

# TYNWALD COURT.

DOUGLAS, TUESDAY, MARCH 7, 1922.

**Present:** The Lieut.-Governor. In the Council: The Lord Bishop, Deemsters Callow and LaMothe, the Attorney-General, the Receiver-General, Messrs J. R. Keruish, R. B. Quirk, J. L. Goldie-Taubman, W. C. Southward, and Jos. Cunningham. In the Keys: The Speaker (Mr G. F. Clucas), Messrs E. Callister, F. S. Dalglish, G. B. Kermode, E. J. Curphey, J. D. Clucas, Daniel Teare, Richard Cain, W. Kermeeen, G. Preston, C. Gill, T. G. Bridson, J. R. Corrin, A. Qualtrough, W. Moore, C. R. Shummin, A. H. Teare, S. Norris, R. C. Cain, Alfred Teare, G. Maddrell, and J. D. Qualtrough.

Mr B. E. Sargeaunt (Government Secretary), and Mr R. D. Gelling (Clerk to Tynwald), attended.

## WAR CONTRIBUTIONS AND INCOME TAX (APPROPRIATION) ACT, 1922.

His Excellency the Lieut.-Governor announced, in accordance with the terms of section 2 of the Acts of Tynwald (Emergency Pronulgation) Act, 1916, that the Royal Assent was given on 6th February, 1922, to the War Contribution and Income Tax (Appropriation) Act, 1922.

The Bill was signed by the Governor and the Speaker, and became law.

## BILLS SIGNED.

The following Bills were signed:—

The Highways (Closing Order) Bill.

The Oaths Bill.

The Payment of Members' Expenses Bill.

The Workmen's Compensation Bill.

The Cattle Breeding Bill.

The Old Age Pensions and National Health Insurance (Treasurer's Expenses) Bill.

The Manx Museum, Library, and Art Gallery Bill.

The Judicature Amendment Bill.

The Criminal Code Amendment Bill.

The Petty Sessions and Summary Jurisdiction Amendment Bill.

## SUMMER TIME.

The Governor made the following statement:—

His Excellency said: The Court may perhaps recollect that, on the 12th July, 1921, I made a statement on the subject of the Summer Time Bill, 1921, then before the Imperial Parliament, which Bill was intended to extend to the Isle of Man and the Channel Islands, and which provided for the fixing of summer time each year by an Order of his Majesty in Council. The 1921 Bill has apparently not been proceeded with, as it is the intention of his Majesty's Government to introduce a new Bill embodying an agreement arrived at by a conference of representatives of the British, French, and Belgian Governments, that the summer-time period should be fixed under the Bill, and should commence on the night of the last Saturday in March, or the last Saturday but one in March when the last Saturday is the day preceding Easter Day, and end on the night of the first Saturday in October. This Bill will extend to the Isle of Man.

## ISLE OF MAN HARBOURS AND THE BRITISH GOVERNMENT.

The Governor said: I have to make the following statement to the Court regarding expenditures on the harbours of the Island. The Court will be aware that it voted, from the Isle of Man Accumulated Fund, expenditure amounting to £42,500, for certain harbour improvements, as follows:

Five thousand pounds for carrying out the deepening of the inner berth on the south side of Victoria Pier, Douglas;

Five thousand pounds for erecting a crane on the Victoria Pier, Douglas, to facilitate the handling of luggage, etc.,

One thousand pounds for removing sand between the Red Pier and the Victoria Pier, at Douglas;

Thirty-one thousand, five hundred pounds for repairing and rebuilding the Quay wall, at Ramsey.

War Contributions and Income Tax (Appropriation) Act, 1922.—Bills Signed.—  
Summer Time.—Isle of Man Harbours and the British Government.

I have received a communication from H.M. Government, intimating that they are withholding, for the time being, approval to the above expenditure, because they understand that additional expenditure, involving a considerable sum of money, is contemplated in connection with the harbours of the Island. H.M. Government intimate that they would not offer any objection to a well-considered scheme for carrying out necessary improvements in the harbours of the Island, but they feel that the subject should be considered as a whole, and that the advice of the expert advisers of H.M. Government should be obtained. The Court will be aware that, on the agenda for to-day, there is due for consideration the proposal of the Isle of Man Harbour Commissioners in connection with the Red Pier extension, at Douglas. As soon as the result of the debate on this proposal is known, I will communicate such decision to H.M. Government, so that they can refer the whole subject of the harbour provision in the Island, and the improvements required, to their expert advisers.

The Speaker: May I ask whether it is quite clear that the reason for not passing these votes is solely because they want expert advice on technical matters, and that there is no question raised as to our power to vote the money?

The Governor: I think that is quite clear. They wish to take expert advice. There was some question raised as to the strength of the crane on the Pier, and as to whether the dredging will not weaken the structure of the Pier, and they would like to have the best expert advice on the question.

#### CASTLETOWN CHAPLAINCY.

Mr Bridson asked his Excellency the Lieut.-Governor:—

- (1) The date of appointment under section 4 of the Government Chaplaincies Acts, 1921, of the Rev. E. H. Leatham Locke to the chaplaincy of St. Mary's, Castletown?
- (2) The date of his resignation?
- (3) In the event of the Rev. E. H. Leatham Locke not having been appointed in accordance with section 4 of the above Act, whether the Bishop of Sodor and Man may appoint any other person until the Act has been amended?

The Governor: In reply to the first part of the question, I have to state that the Lord Bishop of the Diocese informs me that the Rev. E. H. Leatham Locke has not been appointed to the living of Castletown,

the parish not yet having been formed. The second part of the question does not, therefore, arise. The Rev. E. H. Leatham Locke, having been offered, and having accepted for health reasons, the living of Kirk Patrick, in preference to the care of the parish about to be formed at Castletown, I am advised that it is competent for the Lord Bishop of the Diocese to make such appointment to the Parish of Castletown, when formed, as he may please.

#### THE EXECUTIVE COUNCIL AND JUDGES.

Mr Norris asked the Governor:—

Whereas, by clause 4 of the "Decisions" of His Majesty's Government on the recommendations contained in the Report of the Home Office Departmental Committee, and laid before Tynwald on 17th July, 1913, it is provided "That no judge shall be a member of an executive committee or board of Tynwald," to ask his Excellency the Lieutenant-Governor whether the Deemsters are now treated as members of the Executive Council of this Island, and, if so, whether this is not contrary to the above decisions of His Majesty's Government?

The Governor: The Deemsters are still members of the Executive Council. The Council being neither an Executive Committee nor a Board of Tynwald, I do not see that the retention of the Deemsters in the Executive Council conflicts in any way with the decision given by his Majesty's Government that Deemsters should not serve on Executive Committees or Boards of Tynwald.

#### POLICE PAY.

Mr Norris asked his Excellency the Lieut.-Governor:

The number, pay, and other emoluments and deductions (if any) from such pay of a small county police force in England, and the same information for the ordinary police forces of Jersey and Guernsey.

The Governor said: In an English county force with an establishment of 127, the chief constable has a minimum salary of £600 and a maximum of £800. The commencing pay of the six superintendents is £400, with a maximum of £460. The five Inspectors commence at £310, rising by £10 per annum to £350. There are 13 sergeants with a minimum pay of £5 per week, rising to £5 12s 6d per week, and 102 constables with initial pay of £3

10s per week, rising to £4 10s per week. From the pay above specified a deduction of  $2\frac{1}{2}$  per cent. is made towards superannuation in respect of all ranks. As regards allowances, the Chief Constable receives a travelling allowance of £150 per annum, and the Deputy Chief Constable receives an allowance of £40 for acting as such. The Chief Constable receives a rent aid allowance of £100. Those Superintendents, Inspectors, Sergeants, and Constables who do not occupy Government quarters, have the rent, rates, and taxes on the house paid for them. Good conduct, proficiency, and long service allowances are given at the same rates as at present operating for the Isle of Man Constabulary. Bicycle allowance is granted at the rate of 4d per hour, with a maximum of 3s per day. Boot allowance is at the rate of 2s per week. There is no provision for medical service. The Police Force for the Island of Guernsey numbers 30. The pay of the Chief Officer is £406 per annum. There are five sergeants with pay commencing at 55s 6d per week, and rising to 60s 6d per week, and 24 constables, with pay commencing at 45s 6d per week, rising to 50s 6d per week. Each officer is allowed one pair of boots annually, with a weekly allowance of 1s. Sergeants are allowed 2d per hour when actually riding a bicycle, which they must provide, and constables 1½d. In the Island of Jersey, in addition to some forty members of the Honorary Citizen Police, there are 20 paid officers. The senior sergeant is paid £3 8s weekly, the junior sergeant £3 3s weekly, and the constable £2 18s weekly, with an allowance of 2s 6d per child for the third and additional children until they attain the age of 16. Each officer is provided with one pair of boots per annum.

Mr Norris: Can your Excellency say whether the "rent allowance" paid to the police force in England is also paid to single men?

The Governor: My information is that the rent is paid if a man is in lodgings. I cannot, however, say whether single men are paid. I would require notice of that.

Mr Norris: Perhaps your Excellency will take notice, and I will raise it at the next Court. I see that  $2\frac{1}{2}$  per cent. is deducted in England towards the superannuation allowance. Can your Excel-

lency say why there is no deduction in the Isle of Man towards superannuation?

The Governor: There has been no deductions in the past in the Island.

Mr Norris: My question was—Is there any particular reason why no deductions have been made for superannuation since the Manx Force were placed on the English scale of pay? Does your Excellency require further notice of that?

The Governor: I suppose, in the past, no deductions were made because the pay was so very much lower than in England.

Mr Norris: That is not the case now. Is it true that the Manx pay is more than that paid to the Metropolitan Police?

The Governor: I am not aware that there is any difference between the Metropolitan police and the country police. If the hon. member will give notice of the question, I will be pleased to provide the necessary answer.

Mr J. D. Qualtrough: Will your Excellency inform the Court whether you are dealing with the question?

The Governor: You will see by the agenda that a question on the subject has already been asked.

#### INCOME TAX YIELD.

Mr Norris asked his Excellency the Lieut.-Governor:

If he will state for the last completed year for which the information is available, the gross amount or percentages of the total yearly yield of income tax received from:—

- (1) Farming;
- (2) Employment and salaries;
- (3) Professions;
- (4) Trades, industries, &c.;
- (5) Unearned incomes.

The Governor: I regret I am not in a position to give the precise information asked for by the hon. member. Income tax will be collected in the year 1921-22 on the following aggregate sums:—(1) Trades, industries (including farming and shipping), £1,237,193; (2) professions and salaries, wages and remuneration of employees, £356,212; (3) unearned incomes, £359,932—total, £1,953,337.

#### RECORD OF MANX CHARITIES.

Mr Norris asked his Excellency the Lieut.-Governor:

If he will request the Attorney-General to prepare and lay before Tynwald a succinct record, in pamphlet form, of all Manx public

charitable bequests, showing the amounts at present available, and where held and how invested?

The Governor: In reply to the hon. member, I have to state that the Attorney-General is not at present in a position to issue the document asked for. A book was published, some sixty years ago, specifying the Manx charities of that time. Since that date, a Commission has investigated the educational charities, and these charities were dealt with by the Education Act, 1920. Since the date of the publication of the book I have referred to, the charities in respect of poor relief have been dealt with by the Poor Relief Acts, and the incomes made payable to the Guardians. There are, of course, a number of charities not administered by public bodies, which do not fall within either of the two classes I have specified. The Attorney-General informs me that he has no information in his office as to such charities, and very considerable local inquiries would have to be made to enable them to be ascertained. I propose introducing into a Bill which is in course of preparation as a result of the report of the Poor Law Commission, a clause making it compulsory for the trustees of all public charities to make a return of the charity, and to file in the Rolls Office an audited account, every year, of their receipts and disbursements. From this information, the Attorney-General could keep in close touch with the working of such charities.

#### SHOP HOURS ACT AND AUTOMATIC MACHINES.

Mr Norris asked his Excellency the Lieutenant-Governor:—

Whether it is a fact that automatic machines were used last year on Sundays for the sale of goods which shops were prohibited from selling; and, if so, what steps (if any) are proposed to be taken to put shops and machines on the same basis?

The Governor: The reply to the first part of the question is in the affirmative. The latter part of the question involves the determination of a question of law which has not yet been adjudicated upon by the Insular Courts. The advice of the Attorney-General has been taken on the subject, and the police will act in conformity with it.

Mr Norris: Do I understand, your Excellency, that these machines were allowed to trade the whole of last season in pro-

cisely the same business as shops which had to be closed, and that no prosecution was taken? Perhaps your Excellency can say the reason why there was no prosecution. I am given to understand that the reason there was no prosecution was that the law permitted them to go on. If that is so, it shows the necessity for the amendment of our Act. Have we to wait until another season before the police can take action?

The Governor: The matter has now been raised. I don't suppose before that, many people thought of raising it; but, now that it has been raised, it will be decided.

Mr Norris: May I presume that the matter will be decided early, before the coming summer?

The Governor: As early as possible.

Mr Norris: May I thank your Excellency for the manner in which the questions have been answered?

#### RAMSEY QUAY WALL.

Mr A. H. Teare asked the Receiver-General:

What is the cause of the delay in proceeding with the work of repairing Ramsey quay wall?

The Receiver-General: His Excellency has made a statement with regard to this and the other harbour works.

#### COST OF LIVING AND POLICE PAY.

Mr A. H. Teare asked his Excellency the Lieut.-Governor:

If, in view of the decreased cost of living, he will appoint a select Commission to inquire into, and advise his Excellency as to what, if any, reductions can be expected in the pay of the Insular Police, and in the salaries paid in any Insular Government Department or Board?

The Governor: In reply to the hon. member for Ramsey, I have to state that I have appointed a departmental committee, consisting of the Government Secretary and Treasurer as chairman; Mr H. M. Rodgers, M.B.E., and Mr Thomas Nesbitt, as members, to inquire into the present administration, pay, and allowances of the Isle of Man Constabulary, and to report what economies, if any, can be effected. As to the latter part of the question, the war augmentations to the pay of Civil servants serving in the Government Departments are automatically falling in consequence of the operation of the War Bonus Scheme; and the same

observation applies in the case of the officers serving under those boards of Tynwald which have adopted the Civil Service Bonus Scheme.

Mr Norris: I see that a Departmental Committee has been appointed of Government Office officials. Will their report be laid before this Court?

The Governor: The matter is a question which deals with the Reserved Services. The Departmental Committee is to collect information which it will be necessary for me to see before I can say what economies can be effected. I will, no doubt, make a statement to the Court, after which, if desired, members can express their opinions.

Mr Norris: Because it is a Reserved Service, is not this Court entitled to information? I understand that the inquiries are for the information of your Excellency, in the first instance; but, surely, this Court will be consulted before you come to a decision?

The Governor: The Court can have the information after I have received the report.

Mr Norris: Are we to have the information after your Excellency's decision has been come to, or before?

The Governor: The whole thing is dealing with an important question of the Reserved Services. I must make a decision in the matter as far as lies within my intelligence. I will lay that decision before the Court, and the Court can express their views on it.

Mr Norris: Because it is a Reserved Service, I submit, very earnestly, is no reason why we should not consider the matter, and why information should not be laid before the Court, before your Excellency comes to a decision. Because it is a Reserved Service, has this Court nothing to do but pay the expenses?

Mr J. D. Clucas: Does your Excellency think that employees of the Insular Government are the best people to inquire into the salaries paid to other employees of the Insular Government?

The Governor: The appointment of the Committee is simply to collect facts and details for my information. When I am able to get that information, I will inform the Court what my views are upon them, and you can express your opinion on them.

Mr Alfred Teare: Will the Court be in

a position to disapprove of your Excellency's views, or must we simply approve?

The Governor: There is the ordinary procedure in this Court. If the Court has different views to mine, they can express them in a declaratory resolution.

Mr Norris: Before your Excellency comes to a decision?

The Governor: The final decision on this rests with others than myself. Any advice I can get from the Court can be submitted to the higher authority concerned.

Mr Norris: I respectfully request that your Excellency, before coming to a decision, should hear this Court's opinion.

The Governor: The hon. member looks at things with that rather curious, but usual, Manx suspicion.

The Receiver-General: It would be a great relief to members of the Court if we had your assurance that you intended using the Geddes' axe.

The Governor: That cuts many ways.

Mr Alfred Teare: It is only cutting one way at present.

#### VICTORIA PIER.—DEEPENING OF BERTH.—ERECTION OF CRANE.

Capt. Maddrell asked the Chairman of the Harbour Board

If he will state the reason for the delay in carrying out these works for which sums of £5,000 respectively were voted by Tynwald on the 8th November last?

Capt. Maddrell said. This question has been answered in the statement made by your Excellency as to the harbours of the Island; but the berth on the south side of the Victoria Pier is really in a dangerous condition, and no delay should occur in seeing to it.

The Receiver-General: I may inform the Court that the Harbour Board have advanced as far with that work as it is possible to go with the money provided. We had an intimation that the votes were not approved, and we cannot go further.

Mr Richard Cain: Do I understand that they refuse to sanction this berth?

The Receiver-General: All votes are held up.

Mr J. D. Clucas: Arising out of this—might I ask your Excellency to intimate to the authorities interested that this crane should be dealt with at once? It is not

a large amount, and the object in getting the crane is to meet an objection raised by the people promoting the motor races.

The Governor: There was some question raised by the Home Office as to the strength of the crane. That was one of the things on which they require expert advice.

Mr J. D. Clucas. In the meantime, two or three months must elapse, and the main reason for the crane will have passed.

The Governor: I presume that the crane was not only meant for the motorist, but for the general public.

Mr J. D. Clucas: I agree. But the motor races was the principal reason.

The Attorney-General: If that was so, it was camouflaged very well.

The Governor: The motorists may, or may not, come to the Island again. It was for the better handling of passengers' luggage.

Mr J. D. Clucas: I am not advocating the question of the motor races; but it was pointed out in this Court that this crane was to deal more effectively with the motor cars and cycles. It was one of the conditions of the motorists coming here.

Mr A. H. Teare: Will your Excellency tell me or some other member to submit a resolution on the subject?

The Governor: I don't see any prospect of getting anything done before the motor races.

The Receiver-General: I do not think that any resolution of the Court would help us. If the Treasury or the Home Office authorities have the power and the right to have a say in this work, the Harbour Board and that authority can settle the matter, and a resolution of Tynwald would not help. It is not settled yet, and the Board are in communication with the authorities.

Mr Richard Cain: Do I understand that the Harbour Commissioners are in contact with the Home Office?

The Receiver-General: Yes, through our Government Office.

The matter dropped.

#### QUESTION RE THE POLICE.

Mr Alf. J. Teare asked his Excellency the Lieut.-Governor if he is aware of the action of the police in two recent in-

stances where persons were detained for several hours, without any charge being preferred against them, and without any notification to relatives as to their detention. Under what Act, if any, are the police empowered to do so?

The Governor: As the hon. member does not specify the two cases to which he refers, I am unable to say that I am familiar with their circumstances. I understand, however, that it is a common practice for the police, where a person is suspected of crime, to request such person to go to the Police Station for interrogation, which procedure is sometimes satisfactory to a wrongfully suspected person. There is no question of detaining a person by restraint in such cases, as a charge has not actually been preferred against him.

Mr Alf. J. Teare: Should a person not be informed, and not asked to go to the Police Station? Surely it is not open to the police to take anybody in that way!

Mr Curphey: Was this done?

Mr Alf. J. Teare: I understand that a man was working, and, in front of all his companions, he was asked to go to the Police Station. He was kept there for about five hours, and his wife was looking all over the town for him. It is most iniquitous.

The Governor: If Mr Teare will give details of individual cases, we will make further inquiries.

#### DELAY IN THE HOUSING SCHEME.

Mr Alf. J. Teare: In view of the delay in providing housing accommodation, will his Excellency immediately introduce legislation extending the Rent Restriction Act beyond May, 1923, in order to prevent wholesale evictions due to lack of provision?

The Governor: In reply to the hon. member for South Douglas, I have to state that the conduct of the Housing Scheme for the town of Douglas is in the hands of the Douglas Town Council. So far as the Island Government is concerned, two Bills were passed—one for enabling that portion of the Hills House property owned by the Government Property Trustees to be transferred as a gift to the Douglas Corporation, and the other to provide for financial assistance from the Government towards the scheme. Both the Bills referred to were duly transmitted for the Royal Assent; but up to the present such assent has not been received. No doubt

the Douglas Corporation are waiting until these two Bills have been promulgated before proceeding with their scheme. As to the latter portion of the hon. member's question, I am not in a position to give a reply at present.

Mr Alf. J. Teare: Can your Excellency give us any idea as to why the delay has occurred? There are other Bills here, which have been signed to-day, and which have received the Royal Assent.

The Governor: I have no idea.

#### RAMSEY HARBOUR—QUAY WALL.

Mr Alf. J. Teare asked his Excellency the reason for the delay in proceeding with the urgent harbour repair at Ramsey, for which a vote of £31,500 was made by Tynwald on the 22nd November last. He continued: I should like to ask who will be responsible for any damage. When this was passed by the Tynwald Court, reasons were urged that a serious accident might happen to shipping and to the sewers of Ramsey on the quay-side, and so on. Who would be responsible for any damage?

The Governor: I am afraid I could not answer that. If a case came on, it would be tried, and decided by law.

The Receiver-General: The Harbour Board are not responsible.

#### INTEREST ON TRADE DEBTS DUE TO GERMANY.

Mr Alf. J. Teare asked his Excellency:—

What is the position of Manx traders in regard to 5 per cent. interest now claimed through the English Government in respect of debts due to German firms at the outbreak of the war?

The Governor: I have to inform the hon. member, in reply to his question, that the five per cent., per annum, interest referred to, is payable on pre-war debts due by British subjects to German nationals, in accordance with clause 22 of the Annex to Article 296, of Section III, of the Treaty of Peace, which section is embodied in the schedule to the Treaty of Peace Order, 1919. The interest at five per cent. is payable together with the amount of the debt to the Clearing House set up by the Imperial Government, and interest at a similar rate is payable on debts due by German Nationals to British subjects collected by the Clearing House set up by the German Government.

Mr Alf. J. Teare: I understand Bills have been presented to local traders—

Mr J. D. Clucas: On a point of order, the hon. member should not try to elaborate his question.

#### RE-VALUING THE ISLAND.

The Governor: There is a question by Mr Daniel Teare, which was omitted from the agenda.

Mr Daniel Teare: I beg to ask the Speaker, as Chairman of the Assessment Board, the dates on which the various districts of the Island were last valued.

The Speaker: All towns and village districts were re-valued in 1915, and again in 1919. Bride was re-valued in 1913, Jurby in 1917, Andreas in 1917, and Onchan in 1918. The Board, in their report in 1920, said that, in view of the fact that much valuable time would be taken up in valuing, they decided, in order to speed matters up, not to limit themselves to one parish, but to take certain cases in every parish, and that has been done since. They take the more valuable land in several parishes instead of taking each parish seriatim.

Mr Daniel Teare: I take it that some parishes have been paying on the increased valuation for a number of years, while some have been paying on the old valuation?

The Speaker: It must follow that, unless we re-value every parish in the same year, some parishes must be on the old return. The present system, I think, is the best. You cannot get all the parishes valued in one year.

Mr Richard Cain: I would like to ask is it right that we should be working under two systems? In one case—Andreas—you could go over every inch of the ground, and then go to the other parishes, and gather information from different farms, and, seeing that the education rate is doubled, and the highway rate doubled, they are paying considerably increased rates to what they are paying in the adjoining parishes.

The Speaker: I don't admit that. When we re-value a parish, the best land is re-valued, and what is left is inferior land. I can assure the hon. member that, since 1920, in every parish all the best land has been re-valued.

Ramsey Harbour.—Quay Wall.—Interest on Trade Debts Due to Germany.—Re-valuing the Island.

Mr J. D. Clucas: Is it a fact that there are many places that were re-valued at the end of the nineties, and have never been re-valued since? Furthermore, the great bulk of the land in the parishes, outside the individual parishes mentioned, have not been re-valued since the valuation in the sixties.

The Attorney-General: In the sixties?

Mr J. D. Clucas: Yes, in the sixties—the original valuation.

The Speaker: I should not like to answer that without notice. All the other parishes were valued during 1920 and 1921 very thoroughly. That must always happen, unless you have a great staff of valuers, and value all the Island together. That would be a very heavy cost, and the only alternative is to take the districts.

Mr J. D. Clucas: Is that the case in England that they have so many valuers?

The Speaker: I don't know what the system in England is.

Mr A. H. Teare: Is it not a fact that a large part of the land in the Island has been re-valued because of being let as accommodation land?

The Speaker: Yes, that is so.

Mr Norris: Can the Speaker tell the Court if there is any farm in this Island rated higher than its rent?

The Speaker: If they are rated too high, they have the right of appeal.

#### PAPERS PRESENTED.

The following papers were presented:—

Proclamation by His Excellency the Lieut.-Governor, dated 18th January, 1922, embodying regulations made by the Local Government Board for preventing the spreading of influenza.

Order made by His Excellency the Lieut.-Governor, dated 7th February, 1922, under the Cattle Diseases Prevention Acts, 1865 to 1903, entitled "The Dogs (Importation) Revocation Order," 1922."

Order made by His Excellency the Lieut.-Governor, dated 7th February, 1922, under the Cattle Diseases Prevention Acts, 1865 to 1903, entitled "The Foot and Mouth Disease (Control of Movement) Order, 1922."

Order made by His Excellency the Lieut.-Governor, dated 7th February, 1922, under the Cattle Diseases Prevention Acts, 1865 to 1903, entitled "The Hay, Straw, and

Peat-Moss Litter (Importation) Order, 1922."

Proclamation made by His Excellency the Lieut.-Governor, dated 1st March, 1922, embodying regulations, made by the Local Government Board, continuing in force until 18th January, 1922, for preventing of the spreading of influenza

#### REPORTS PRESENTED.

The following reports were presented:—

Report of the Board of Advertising for the year ended 31st December, 1921.

Further report, dated January, 1922, of the Committee on Housing.—Mr Cunningham.

Interim report, dated February, 1922, of Committees appointed by Tynwald of 22nd November, 1921, to consider food prices in the Isle of Man.—Mr Speaker.

Report of the Committee on the petition of the Wardens of Orchan for acquiring additional burial ground.—Mr Clucas.

Report of the Committee on the petition of the Asylums Board to acquire, compulsorily, a field at the Strang. Bradan.—Mr Clucas.

Report of the Isle of Man Harbour Commissioners, dated 12th January, 1922, on matters relating to harbours, referred to them for consideration by resolutions of Tynwald, under the heading "Public Works," dated 22nd November, 1921.

#### APPOINTMENTS ON THE ADVERTISING BOARD.

The Governor: The next item is the appointment of members on the Advertising Board in the places of Mr Cunningham and Mr J. D. Qualtrough, resigned.

Mr J. D. Clucas: Who are the other members? We should know, otherwise we might be nominating existing members.

The Governor: They are Messrs J. R. Kerruish, E. J. Curphey, S. Norris, C. Gill, and Richard Cain.

Mr J. D. Clucas: There are seven appointed from the Court.

Mr R. C. Cain: I beg to nominate Captain Maddrell.

Mr Callister: Might I ask a question? What is the reason for these members resigning? It seems a rather curious thing. No reason has been given, and they are two competent gentlemen.

Mr Kermode: I move Mr Cunningham and Mr J. D. Quatrough be nominated for seats on the Board of Advertising. This Court has every confidence in them, that they were acting in the best interests of the Island.

Mr Bridson: I beg to second the nomination.

Mr Norris: I am very loth indeed to intervene, but surely the Court is entitled to a good deal of information before voting on questions like this. (Hear, hear). I take it that the hon. members who have resigned should rise in this Court, and tell why they have resigned before you give them a vote of confidence. A vote of confidence in them would be a vote of no confidence in the other members of the Board, and the Court would then be confronted with other resignations.

Mr Cunningham: Yes, with pleasure.

Mr Norris: Then I reserve my remarks until they have done so.

Mr Cunningham: May I be allowed to explain. In speaking on the motion I have a good deal more to say than this Court is likely to grant me time to say, and I have, therefore, condensed what I have to say into the very smallest compass. The first reason why I and my friend resigned was the privilege, the favouritism, extended to one firm, at the expense of other firms. That is the first reason. I can go into details and explain exactly what happened. I object very strongly to the tender of that firm being held back for some reason or other, instead of being submitted when other tenders were in. I never knew anything so extraordinary in my life, as to allow one firm to hold back their tender, and then come in and have it considered, and, ultimately, accepted. I have had some experience in Army contracting, and, if I had not handed my contract in before 12 o'clock, at Fishergate, York, I would have had no chance at all. Let any other paper, except the "Times," hand in a contract, and would they be considered? It would be disqualified. There is a privilege for some reason—either love or fear—but it is not my business to say what is the reason. There is a distinct favouritism for the one firm.

The Speaker: Will the hon. member say exactly what did take place, from the arrival of all the sealed tenders?

Mr Cunningham: I should have pleasure in doing that; but thought the Court would not allow me so much time. I won't go back into the history of the Board of Advertising; it is a matter of jibing and joking, but I don't see the joke in it. That is their peculiar way of carrying on their business. It is unlike any Board in the Isle of Man, I hope, and I am certain it is quite contrary to every Board in England. Such a thing would not be tolerated. The consequence is, "The Isle of Man Times" thinks the Board of Advertising is its own private preserve, and nobody has any business to offer themselves, except the one firm. The details of the thing will bear out every word I say. I don't think it is the intention of this Court that a Board should deal differently than the Court itself would, and, if anything is done wrong in one of the Boards, it reflects itself on this honourable Court: and I am very jealous for the honour of any Board I am on. The first thing I object to is this privilege to the one firm. The date was given for the tenders to be sent in. The tenders were delivered and prepared to open when someone called attention to the fact that the "Times" had not sent in their tender. The proper course for us to have taken was to have said they had disqualified themselves, and were out of it. We did not do that. We acted in a more generous way, and telephoned, calling their attention to it. The answer came back that they had not received the price for the covers from the other side. There was an exclamation by all the Board, and the meaning of it was, "The same old game." That was the kind of expression, though nobody used those words exactly. There was disappointment and annoyance at this not being given; but what was the object for that delay? Was it intended to find out which was the lowest tender, before they sent in their tender? If it was, they were disappointed, for the Board gave them half-an-hour, and, marvellous to say, they were able to get it in, the price of the covers, in that half-hour. The price came in, and the cards were on the table. I, unfortunately, had to attend a meeting in this place, under the chairmanship of his Excellency, and, when I went back, I was informed that the only two contracts left in were "The Isle of Man Examiner" and a firm across the water. The "Times" estimate was dead and buried, and in its

grave—for the time being. (Laughter.) Everybody, including the hon. member for North Douglas, was of one mind, and that was, thoroughly dissatisfied at the price and the quality of the Guide supplied the previous year. Nobody was satisfied, and there was nobody more bitter against them than the member for North Douglas, Mr Norris. He was quite as displeased and dissatisfied as anybody. When we sent out these estimates—specifications—we were asked to name any good firm. As a matter of fact, there was not a single firm across the water named that was not of the highest standard, so that any one of them could be relied on. I asked the whole Board—"Is this genuine, now? When the tenders come in, are we going to give it to the lowest and the best, in spite of everything?" And everybody seemed to be astonished at any insinuation that it would be otherwise. Those firms received particulars as to the number, and the weight of the paper, and all the rest. It is not an honourable thing to send out those papers, because, by doing so, we imply that they will be given a fair trial; that we will give them justice. Our sending out of those papers was a promise that they would be treated honestly. They were allowed to believe that we meant business. One gentleman—not a member of the Board—said to me, "But, I thought you only sent to those people across the water as a kind of guide, to keep the people here down to a proper rate." I say there was a breach of understanding of the agreement that the people across the water should have the same fair and square treatment as anybody in the Island. But, even the Isle of Man did not get fair and square treatment. The "Examiner" was £17 higher than the other firm, and they were pushed out of court unceremoniously, and a resignation took place. The dead body that had been buried on the one occasion was resurrected on the 12th. The member for Ayre soon put life in it. He did the trick. It was bright and smiling, as if newly born, instead of being a corpse. The English tender was £135 less than "The Isle of Man Times." The "Examiner" had a right to it, if anybody had. I can understand—

Mr J. D. Clucas: You take it that the "Examiner" was £17 less than the "Times"?

Mr Cunningham: £17 higher than the other.

The Attorney-General: What was the "Times" figure?

Mr J. D. Qualtrough: Taylor, Garnett, Evans, & Co., £1,365; S. K. Broadbent, £1,381; Brown & Sons, £1,500. If we generally adopted such a system of excluding outsiders, you know very well we should pay through the nose for everything; and we have had it before, and during the war; but, now that things have come back to the normal, it is about time to stop it. If we are going to ask firms of repute to send in tenders, it is dishonourable and dishonest to disregard the magnificent quality of the work. The "Times" was £135 more than the other, but it was, perhaps, hundreds of pounds less value. I never saw, in my life, quality such as this firm had (Taylor, Garnett, Evans, & Co.). It was of infinitely better quality than we could ever have had locally. Mr Norris took up the view that the "Times" could do better, and he produced evidence from an old Guide that they had done better.

Mr Norris: The year before.

Mr Cunningham: It was no evidence at all, because, when you looked at it, the halftones were light. But, is that an answer to the question? If the "Times" could do it, why didn't they? I can tell you why they did not. Because they thought any old thing was good enough for the Board of Advertising. They believed they had got the Board of Advertising under their thumb; but I think they have found their mistake. Mr Norris thought they could do better. The member for Ayre took the step of favouritism. There is something they call "cheap patriotism," and people can be very generous with other people's money, and with the money of the Island, and give it away; but the Board of Advertising is not an unemployment bureau, and it is not a charity bureau, to give out the funds of the Insular Government. The first time the delay was a failure; but, the next time, the delay was not a failure. When I returned to the Board, the position was that there were only two firms left in, the "Examiner" and the English firm. There was a postponement; and I cannot find words to say it—I am trying to keep myself in, and not say anything I would regret afterwards, but I can scarcely find words—it is perfectly appalling to think what happened. When we found how the vote went, Mr Qualtrough and I had quite enough of the Board of Advertising, and

we had to think of our characters, and we left the room; but, after we left, a letter which the "Times" had sent, offering a reduction in price—which we protested against—was actually accepted. There was no indication to the other firms to send in their reduced terms, but simply the favouritism again. They picked out the "Times," and said, "Yes, thank you, we will take it." They were still about £80 higher than the other firm. Is that carrying out the wishes of the Tynwald Court? Is it right? Let us either say we will not go off the Island, or let us be gentlemanly enough and honest enough to treat those who send in their tenders properly. I am not a lawyer; but I think the Board was legally liable, and any of these people could bring an action against the Board of Advertising, for illegally allowing anybody to put in a tender after the proper time, and accepting an amended one. It was disgraceful. I am quite willing to answer any questions on the matter.

The Attorney-General: Will you read the letter reducing the tender?

Mr Cunningham: I have not got it.

Mr Norris: It is quite in order to put it in.

Mr Norris: I may say at once that the tender was accepted before the letter was put in. The Board had no knowledge of the letter when they dealt with the tender.

Mr J. D. Clucas: We really have not got a statement of what the tender accepted was. I understood the accepted tender was £1,500.

Mr Norris: That is right.

Mr Kermeen: Will Mr Cunningham tell us how "The Isle of Man Times" found out there were lower tenders in?

Mr Cunningham: What I tell you is this—that anything that is whispered at the Board of Advertising is shouted through the megaphone in the office of "The Isle of Man Times." Mr Cunningham was proceeding to read a letter from the Secretary of Brown and Sons, Ltd., dated 17th, January.

The Attorney-General: That was too late for the meeting.

Mr J. D. Clucas: When were the tenders in?

Mr Cunningham: January 9th and 12th.

The Speaker: We should approach the question in a judicial way without any feeling or partiality. I suggest that the Chairman of the Board should give us a definite statement of events, showing exactly what took place.

Mr Kerruish: I do not admit having done anything underhand or dishonourable in this matter. The Board of Advertising, as usual, asked for tenders for the Guide for this year, and instead of confining it to local persons they went elsewhere. Those tenders, eleven in number, arrived—I cannot give the precise date—and at a meeting of the Board they were all opened together.

Mr J. D. Clucas: What was the date of that meeting?

Mr Cunningham: The meeting was on the 9th.

The Speaker: Was it a public notice asking for tenders, or were certain firms only invited?

Mr Kerruish: Twenty-three were invited, and eleven replied. Within a certain time eleven tenders were received. Those were all opened at one and the same meeting, and were read over in the presence of the Board.

Mr Cunningham: Including the tender of "The Isle of Man Times."

Mr Kerruish: Yes, they were all opened together in my presence.

Mr Cunningham: I have not said anything about that meeting. Up to that time "The Isle of Man Times" had notice to send them in. I say it was that delay that was the failure. It was the other meeting that followed two or three days afterwards.

Mr Kerruish: I have said that at the meeting of the Board of Advertising eleven tenders arrived and were opened by myself.

The Attorney-General: Were instructions sent as to what date tenders were to be sent in? Where there any tenders sent in that had not been sent in on the date fixed in your letter?

Mr Kerruish: None. Only eleven arrived on that date, and the eleven were opened and laid before the Board for their consideration.

The Attorney-General: Was any message

sent to "The Times" before they were opened?

Mr Kerruish: I am not aware of anything.

Mr J. D. Qualtrough: But you were in the room when "The Times" were telephoned to?

Mr Kerruish: All the tenders were opened, but there was a question in one case with regard to the cover of the book; they were unable to give the whole price. The whole matter was continued, and at the next meeting the details of the tenders in tabulated form were presented to the Board. The general sense of the Board at this juncture was that the work should, if possible, be kept in the Island; in fact, there was complete unanimity on that point. This feeling in favour of the work being retained here, was reflected by the fact that three local tenders were in the final selection. At the subsequent meeting, when ample time had been allowed for all particulars to be supplied, it was still found that the stipulated requirements of the Board had not been met. One Insular firm was rejected by the general consent of the Board. A second Insular firm was rejected on account of the fact that they could not do the work locally, and their price was higher than the other local firm.

Mr J. D. Qualtrough: As a matter of fact, the question was only between "The Isle of Man Times" and a Manchester firm.

Mr Kerruish: Prior to the final meeting, when the matter was concluded, one firm was struck out, and then another firm was struck out. There were eleven tenders at first, and seven were struck out.

The Bishop: Only the Island tenders were in the last selection?

Mr Kerruish: No, one was a Manchester firm. At this stage of the deliberations, this being the meeting of the Board when the final decision was made, letters were read from the Hon. Secretary of the Isle of Man Master Printers' Association and from the Secretary of the Isle of Man Branch of the Typographical Society referring to the prevailing reports as to the possibility of the contract for the Official Guide being sent off the Island, and urging the Board to give all possible support to local industry, in view of the existing

unemployment. The difference in price between the local firm and the English firm was approximately £135. On a vote being called for, five members voted for the Manx firm, and as I had not recorded my vote, the issue lay with me, and I cast my vote in favour of the Manx firm. In exercising my judgment as I did, may I be allowed to state in a few words, my main reason for doing so. As the Court will recollect, a considerable portion of its time was recently taken up discussing the grave industrial position in the Island, and the unfortunate position of the unemployed. The Court has voted large sums of money to relieve the situation, and has, by every means in its power, shown that it entertains a very practical sympathy for the unemployed. This consideration was predominant in my mind. To vote for work being done off the Island would have aggravated the position—however slightly—which the Court has been at such pains to relieve, and if for no other reason, my judgment upholds me in adopting the attitude of the Tynwald Court, in helping—not by empty words—but in the most practical manner possible, to tide the Island over the critical days through which it is passing.

The Attorney-General: Might I make a suggestion? This is a rather unpleasant matter, and it is evident there is a good deal of feeling about it. It is almost impossible for us to form a fair tribunal to decide the matter. We want to see the minutes, examine the tenders and letters, and so on. Charges have been deliberately made and backed up, and have been repudiated with equal conviction. I think we might, perhaps, appoint a little committee; let them investigate the facts, and present a report to this Court. I think everyone wants to avoid a scandal in the administration of our Government. It may turn out that everybody has acted bona-fide, whether they have made mistakes, or not. A vote of confidence has been proposed, and upon that vote we shall have to pronounce, and all this talk of members who have spoken and members who have not been heard will not help us much to come to a right conclusion. I move that the matter be referred to a committee.

Mr Norris: I hope that resolution will not be carried at this stage. Too much

has been said, or too little has been said. Statements have been made to this Court, which will not bear the light of day. The Secretary of the Advertising Board is available to this Court, and I say he should be called, and the same publicity should be given to his evidence as to the statements which have been made this morning. We should have the whole thing hammered out. It is unfair to this Board to have ex-parte statements of this sort made without an opportunity of meeting them.

The Attorney-General: We have had statements from each side.

Mr Norris: You have not. You have had a gross mis-statement of the facts by Mr Cunningham, and I am proposing now to ask to be produced in this Court at once—let it be answered at once—the minute book which will show that in his most deliberate statements he has not stated the truth to this Court this morning. Why has this matter to be postponed and to be held up interminably before this Legislature act? The matter can be settled this afternoon, and let the Court do so. The honourable member of the Council stated that there has been great favouritism.

The Speaker (interrupting): I think we ought to settle, first of all, whether we are going to refer it to a Committee or not.

Mr Norris: Then I ask the Court not to refer it to a Committee. Let the light of day be thrown on the whole proceedings of this Board, and let the Court come to its own conclusions, but let it do so on the evidence before the Court. At present the Court is not in a position to vote on it. It is a question of honourable men being treated unfairly, and told they are dishonourable. It is for members, therefore, who hold that view, to prove dishonourable conduct. Let us have facts, and names, and the actual truth. I appeal to the Court not to remit it to a Committee; let us settle it now. There is no need for a long debate, and I say the Court will be stultifying itself by referring it to a Committee of this Court. All members will not be present at the meeting of the Committee. Will members of the Court have a full report from the Committee? Will members of the Court be allowed to ask questions? I do not

think it is a question that can go before a Committee of the Court. Some members of the Court have heard one kind of statement, and have made up their minds upon it.

Mr J. D. Lucas: We have very little facts as yet.

Mr J. D. Qualtrough: On a point of order, if the honourable member for North Douglas suggests that he shall be allowed to speak again, I shall strongly protest. He is making a speech on the motion.

Mr Norris: There is no motion that it should go before a Committee.

The Attorney-General: I move it.

Mr A. J. Teare: It has been seconded.

The Governor: The hon. member is entitled to speak on that.

Mr Norris: I am not entitled to speak on the merits of the case?

The Governor: Of course you are.

Mr Norris: Then I shall proceed as far as I am able, to ask the Court to consider the facts of the case. A deliberate charge has been made that the Board of Advertising are absolutely in the grip of "The Isle of Man Times"; that great favouritism has been shown to them; and that "The Isle of Man Times" put in a tender after all the other tenders had been opened.

Mr Cunningham: I did not say that. I said that the first delay was the delay that failed. It was a most irregular thing. They waited half-an-hour for it. I do not think any Board in the Isle of Man would allow another tender to be sent in after tenders had been opened.

Mr Norris: In the opinion of some members of the Court, everything "The Isle of Man Times" does is irregular.

The Deemster Callow: On a point of order, it seems to me that the motion of the Attorney-General is that the matter should go to a Committee. If we have a debate first, and send it to the Committee afterwards, we shall have a debate without knowledge of the facts which the Committee are going to investigate, and it will be very little use. If we are going to send it to a Committee, we should take that step first, and debate afterwards.

Mr Kerruish: The Secretary of the Board is present in this Chamber, and can inform members of the Court of the

various facts that have passed, and he can bring the books.

Mr J. D. Qualtrough: He is not a member.

The Governor: The Secretary could give evidence, if it is required, in an inquiry. But we are now dealing in debate, and he is not taking part in debate. The question is, whether this Court should go into the merits of the case. To my mind, it is impossible for a Court such as this, to adjudicate in a matter of this sort. Under the rules of debate, persons are limited to one speech on the motion. It would be impossible to have a thorough judicial inquiry into what took place. To my mind, in order to arrive at proper justice and the rights of the case, it is preferable that the matter should be referred to a Committee, as has been moved and seconded. Then, on the report of the Committee, a debate can take place, and any further points can be elucidated.

Mr Norris: I am going to oppose at this stage, the appointment of the Committee, and I claim the right to answer at once the statements which have been made to this Court, which are calculated to prejudice the Court, and mislead the public of the Island.

The Attorney-General: I submit the hon. member cannot proceed. The motion before the Court is that Messrs Cunningham and Qualtrough be re-elected. I moved, as an amendment, that the matter be referred to a Committee. That does not open the door to a general discussion of the merits.

Mr Norris: I submit I am within my rights in discussing the motion. Does the Attorney-General say that, when a motion and amendment are before the Court, I am not entitled to discuss either, or both? Your Excellency, I think I have got the floor. Statements have been made to induce the Court to re-elect these hon. members. I submit the statements made by Mr Cunningham will not bear the light of investigation, and he is not entitled to get credit for a full statement of fact. First of all, I say that it has not been the custom of the Board of Advertising to advertise for tenders across the water. The work of the printing of the Guide has never been sent off across the water more than once. The hon. member has been a member of the Board

longer than I have, and he has kept the work on the Island. But, last year, the quality of the Guide was so disappointing, so contrary to what we had every reason to expect to receive, that there was not a member of the Board prepared to renew the Guide to that firm, except on very different terms and guarantees from what we then possessed. In addition to that, there has been, during the last 12 months, very considerable fluctuations in price. Therefore, the Board, without tying its hands in any form, decided to ask for tenders. There was no decision that the Board would accept the lowest tender. They invariably say the Board shall not be bound to accept the lowest or any tender. Therefore, the Board of Advertising pursued the usual method; it invited tenders, in order to see that we were getting fair value for the money that we were paying, and getting for the public of the Island fair value. But, we did not lie ourselves down to accept the lowest tender. This was what influenced the Board. Over and over again, when tenders have been invited for public work, local patriotism, local trade, local conditions, are taken into consideration, and, other things being equal, or if there is not a great deal of difference between the outside firm and the local firm, invariably, as a matter of justice and fair-play to ratepayers and local people, the choice goes to local people. As regards the tender accepted, and the conditions under which it was accepted, and what we receive for the money, substantially there was not a great deal of difference, and it justified us in accepting the tender of Brown & Sons. I repudiate the charge that there was any favouritism whatever in favour of Brown & Sons. If I had to find reasons for not being in favour of Brown & Sons, I could find ample reasons. But, I challenge the hon. member of the Council, Mr Cunningham, to say that he was influenced solely by the public interest.

Mr Cunningham: I can.

Mr Norris: Well, he displayed such ill-humour when the firm of Brown & Sons was mentioned, that one is justified in thinking that there was something more behind his opposition to Brown & Sons, than appears in his statement to-day. It is public knowledge that the hon. member was very severely castigated by Mr J. A. Brown, at a public meeting a few weeks ago, with the result that he was practically

removed from a public position in this Island. In view of the ill-humour, the bitterness—not to say the bad temper—he has displayed to-day, we have a right to say there is something more in his opposition to Brown & Sons than what appears on the face of it. He says half-an-hour extra was given to Brown & Sons. Now, the Board meeting at which the tenders were put in was on January 7th; and, when the Board met on the 9th, the Chairman opened the tenders and said, "Are all the tenders in?" The secretary said, "Yes, all the tenders are in, except that Brown & Sons have not sent in the price of the cover." Now, the cover has to be done across the water. There is no firm on the Island that can do the cover.

Mr J. D. Clucas: Were all the tenders in except that?

Mr Norris: Yes. We had not seen it then.

The Governor: Then, how did the secretary know what was in "The Isle of Man Times" tender?

Mr Norris: He did not know what the tender was; but he had received an intimation from Brown & Sons that they had not been able to give the price of the cover, because they had not got the information.

Mr J. D. Clucas: They got that within half-an-hour?

Mr Norris: Yes. This is the point. At that moment, no tender had been opened. There was not a single thing before any member of the Board; and the Chairman said, "Brown & Sons have sent word there is something wanting. Ring up Brown & Sons, and say that, unless their tender, complete, is before the Board in half-an-hour, their tender is excluded." Within a few moments, a sealed envelope came from Brown & Sons, giving the Board the information they required. Then, in bulk and as a whole, all the tenders were opened. What did we find? We found the Manx firms were able to stand up against some of the biggest firms in the United Kingdom in high-class work, and they competed well in price. Amongst eleven tenders, only one English firm was lower than the Manx firms. Now, Mr Cunningham has told you that he left the Board at a certain point. He said when he left, "There are only two firms left in—an English firm and "The Isle of Man Examiner."

Mr Cunningham: When I returned, that was my information.

Mr Norris: That was not his information. The question was raised; and then I asked for the minutes. The minutes showed that the decision of the Board was, that the English firm that was lowest, and the three lowest Manx firms, were left in. It was not as he has told this Court, the English firm and "The Isle of Man Examiner." There is something else. He leads this Court to believe that, out of favouritism to "The Isle of Man Times," the "Examiner" has been treated badly. I say they were treated with more consideration than any of the other firms before the Board. I will prove it. When the tenders were opened in the first instance, one of the stipulations was, that the various firms must submit samples of paper and of the work they had done previously, to show the quality of the work. A sample of the sort of paper—art, or semi-art paper; cover, and everything else, must be submitted. What was the position when Broadbent's tender was opened? There was no sample, and there was a price. They said, if the price was favourable, samples of paper would be put in later. They did not comply with the tender. They were out of it. What did we do? We postponed consideration of the whole of the tenders for one week, to enable Broadbent's to put in quality of paper supplied, and the quality of work proposed to be given to the Board. The hon. member tells us that the Board decided that only the "Examiner" and the English firm were left in; and, yet, we had not then received a scrap of paper from Broadbent's! Is not that an answer? We met a week later. The hon. member said, "We decided, last week, that only Broadbent's and the English firm were left in." "Nothing of the sort," we said. "We included all the Manx firms." Then, Broadbent's put in their tender and revised their price, because they put in a different quality of paper. But the hon. member objected. He was out to see that Brown & Sons did not get the order. He was out to send the work across the water. So was the hon. member for Castletown. The hon. member for Castletown made this statement—Had the English firm been more than the Manx tender, he would have sent it across the water. ("On what grounds?") On the ground of quality of work. We had a very poor quality of work last year. The previous year's Guide was a very good sample of workmanship, and we stipulated for that standard. It

is a free Guide, and we don't want the most expensive Guide that could be put out.

Mr Cunningham: But, you want to pay £135 more for it than you need do.

Mr Norris: £35 more; and the hon. member knows it. Now, your Excellency, that was the position. Broadbent's did not send in specimens of the paper nor a single sample of their work; and they also stated that, if they got the contract, they could not carry it out here, but would have to collaborate with a firm across the water.

Mr Cunningham: They were too honest.

Mr Norris: If it was going across the water, why not give the order to the lowest English firm? Should we try and save £130 on a £1,500 job by sending work off the Island? The majority of the Committee decided for local labour and patriotism.

Mr J. D. Qualtrough: To get Press support.

Mr Norris: Nothing of the kind. On the second occasion on which we met, a letter was sent in from Brown & Sons, and it was unanimously decided that the letter should not be opened.

Mr J. D. Qualtrough: The Chairman made a statement that it was a lower tender.

Mr Norris: No. The Chairman made a statement that there had been a letter received from Broadbent's, revising their tender, and he said that there was also a letter from the "Times"; and someone moved that the letters be not opened until the tenders were settled.

The Speaker: Do I understand that the letter came from Brown & Sons after the tender had been accepted.

Mr J. D. Qualtrough: That is incorrect.

The Speaker: Did it come in at the first?

Mr Norris: No. a week later, at the adjourned meeting.

The Speaker: That was before the tenders were accepted. Was the letter opened?

Mr Norris: No member of the Board had any knowledge what it contained, or any information.

Mr J. D. Qualtrough: I challenge the Chairman. The Chairman said that he

had received a letter with a lower tender, and I moved that it be not entertained.

The Speaker: Had the Board any knowledge of what was in the letter. It might have been a letter about the weather.

Mr Norris: We had information that the letter was from Brown and Sons, and that was all. Some member asked the question: "Does the letter reduce the price?" and the answer was that it did not reduce the price.

The Speaker: Someone knew of the price?

Mr J. D. Qualtrough: The letter was open in the Chairman's hands, and he told us that it was a lower tender.

Mr J. R. Kerruish: I deny that, your Excellency. If this sort of thing is to continue it will be necessary to have a phonograph at all the meetings to record what the members say. I have been connected with public life in this Island for fifty years, and I never saw such confusion at a Board meeting as there was at this. I could not understand it. I was informed by the Secretary that he had received a letter from Messrs. Brown and Sons. I told the Board, and Mr Cain, the hon. member for Ayre, moved that the letter be withheld. Members knew nothing about what was in the letter till after the tenders had been decided.

Mr J. D. Qualtrough: The hon. member is entirely wrong. He has forgotten what happened.

Mr Cunningham: I wish to make a personal explanation. Mr Norris suggests that my attitude was due to the personal attack made upon me by Mr Brown at the Licensing Court. It is the exact opposite. The hon. member is confusing cause and effect. Mr Brown knew perfectly well the line I was adopting in the Board of Advertising, and he was so full of steam that had he not blown it off he would have burst.

Mr Curpley: My recollection of what took place, and I was there that morning

The Governor: The hon. member for North Douglas is speaking.

Mr Norris: I just wanted to point this out, that by keeping the job on the Island you employ local labour; at least twelve girls will be kept in employment, and it is doubtful even at the lower price whether the English contract would have been

cheaper, because it would have necessitated the Secretary paying two or three visits to England to pass proofs, etc. all of which means a good deal of expense. In connection with that, Brown and Sons do a good deal of work in the way of corrections, etc., on this job which are never charged for; things for which we certainly would have to pay if done by the English firm.

Mr J. D. Lucas: It is not the point whether the job went across the water or stayed here; the whole point is, did the tenderers get fair play. I appeal to the House to let the matter go to a Committee.

Mr Norris: I submit that the members of the Board were honest and sincere, and acted in the best interests of the Island. No harm has been done to anyone, and even the English firm mentioned are printing the cover.

Mr Cunningham: That is good, that.

Mr Norris: That part of the work has to be done off the Island.

Mr Cunningham: It is simply splendid.

The Governor: Are members ready to vote on the motion that the matter be referred to a Committee.

Mr J. D. Qualtrough: I have a right to be heard before it is decided.

The Attorney-General: That will be two aside.

The Governor: The Court will adjourn till 2-45.

The Court resumed after lunch.

The Governor: When the Court adjourned, we were considering the appointment of members to the Advertising Board. The hon. member for North Douglas had just spoken.

Mr J. D. Qualtrough: Your Excellency, I am somewhat sorry that this matter has come up for public debate. I could have wished the motion of the Attorney-General to have been accepted and carried by the Court at once, so as to have avoided at all events a continuance of a discussion that cannot be regarded as very edifying, or much to the credit of the Court. At the same time, the matter has come to a stage at which all who are principally interested, and have raised the matter of the resignations, have a right to be heard. I wish to say that, in sending in my resignation, I do not do so on any per-

sonal grounds whatever. In any action I have taken, I have been moved purely by what seemed to me to be a question of grave public interest, and the welfare of the Isle of Man. It was because I thought the Board of Advertising was pursuing a policy which was not in the best interests of the Island, and, from an advertising point of view, certainly was very harmful to the Island, that I felt I could no longer be associated with the Board. I hold no brief for the defeated firms, or against the successful firm in the matter of these tenders and this contract of printing the Guide. Between "The Times" and "The Examiner," two local papers, I am entirely unmoved by any consideration of personal partiality whatever. With regard to the statement that has been made in this Court, this morning, both by the Chairman of the Board, and by my hon. friend, Mr Norris, I don't think that, up to a certain point there was any grave matter of division among the Board. I am perfectly certain that it had been arrived at conclusively that two firms were the cheapest, and those two firms were selected for special consideration at a subsequent meeting of the Board. But in regard to one firm, and that was Messrs S. K. Broadbent & Co., questions had been asked in the Board meeting regarding certain points of detail which the Board felt it was bound to have further information upon, and on which they decided to write to Messrs Broadbent & Co., and have full information, before they, at the following meeting, settled finally to whom the tender should be given. It is in the final meeting of the Board that the matters took place which seemed to me conclusively to point to the existence of something which I do not regard as savoury, and which resulted in the contract being placed, as I think, in a manner not in the interests of the Island. When the last meeting took place, at which the matter was settled, it was obvious that there was an attempt to bring in the firm of Brown & Sons, which had been ruled out. There was an attempt to bring the firm to the front again, whereas the issue seemed to have rather settled itself between Messrs S. K. Broadbent & Co., and Taylor, Garnett & Evans. I leave the Court to judge as to whether that was in the best interests of the Island. I am reluctant to say that it was improper. I am not here

to say that those members who brought forward the name of Messrs Brown & Sons were acting in an improper manner. But what was the position? It is necessary to review the history of two years of advertising to show clearly my own motives in giving my vote. In the previous years the Guide, issued by Messrs Brown & Sons, was considered, I believe, unanimously by the Board, to be an unsatisfactory production. I don't think I am attributing anything to any single member of the Board which any of them would care to get up and contradict. The Board was profoundly dissatisfied with the Guide for 1920, and, with the Guide in mind, it had decided for 1921, to go in for a policy that would secure the best possible value to the Island in the matter of a Guide. With that end in view, tenders were invited from a considerable number of firms. I believe all the firms on this side of the water, who were in a position to tender, were asked, and a considerable number of firms across the water, who hold a very high standing in the printing trade, and have a reputation for turning out the highest class of work. Those tenders came in, and at the last meeting we had before us the cheapest of the lot, that of Messrs Taylor, Garnett & Evans, which was at least £135 cheaper than Messrs Brown & Sons.

Mr J. D. Clucas: That was the first meeting.

Mr J. D. Qualtrough: The last meeting. We had arrived at the cheapest firm—Taylor, Garnett, and Evans—and they had produced a considerable number of samples of their work of a similar nature in the industrial and holiday resort spheres, and it was obvious to me, as a layman, that it was magnificent work. It was a class of work that would have done the Island good. It was proposed to send out this year at least 75,000 copies of the Guide. If we sent out 75,000 Guides, does it make any difference what is the quality of the work? If you send out one of inferior workmanship and have to compete with other visiting resorts that have their Guides made up by firms of the highest standing, who turn out an artistic production, which is in itself an advertisement for a watering-place, which would the Court choose?

They would undoubtedly, as a Board, select the Guide that would advertise the Island the best. In any criticism of my action, I want this to be clearly understood, that if I proposed to send the work off the Island, it was not only because we were saving £135, but infinitely more, because there was every reason to hope and think we were going to get a work that would do the Island good. That was what prompted me to go for that firm. The meeting started, and that was the position. As soon as the meeting started, we had first the spectacle of the Chairman of the Board, who—in spite of his contradiction this morning, I must state to be true—produced from Messrs Brown & Sons a lower tender. He did not state how much it was lower, but he said "I have in my hand a revised tender from Messrs Brown & Sons, it is a lower tender, I may say." I immediately got up, and proposed that the tender be not entertained. At that position in the negotiations, we had no right to re-open the matter of tenders, because, if one firm was ready to re-tender, the same privilege should be accorded to all the firms (Hear, hear.) The Board agreed with that point of view, which was the only possible one. This fact would at once have dawned on the minds of hon. members, that it was, in all human probability, certain that Messrs Brown & Sons had got to know that they were by no means the lowest. It was obvious, to my mind, that there had been a leakage of information; that there had been a breach of confidence on the part of some member, or someone connected with the Board. That seemed to me to be a highly improper thing. Messrs Brown & Sons should never have got to know the position. There was a further matter. There were two letters received, purporting to come from two societies in the Isle of Man. The first was from the Master Printers' Association, and the second from the Typographical Society. The letter from the Master Printers was a very long screed, and went at considerable length into arguments why work should not be sent off the Island. It stated, frankly, that it had come to their ears that it was proposed to send the work off the Island, and gave many reasons why it should not be done. The hon. member for North Douglas, a member of the Master Printers' Association, sitting in the Board-room, ac-

tually said, "Well, gentlemen, I am a member of the Master Printers' Association, but I know nothing at all about that letter." I believe there are other members of the Master Printers' Association in the Court, and, if they know anything about the letter, or where it came from, it is up to them to say so.

Mr A. H. Teare: I don't.

Mr J. D. Qualtrough: The hon. member knows nothing about it?

Mr A. H. Teare: No; I do not.

Mr J. D. Qualtrough: There was a letter from the Typographical Society, asking that the work should not be sent off the Island. I am ready to declare that all work should be kept on the Island, all other things being equal, and even if they are not. I am whole-heartedly in favour of that policy, for I believe all Boards ought to do what they consider to be the best in the interests of the Island. But, that is the position. In the first place, Messrs Broadbent & Co. said, in their letter, that, owing to having to work under such very high pressure, they were unable to carry out the whole of the contract, because they were so busy they could not do it. In the second place, it is within the knowledge of the Court that Messrs Brown & Sons are so busy that it is only with the greatest difficulty they can keep pace with the work that we have for them to do as compilers of the official debates, and I put it that it was a fact that Messrs Brown & Sons themselves have had to send work off the Island, because they have not had time to carry it out. The question of employment on the Island is one that we, as a Court, would go a long way to meet; but we are not going to allow that to be used as an argument, when it has no force, to subvert and hinder the Advertising Board from rendering the best possible service to the Island. My complaint was that the Board gave the order to the firm whose work was considered unsatisfactory last year; it was far from being the cheapest this year. The Board neither studied quality nor price. It was not even the cheapest local firm; so, if it was the desire to give the work to a local firm, that argument would not hold good. The cheapest firm was also the best firm, and it had submitted excellent samples. There was the fact that there had been obvious leakages from the Board meeting. I do not want to let any

hon. member down; but it will illustrate my point when I say that the hon. member for Ayre in this Court, to-day—came to the Board with this story, that he had been told by a certain individual connected with the "Times" that the reason why the work was so bad, last year, was on account of the ink that the Board had selected. The secretary of the Board was there, and he immediately said, "That is incorrect, gentlemen. The ink was selected by Messrs Brown & Sons themselves." They suggested the ink the previous year, and suggested it to the Board. We actually have this position—that it almost sounds like a Gilbert & Sullivan opera. We have this position—that a member of the Board should tell the Board that it was on account of the ink we had selected that the Guide was so bad last year. The principles by which I have been ruled have been, to get the best possible results in advertising by any and every means to get the best Guide. I believe in the principle that it has been asserted in this Court, this morning, that, if you ask men in business to tender for a job, you imply you are going to give them a fair and straight deal. If you are not going to it—well, do not ask them to waste their time in compiling tenders. Also—and this is from the hon. member for North Douglas—he indicated for the first time that he wished to keep the job on the Island. He suggested that we should ask an expert to indicate to the Board what would be a fair and reasonable price to pay for the work, so that we should know whether we had been done rightly by, or not. There was a further question which I did not like. and that was, when the matter was put to the meeting, the Chairman did not vote. There were five and five. The Chairman, possibly, had reasons for not voting. When the matter was a tie, five to five, the Chairman recorded his vote. Personally, I wish that he had not done so. In the matter of patriotism, I hope that this argument is not going to be used in any small or local sense to blind the eyes of the Court. I take it we are all patriots, though we differ on points of policy. It cannot be said that, because certain people have voted to keep this job on the Island, they are patriots, and that those who voted otherwise have no claim for patriotism. Personally, I am not concerned for the moment as to whether hon. members

think I have acted like a patriotic man, or not. I am quite content to leave it to the Advertising Board. I do not know that there is anything else that I ought to deal with. The hon. member for North Douglas, Mr Norris, said, in his address, "We have a right to assume there is something more behind this opposition to Messrs Brown & Sons than appears on the surface." I submit, quite as strongly, that we have a right to assume that there is something more behind the attitude of partiality to Messrs Brown & Sons—in the attitude of the hon. member for North Douglas—than appears on the surface. If one argument can be advanced, the other can. Personally, I do not advance either; but give the hon. member of the Council credit for his convictions. He may have been wronged by Mr Brown, or he may not have been. I take it that his attitude all through was one that gave evidence of the highest honour and integrity. He wanted to see fair play and justice done all round. When the matter was settled, I rose from my seat, and said, "Gentlemen, I have finished with this Board," and went out. The hon. member of the Council followed me. I did not want to go back to the Board. The Board has adopted a policy. They have given an order for a Guide, which I sincerely hope will turn out a long way better than we anticipate. No one hopes more fervently than I do that Messrs Brown & Sons will retrieve their reputation as publishers of the Guide this year; but, guided by previous experience, I venture to be pessimistic on that point. With regard to the 12 girls who were going to be thrown out of employment, I do not think, after what I have said with regard to the pressure of work in the printing trade in the Island, that that argument will have much weight with the Court. There was one point raised by the hon. member for North Douglas, with regard to Messrs Broadbent & Co., than an exceptional privilege was accorded to them; they got a second tender in. Well, when you consider the different position that they are in from Messrs Messrs Brown & Sons, it will be very obvious that there was nothing in the nature of favouritism to Messrs Broadbent & Co. At the previous meeting, the two cheapest had been established. It was decided that certain questions should be asked from Messrs Broadbent & Co., and certain assurances given with regard to

the nature of the paper they proposed to use; and their capacity to carry out the job. They were written to and asked specific questions, and they replied to those questions and gave the necessary information.

Mr J. D. Clucas: But, that was not given to the English firm.

Mr J. D. Qualtrough: I quite agree it was not given to the English firm. They had already submitted their samples. I only mention this to show that there was no undue desire on my part to get the job off the Island. At the first meeting of the Board, I fully consented to give Messrs Brown & Sons the half-hour to get their tender in.

Mr J. D. Clucas: How was it that the revised contract was lower?

Mr J. D. Qualtrough: It was the different quality of paper used. We can only judge by the samples which were the most suitable for reproducing photographs on. I believe the better quality of your paper, the more highly finished you can reproduce your block-work. The hon. member for North Douglas, speaking in the Advertising vote, in this Court, on June 4th, last, said, "We have reviewed our position, owing to the present condition of things, and, when things recover, we shall have another vigorous campaign. A very full advertising scheme is now in hand, and will continue to be, notwithstanding the condition of things now. Not one penny of this sum is wasted." I submit that, in face of what has transpired, that the hon. member cannot again come to the Court and say, "not one penny is wasted."

Mr A. Qualtrough: Does the hon. member think these letters were forgeries? (Laughter)

Mr Richard Cain: It speaks well for the public life of the Island that such a large amount of the time of the Tynwald Court should be taken up on a matter of this kind, and by a full House, rather than by a committee. I have no regret whatever for the way I voted on this contract. I thought the local firm, who did one job of this kind a year, should receive more consideration than an English firm who did this kind of work every day of the year. If we take that into consideration, we are bound to take into consideration the whole circumstances. The local

tender we accepted was £135 more; but, if you consider that we had 11 tenders, and that all the English tenders but one were higher than the local firm—the highest was £1,775, £275 higher—you will see that the local firms put in a very fair tender. The question arises in my mind—Do we want to encourage the small firms we have in the Island? Mr Norris should be an expert on the value of the work; but he suggested that, instead of asking for foreign tenders, we should bring in an expert from across, to see that the local firms were giving full value. That was not adopted; but the fact that the highest tender was £275 higher than Brown's, and this tender was only £135 above the lowest English firm, in a £1,500 job, shows that the price was fair. When settling a question of this sort, we ought to take into consideration the whole of the economic conditions. We have recently voted £99,675 for public works, and most of this was done because there was a lack of employment on the Island. Would we be justified in spending that large amount of money in relieving unemployment, on the one hand, and sending a £1,500 job, which could have been done on the Island, across the water? When we consider the whole economic conditions of the Island, we know that the visiting industry keeps us all busy for three months in the year, and for the rest of the nine months we have a few little industries struggling to live, and here we have the power to provide one of those industries with a certain amount of work, at an extra cost to the Island, if you will, of £135. Would we be justified, considering all the circumstances, in sending that work off the Island? The various industries that have been created during the war have all gone, and we should do all in our power to preserve those we have. Every trade in the Island suffers from dumped goods. What is our position with regard to dumping? England has imposed a duty of 33½ per cent. on all goods imported from a foreign country, and in that schedule of goods there are 50,000 articles, and, in addition, there is the reparation duty on German goods. In brewing, I know more beer is imported than we make here; and all could easily be made here, if we had protection. We should try to keep all the work we can in the Isle of Man. I say that the people who voted to keep this work on the Island took an honest, just,

and fair view, and a long view, of the matter, and are entitled to as much credence as the members who took the opposite view. They have behaved rather childishly. What would you think of the directors of a company who resigned every time they could not get their own way? It would take the shareholders all their time replacing them, and they would never get anything done. A similar thing has happened in Buxton, as in the Island. Tenders were got, but they gave the work to a local firm, rather than to the big Manchester firm. The very same thing also happened in Llandudno, where they gave the work to a local firm, though the big outside firms were cheaper. Goods coming in from Germany have to pay 26 per cent. reparation duty—

The Governor: I hope that the hon. member does not put the relations between the Isle of Man and Great Britain on the same footing as the relations between Germany and Great Britain.

Mr Richard Cain: But, it is done to prevent Germany dumping; and we should consider the same thing, and encourage small firms in the Island. The same thing is being done in Ramsey, Castletown, and Peel, as the Advertising Board did. The local authorities all over the Island are paying four times more for breaking stones than they need do, if they were broken by machinery. Why? To keep people in work. There is not a single town in the Island that is not paying more for its stone than they would have to pay if it was broken by machinery—7s 6d a ton, as against 2s. You have the same conditions all over the Island, in the towns and by the Highway Board, and so long as we have the same economic conditions as we have at present, we are bound to take those conditions into consideration. I have no hesitation in saying that, in voting the way I did, I did the right thing; and I would do the same thing over again. I say that we were justified in acting as we did, and, so long as the economic conditions are as they are, we must all endeavour to keep as much business as we can on the Island during the winter. I felt sorry to hear Mr Cunningham import so much heat into the discussion in this Court, and he displayed quite as much heat at the Board, instead of judging it on its merits, what is purely a matter of policy. One section of the Board failed entirely to give credit

for the same honesty of purpose by which they were actuated to those who were opposed to them, and who, I maintained, were equally entitled to the same consideration.

Mr A. Qualtrough: I would like to point out to his Excellency that those two letters which were sent to the Board should be referred to the Attorney-General, for the protection of the purity of every Board of the Island. They are forged letters, and I beg to draw his Excellency's attention to them.

Mr Alfred Teare: I can disabuse the hon. member's mind of any suspicion as to the letter from the Typographical Association, which was an expression of opinion from the working printers of the Island, that work should not be sent off the Island that can be done as well here. No doubt, it was difficult to judge from the samples of work, because a firm always sends its best. Last year's Guide, printed by Brown & Sons, was not all that it might have been. I might go so far as to say that it was the ink, in that case, that spoiled the job. Whoever it was that was responsible for picking the ink, they picked ink that should not have been chosen for a job of that kind. I do not know, when the Board were considering this, whether they had before them any guarantee that the work would be done in Manchester; but I do know that, on the mainland, there is a lot of dissatisfaction because of the large amount of printing now being done on the continent, in the name of English firms. Printing is being done on the Continent and supplied to customers in England as if it had been done by English firms. The year that the Guide was printed off the Island it was one mass of mistakes. People who write the copy use a lot of contractions, and, unless the working printer understands these abbreviations, it means a lot of author's corrections. I would like to know whether the price quoted covered all corrections, or whether author's corrections had to be an additional charge. If author's corrections were to be charged for, the difference of £135 would soon be wiped off. Were those things considered by the Board when they considered the difference of £135? With regard to the pressure of printing work, which some members have referred to, it is in direct contradiction of what the "Isle of Man Examiner" said, four weeks ago, in London. I was there in the

interests of the Manx printers, to see if the Island could be put on a higher scale of remuneration, and the argument used on behalf of the employers' representatives was, the great slackness of trade in the printing trade for nine months in the year. I think that the majority of the Board, in deciding to place this order on the Island, did the correct thing. We have done a great deal to relieve the distress among the labouring class, this winter; but we have done very little for the artisan class, and we should do all in our power to encourage work among that class in the winter. No local firm can set up machinery to deal with a job of this description, if they can only be sure of getting the job one year.

The Receiver-General: It seems to me that the Board of Advertising had no right to ask for outside contracts unless they intended to accept them. In all cases in the Board with which I am connected, if we ask for tenders we feel bound to accept the lowest, or at least give them all due consideration. The Board had either to adopt that course, or they had two other courses open to them. They could have given the order to one firm without regard to the price to be charged, or they could ask an expert to see whether at the price quoted they were getting real value. I think that the Advertising Board have made a great blunder in acting as they have, and in telling English people that they need not apply for Manx work. I hope that this discussion will not get into the English papers, because if English people get to know that when they made an honest tender for work, it would not be considered, it will be about the worst form of advertisement we can get. It will certainly do us more harm than spending £1,500 here.

Mr Norris: The hon. member is quite wrong in suggesting that this printing firm is connected with any newspaper in Manchester. Messrs Taylor, Garnett, Evans & Co., were connected with the "Manchester Guardian," but now they are quite another firm, and there is no one connected with the firm in the "Manchester Guardian."

The Receiver-General: I did not say they had; but if this gets into the English papers, it will do more harm than if you never issued any Guide at all. We get

money from the English visitor, and I think that when an English firm applies for work they should receive fair treatment. I am not going into the merits of the case, but the course which the Court adopts, will influence the policy of other Boards. Let us do our work fairly and squarely. I may say with regard to the Harbour Board, we recently asked for tenders for fifteen tons of cement. There was only very little between the highest and the lowest. There was one from Ramsey, one from Castletown, and one from Liverpool. The Liverpool tender was £4 10s. lower than the other. The Harbour Board adopted the English tender because of the principle involved. If you act fairly you cannot depart from that. The procedure of the Board of Advertising cannot be understood or explained, and I intend voting to send back the men who have acted honourably. I have known Mr Cunningham a long time, and I know that he is a very important member of the Board of Advertising, and I hope that the Court will return him to advertise the Island in a business-like way.

Mr Kermode: I would point out with regard to my suggestion for nominating the two men who have resigned, I believe that all parties in this case have acted honourably, and with the best intentions, and I believe the Advertising Board in future will work together for the interests of the Island.

The amendment to refer the matter back to a Committee of Tynwald was put and lost.

The Attorney-General: May I say a word now on the motion before the Court. I feel that in the minds of the members of the Court there is a certain amount of confusion. It seems to me there are two questions to be considered. The first is— is a Board of Tynwald bound to accept the lowest tender? I doubt whether this Court ought to express an opinion at all. I think it is too cast-iron. Let us take an illustration. There is a difference between a Manx and an English tender of £20 odd. Now if we adopt that as a principle, they would have to take the English tender. I can see practical reasons why the Manx tender would be an actual saving of many pounds in the end. You may be able to save freight

cartage off flour, five, or six thousand articles, at a time. But the thing wants a little more analysis, so I do not feel, for myself, that I want to vote on the principle. I think we must leave the Boards to take into consideration all the circumstances. If that principle were involved, I do not know how I should vote. I want these two members to be returned to the Board; but I do not want to vote for them if, in voting for them, I am voting for that principle. The other matter that has got mixed up with this debate is the question of the personal honour of certain members of the Court. In other words, was this a job in favour of certain printers? I state my opinion for what it is worth, as the debate has evolved, any evidence of that has gone by the board. I do not like that matter of a tender being sent in two days after it was due; I would rather that did not happen. But, as a matter of fact, the tenders were all opened together. Then, after a week, they sent in a letter.

Mr J. D. Qualtrough: May I point out you cannot refer to the letter. The letter has not been laid before the Board. The Chairman got it in there was a lower tender. That was the only point in discussion.

The Attorney-General: They unanimously decided to ignore it. I do not like the lower tender being sent in. The letter simply says that they have become aware from the paper manufacturers that the price of paper had fallen, and they could reduce £45 or £50. But, as a matter of fact, the letter was not read, and the Board ignored it. It was not, even then, anywhere near the lowest tender. Now, that we have the whole thing ventilated, we find that while there are one or two incidents that are not very nice, there was nothing approaching a job, and, on the whole, the Board judged this matter fairly. While several members of the Board have spoken, none of them have told us why the lower tender from the "Examiner" was not accepted.

Mr Norris: For this reason—the "Examiner" could not produce any quality of work equal to what we require. They, themselves, also said that they would have to collaborate with an English firm.

Mr Cunningham: "The Times" are doing the same thing,

Mr Qualtrough: It is simply an accident from the way the thing was put. There was a motion and an amendment. The motion was for one firm, and the amendment was for the cheapest Maux firm. I think the original motion was that Taylor, Garnett & Evans should get the job, and the amendment was that Brown & Sons get the job; so the friends of Brown & Sons completely cut out the "Examiner."

Mr Norris: Because Broadbent's had not submitted the quality of paper or the work that they had done. If we were to go across the water, we might as well go direct.

Mr R. Cain: Not only that, but the work that was produced was done by a Manchester firm.

The Attorney-General: Now that we have ventilated the subject, we can take our conclusions that, on the whole, probably in detail, the Board acted quite honourably; that two members resented circumstances which should not ever occur again; that more strict care should be taken in opening and dealing with these tenders. I think we can now send them back again, feeling every confidence that the Board will work more harmoniously in the future, and that this will not occur again.

Mr J. D. Lucas: After the remarks of the Attorney-General, I feel I must protest against the impression that he has conveyed. I think this is about the most unsavoury question that has come before Tynwald for a long time. To say the whole matter has been cleared up, is to take a quite erroneous view; it only goes to show that in getting tenders, and in examining tenders, you have to be extremely cautious that nothing leaks out. I think it is almost an invariable rule that when tenders are sent in and opened, they should be decided at once, and no opportunity should be given for spreading the news outside. In a small place like the Isle of Man, to adjourn discussion on these tenders for a week, and say that you are not communicating with anybody is futile. We knew perfectly well that competitors in England would be well aware that those in the Isle of Man would hear everything. I have not the slightest doubt, in this case, that these remarks went round, and it is ridiculous for members of this Court and

members of that Board to try to draw a red herring across the path, by asking would we be justified in sending the work across the water. Have these tenderers had fair play? I do not think so for one moment. I was glad to hear the hon. member for Castletown state that, in asking the English firms to tender, it was to give them exactly the same chance as any local man; because, nothing would tend to give a worse name to this Island than that we should ask people on the other side to tender simply for the sake of comparing them with our local tenders. To suggest the idea that anybody acting on that principle, and, at the same time, thinking they are acting fairly to these people, is an extraordinary condition of mind which I, for one, cannot understand. I quite agree that the best thing would have been, in this case, to have referred it to a small committee. Instead of that, we have set out to wash our dirty linen in public. The matter has been, with all its nauseating features, pretty well disclosed. Hon. members have expressed a hope it will not get across the water. Their hope is very innocent and child-like. It strikes me that nothing would please newspapers of a certain type better, than to circulate this far and wide. I do hope that one result of this discussion will be to make members of Boards more careful in dealing with tenders in the future than they have been in this case.

Mr Dalgleish: I wish to associate myself with the admiration of the two hon. members who have resigned their position over this matter. They felt—and all sincere members of Boards would feel the same—that the business was not conducted on the right lines. As a member of the Court, this, to my mind, sets up a very awkward precedent. If we are to ask for tenders for certain work, and the Board has decided beforehand, and concluded that a certain person must get that work, what is going to become of our reputation for honesty?

Mr Richard Cain: You have no right to make that assertion. To assume that members of the Board of Advertising had decided to give the tender to Brown & Sons in the first instance, is false.

The Governor: I think the hon. member implies very much more than he is justified in doing.

Mr Dalgleish: I am concerned, as a

member, with other Boards—Are we to act up to these tenders and do the best with them, or, are we simply to push aside everyone, and say one must get it? I think, in the conduct of business in the Isle of Man, this is a very bad precedent. It debars competition. Is it likely that, when tenders are asked for, that business firms will compete, after this exhibition? What is going to happen to the management of business in this Island? It is simply left to one firm, and it will be known that only one firm will get the job, and there is no need for anyone else to apply. These people have got the Board of Advertising in their grip. They cannot move. They have no power to move when they do not get competition; and it will be well circulated that there will be no use applying or tendering for any business of the sort. It sets up a wrong precedent, and I hope we shall send back the two members who resigned.

Mr R. C. Cain: I did not intend to speak on this question; but, I am bound to say that, to me, this is the most unedifying exhibition that I have seen in this Tynwald Court since I have been a member. But, the question I have to ask myself, not being a member of the Board, is this—What particular object would any member of that Board have in giving the contract to any particular firm? When I look over the names of the Board, judging from their names, I would not doubt but that every gentleman on that Board would act honourably. ("You are innocent!") I never find persons guilty until I prove them so. I was particularly struck with the remarks of the hon. member for Ayre. This is the point I do not like about the whole business—He laboured the question very considerably, that the work should be done in the Island. I agree. But, did the hon. member, when they were considering the question, put that view before the Board of Advertising, and that you must not ask for tenders across the water? If the hon. member did that, I commend him. But, to come here and say, "We must keep the work on the Island," only provokes the question—"Why did you ask for tenders outside the Island?" I believe, if I had been a member of the Board of Advertising, I would have voted with the hon. member, to have kept it to the Island, if possible. Unfortunately, one cannot help thinking that there is something more in this business than has come

out in the debate in this Court. Whatever views we may hold politically, we have no right to let that influence our discretion in doing public work. I cannot help thinking, after all, that influence prevailed. When I nominated the hon. member for South Douglas, this morning, I did not wish to support the gentlemen who had resigned from this Board. I thought they had definitely made up their minds to withdraw from the Board, when Mr Norris said, if these gentlemen were re-elected to the Board, there would be other resignations. I have full confidence in the gentlemen who resigned; nor do I doubt the honesty of other members who have taken the opposite view. With the consent of Capt. Maddrell, I withdraw his nomination if these gentlemen are prepared to go back and work in the interests of the Board. I trust that if, on a future occasion, anything of this sort arises, a committee will be appointed to take evidence, instead of washing the dirty linen in public, as has been done in this case.

Mr W. Meoro. Before I vote, I would like to hear something from all the members of the Board of Advertising about resigning. The Court is very likely to vote these gentlemen back to the Board. If I thought the other members were not agreeable to that, I would not vote for it. There has been a lot said about washing dirty linen. That would not have been said so often, if the other members of the Board had cleared the ground. I do not see anything to charge the Advertising Board with, except the action of the Chairman. The Chairman voted to give the contract to Brown & Sons, Ltd., when he knew the contents of their revised tender. There was a letter received from the Master Printers' Association; and, yet, two gentlemen in the Court who are master printers say they knew nothing about the despatch of that letter. I do not see how that could happen. ("Vote!")

The motion was put for the re-election of Messrs Cunningham and J. D. Qualtrough. This being agreed to, the subject dropped.

#### WAR PENSIONS COMMITTEE.

The Governor: The next item is "War Pensions Committee.—Appointment of a member in place of Deemster Callow, resigned."

The Speaker: I beg to propose the hon. member for Middle, Mr Charles Gill, as a member of the War Pensions Committee. He is on the spot, and can attend meetings easily.

Mr A. J. Teare seconded the motion and it was carried unanimously.

# HARBOUR BOARD EXPENDITURE.

The Receiver-General moved the following resolution:

That the Treasurer of the Isle of Man be authorized to pay to the Isle of Man Harbour Commissioners a sum not exceeding £4,860, to be applied toward the maintenance of the harbours of the Island, such sum to be in addition to the sum of £17,589 3s 9d, voted by the Court on the 3rd June, 1921, such sum to be provided as follows:—

|                                                     |        |   |   |
|-----------------------------------------------------|--------|---|---|
| From current revenue .....                          | £3,000 | 0 | 0 |
| From passenger tax and<br>harbour dues account .... | 1,860  | 0 | 0 |
|                                                     | £4,860 | 0 | 0 |

The Receiver-General. We have passed through an exceptional year, unprecedented in the history of the Harbour Board. We have not purchased anything new; we have not even from this money incurred the expenditure of purchasing an extra spade. We have not undertaken any new work, or indulged in new enterprises. We have simply gone on in the usual course, and purpose expending the estimate and nothing more than the estimate which we submitted to the Court in March of last year. But, as the Court will know, we were faced with events which put us to a test as to what we should do under certain circumstances. Usually, when the season commences in the Isle of Man, a number of the employees of the Harbour Board simply go their own way, prosecute their own calling. We expected that would take place this year as usual; that is, that about half of our staff, in Douglas particularly, would leave us, and take up their quarters on the Pier, as porters, etc., and we would be relieved of payment of the wages required to pay them. This year, not a man went, not a single individual, and the Board was faced with an amount of unemployment in existence. The question then for us was, are we going to sack those men, and swell the army of unemployed, or can we usefully employ them and tide over the present emergency in the hope that it will come to an end.

Unfortunately, the year has been a year of unemployment. I must apologise for doing so, but we really found some useful employment in the yard for the men, and continued to pay them, and a sum of £3,400 in respect of Douglas was spent absolutely in wages. We have spent that much more than what we intended when we started the year. Of course, it is not always possible to estimate accurately. Sometimes the Board may be overspent, and sometimes underspent. This sum of £3,400 has been spent in the town of Douglas on wages to men, who, I think, were fairly usefully employed; it was not absolutely wasted, it was not charity or pauperism, but we were getting a fair return on the money spent. We ventured on that, without the Court's consent. Perhaps we may be chastised in the Court for not altering the estimate, or making further suggestions in order to do this particular work. We have macadamised the North and South Quays; we have set up a stone-breaker, which has been the property of the Harbour Board for twenty years or more, and which has never been put into use until this year. We have been continuing in employment all the men it was possible to utilise in doing that, and in quarrying and crushing stone, and other work, and we have a quantity of stone prepared for purposes that the Board may require in the near future, which we consider a fair asset as against this expenditure. Therefore, I am not saying the money is lost. It is spent, but not lost. Then we come to the next expenditure with regard to Port Soderick. Everyone will know that there is an industry there, a very enjoyable sea trip springing up from the Victoria Pier to the creek at Port Soderick. We want to foster and encourage any industry of that sort, not only for the sake of the money to be got out of it, but we want to make opportunities for enjoyment for our visitors. We did, in our estimate, provide for £200 to be spent for this particular purpose, but it is like many other things, you cannot exactly estimate the work which is to be done in the year. We had to employ divers and run a barge to lift the boulders from the landing, and we did spend more without fairly estimating in the first instance, what the amount of the work would cost, and we were astray a sum of about £150 in that particular.

Then we come to Port St. Mary. There is in Port St. Mary a source of great danger since the breakwater has been erected. There is a set-off under the sea on the side of the breakwater that is used by vessels, and when vessels are moored there, with the receding tide they sometimes stick on it. Some receive damage, but the Harbour Board and this Court have been fortunate that there has never been a claim made up to the present. Although we know vessels have stuck on that ridge, and might have received damage, the Harbour Board were desirous of removing that. In this year we have spent £150, and we have about half-way removed it. It is all divers work, and it is a slow process, as the Court will appreciate, and, being under the sea, it is very costly, and we have over-spent our estimate in Port St. Mary by £150. Then we come to Port Erin; there we have exceeded our estimates by £60, owing to the collapse of a boundary wall. Hon. members who know Port Erin, will remember there is a cliff on the south side of the harbour, and on the top of that cliff there is a stone wall. The earth part of that precipice works away in the weather, and frequently we have falls of the boundary, and it is a most difficult task to get it repaired. We have spent £60 in repairing that. Then we have the question of bonuses. We knew that bonuses would be required, and we said at the early part of the year, whatever the bonuses were, we would ask the Court to vote £620 to complete the bonuses in the same way as bonuses are paid to other officers in the Isle of Man. Then we have another item—a sum of £460, which was spent by the Board in re-surfacing the quay at Peel. When the camp was there, there were rails laid from the railway station to the end of the Pier by the military—by the Board of Works, or the camp authorities. When the camp came to an end, we requested the authorities to replace the surface of the quay in its former condition. They suggested we should do it. It has been done, and we have spent £460. We hope to get the money back, but it has not come yet, and in the meantime we want to balance our accounts. When the audit takes place on the 31st March, we have got to have square accounts, and we begin on April 1st, without a penny or any balance to

our credit. Now that makes a total of £4,860, which I now ask the Court to grant to us, merely to balance our accounts. We must have that, or I do not know what position the Board will find itself in when the auditor comes and finds a debit balance. I hope the Court will justify our action in causing employment at a time when unemployment was very acute indeed. I hope the Court will grant this modest sum to tide us over to another year.

Mr A. Quattrough: I beg to second the proposition so ably put by the Receiver-General. I would like to point out that I have a certain amount of suspicion with regard to this grant being kept back from the harbours. I have a suspicion that there is some person from this side been wanting to show what fine people they are, and has written to somebody else across the water to try and get some sort of promotion, whether financial or otherwise, I don't know, but I believe they are using the Manx people as stepping stones to the honour. I hope His Excellency will put it straight to the Treasury when he writes next time about this Harbour Board, that the Manx nation is more than half Irish. (Laughter).

The motion was carried.

#### CIVIL REGISTRATION ACTS.

The Deemster Callow moved:

That the Treasurer of the Isle of Man be authorized to apply from the current revenue of the Island, a sum not exceeding £50, for the purpose of defraying, during the year ending 31st March, 1922, the expenses under the Civil Registration Acts; such sum to be in addition to the sum of £548 voted by the Court on the 3rd June, 1921.

The Deemster LaMothe: I beg to second that.—Agreed.

#### MURRAY HOUSE.

Mr Cunningham moved:

That the Treasurer of the Isle of Man be authorized to apply from the current revenue of this Island, a sum not exceeding £50, for the purpose of defraying, during the year ending the 31st March, 1922, Murray House expenses, such sum to be in addition to the sum of £240 voted by the Court on the 4th June, 1921.

He continued: This is not an extra expense at all. It is simply a matter of book-keeping. We have been in the habit of paying on the rates and taxes out of one fund, but now each particular portion

of the Trustees' property is separately assessed, and the amount charged for that particular building. This is £30 for rates and taxes on Murray House, instead of being charged to the General Fund.

Agreed.

### DANGEROUS GOODS ACTS.

The Deemster Callow moved:

That the Treasurer of the Isle of Man be authorized to apply from the current revenue of this Island, a sum of £5, for the purpose of defraying, during the year ending 31st March, 1922, expenses under the Dangerous Goods Acts, such sum to be in addition to the sum of £5 voted by the Court on the 4th June, 1921.

Mr A. Qualtrough: Why has it gone down to £5? It used to be £40, and this is the only thing I have seen lower since the war.

The motion was carried.

### ST. MARY'S CHAPEL, CASTLETOWN.

The Deemster Callow moved:

That the Treasurer of the Isle of Man be authorized to apply from the current revenue of this Island, a sum not exceeding £12, for the purpose of making the final payment in connection with the expenses of St. Mary's Chapel, Castletown, such sum to be in addition to the sum of £40 voted by the Court on the 4th June, 1921.

It was agreed to.

### GOVERNMENT PROPERTY TRUSTEES.

Mr Cunningham moved:—

That the Treasurer of the Isle of Man be authorized to apply from the current revenue of this Island, a sum not exceeding £150, for the purpose of defraying the expenses of the Government Property Trustees for the year ending 31st March, 1922, such sum to be in addition to the sum of £2,085 voted by the Court on the 3rd June, 1921.

He said: This is the same as the amount mentioned before. It is a matter in connection with rates and taxes, and I beg to move it.

Mr J. D. Clucas: That is the amount in lieu of rates and taxes, I suppose?

Mr Cunningham: Yes.—Agreed.

### GOVERNMENT PROPERTY TRUSTEES.—WAR MEMORIAL.

Mr Cunningham moved:—

That this Court approve of the purchase by the Government Property Trustees, of a

parcel of land, containing one acre thirty-five perches, part of the estate of Ballahowin, in the parish of German, adjoining the pathway from St. John's Church to Tynwald Hill, for the sum of £300, the Trustees agreeing to provide and maintain all boundary walls, and the purchase money to be paid by the Government Treasurer from the war memorial vote.

Mr Cunningham (continuing) said: This is for the purchase of a strip of land at St. John's. It was thought that there was always a risk of somebody going on to the land and building something objectionable near to the mound, and the possession of it would give us a far better place for the memorial. It is a very valuable asset, greatly to be desired. The cost will come out of the amount voted for the War Memorial.

Mr Corrin: I beg to second it.

Mr Bridson: What is the rateable value of this piece of land, for approximately £150 an acre is a large price for purely agricultural land. In addition, I think the Government Property Trustees have undertaken to put up a fence. It appears to me as if they were paying a great deal more for the land than it is worth, and that somebody was putting up the price because they saw a chance of getting an extravagant value for it.

Mr Cunningham: You cannot expect to get a piece of land out of a man's estate, and get it at an agricultural price, and £150 in that position does not seem to me to be very dear. I don't think it is very unreasonable.

Mr Kermode: It is a long length of agricultural land adjoining the Tynwald ground. It is a fringe, and not like a square in the corner of a field. (Hear, hear).

The resolution was passed.

### LOCAL GOVERNMENT BOARD.—CAR FOR THE INSPECTORS.

Mr J. D. Clucas moved:—

That the Treasurer of the Isle of Man be authorized to apply from the current revenue of this Island, a sum not exceeding £215, for the purpose of providing a motor car for the use of the Local Government Board Inspectors, such sum to be in addition to the sum of £1,716 voted by this Court on the 4th June, 1921, for the expenses of the Local Government Board.

He said: The Local Government Board have decided that it would be advanta-

Dangerous Goods Acts.—St. Mary's Church, Castletown.—Government Property Trustees.—War Memorial.—Local Government Board.—Car for the Inspectors.

geous to purchase a Ford car for the inspectors. At present, if they have to go to Bride or Jurby, they have to spend half a day or more on one case.

Mr Ambrose Qualtrough: I beg to second it. I am sure this Ford car is a thing that the Local Government Board inspector requires. If any person is unfortunate enough to go before the Local Government Board to point out any irregularities with respect to any of the bye-laws, or anything of that sort, it will be very handy for the Local Government Board to send their inspector to see these people the person had complained about, and tell all that has been said in the Local Government Board room, and especially by the Chairman of the Local Government Board, the comments he has made after a person has left the room. It will also be very handy for the Local Government Board inspector to go round and try to persuade the people of this Island that the disease a certain man had, who was in the Hospital at Ramsey, was really anthrax, and that the beast that died had really the anthrax, and was not choked.

Mr Callister: Is this motor car being purchased in view of the extra work the Board of Agriculture inspector will have now in regard to the Cattle Breeding Bill, seeing that they have to inspect all the animals? Do they really think the taxes will meet the expenses?

Mr J. D. Clucas: This is the Local Government Board.

Mr Corrin: I should like to ask if the present duties of the inspector warrant the purchasing of a car, or whether the Board have in prospect the passing of the Local Government Board Amendment Bill?

Mr R. C. Cain: I don't know what relation the car has to the Chairman of the Board, as referred to by the hon. member, Mr Ambrose Qualtrough. I think it will be a saving in the end to purchase this car.

The motion was carried.

#### LOCAL AUTHORITIES.—BORROWINGS AND COMPULSORY PURCHASES.

The Attorney-General moved:—

Whereas, under the provisions of the Local Government Acts, local authorities may borrow money on such terms and for such purposes as Tynwald may by resolution approve.

And whereas, numerous applications are made to Tynwald for approval of borrowing, but it has been found difficult for Tynwald to sufficiently investigate such applications or to determine how far the schemes proposed were necessary or desirable, having regard to the financial position of the local authorities.

And whereas, application for borrowing large sums of money will be made to Tynwald in the near future, and it is desirable that Tynwald should be fully informed as to the present financial position of the local authorities, and advised as to the extent to which borrowings may safely be made, and also, that machinery may be set up to enable a Board or Committee of Tynwald to examine all applications for borrowing in advance, and that a report of such committee, or board, should be before Tynwald when such applications are considered.

And whereas, local authorities are often deterred from acquiring compulsorily property required by them for the purpose of their district, owing to the expense and delay involved in the present system for compulsory purchase, and it is desirable that more expeditious and less expensive machinery should be provided for such purpose.

Resolved—That a Committee of Tynwald be appointed

- (1) To consider the existing method of enabling local authorities to borrow money, and to report what alterations should be made to enable Tynwald to deal more expeditiously with such applications and to determine how far the financial position of the local authorities justifies them in undertaking the schemes for which such borrowing powers are sought and the terms on which such powers should be granted.
- (2) To examine and report to Tynwald the present financial position of the local authorities, and to what extent such local authorities can, with reasonable financial safety, exercise their borrowing powers.
- (3) To consider the existing method of enabling the local authorities to exercise their powers of compulsory purchase, and to report to Tynwald any alterations that are necessary to enable such powers to be exercised more expeditiously and with less expense than the present system involves, such committee to have power to take evidence.

Continuing, the Attorney-General said: The motion deals with two matters. There is the question of borrowing by local authorities, and the other is the compulsory purchase by local authorities. I will deal very shortly with it. The present machinery to enable authorities to acquire property compulsorily is very old. It was drawn with unusually elaborate precautions, so as to protect the owners of private property. It is an elaborate, delaying,

and unquestionably very expensive machinery. It requires the consent of Tynwald before any purchase can be made at all; then the matter goes through the procedure under the Land Clauses Act; there is to be notice to treat, and offers of valuations and arbitration. The whole cost invariably falls on the local authority. After the arbitration, there are the releases from mortgages, and what not. The whole thing is so involved that the local authorities, in many cases, rather than exercise their powers, consider it cheaper to pay an excessive price rather than run the risk. It is not uncommon for costs and incidentals to exceed the total amount of the purchase. The cost of the Maughold Lighthouse is a glaring illustration. The cost of purchasing a barren rock was twice as much as the purchase money. In England, in 1918 and 1919, the procedure for acquisition of properties in this way was reviewed by the Legislature, and the time has come in the Isle of Man when it should also be reviewed, so that, once a public authority has satisfied this Court that certain property is absolutely required, the most simple and inexpensive machinery can come into operation. The power of the local authorities to borrow money, which is one of their most important functions, comes in one of two forms, either by special Act authorising some special undertaking, or under a resolution of Tynwald on an application from the local authority. The point I want to emphasise is that Tynwald is the ultimate authority for all borrowings by local authorities. (Hear, hear). That view is the view taken by His Majesty's Government. His Majesty's Government will not look at any question of the local authorities' responsibility for borrowing; they look to Tynwald. The powers exercised by Tynwald are exercised in England, in the main, by the Local Government Board; and when an authority in England tries to exercise borrowing powers, the procedure is careful, scientific, and detailed. When an application comes in, a form is sent out with a very lengthy question list. A careful analysis of the local authority's financial position has to be given, a public inquiry is held, and an expert official sent down. He investigates it, looks into the purpose for which it is required, reports to the Board, and, on his re-

port, the Board decide whether or not the powers shall be granted. In contrast with that careful and systematic operation, we cannot help being struck with the casual and very superficial supervision we exercise in Tynwald. A local authority desires to borrow money. They present a petition, counsel appears, and some official of the district is called. It is taken at the end of the Court, everybody is anxious to get away, no kind of investigation is possible, or ever takes place, as to what is the true financial position of the district. Can they stand the work? Is it a necessity or is it a luxury? Is it a thing the district is justified in embarking upon? Are they giving too much? All these kinds of important questions simply cannot be dealt with in a tribunal such as we have, and with the machinery such as we can set up. When the MacDonnell Committee visited the Isle of Man several years ago, in one passage in their report, they raised very serious questions as to whether or not the financial condition of certain local authorities in the Isle of Man did not call for a careful investigation. They raised the question, and when the next application came from that district, a Committee was appointed to consider it, and they, to a certain extent, went into the matter. They pointed out what ought to be pointed out. Against the debt of the district there were tangible assets, but for 10 or 12 years no effort had been made to take into account the financial position of the district. Most of us are new members of Tynwald—having become members during the last 12 years—and the position of the local authorities is such that we should quietly and carefully inform ourselves of the exact financial position of the districts in respect to which we have the control of the borrowing powers. I have only to mention the biggest district in the Island—the Borough of Douglas. At present the debt of the Borough exceeds £650,000. There are schemes that will come before us in the next few months which will add to that debt a sum of another £100,000. There is the electric lighting, housing, and other matters that the Court is well aware of, that will raise that sum to three-quarters of a million. That is a large sum, but I am not suggesting that it is too large. I want to take the opportunity of saying

that I know that, against that large sum, they have marketable assets to a very large extent indeed. (Hear, hear). But it is desirous that there must be in every district, a limit to which money should be borrowed. It is a question of safety, and of wise government, and sanity, and statesmanship. A public authority is much the same as an individual. Every wise man says to himself: "I have certain needs, and I have certain resources; there are certain things I must do, provide clothing, food, etc., and there are many things that I delight in; but which of these I can do depends entirely upon my resources." He cuts his coat according to his cloth. It would be very nice indeed if every man owned a Daimler or a Rolls-Royce, but he may not be able to afford it, and may not be satisfied with a very modest car.

A Voice: A Ford?

The Attorney-General: Yes, a Ford. He has to decide how he is placed, and act accordingly. A local authority is exactly the same. There are certain things they must do. They must provide water, sanitary arrangements—the elements of health—and, beyond that, are things that are more or less in the class of the desirable—often extremely desirable—but whether they are wise and statesmanlike things depends upon the financial condition of the district. It would be charming to have every district lit with electric light, but if the district cannot afford it they would probably be satisfied with gas, and, if they could not stand gas, they would do as they do at Crosby—put an oil lamp on a pole at the four roads, and get along with that. There is a point at which a local authority can indulge itself in expenditure for its own improvement, and it is our business to say, when that point has been reached, that they are responsible for. There is, of course, a limit on the possibility of a district to stand rates. If the hon. member for Michael was here, he would certainly say: "Yes, education rates." In Douglas the boarding-house business is carried on in houses whose rateable values are anything from £100 to £300 or £400. It is an axiom of Douglas that we have got to keep our tariffs below the tariffs of corresponding places in England, because people must take into account that they have a sea voyage,

which is an expensive luxury. They have got to have some economy in the Isle of Man that will compensate them for that extra expenditure, and we have always been the cheapest place where one could spend a holiday. The economy that has always been possible is this—that we are blessed with such a lovely Island outside our towns, so overflowing with charming attractions that we have never been under the compulsion of spending our money in going to other watering places. So it is an acknowledged thing that our rates should be so low that it enables the boarding-house keepers to adjust their tariffs to the conditions under which they carry on their work. Some will say: "Yes, but that is a matter for the consideration of the local authorities." I agree that they have this responsibility, but that does not deprive Tynwald of the serious responsibility, and eventually the Bills we pass, and the rates we make, have all got to go up to London for approval, so it is essential that Tynwald should make it known to the English Government that we are exercising a careful, and free, and judicial control over the financial powers of the Island. Some people will point to our local rates, which are very low, and would say that our local authorities can get money on terms that are unknown in England. I am glad to say that, so far as I can see, the confidence which the public is showing in our local authorities is well founded, but it is just at that point that we are wise in making our inquiries. It is no good shutting the stable door when the horse has gone, and there are districts in England where the rates are now more than 20s in the £. and I am sure many of those districts are wishing they had overhauled their finances before they got into such a condition. My resolution is not prompted by any feeling of hostility to the local authorities; no feeling of suspicion or distrust. On the contrary, if there is any idea at all behind it, it is the idea to assist them, to give them the best possible advice that Tynwald can give them, and to assist them in exercising their proper functions. If greater care and caution are required, they will be so advised, but, on the other hand, if everything is entirely satisfactory, then these authorities will face the schemes with a much cleaner and easier conscience. The resolution

divides itself under two heads, the second being to consider whether or not the time has come to set up some kind of machinery similar to what they have in England, a system whereby every application is referred first to the Local Government Board; then we come to this Court accompanied by their report; but, if not the Local Government Board, some special tribunal can be set up. It would lead to consistency of practice. I am sure. It is so easy for a Board like the Local Government Board to say in private to a local authority that they think they are giving too much for the property, whereas if we said it here, the thing is so public that it would produce ill-feeling, and probably do more harm in the end than good. I propose the motion.

Mr J. D. Clucas: I rise to second this proposal, because I must say I agree very largely with many of the statements of the learned Attorney-General, that we consider applications from local authorities in far too perfunctory a manner. There is a great tendency to leave them to the end of the agenda, and take them in the last half-hour. Members are anxious to catch their train, with the result that we do not give them any real business consideration, and when we have certainly no time to go into the financial position as to whether they can stand the expenditure or not. The Attorney-General referred to the Departmental Committee's report and their comment, that the borrowing powers of the Corporation of Douglas were very much in excess of similar towns in England. After that report was issued, on the next application of the Corporation of Douglas, a Committee was appointed, who went fully into the financial aspect, as we felt, in view of the MacDonnell Committee's report, it necessary to make inquiries. I was a member of that Committee. I am the only member left. The chairman was the learned Attorney-General's predecessor in office, and he cannot be described as being partial to Douglas, because on almost every application that came up he was one of their most severe critics. The other members were Mr W. T. O'Connell, Mr W. M. Kerruish, Mr J. T. Cowell, and myself; so that the Committee cannot be described as a weak committee. That Committee went fully into the finances of Douglas, and I would

just like to refer to one or two statements in their report dealing with the indebtedness of Douglas. The report states:—

"The total indebtedness of Douglas amounts to about £666,896, inclusive of the amount to be paid for Villa Marina, but of this, only the sum of £206,892 has been borrowed under the Local Government Act, which corresponds to the English Public Health Acts, and, as the rateable value of the town is £164,427, the debt incurred for the purpose of such Acts, instead of being three times, is only equivalent to rather more than one and a quarter times the rateable value. Thus, if the law of this Island prescribed, which it does not, a statutory limit as in England, Douglas would be well within that limit. The remainder of the debt has been incurred in expenditure under the authority of special Acts, such as the Water and Loans Act, 1890, the West Baldwin Water Act, 1899, the Town Improvement Acts, 1889 to 1891, the Crescent Improvement Act, 1887, etc. Borrowings for such purposes are in England also, as a rule, made under special Acts, and the limit imposed by the Public Health Acts has no application to them.

It is obviously difficult to draw a general comparison between Douglas and municipalities in England with respect to debt. The Town Clerk of Douglas has obtained and laid before the Committee information on the subject with respect to several towns in England, which, in his opinion, may fairly be compared with Douglas. This information is set forth in the report, and assuming its accuracy, which they see no reason to doubt, the Committee can discover no ground for supposing that, in the matter of borrowing for purposes not coming within the scope of the Local Government Acts, Douglas does not compare favourably with other towns of a similar class in England."

"While the Committee are strongly of opinion that it is the duty of Tynwald to watch with extreme care all applications for municipal borrowings, and to recognise to the full the grave responsibility which rests upon Tynwald in exercising this jurisdiction, they feel bound to say that, so far as the facts brought before them, and so far as they know, before the Departmental Committee also, disclose no adequate ground for alarm."

The Committee (Mr Clucas continued) were unanimous on that point, but as to the advisability of the proposed work, they were at variance. I understand that since that time there have been inquiries from the authorities on the other side of the water, and I am, therefore, very glad, to quote the words of the Attorney-General, that the authorities on the other side recognise the fact that Tynwald is the right authority to question the indebtedness of the local authorities. That being so, I agree with him that it would be a

wise thing to set up a system to examine the financial position of these authorities from time to time. I do not quite understand, however, proposal No. 2, unless it is proposed to inquire as to the present financial safety of authorities. I rather question the necessity for that. I do not, however, propose to oppose it, as I have seconded the proposal. I think that all applications should be referred to a committee of this Court to examine the financial position of the local authorities; that should be a part of every application that comes from them. As regards No. 3, there is no question that some change is necessary in connection with the methods for the compulsory purchase of land. The Attorney-General has pointed out that the costs very often exceed those paid by the purchaser or received by the vendor, and it is a great burden on all purchases. I was forcibly reminded of that in the purchase of the land for Maughold Head lighthouse. I was one of the arbitrators, and I tried to restrict the evidence, because in that case the arbitrators were appointed because of their knowledge of the land necessary, and, in my opinion, it was, therefore, not necessary to call so many witnesses as to the value of the land. I did not succeed because of the notion among Manxmen, that all witnesses available must be heard, and this added greatly to the expense. If the Committee who are to make the inquiries can devise some means whereby arbitration and the compulsory purchase of land can be cheapened, they will be doing work of real value, because the present method is a great deterrent on works of public importance.

The Receiver-General: There are one or two points mentioned that I wish to refer to, not that I have very much to say. One of the first things that we usually do is to refer applications to the Local Government Board, but if that is to be the policy one of our first considerations will have to be to increase the members on that Board. Three or four men are not a large enough Board to consider matters of this sort, and I consider that a larger Board is much more serviceable, because you have more opinions and views and ventilation given to the subject matter. If it is the intention to use the Local Government Board for this purpose, at least the Local Government Board will have to be increased over the present number. If, in

the first instance, application is made to the Local Government Board, the next course is the application in Tynwald, who should appoint a special committee to investigate, and not rush matters through in every case to appoint a Committee to investigate and not rush matters through in the hasty manner we do. I consider, whatever course is adopted or recommendation made by the Committee here set up, that they will not make the net too big, but that they will make it careful and close. When we are altering the machinery, let us be on the safe side, so that we can ascertain the real truth and the real facts. I hope that the Court will always have a special committee for all proposals that come before the Court.

Mr Richard Cain: With regard to Part II., to inquire to see how far borrowing powers can safely be exercised. How can a committee possibly tell that as the question of safety depends what the money is borrowed for? For instance, if it was for gas works, which would pay interest and sinking fund, and contribute towards the rates, it would be quite a different thing from building a new promenade. I don't see how a committee can tie the local authorities down to anything, as it depends entirely on what they are going to spend the money. I would have thought that this would have been recognised. Douglas borrowing for the electric light undertaking is quite different from Ramsey borrowing for the Mooragh, which means a large rate on the town. The safety point depends on the object, so that I think that the terms of reference in No. 2 should be altered.

Mr Preston: I wish to support this motion, chiefly in the hope that the Committee will ascertain a better method than that in existence for local authorities to exercise powers of compulsory purchase. I have a very vivid recollection of a local authority having to purchase land worth £100, but after they had put the Land Clauses Act into operation the cost was £1,000. It is quite time that some less expensive method was devised.

Deemster Callow: This question has been before the Tynwald Court Standing Orders Committee, and they recommend that all matters brought forward by local authorities should, in the first instance, be referred to the Local Government Board to

report to Tynwald. I merely mention this to show that the Standing Orders Committee were of the same opinion as the learned Attorney-General.

Mr Callister: Do I understand that the local authorities are to have increased powers of compulsory purchase? If, for instance, a man required to carry out some drainage, he might get the local authority to carry it out, as it would be less expensive than if he did it himself.

The Attorney-General: It will not affect the private powers of compulsory purchase.

Mr Callister: It might be possible for him to ask the local authorities to do it for him.

Mr Norris: Speaking as a member for Douglas, the local authority fully recognise the right of Tynwald to the very fullest information and inquiry, and I fully support it.

Mr Kermode: When local authorities make application to borrow, I am quite satisfied that Tynwald should have the fullest information, but I can see no reason for the second proposal. A better

method is to make the fullest inquiries when the application comes before us, and I move as an amendment that clause 2 be struck out.

Mr Ambrose Qualtrough: I second the amendment. I have been a member of this Court quite a while, and I remember on one occasion Douglas had an application to purchase Villa Marina. It was called the Kursaal at that time, and has been a curse to Douglas ever since. They got to know that there certain ratepayers opposed to the application, and they deceived the Court.

The Attorney-General: I hope that the Court will leave No. 2.

Mr Kermode: My point is that the inquiry will involve a lot of time, and that the inquiry is unnecessary.

The Attorney-General: I assure the hon. member it is necessary.

Mr Kermode withdrew the amendment, and the motion was agreed to.

The Court adjourned till the following day, Wednesday, March 8, at 11 o'clock.

