever assist Douglas, when it comes to be a question of Douglas asking for anything? He says now that all this money is being wasted at Peel, where there is no harbour, and no business, while Ramsey and Douglas want the money badly, and are not getting it. It is no use, here are the works; the works have to be kept up; and one has nothing more to say. He says I have tried to bolster up my case. I have used nothing but the facts, and I have put the facts before the Court, and if the Court will look at those, and face them, I am satisfied whatever decision the Court may come to. The hon. member for North Douglas, Mr Garside, who generally takes a very liberal view of things, implies that there was an undertaking by the Harbour Board, when the question of Peel dredging came on, that we were to take notes of groynes on the south coast of England, and to report, and then the Court might appoint a committee to see if some groynes might be put down at Peel in the future. I beg to assure the Court that we have not lost sight of the matter. It was our intention during August and September to view these South Coast places, and—

Mr Cormode: You should explain who "we" means. It doesn't mean the whole Harbour Board. (Laughter).

The Receiver-General: One is apt to put that little "we" in. It was intended that a deputation from the Board should go. But we were told from South Coast places that if we had dared to show our faces and be seen inspecting the shore work during war times we should have been arrested as German spies. (Laughter.)

Seriously, we know that the war has upset many things, and it has upset our intention in this matter. We thought it better to wait for the present. But at the same time the matter is being carefully watched, and any report we can make to the Court will be made. One or two members have mentioned this idea of the culvert. Well, I knew what was likely to occur at this Court, and I asked the Board's engineer to give me his notes with reference to his opinion as to making a sluice in the causeway at Peel, and in a report which I received from him this morning, Mr Blaker says:—

1. Supposing we had a sluice through the causeway and across the beach, let us see what takes place.

The flood tide runs up the coast, i.e., towards the north. It also flows into the inner harbour mouth at the same time, i.e., in a southerly direction; therefore, the stream of water coming through the sluice would meet that coming into the harbour mouth. The two currents being of equal, or nearly equal strength, you would get dead, or nearly dead, water; anyway there would be no scouring strength in either current.

2. The ebb tide flows south. The current would, therefore, flow in at the harbour mouth and out through the causeway; but in doing so would tend to bring sand into the harbour, and deposit it just inside the old pierhead, where an eddy would form.

3. Whatever were done, no sluice in the causeway would ever induce any current to go round towards the lifeboat slipway, so that the sand lying behind a line drawn from the point of the little jetty under the Castle, to the point of the Breakwater, would certainly never be touched by the sluice or "sluice-induced" currents.

4. To do any good a volume of water equal to at least half that which can flow in and out of the inner harbour entrance should come through the sluices. The entrance is about 150ft. wide; ergo, the sluices should be 60ft. or 70ft. wide. It would be a very expensive matter to construct gates and machinery for operating them, strong enough to withstand the blows delivered by the storm waves against this causeway.

5. The sluices would have to be cut through the beach at least down to low water mark, which means a channel right across Fenella Beach, a distance of 300ft. Imagine a channel in that situation 300ft. long, 15ft. deep, and 60ft. or 70ft. wide, to be constructed, and then kept clear of sand.

6. I have given this question a great deal of thought, but I cannot see how any good could result from having a sluice in the causeway. The cost of the sluices, gates, machinery, etc., would be considerable, probably not less than £15,000 or £20,000, and it is very doubtful indeed whether any benefit would be derived.

Continuing, the Receiver-General said: You will see the danger that Mr Blaker fears from such a method; and that is the one thing that the Harbour Board want to avoid, the formation of any sandbanks in

the fairway of the harbour. Then, whereas the hon. member for Rushen, Mr A. Qualtrough, thinks that the point of the break water is the point where improvement would be effected by the construction of a sluice, Mr Blaker thinks that that is the very place which will not be affected. Then, the whole result of such a work is problematical; it is not really known by anybody, but after carefully inquiring into the matter during the past few years, ever since the idea was first suggested by the hon. member for South Douglas, in whose judgment I at times have a great deal of confidence—at times, I must say—(laughter)—I have been led to the solid conclusion that it would be a great mistake to do anything of the sort. And then there is the other aspect of the case that Mr Blaker has pointed out, the cost, which would probably run up to £20,000. (Capt. Moughtin: "Rats!" and laughter.) There you have the opinion of a practical man. I think I need say nothing further, but ask the Court to vote for the resolution.

The Governor: I should just like to echo what the Clerk of the Rolls has said, by way of congratulating the Harbour Board and the Isle of Man generally upon the exceedingly satisfactory state of our sea works, and the exceedingly small amount of damage that has been done by the very severe gales of this winter. As the Clerk of the Rolls has said, this reflects very great credit upon those gentlemen who are called upon by their official duties to see that these works are in a proper condition, and the Isle of Man may congratulate itself upon possessing a body of very able and hard-working servants.

The motion was carried, Capt. Moughtin voting "No."

SEA WALL AT PORT ST. MARY.

The Vicar-General moved:—

That a grant of £1,000 be made to the Highway Board out of the moneys standing to the credit of the Isle of Man Accumulated Fund for the purpose of repairing damage done to the sea wall along Port St. Mary Bay, and for preventing an extension of such damage.

The Vicar-General: I move the resolution standing in my name. I think the resolution on the agenda sufficiently indicates to members of the Court the road that is involved in the present proposal of expenditure. It is the road near Strandhall, extending along Port St. Mary bay, a large length of which is, as is known, kept in place by a retaining sea wall. I don't think I need point out to members of the Court

how exceedingly important, and growingly important, the roads of this Island are to the community. Seeing that this damage has been done by recent storms, with the possibility of future storms during the remainder of the winter and in the spring, it will be manifest to all of us that the work should be at once put in hand, because every day's delay increases the possibility of very considerable extension of the damage. Just at this time, it is particularly useful that work should be supplied in the district of Port Erin and Port St. Mary, because, as must be known to most of us, a large number of persons engaged in building operations are out of work, and are very seriously placed owing to the cessation of building in that district. Whatever expenditure is made, it will be useful to a whole section of the community inhabiting the southern parts of the Island. It was only at a very recent meeting of the Highway Board that the report of this damage was made to that Board. Immediately afterwards, at the request of the Board, I approached his Excellency, and asked if he would be prepared to recommend to the Court the expenditure of the sum of £1,000 to repair the damage already done, and to prevent the risk of further damage in the immediate future. At that time I informed his Excellency that £1,000 was roughly estimated to be required for the work. Since then Mr Kay, the Surveyor-General, whom I shall ask to give evidence, has gone into the matter carefully, and has come to the conclusion that a sum of £1,530 could very usefully and properly be expended on this wall now. He says, in effect, "I can do this work, repair the present damage, and ward off risk in the future, for some time to come, by the expenditure of £1,000; but it would be very much more economical to spend £1,530, which would immensely lessen future risk." I need hardly point out how very important is this road. It is enormously used by visitors; streams of visitors coming into Port St. Mary and Port Erin in the morning return by this road through Castletown in the afternoon or evening. Also, it is the road entirely used by residents who desire to travel by road between Castletown and Port St. Mary or Port Erin. I would refer very briefly to previous reports of the Highway Board concerning this road. In 1896 the Board report that considerable damage had been done by the winter gales to the road at Strandhall, and they fear very considerable expense will have to be

incurred in connection with that road in the near future. In that report, also, they make reference to a sum of money expended on that road in 1895. In 1898, the Board say that they have had to spend £804 on repairs to the sea wall and road abutting on Port St. Mary Bay, which was largely damaged during the gales of October, 1896, and that this large expenditure has considerably crippled the finances of the Board. The work carried out by the Board has been, they believe, thoroughly well done, and they trust it will prove sufficient for many years to come. "This road," they continue, "has always been a source of anxiety to the Board, and they call the special attention of your Excellency to the subject in a special report." So that the necessity for spending £800 on this road crippled the Highway Board in its operations in the year 1898. I think we must all recognise that the Highway Board at the present time, having regard to the extra cost and the extra importance of preserving in good repair the highroads of the Island are in very much more straitened circumstances than in those days. Although the revenue of the Board has increased, very slightly, the obligations of the Board have very largely increased. The advent of motor traffic, which is now such an important feature in the Island, from the point of view of our visitors, has entirely altered the circumstances of the Board during the last few years. Last year the Board were compelled to spend £550 above their ordinary annual income, and it was found impossible to do otherwise. If the Board is now compelled to meet this large expenditure, it will more than cripple them, from the point of view of the Board in 1898, in their operations for the year; it will mean a saving in different directions which must operate adversely to the interests of the people of the Island, both in their own use of the roads, and in the use of the roads made by visitors. Under these circumstances, I could, in all confidence, approach your Excellency for help in this matter. With your Excellency's consent, I shall, with the leave of the Court, ask that the sum of £1,000 mentioned in the resolution be increased to £1,530. Because, as Mr Kay will tell you presently, by spending £1,500 now, a large saving will be effected in the future. He thinks that with £1,000 there could only be a kind of patched-up job, and the result will be continuous expenditure for the future. We have spent £120 in the last two years in patching up

this road. We really could not spend more; though, if we had had funds available, we should have immediately spent a large capital sum, to prevent this constant annual dribbling away of the Board's funds. The £120 spent has really done nothing but stave off the evil day for a matter of weeks or months. We are now faced with a very serious difficulty with regard to this road, and if the money is not expended, the road will disappear. If the road disappears, it will be a public calamity to the Isle of Man.

Mr A. Qualtrough seconded.

Walter R. Kay, Surveyor-General, was sworn.

The Vicar-General: You are Surveyor-General of Highways, and have carefully examined the retaining wall of this road, and the condition of the road, since the report was made to the Highway Board at their last meeting?

Witness: Yes.

The Vicar-General: Just describe what you found.

Witness: I found that, taking the length of the road wall from Strandhall to Port St. Mary boundary, there were perhaps a dozen portions with retaining walls built at different times, some by private owners and some by the Board. Other portions were just the earth and clay banks standing out from three or four to ten or fifteen or twenty feet from the south of the road wall. Gradually, each year, portions of this earth bank have been washed away, until the sea has got to the road wall, and during recent gales, a portion of the retaining wall has been broken into just about 200 yards from the bottom of Fisher's Hill. Then there are four or five other portions of the wall, built at different times, just as they gave way, in order to preserve the road, and what I suggest—

The Vicar-General: Part of the wall is gone, part of the roadway also?

Witness: Yes, the sea has come just into the roadway. There are three or four portions of the wall that have been built, one only 11 feet long, another 50 feet, another 180 feet, leaving parts of the clay bank open in between these isolated portions of wall. What I now suggest is that the intervening parts be now built up into a proper retaining wall, so that there will be no fear of the earth giving way there, and taking the road with it. Further along towards Port St. Mary, there are several

parts of the old wall that are giving way. The parts that were repaired a year or two ago are standing all right at present, and it is not proposed to do anything with those. But there are several parts of the wall built of stones placed vertically instead of on the flat, and these in two or three places are giving way. We propose to take out and reconstruct the walls that are in any way showing signs of giving way, and also in one or two places to underpin portions of the wall where the sea is getting in underneath.

The Clerk of the Rolls: These are places between the Kentraugh cottages and the foot of Fisher's Hill? They are not within the Port St. Mary boundary?

Witness: The Port St. Mary boundary is the roadway going up to four cottages close to the Brewery, just where the roads divide. The sea is encroaching on the strip of land adjoining the road, and that wall will before long need to be built up, but I haven't included anything for that portion at present. I have confined myself to between Strandhall and Kentraugh.

The Clerk of the Rolls: You don't propose any expenditure between the Shore Inn and the Brewery?

Witness: Except in one place, close to the Shore Inn, that place where I spoke of the stones being placed in vertically.

The Vicar-General: You have your estimate. Suppose you had only £1,000, you would have to do a certain amount of patch-work?

Witness: I should reduce the amount of new retaining wall, and spend part of the money in patching up. I don't think that that patching would be satisfactory. It would mean that some time in the comparatively near future, the work would come up again. Not only so, but some portions of the work would have to be left out altogether. The seaward side of the cliff is about six or eight feet away horizontally from the wall, and the sea in the course of a year or two will get in there, and the work will have to be done again. I think the more economical method would be to do the whole work at once.

The Receiver-General: What is the length of the retaining wall to be put in?

Witness: For the first part, 162 yards, and then there is one length of 100 yards or a little over, near Kentraugh farm.

The Receiver-General: What is the area of the damage?

Witness: About 250 or 260 yards, in small pieces.

Mr Southward: What is the average height?

Witness: From the foundation, from 12 to 16 feet.

The Clerk of the Rolls: It seems to be rather hurried that you should first of all ask for £1,000, and then go up to £1,530.

The Vicar-General: It was only at the last meeting of the Board that the report of the damage was made. Mr Kay had not then the opportunity of going carefully into the matter, but he has been three days down at the place since. When we came to his Excellency, we really had it ready in the roughest possible way.

Witness: That just referred to one part of the wall, and then I was instructed to examine the whole of the wall from one end to the other.

The Clerk of the Rolls: Was that after you found that his Excellency was so pliable. (Laughter.) You could spend £6,000 as easily as £1,500, I expect?

Witness: It was really, I think, because it was mentioned at the Board meeting that there were other portions of the wall that were not in a satisfactory condition, and it would be better if I went over the whole length, and saw what was needed.

Mr Cormode: Is it the practice of your Board to have work of this character done by the Board's own workmen, or by tender?

Witness: Both ways. Personally, if I could get the men, I would prefer doing the work myself. It is a question, too, of whether the Board would care to take the risk of the work.

The Clerk of the Rolls: What proportion of the roadway between Fisher's Hill and Kentraugh is already secured by a retaining wall, and how much greater length do you now propose to put in?

Witness: I should say that about a quarter of the length is already walled. It will be over half, at any rate, when this is done.

The Clerk of the Rolls: The remaining half of the roadway is very near to the shore, is it not?

Witness: It is fifteen or twenty feet away, I should think. I haven't considered it.

The Clerk of the Rolls: But you might be called upon in a short time to put in a retaining wall along the whole of it. The question, to my mind, is whether it would not be cheaper to remove the road further

inland. (Hear, hear.) As I remember, coming along the road, there is a considerable drop from the road to the shore, and a good deal of it is earth, perhaps with limestone at the bottom. I am not quite sure of that. I don't know whether it is possible to do so, but would it not be cheaper to put the road a little further back?

Witness: I don't think so. It would interfere with certain farm buildings, and there would be a considerable length of new road to be made.

Mr Garside: What is the actual distance?

Witness: Just over half a mile.

Mr Quine: Have you considered the feasibility of removing the road, as compared with the repairing of the wall?

Witness: I haven't gone into it. But you could not remove the road without expending a good many thousands of pounds.

Mr Quine: What amount of money will you require to spend on this road in future to make the whole of the wall permanent?

Witness: I haven't gone into it, but it would be very considerable. In some places the shore is some distance away from the road, and it is not likely for many years that the wall would fall in there.

Mr Quine: Have you any knowledge of how fast it is washing away at Kentraugh, where the old lime-kiln was?

Col. Moore: Part of that is a long way from the road.

Witness: There was a retaining wall there at one time, but I understand the stones have been taken away.

Mr Crennell: What is the nature of the shore?

Witness: The soil is a mixture of clay and marl, and the shore is shingle, and the rock comes out perhaps five or six feet below the shingle, close up to the wall.

The Clerk of the Rolls: Have you a plan of any other portion of the bay?

Witness: I have the ordnance map. (Produced.)

The Clerk of the Rolls: Have you a rock foundation?

Witness: Within four or five feet of the surface we have found rock, but I would not like to say that it extends for the whole length. I have not had time to make trial borings the whole length.

Col. Moore: I think it does.

The Governor: You think that if this

work is done, no further repairs will be required for a considerable time?

Witness: Yes.

Mr Kermode: Where do you propose to get the stone from?

Witness: From the quarry, and there are large sections of gravel on the shore near by.

Mr Kermode: Don't you think it would harm the beach to take that gravel away?

Witness: Not at that place.

Mr Kermode: Are you aware that a lot of damage has been done by taking gravel off the shore, in the immediate vicinity?

Witness: There are some places where damage has been done.

Capt. Moughtin: That is what has been done in Peel, taking stones from the shore adjacent to the place where building was being done.

The Clerk of the Rolls: But those are details which the Highway Board could consider. There are places in this neighbourhood where the Highway Board are prevented by injunction from taking gravel off the shore.

Mr Crennell: Was this damage done to the roadway where there was a wall?

Witness: No. There was a small road wall about 3 feet 6 inches or four feet high on the top of the earth bank. The earth bank was gradually getting eaten away, and the road wall was being carried with it.

Mr Crennell: You say that part of the old wall is being taken away. Is it because of the battering of the sea, or because it was being undermined?

Witness: Both reasons.

Mr Crennell: Won't that happen again? The sea, when it strikes the bank, scoops out from underneath the wall. Won't you get the sea below your foundations again?

Col. Moore: There is rock below.

Witness: I don't say that in every case we shall get down to the rock, but perhaps 30 or 40 or 50 feet away from the south of the wall, the rock outcrops on the shore.

Mr Crennell: Then you have the wall being battered down. Have you considered the practicability of adopting such a scheme as is adopted in front of the Promenade at Peel placing solid boulders in front of the wall to protect it? You can never have any undermining if you do that, and you need have no sea wall on the earth.

Witness: You need a wall there to hold the road up.

Mr Crennell: Yes, a small wall, but not a sea wall.

Witness: At Peel, the stone was close at hand, and it was comparatively easy to place it in the position required.

Mr Crennell: That is so.

Witness: It would be very difficult to get stone for the wall here.

Mr Crennell: You said there was a quarry close at hand.

Witness: We were stopped from using it.

The Clerk of the Rolls: A great deal of the Gawue property is supported by a retaining wall, and it has stood very well?

Witness: Yes.

Mr Crennell: There was a wall put up, apparently, a few years ago, and it is giving way now. This is a very large sum of money for a purpose like this; I feel very doubtful about it.

The Clerk of the Rolls: I was thinking about moving for the appointment of a committee.

Mr Crennell: So was I.

Mr W. Christian: The wall that was built recently stands good still?

Witness: Yes.

Mr W. Christian: But the portions now in question were built 40 or 50 years ago?

Witness: The walls that have given way are shown on the ordnance map drawn up between 1865 and 1868.

Mr Cormode: Don't you think we could remedy the whole thing by putting in a culvert? (Loud laughter.)

Mr W. F. Cowell: Your Excellency, I beg leave to move that a committee be appointed from this Court, along with Mr Blaker, the Harbour Commissioners' engineer, to go into this matter. I think £1,500 is a tremendous amount of money for the amount of work done. I know and feel sure that this £1,500 could be spent to advantage. I have no objection to the Highway Board, but seeing that it is an encroachment of the sea, I feel sure that the best thing to do is to appoint a committee, including Mr Blaker, who could give practical advice on the matter.

Mr T. H. Cormode: Had we not better adjourn now? (Laughter.)

His Excellency: Suppose we adjourn to 2.40—that will give us an hour and a half?

The Court then rose.

On resuming after lunch,

Col. Moore said: There is no doubt about the danger of this place, and as it is the most important thoroughfare between Castletown and Port St. Mary and Port Erin, the work of repairing will have to be done at once. (Hear, hear.) As to the question of cost, I do not understand that, but as to the forming of a committee, I think it is a complete mistake. The Highway Board can superintend the work as good as any committee that this Court may appoint. The Board are quite equal to this work, which must be done. The work that is to be done has not been expended upon before. The previous amounts expended were not on this portion of the wall. This place has not given way before. I think the Court will be doing the right thing if they allow the present Highway Board to do the work.

Mr Carine: My remarks will be principally confined to the price, £1,500. I have not quite grasped how this work is to be superintended and the extent of the work to be done. What I do object to is the method of payment with regard to this work. The usual system for the payment of works is by borrowing the sum required, and repayment to be made so as to cover a number of years. The Highway Board is exceptionally well favoured. One cannot remember in regard to the Highway Board that grants have been made by the Court under this system. With regard to the system, I think that it is high time that the Act giving power to such bodies should be amended. I think that the system of the Highway Board, from their recent committee reports, are not at all fair to the other Boards. I draw attention to one of their reports, which reads: "The Board has not at present sufficient income for the proper maintenance of highroads." They have many exceptional payments. I submit that the Highway Board should borrow the money for such extraordinary expenditure: and that it should be repayable in a certain number of years out of the rate.

The Vicar-General: We cannot increase our rate.

Mr Carine: You can borrow the money.

Mr J. Qualtrough: I don't support this proposal. I don't see the necessity for a Committee. There are sometimes circumstances which almost enforce this Court to adopt such attitudes. They, for instance, when schemes are presented, refer the matter to a Committee of the Court, who report on the scheme. In this scheme it cannot be so. If we delay the matter the breach will possibly become larger, more

damage will be done, and more money than the present scheme asks for will be demanded. It only requires an inshore wind and a high tide, and I fear that the road will crumble away. This matter has been rushed upon the Board, no doubt, and perhaps they have not had full time to consider how far they should repair this road. That is a matter which will come up in detail as time goes on, and providing that the road is not in the immediate danger of being swept away. There are, of course, coast erosions going on in various places, and the Highway Board deem it necessary that the whole matter should be gone into, so as to prevent further damage. There are only two proposals, and that is not referring the question to a Committee of this Court, but that we repair this road or purchase land inland and make a new road. I am satisfied that this will not be the cheapest. You will have to purchase farm buildings, good arable land, and still fortify the coast against the encroaching of the sea. Besides, it would cost considerably more to fill in this new road than to repair the old road. I think some member of the Court asked Mr Kay if the work could not be done by tender or contract. I have some little knowledge about this kind of work. I am satisfied that the Highway Board is the proper body to do this work. I know the overseer of Rushen. I am satisfied that, along with the supervision of the Surveyor-General (Mr Kay), the work could be more cheaply done than by tender. Then, your Excellency, the work that has already been done is not the work that is now damaged. Perhaps some of the members will remember that the money spent many years ago was spent on the east end of the road—that is to the east of the Strandhall Farm. It was then considered to be a tremendous amount. The work was done by the Highway Board, and is new, that work is a permanent work, an everlasting work. I am sure it is a credit to the men and to the Rushen Overseer, who made it. It is in the west that the present breach has been formed. The erosion has been going on there winter after winter until the road itself has given way. I hope the Court will take the wise step. I am satisfied that the only proposal that a Committee can consider is—whether it is worth saving the old road, or making a new road. To spend this £1,500 on the present road is by far the cheapest and the best. The road is there, it is well formed, and coated with good metal. If you went to

make the new road, it would nearly cost that amount to purchase the ground for the new road.

The Vicar-General: Oh! much more than that.

Mr J. Qualtrough: At any rate it would be futile to refer the matter to a Committee. I am not against a Committee, but I am arguing the point which is the best course to take. I have not gone into the matter, but I am satisfied that the repairing of the sea wall is the best way. (Hear, hear.) The work will not be in unwise hands. It will be controlled by the Surveyor-General of the Board. I want to point out that it is a question of saving time, for further damage may be done at any moment. It will be wise to commence at once, and I hope the Court will decide to do so at once.

Mr Radcliffe: I have listened to the remarks of the hon. member for North Douglas and the hon. member for Rushen. They are both practical men, and have an understanding of this kind of work. I don't think there is a roadway more used in the summer time by our visitors than this roadway. We are asked would it not be better to build a new road? We would pay more to purchase the ground, without speaking of the roadway at all, than it would cost to patch up the present road and make it efficient and in order. It is, of course, advisable that the work should be done at once. Another storm, and possibly the whole road will be gone, and then, instead of £1,500, it would cost three times that amount. The money at this time will be well spent. At the present time many men are out of work, especially men engaged in this particular line of trade. Quite a number of masons are out of work who have families to provide for. I think we could not do better, in a matter of this sort, than grant the money asked for. To appoint a Committee would be delaying the matter, and that Committee would have to report. We want to strike while the iron is hot. (Laughter.) The Highway Board will make a good job of it.

Mr Quine: I take it that it is important that this road should be there. It is one of the main routes to the south. There are only two main roads, and the traps, carriages, etc., invariably go without exception by way of Ballabeg, Colby, to Port St. Mary and Port Erin, and return by the road spoken of to Castletown. If they had to return by the Ballabeg road it would

add several miles to their journey. Therefore, the road is necessary. The question, to my mind, is whether we can get to the rock to make this a lasting job. I know this place perfectly. There is no shore, and the sea is encroaching. It is certain that something will have to be done. The quantity of gravel that is being taken off the beach may have something to do with that. In former years the Castletown shore, the Port St. Mary shore, and the Port Erin shore were open to carting, and, as a consequence, the quantity taken off this beach was comparatively small. But now that the beaches that I have named are protected, there has been an invasion of carts. There is a great quantity of sand being moved, and I don't think it is taken from 50 feet outside the high water mark. The gravel is being taken away. One knows that this road or sea wall is protected by gravel and sand. From time to time I have noticed carts on the beach, and if they were outside the 50 yards stipulated, they were running very close to it. I don't think they were 50 yards out.

The Vicar-General: Is there not an injunction?

Mr Quine: I think there is an injunction that nothing shall be taken inside the 50 yards high watermark, and I believe it has been broken all the time. I think this is one of the chief causes. The same thing applies to the shore at Derbyhaven.

Col. Moore: They don't get much from Derbyhaven now.

Mr Quine: It used to be so. I don't see any objection to a Committee being appointed. They could consider the alternate schemes. At any rate, if this road is repaired, I am compelled to say that I do not think that it will be the last expenditure. There has been considerable encroaching at the Lime Kilns even within my memory. It is to the west of Strand-hall that the encroaching has been lately. As to the borrowing of the money, I think it is a good idea. I have said before that it is absolutely necessary that we should keep our main roads in thorough repair; but if there is not enough money to meet the expenditure, I do not think that the by-roads should be neglected. The main roads are much better than they used to be—all credit to the Board. In the past, during frosty weather, it was not unusual for a cart to break a hole in the road. If we want independent roads we must repair them. We cannot let them fall away.

Mr. Crennell: It is a very important matter to rush into. It may be adequate, or it may be inadequate. It may prove satisfactory, or it may prove unsatisfactory. The first thing that strikes me is that the sea is the primary question. It is a question of preservation from the sea, which is much more a Harbour Board question, and I think there is no reflection on the Surveyor-General or the Highway Board, in the suggestion that a committee, along with Mr. Blaker, go into the matter. It is not a question of delay. It is a question of which is the best to do. I support the amendment moved by the hon. member for Middle, that the matter be referred to a committee. It is of great importance that this wall should be adequately and permanently protected from further ravage. We can sanction temporary repairs—sandbags, for instance, which would prevent further damage for the time being, until the work is properly done.

The Clerk of the Rolls: I am not against the committee. I would like to point out that it is not a question of labour. If any question arises it is, how is the labour to be paid? I should like to ask your Excellency will our Accumulated Funds stand this? We have to consider the question, is it advisable to spend the money unless it is really necessary? I am quite sure that your Excellency cannot tell us that we have sufficient in our Accumulated Fund. We do not really know our position. We have had a bad summer. The amount of the claims upon this fund is exceedingly large. Of course, no grant can be made out of the Accumulated Fund without the consent of Tynwald. The fund must be low, and I think the time is not far distant when we shall have to consider the question of increased taxation. After this war, money will be dear for a time, so that we had better consider carefully the matter of going into any unnecessary expenditure. I am perfectly satisfied that we could solve this question in some way so as to protect this roadway from further breaching. The main question is one of principle. I think that the Highway Board should try to raise the money themselves. I don't think this is a time to spend money unnecessarily. I shall not vote for the referring of the matter to a committee, as I am satisfied that temporary work is necessary. The question of a new road is a matter which wants seeing into. I am convinced that

it would be cheaper to protect the present road. What I do feel sure about is that we have not got £1,500 to spare at this particular moment, and I am quite certain that none of us can tell what the next twelve months will bring. If it is a bad season we shall have nothing in the Reserve Fund to meet more urgent demands. (Hear, hear).

Mr. Cormode: We had a somewhat similar question before us a few years ago, when Hango Hill was in danger of being undermined. It was recognised then that if Hango Hill went the highroad would go next, and that was a matter which concerned the Highway Board. But an arrangement was made that the Harbour Engineer should take the matter in hand, and the work was carried out by Mr. Blaker very satisfactorily. I would like to emphasise the point made by the hon. member for Middle, that the advice of Mr. Blaker would be valuable, that the taking of it would not be any reflection on Mr. Kay, and that advice should be sought in this matter. As several members of the Court have pointed out, this is more a matter for a harbour engineer than for a surveyor. I sympathise very largely with the remarks of the Clerk of the Rolls, but he has not proposed a way out.

The Clerk of the Rolls: I suggested I would support temporary repairs.

Mr. Cormode: There is no proposal of that sort before the House.

The Clerk of the Rolls: It will be later on, if the report of the Committee is lost.

Mr. Cormode: We might refer it back to the Highway Board. I am not binding myself to go for a committee under the circumstances. I am not satisfied they could get any advice which the Highway Board could not get. They have not had time apparently to get advice; they have come to us in a rough and ready way. They asked, in the first instance, for £1,000; then they sprang up to £1,500. I think there is a great deal in what the hon. member for Ramsey has said, that we might take some temporary measures, and afterwards go into it more thoroughly. I would like to know if—at all events, till the war is over—we could not do something with half the amount. We shall have to do something; we cannot allow the road to be swept away, and it is a waste of time talking about making a new road.

Mr. W. Christian: Some members have

said it is more a matter for the Harbour Commissioners than for the Highway Board. As far as I am concerned, as a member of the Highway Board, if the Harbour Board choose to do the work, they are welcome to do it, and to find the money out of the revenue. But this is really not a question of the maintenance of the roads of the Isle of Man at all. It is a case where the sea is breaking in, and washing away the lands outside the road. Some members seem to think that there has been a wall here before. In one part, where the damage has taken place, there has never been a wall, and in some places there is a temporary wall, not sufficient to maintain the road from the force of the sea. The part we did some years ago is standing well, and what we want to do now is to raise money so that this road can be put in a safe condition, and so that there can be no further sea coming in and doing damage. It is supposed by a lot of people that the lengthening of the breakwater has altered the current, as in Peel, that the gravel and sand are shifted from one part to another. Whether that is so, I cannot say. There are others who have better knowledge than I have. We may appoint a committee; but if we have one or two storms in the meantime, the cost of doing the work may be two or three times as much as it is now. Supposing the roadway is dug into, and we have to form a piece of road as well as protect the hedge, the cost will be greatly increased. Mr Kay said the temporary work had been a partial failure, and if we do the same thing again we shall throw the money away. Let us do something which will be permanent, and which will stand the storm. We should not throw away £50 or £60 this year, and the same next year. I have seen that kind of thing done with old houses—making temporary repairs—when it would have been far cheaper to have pulled the whole thing down.

Mr R. Lucas: I do not think this Court should hesitate for a moment in granting this thousand pounds to carry out this work, which is an absolute necessity. Considering the damage that is already done, if the matter is hung up, a great deal more damage will undoubtedly be done, and I think it is the duty of this Court to grant the money to do the work. There is another point about it. This money will be found exceedingly useful

to working men in this Island. I presume it will provide work for a good many men for a long time, and for that reason alone the Court should grant this application to-day. I support the motion all I know.

Mr Southward: Complaint has been made by various members of the Court that this matter has been rushed. As a member of the Highway Board, I may say that it has been rushed upon the Board, because this damage has recently taken place, at the spot indicated on the plan by the Surveyor-General. It is necessary at once to deal with the matter, in order to prevent further damage at the present time or during the storms which are certain to occur before the winter is passed. Objection has been taken on the ground that it is not the province of this Court to provide work for working men, but if, by dealing with damage of this sort, the Highway Board or any other Board can provide work for the working men, I think it would be a splendid idea. (Hear, hear). I think it was the hon. member for Rushen, Mr Quine, who has pointed out that in years to come it will be possible for the Highway Board to maintain the highways at less cost than they have recently had to expend upon them. I do not think so, because, in the first instance, labour is much more expensive now than it was a few years ago, and, besides that, the traffic on the main roads is much heavier than it was in former years; consequently the surface of the road is cut up and damaged, and costs more to maintain than it did a few years ago. There is no question that in this case there is damage, and the question seems to be whether we should expend upon repairs £750, or £1,000, or £1,500. It has been pointed out by the Surveyor-General that, by spending a lesser sum than £500, we should simply be dealing with the question for the time being, and in the future it would be necessary to spend a larger sum than that, in order to protect the coast at that point. Now, as has been pointed out, the Highway Board have no money to expend upon such works, and I believe that some years ago grants were made from Insular funds to some similar things. I do not see why members of the Court should hesitate for one moment in voting £1,500 in order to deal with this matter effectively. I appeal to the Court to vote this grant unanimously.

Capt. Moughtin: I am not altogether able to understand why the Highway Board, in an emergency of this sort, did not spend the money and tell the Court they had done it. (Laughter). That is what the Harbour Board did the other day; they first spend the money, and then tell us they did it.

The Receiver-General: We have not done it; the work remains to be done.

Capt. Moughtin: That is not the fact. They have men over there. I heard the Receiver-General talking about the work.

The Receiver-General: That is paid for out of funds that we had.

Capt. Moughtin: In the one case the vote is passed without a dissentient voice, and in the other case we spend an hour arguing whether we should fight the sea or let the sea take the road. Yet, surely the connection with St. Patrick's Island is not so important as communication with Port St. Mary and Port Erin. Another gale of wind may get half-way across that road, and yet we are told that a committee is to survey it. Can you give us a guarantee that it won't be swept away by gales in the meantime?

The Clerk of the Rolls: When was the damage caused?

Capt. Moughtin: We have not been told that, but so long as people are allowed to remove shingle off the foreshore so long shall we have plenty of trouble of this sort. The beach does not grow there. The sea does not send the shingle in; it takes it away in the form of sand. The bottom of the ocean is sand and silt, not shingle, and the only stones that come in from the sea are stones that may be floated up by sea weed. The beach will get worse as time goes on, and the question is, will you deal with the small damage already done, or will you let the road go? I support the Clerk of the Rolls in his suggestion to get temporary repairs made, and husband our resources a little to see how we stand. I know that when we come here by-and-bye with proposals of taxation, it will be very hard to convince the Court that taxation is necessary. (Hear, hear, and laughter.)

The Clerk of the Rolls: It all depends on whom you tax.

Capt. Moughtin: It will be like sending people to the front; you always want to send the other fellow.

The Clerk of the Rolls: You can always tax a minority.

Capt. Moughtin: If anything can be spent upon that road to keep it until we see daylight, I shall support doing what is necessary. I think a great deal more has been made of the labour question than there is any need for. We have had missionaries over here from across the water looking for workmen and they cannot get them. Any man can earn 10s a day at the Liverpool docks at the present time. ("Question!") The complaint there is that men will only work about four days a week. Instead of the Isle of Man being overwhelmed with unused labour, we can hardly get the necessary work done around the docks at Douglas. There is a far greater danger of a shortage of labour than of anything else. The Town Council tried the other day to make out a case of unemployment, and all the unemployed they could find to register was 15, and it strikes me that the half of those were unemployable. (Laughter). That unemployment does not exist, and we don't want to take all the labour out of Douglas; the south-side people can take that job on all on their own, and leave the labour with us that we require.

Mr Curphey: If you do appoint a committee, is it because you have not confidence in the Highway Board, or because there are some members of this Court who think themselves of so much importance that they must be on every committee? (Laughter.)

Mr Cowell: I will give an explanation of that. My reason is simply because the Highway Board has never yet viewed the damage done.

Mr Curphey: I am going to support the Highway Board, and I do not see the sense of appointing a committee, because they have the thing already in hand.

Mr Crennell: We propose to refer it back to them; That means to take further advice.

Mr Curphey: Surely we don't need to do that. We have the information in hand. We have gone into it as far as we can. We only got notice last Wednesday.

Mr Crennell: I want you to go more into it.

Mr Curphey: I am not sure that I shall not support the Clerk of the Rolls' suggestion that it be £700. (Laughter). I should like to get out of spending £1,500 if we can. I think the Highway Board are the people to do the work, and if they are not to be trusted, let us vote them out and put others in.

The Vicar-General: In reply to the ob-

servations which have fallen from hon. members, of course, we very much regret having rather rushed this matter on the Court. The report as to the damage only reached us on Wednesday last—that is at the last meeting of the Board, after this date had been fixed by his Excellency for the Tynwald Court. Of course, it was manifest to the Board that this work would have to be taken in hand. Nothing turns on us rushing down there to look at it. We have stopped to look at the wall there dozens of times, and the description given us made the matter as clear as if we had gaped at the hole for an hour. We have seen similar holes again and again, and it requires no great effort of the imagination to project our minds down there and realise the damage reported to us. Any experience of the work of the Board will show how utterly fatuous it would be for the Board to rush down in every case and look at what is described. The Board have experience, and can realise from the report what has occurred, and what will necessarily be required to remedy it. At the same time, I do regret that we should first record an estimate of £1,000, and, at the last moment, ask for £1,500. But, really, the point was this. Mr Kay, from what was reported by the local surveyor, and his experience of the locality, was asked to give a rough estimate there and then of what it would cost. Afterwards, on a careful examination, Mr Kay found that if it was done well and economically, and to give a good job, then £1,500 is the sum it would be desirable to spend. With regard to other matters which have arisen, I could not help being impressed and sympathising with the benevolent wish expressed by the hon. member for North Douglas, Mr Carine. I entirely agree with him that the time has come to consider as to whether it is not desirable to allow the Highway Board to estimate its expenditure and levy its rate to meet that expenditure. But it has not been done up to now; and I have no reason to hope that such a state of affairs will come into force in the near future. At all events, we have to deal with facts as they are, and not as they might be, or as they ought to be. The facts as they are, put us exactly in a line with the Harbour Board. There is not the slightest distinction to be drawn between the position of the Harbour Board and the position of the Highway Board. What the Clerk of the Rolls meant in that connection I cannot conjecture. He said that he was quite prepared when the Harbour Board came for grants for the public

service to deal with them. Why is the Harbour Board to be treated differently to the Highway Board? The highways of the Island are of as great or greater importance than the harbours of the Island. I would never yield to the argument that the highways should have to take second place, and I see no sense in it. They are both of vital importance to the Island. The work done by both Boards is work done in public service so far as I can see, and I fail to see that there is any distinction to be drawn between them. Nor is there any distinction as far as the revenues of the two Boards are concerned. They are both inelastic. So long as the Highway Board is restricted to levying a rate of 3d in the £, its revenue is inelastic, and the Board must from time to time, when extraordinary demands are made upon it, resort to the public revenue of the Island, exactly as the Harbour Board has always done. But the Court has been so accustomed to the Harbour Board coming as a matter of right and demanding moneys from the public revenue that it has come to look upon it as a matter of course; whereas the Highway Board—which has always been a magnificently managed Board—not having fallen into the habit of coming to beg of this Court, is looked upon as an intruder and interloper, when it comes in dire necessity for a small loan. No conceivable reason can be adduced why the Highway Board should not come and ask for money from this Court, as the Harbour Board has constantly done. The Highway Board has as much right—if any right at all exists—to come to this Court for funds as the Harbour Board has. It has been suggested by the honourable member for Ramsey that this is largely a sea work, and that he would like the opinion of a sea engineer on the matter. The Highway Board, I included, have the completest confidence in Mr Kay, but we know that Mr Kay is not unduly or foolishly sensitive, and now I openly offer, on behalf of the Board, not to do any work at all in the direction of expending any money the Court grant us, without Mr Blaker consulting with Mr Kay, and their both agreeing with what is to be done. I feel sure the Harbour Board will not place any obstacle in the way of Mr Blaker advising us in this way. I cannot see what conceivable object there is in appointing a Committee, except to cause delay. Since the report has been made to us, we have given all the consideration that can usefully be given to the subject. It is not a ques-

tion of an alternative scheme. It is perfectly clear the work must be put in hand—otherwise a most disastrous state of affairs will occur in the future. No evidence could alter that view; therefore, I see no utility in the Committee. With regard to the suggestion that we should be given a more restricted sum, I cannot see any use in that either. I think the Court will be sufficiently guarded by the offer I make, that no money is to be spent unless Mr Blaker and Mr Kay consider it necessary. I move the resolution, and I shall vote against the amendment.

The Governor: Perhaps I might say one word before this is put to the vote. I think the Vicar-General, in a very clear speech, has made the points clear to us, but I might say one word with regard to finance. The Clerk of the Rolls has asked me to say when this war is going to be over, and how much it is going to cost us. An old saying is, you ought never to prophesy unless you know. I do not know; therefore I won't prophesy. The Clerk of the Rolls also suggests that the money ought to be borrowed. With regard to that, I would only point out what we all know—that the Highway Board practically spends up to its last penny, and even the £60 a year or more that it would have to pay for the use of borrowed money would be a very considerable drain upon its resources. When you spend a hundred per cent. of your income, a very small additional expenditure puts you on the wrong side. Now, we have £1,500 in the Accumulated Fund. I am not prepared at this moment to give an exact account to the Court as to how that fund stands, but we have a considerable sum of money there. If we are going to be ruined at the end of the war, lock, stock, and barrel, a matter of £1,500 will not make much difference to us one way or the other. (Laughter.) That is how I look at it at the moment. The question here concerns one of the most important roads in the Island. Are we going to allow it to go, or are we not?

The Clerk of the Rolls: I move that £800 be granted, instead of the £1,500 asked for. The money is not going to be spent for some months, and if the Board find that it is not sufficient, they can apply to the Court for funds to finish the work. I do not wish for one moment to hinder the work of the Highway Board, but I do wish that every economy should be used with our revenue at the present

crisis. What sort of a revenue will we have next year if there is no season? The volunteers are costing us £30,000 or £40,000, and we have voted, very properly, £10,000 for war purposes, and if we have any more money to spend we ought to spend it on strictly war purposes. We have no right, in order to provide work for people, to spend money that is not necessary. I am surprised at the attitude of the Vicar-General, who thinks that they are entitled to money from the Accumulated Fund. They are in exactly the same position as a local authority.

The Vicar-General: Our funds are unelastic, and a local authority has unlimited powers of rating.

The Clerk of the Rolls: Yours would be if the Court would give you power to levy a rate. I have refrained from criticising the work of the Highway Board, but money has been spent here and there which need not have been spent, but they are in the same position as a local authority; they must levy a rate or not spend the money. Because their rate is limited, they seem to think that they can come to this Court and get what money they want. Suppose a local authority did the same thing. I do not think that the Highway Board is in any better position than a local authority. Let us be fair all round to the towns as well as the country. The Harbour Commissioners are in an entirely different position. They have no revenue except the harbour dues, and except what is voted from the revenue for harbour purposes. If the Vicar-General is satisfied with £800, it will not prevent them applying again if more is required.

Col. Moore: I beg to second the amendment.

The Vicar-General: Let me say that I will be quite satisfied with £800 to carry out the absolutely necessary work at once, on condition that if Mr Blaker and the Surveyor-General find that it is necessary to spend the whole sum, then we will not be precluded from applying to the Court.

The Clerk of the Rolls: Nothing can preclude you.

The Vicar-General: If it is found that the money is wanted, it is understood our case is not prejudiced by accepting this money.

Mr Joseph Quaitrough: I cannot understand why the Clerk of the Rolls wishes to curtail this work in this way. He talks about cutting your suit according to your

cloth, but it is rather late to do that when there have been so many votes passed by this Court which could have been reduced more than the one before the Court—

The Clerk of the Rolls: I understand the Chairman of the Highway Board accepts the amendment, so that it is no use discussing it further.

Mr Crannell: I hope that the work will not be patch-work

The Receiver-General: The work will be done thoroughly as far as the £800 will go. There will be no patch-work.

Mr Radcliffe: The hon. member for Ramsey asks, will the work be thoroughly done? Have the Highway Board in the past been in the habit of skimping their work?

Mr Garside: Do I understand that you will spend the £1,500, and then come to the Court to vote you the money?

Mr Cormode: Only the £800 will be spent. It is perfectly clear.

Mr Garside: I understood that it is one complete work. Are you going to spend the £800 on the work that is absolutely necessary now, and then come to the Court for the remainder of the money? You are not going to come after the work is complete?

The Vicar-General: Any work that is done will be done thoroughly, but only up to the £800.

The amendment that £800 be voted was carried, after a division. Messrs Ambrose Qualtrough and Joseph Qualtrough only voting against.

AUDITORS' SURCHARGES.

The Speaker moved:—

That the sums, as under, disallowed by the auditors in the accounts of the Asylums Board and the Board of Guardians of the Poor specified be hereby allowed:—

Asylums Board, Lunatic Asylum Account.—9s. bank interest, being 6s 2d for the year ended 31st March, 1913, and 3s 10d for the year ended 31st March, 1914.

Asylums Board, Poor Rate Account.—4s 8d. bank interest, being 3s 5d for the year ended 31st March, 1913, and 1s 3d for the year ended 31st March, 1914.

Asylums Board, Home for the Poor Account.—£15 1s 4d. bank interest, being £4 17s 7d for the year ended 31st March, 1913, and £10 3s 9d for the year ended 31st March, 1914.

Asylums Board, Lunatic Asylum Account.—£18 14s 11d. being £3 7s 2d for the year ended 31st March, 1913, and £10 7s 9d for the year ended 31st March, 1914, payments to the Douglas Board of Guardians for expenses of removal without order of Court of persons having no settlement on the Island.

Douglas Board of Guardians.—£1 13s 3d. bank interest for the year ended 31st March, 1913.

Lonan Board of Guardians.—£8 12s 6d. bank

interest, being £5 0s 3d for the year ended 31st March, 1913, and £3 12s 3d for the year ended 31st March, 1914.

Patrick Board of Guardians.—£2 17s 5d. bank interest, being £1 7s 2d for the year ended 31st March, 1913, and £1 1s 6d for the year ended 31st March, 1914.

Rushen Board of Guardians.—£5 6s 6d. bank interest, being £4 11s 6d for the year ended 31st March, 1913, and 15s for the year ended 31st March, 1914.

Braddan Board of Guardians.—£3 15s 10d. bank interest, being £3 7s 3d for the year ended 31st March, 1913, and 8s 7d for the year ended 31st March, 1914.

Malaw Board of Guardians.—£1 18s 1d. bank interest, being 11s 7d for the year ended 31st March, 1913, and £1 6s 6d for the year ended 31st March, 1914.

Jurby Board of Guardians.—£1 13s 8d. bank interest, for the year ended 31st March, 1914.

The Speaker added: With regard to the Lunatic Asylum account, there was at the end of the year a credit balance of bank interest of £22 13s, but for two or three days the account happened to be overdrawn, and two sums of 5s 2d and 3s 10d were charged as interest. It speaks well for the exactitude of the audit that, to find this out, they had to strike daily balances for the whole of the year, so that they had a great deal of trouble for very little result. With regard to the Poor Rate the same thing occurred. On that account the Board received bank interest amounting to £4 2s 9d, and had a cash balance of £4 12s, but every little detail was examined with microscopical care, and the auditors found interest charged for two or three days. As to the Home for the Poor, we have there no working capital, and some of the Boards of Guardians happen not to have paid the money when it was due, and there happened to be a small overdraft. The next is £15 14s 11d, payments made to the Douglas Board of Guardians for expenses of removal, without order of the Court, of persons having no settlement in the Island. In the Poor Relief Act, 1900, it is provided that persons can be removed from the Island whose settlements are not in the Island, under an order made by the Court. There are a great number of cases of settlement, and it has been the practice to send the people to the Home for the Poor till the matter is inquired into by the Court. By arrangement with the Board of Guardians, it was decided that a number of these people, with their own consent, could be sent off the Island direct, without any Court order. It may interest the Court to know that in the two years 145 persons were so removed. Under this system, the

cost of the removals is 2s 7d each person, against £1 13s 3d each which it cost to remove 31 persons by order of the Court. It was 2s 7d against £1 13s 3d in our favour; but the auditors think that our course is against the Act, but the Board felt justified in taking the economical course.

The Vicar-General: It is not opposed to the Act, but there is no authority for it.

The Speaker: Yes. In the cases of the Guardians of Douglas, Lonan, Patrick, Rushen, Braddan, Malew, and Jurby, they all had small overdrafts, for which bank interest was charged; but I think in only one case, that of Jurby, was there an adverse balance at the end of the year. The Court will remember that last May the question of these surcharges was referred to a Committee of the Local Government Board. That Committee have reported to-day, and recommend that these amounts be allowed. I beg to move that they be allowed.

Mr J. R. Kerruish: I beg to second that

Mr J. Qualtrough: The present system of money raised by rate being paid into the hands of the Asylum Board is a very cumbersome means of doing the work. Each rate collector sends the sums he collects to the Asylum Board, and he is quite out of control of the Boards, and very much depends on the alertness of the collector as to whether the Board gets the money in time. If the rate collector was under the control of the Board, they could jog him, and get the money in sooner. I hope that some day the law will be altered, and each rate collector placed under the control of the local Boards. By that means, when the Boards find that the rate is not coming in, they may require him to get it in. If the collector is dilatory, the Board is short of funds. I can give a case in point. I have been a member of the Board of Guardians of Castletown for a good many years. The rate collector we have there is the most regular on the Island, so that we are never short of money. I hope that the time will come when the rate collectors will be placed under the control of the Boards.

The Speaker: I don't agree with that. I think that the Asylum Board can bring more pressure to bear than if the rate collectors were the servants of the Guardians. We all know what these local Boards are. The work is done very well by the collectors. It is also cheaper under the present system.

• The motion was carried.

EXTERMINATION OF RATS.

Col. Moore moved:—

That the Treasurer of the Isle of Man be authorized to apply, from the general revenue of the Isle of Man, a sum not exceeding £100, to enable the Local Government Board to take such steps as they may deem advisable for the extermination of rats.

He said: I have heard some remarks made here to-day, to raise a smile, which the rats would have been very pleased to hear if they could have understood. It is, however, a matter of some importance, because if we get plague, it will be quite as bad for the Isle of Man as the war, if not worse. This question of the extermination of rats has been gone into in several districts of England with complete success. I need not make a long speech, but would instance what took place in Suffolk, and if it pleases the Court to vote this money to-day, we could carry the same thing out here. There is no doubt that, apart from the question of disease, the rats do a considerable amount of damage. I know of a case of a large stable where disease broke out among the horses, and some of the rats were caught with the same disease, and the veterinary-surgeon was of the opinion that there was a distinct connection between them. I would like to remind the Court of what Dr. Marshall said when this matter was before us. The hon. members said it is not the rats, but the company they keep that we are afraid of. These are not pleasant things to talk about but we are reminded of the old rhyme:—

Big fleas have little fleas
Upon their back to bite 'em;
And little fleas have lesser fleas,
And so on infinitum.

It is these lesser fleas, these horrible microbes of plague that we are afraid of. It is these little fleas that do the damage. I know that when I was in Capetown it was alleged that it was the rats that spread the plague. I was talking to a member of the Local Government Board the other day, and the question arose as to how best to exterminate them. I know of a person who brought over a rat-catcher from England, and got the rats cleared out of her place, but it is little use doing that, as other rats can come in from outside. It can be done, and I have the name of a firm who are willing to send an expert to the Island, who will place their services at the call of the Board, and if they are given two or three men they will superintend the work. I move the motion that stands in my name. I believe that the Local Government Board

are the proper people to take charge of the work, and, if the work is done, it will result in great benefit to our Island.

Capt. Moughtin: I beg to second the motion. I was just thinking while the hon. member was speaking, why not turn some of these German prisoners into the rat-catching business. The work might do some of them good. I think, personally, that if we could exterminate the rats for the nominal sum of money asked for that purpose, it would be a very good thing for the Island. We know the amount of damage they do, and I should think that the proposal would appeal very strongly to the farming community. We know that it is the practice when they are thrashing to gather all the dogs in the neighbourhood to get the rats when they pull the stacks down, and we know the damage that the rats must do. From a health, and from a financial standpoint, it would be a good thing.

Mr Walton: I support the motion. For my part, I believe that it is quite possible to exterminate the rats. In my own place they became so bold that they would walk into the room at meal times and sit and look at us. I spent a lot of money on phosphate paste, but it was of no use, but I got some virus, and there has not been a rat in the place for six or seven months. Speaking about the Germans in the Camp. I have been there many times on sentry go, and I have spent the time watching the rats. (Laughter). On one side of the bottom end of the top camp, in one night, I counted 50 or 60 rats going up and down the drain there. I don't say they were all different rats, the same one might have passed two or three times. I believe that they do bring diseases along, and, at any rate, this will be something for the Local Government Board to do as an experiment.

Mr Crennell: The hon. member appeals to us to exterminate the rats, and if it could be done for £100, or for £200, or £300, it would be a fine thing for the Island, but the Local Government Board have not the smallest idea of how to go about it. I think that your Excellency should let us know what sum will be required for the work. The Local Government Board have not asked for this, and they have not the least idea how to do it. I cannot support the motion till the Local Government Board report to the Court that they have considered the matter, and have some scheme. Till that is done, I feel compelled to vote against it.

The Vicar-General: I have no doubt whatever that there is a great prevalence of rats in the Isle of Man, but, at the same time, the member for Gauff knows that his instructions as a member of the Loyal Manx Association, when he is on sentry-go at the Camp, are to look to his front, and it was a great dereliction of duty for him to have kept looking behind at the rats. Speaking as a member of the Local Government Board, I may say that not a member of that Board has the faintest idea of how to deal with the rats. It is no part of their statutory obligations to exterminate rats, and they are not disposed to take that obligation, unless the Legislature, by an enactment, places the duty on their shoulders. That being so, I don't see what good object can be served in passing this motion.

Mr J. Qualtrough: The country members are very anxious to get away by the half-past four train, and the agenda being nearly finished, I trust the rats won't hinder us. (Laughter).

Mr Quine made some remarks which could not be heard in the Press gallery.

The Governor: If anybody can really suggest a way of extermination which would largely reduce the rat population of this Island, I should think it would be a great benefit, because, of all foul brutes, I think rats are the worst. If anybody could make a suggestion as to what actually should be done, I should be very much in favour of this motion, but we are very vague at present.

Capt. Moughtin: The corn warehouses in Liverpool got rid of rats in the same way as already mentioned. (Cries of "Order," and "You have already spoken.") I am speaking on the suggestion of his Excellency. They got the virus that gives a certain disease to the rats, and the rat affected has the power of transmitting it to all the other rats that he comes into contact with—(laughter)—with the consequence that he soon clears them out of that particular locality. Of course, so long as it keeps on moving, it is like the plague itself; each neighbourhood gets it, and some may emigrate to other quarters, but they get it and pass it on. Half-a-crown a box it costs, I think. I had some of it, and I cleared the rats out of my place. £100 would be well spent in distributing this stuff in the various farms of the Island.

The Governor: I would suggest that the hon. and gallant member for Castletown should postpone his motion until he can bring some concrete proposal before the

Court. (Hear, hear). If we can make an organised attack on the rats of the Island for a comparatively small sum, it would be well worth while.

Col. Moore: I shall be quite pleased to adopt your Excellency's suggestion. Possibly the best time would be after the summer season is over; it might not be advisable to go into the subject at this time of the year.

The motion was by leave postponed.

HORSE AND BULL PREMIUMS.

The Governor: There is one other matter which is not on the agenda, but which has been sent up to me to-day—that of the stallion and bull premiums. I take it that the Court will be prepared to vote the premiums in the usual way this year. The Committee which deals with these premiums wish to be issuing their notices, and so forth, and though it would be more convenient, of course, to take this vote when we take the other ordinary votes, perhaps the Court might care to take it now, although it is not on the agenda. I presume it will be agreed upon, and need not take up any time. (Cries of "Agreed," "No," and "There is not time before the train.")

Mr. Curphey: We are not bound to go by the half-past four train.

Mr. Cowell: It is rather important that the Agricultural Society should get to know where they are. Within the next fortnight the principal Shire and Clydesdale shows take place in England and Scotland, and also there is an important bull sale at Penrith. It is necessary to get sanction for the expenditure of this money, so that we may advertise promptly in the various live stock journals. If that is not done, we shall not get the value for our money that we ought to get.

The Governor: If the hon. member would move that the Committee be authorised to proceed with their usual arrangements, I think it would meet the case. The necessary resolution voting grants of £105 and £170 are not drafted yet, and it will take a little time to draft them and have them signed by the members of the Court. Still, if the Court is prepared to wait a quarter-of-an-hour or twenty minutes, we could get the whole thing through.

Mr. Cormode: The House of Keys will have some business to do in the interval, I take it.

Mr. Cowell: In moving this resolution, I

don't think it is necessary to point out the advantages derived from this grant. With regard to the horse premiums, in conversation with all the leading farriers of the Island, including the hon. member for Peel, it has been proved that within the last ten of fifteen years, it has come to take as much iron to make three horse-shoes, as formerly it took to make six. Undoubtedly a larger hoof is a good off-set to a horse. It has been argued that it is only the large farmer who gets the benefit of these premiums. I don't think it is so, but the tenant farmer on the small farm shares in the benefit. There is one instance of a farmer, who didn't farm fifty acres, on the South, who purchased a little mare from the Douglas Corporation for under £20. By breeding with a premium horse, in six years that man sold five colts, and realised over £45 each. That is practical proof of the fact that the small farmer derives a benefit from the premiums. As regards the cattle premiums, it will be quite within the memory of members that at our last Christmas fat stock sales, the first prize fat bullock, the cup beast, was bred and fed by a small farmer, bred from one of his own cows and a premium bull, imported and shown by the hon. member for Michael, Mr. R. S. Corlett. These are only two cases out of scores in my own mind, where the small farmer has derived exceeding benefit, both from the horse and cattle premiums. I would point out also that in these times of war, it behoves us specially to make all the provision we can in the way of beef. You will have seen by an advertisement in the *Insular* papers that the price of beef has just gone up. I say that these premiums have a tendency to keep the price of beef down. I don't think I need labour the question, but I will now move the grant.

Mr. W. Christian seconded.

Mr. Crennell: I oppose this motion for one reason, and one reason only, and I don't want the occasion to pass without expressing my view. I consistently supported the grant while the Agricultural Society, which is, or which certainly should be, one of the strongest societies in the Isle of Man—for there is no trade that is doing so well at present as agriculture, and the agricultural community can well afford to keep their Society going—while the Agricultural Society was helping itself; and I then believed, as I remarked last year, that this Court was doing wisely in playing the part of Providence towards them, and helping those that helped themselves. But I have consistently opposed, and I intend to op-

pose, this vote, now that the Agricultural Society have refused to contribute anything whatever, and have asked this Court to find the whole of the money. The Receiver-General, when this full grant was first proposed, three years ago, said, in effect, "The Agricultural Society are in a very awkward position this year, and I think we might let them off this year, and then revert to the old system." The hon. member for Peel very wisely pointed out to the Receiver-General that that was not in the nature of the agricultural mind; if they once got their foot in, like the camel, they would keep it there, and try to get it further. I don't feel justified in voting this grant while the Agricultural Society is doing nothing whatever to supplement the grants that are made. I believe these premiums have been an excellent thing for agriculture, and for the Island generally, but I think that the agricultural community should support their own cause.

The Clerk of the Rolls: Don't the Society now give prizes for classes in addition to those that they had while they were paying a proportion of these premiums? I expect that, as a class, the farmers subscribe as much as ever they did, and that they give prizes for extra sections, so that the same amount is given by the farmers as before. I don't actually know, but I think it must work out that way.

Mr Cormode: This has nothing whatever to do with the summer show.

The Clerk of the Rolls: But it is the one subscription list. The Spring Show and the Summer Show are found out of the same fund. I think the subscription list will be found to be as large during the last twelve months as before, even though the money is not devoted to these specific horse and bull premium classes.

Mr Cormode: That may be so, but the argument of the hon. member for Ramsey is perfectly sound, and the reply of the Clerk of the Rolls is no reply whatever. The Society come before the Court and say, "These premiums are going to be a splendid thing for agriculture," and the Court says, very properly, "Show your faith in the proposal by making contributions towards it." We know that the agricultural industry is by far the wealthiest industry in the Island, and I can only regard it as shabbiness on their part that they come to this Court and ask us for the whole of the money. Still, seeing that this is probably the last occasion on which the Court will be called upon to vote this grant—because, under the Agri-

culture and Rural Industries Bill, which, I suppose, will be law by this time next year, the Board created by that Bill will have this whole matter in its hands—there is no use in spending time over this vote to-day. We have voted the money for many years now, and we may as well go through with it to the end.

The Receiver-General: I think that this vote should be accepted. As the hon. member for Peel has said, this is the last year that the money will be asked for, because, under the Agriculture Bill, it is part of the agreement that this sum shall be part of the vote that is to be paid over to the Board of Agriculture out of the rate levied. When that Bill, which was passed by us on the 12th June last, becomes law—and it really seems an unconscionable time for a Bill to be awaiting the Royal approval, and I think your Excellency might urge the matter along, because the money for advertising is in the same position—I see that members are smiling at my raising this question—(laughter)—when that Bill comes into effect, we shall not have this vote before us again, and we may as well to-day agree to the vote which we so often have voted and agreed upon.

Mr J. Quilgough: Are we sure that this is the last time?

Mr Quine: Last year was the last time.

The Governor: I understand there is an alteration in the conditions governing the premiums, that the bulls should be not more than three years and two months old, instead of three years old. The object is to include bulls calved in the early part of the year. The object in breeding almost any kind of animals is to get calving done as early in the year as possible, and the present rule shuts out a large number of bulls calved in the months of January and February. I anticipate that the Court will agree to that alteration.

Mr Cowell: If that matter is likely to interfere with the Court granting the premium, I think the Society would waive it for this year.

The Clerk of the Rolls: Certain recommendations were made by a committee, of which I was a member, and were adopted by the Court, and I am not sure that they could be altered without coming to the Court for sanction.

The Governor: I don't think the ages of the bulls were laid down, but only the ages of the stallions.

Mr Cormode: Anyhow, there is no hurry

with regard to that question. If we adopt the vote now, we can take up that question later.

The Clerk of the Rolls: In any case, it is a detail which the Court would not quarrel about. It is only a question of keeping the thing in order.

The motion was carried, Mr Crennell voting "No." Later on the resolution, formally drafted, was brought into the Chamber and was signed by the members.

EXPENSES OF REVISING VOTERS' LISTS.

The Clerk of the Rolls: Then there is the matter of the expenses of revising the lists of voters for which a Committee was appointed this morning. I now submit the Committee's report that the items have been gone through by Mr Aitken, and the total amounts to £200 7s 3d. The charges are all on a scale, a shilling per sixteen lines allowed to the persons who make out the lists, and the revising advocates' fees, at so much per day, and then there is the cost of advertising, and there is £3 10s for timber for the platform on Douglas Court House, which is now a permanent one, and there is an item of £3 14s 10d, the cost of making a glass case, which members no doubt have seen, placed inside the door of Douglas Court House for receiving the lists of voters. Instead of the names of voters being printed on large sheets, extending eight or ten or twelve feet in length, which is almost impossible to read, they are now printed and enclosed in a small glass case placed at the door, to which every person can have access. I think this money is well expended, and the whole account calls for no further comment. I move the accounts be passed.

The Speaker seconded, and it was agreed to.

THE RETIREMENT OF MR J. H. AITKEN.

The Governor: I think this is the first occasion on which the Court has met this year, and I hardly like to let the occasion

pass without alluding to the fact that the Court and the Island have lost a very valuable and very old servant, in the person of Mr Aitken. It sounds rather curious to say this, considering that Mr Aitken is here this afternoon; but he resigned his appointment as from the 31st of December last, and, with his usual devotion to duty, he is now serving voluntarily during the time we are being hard worked because of the war, in order to give help to the Government Office. It is more than 48 years ago that Mr Aitken entered the Government Office, and over that very long period he has served with the greatest possible zeal and fidelity. I am sure the Court would not like so old and so zealous a public servant to leave its service without expressing its thanks to him. I hope and trust that he may long live to enjoy his extremely well-merited pension, and I know we can always look to him for any assistance at any time we need it. (Hear, hear).

The Clerk of the Rolls: I should like to associate myself, and the members of the Council, with the words which have just fallen from your Excellency. I have known Mr Aitken in connection with the Government Office for at least 43 years, and we all know that he has been the friend of everyone who has sought advice. On many occasions he has been responsible for the working of Government Office, during the absence, and latterly the illness, of Mr Story. He has been a most valuable and excellent public servant, and we all hope, I am sure, that he will be long spared to receive that pension which he has deserved at the hands of his country. We very much appreciate all he has done for us.

The Speaker: May I, on behalf of this Chamber, endorse what has been said by your Excellency and by the Clerk of the Rolls. I am sure that to every one of us who has desired Mr Aitken's assistance, he has been most affable and ready to give all information possible. We feel that he has earned his retirement, and we hope he may be long spared to enjoy his pension and his leisure.

The Court then rose.