

C.S.

MEDICAL.

UTI/SAN/1#6

(Sanitation)

1920.

No. 730

Colonial Surgeon.

SUBJECT.

1920

27th Sept:

Reports on the insanitary condition of drain in John Street.

Previous Paper.

775/20

MINUTES.

H. E. (1)

Submitted.

G.H.B.
for C. S.
28/9/20.

(2)
Col. Engineer to report on this alleged nuisance without delay.

(3)

W.D.M.
28.9.20

The Hon: Colonial Secretary.

Report submitted on separate sheet.

(4)

R.A.B.
C.E.

29/9/20.

H.E.

Submitted.

G.H.B.
for C.S.
30/9/20

Subsequent Paper.

(5)

To be considered with programme for major works which will shortly be laid before the S.G.S.

W.D.M.
12.10.20

Hon:Colonial Surgeon,

You spoke to me today regarding certain drains in Stanley and the present epidemic. Can you conveniently say whether any steps have been taken in regard to the state of the drain in John Street mentioned herein ?

W. H. Thompson
A. C. S. 30/5/21.

Hon. Col. Secretary,

In my minute 10/11/20, C.S. 838/20, I took upon myself the responsibility as President of the Board of Health to point out that the ditches were not properly cleaned.

2. No action has as far as I am aware been taken to carry out my recommendations, my hands are therefore tied.

W. H. Thompson
Col. Surgeon,
31/5/21.

H.E.the Governor,

Submitted.

2. C.S.838/20, to which reference has been made above, is attached.

3. I am inclined to think that by providing the so called Ditchman with an iron barrow in which to place the filth removed from the open drains, it may have been possible to have met the wishes of the Health Officer (Colonial Surgeon) in the matter. C.S.775/20 also attached.

W. H. Thompson
A. C. S. 31/5/21.

H.C.S.

It is necessary to decide on a definite and comprehensive scheme for the improvement of the sanitary condition of Stanley. The position however is by no means clear. Ordinances S/1894 & S/1902 appear to impose obligations on owners & occupiers which are not carried out.

2. a Board of Health was established by Ord S/1894

S 49.191-111
5 of 1902

It is vested generally with powers

- (1) To inspect through Inspectors of Nuisances
- (2) To take proceedings against defaulters
- (3) To incur costs to abate nuisances & recover expenses.

The Board seems to have no execution powers except as in (3) above.

3. The Board has power to make Bylaws under Sec 8 of Act.

The Bylaws which I have been able to trace are

- Gov Notice 42/1912. Sanitation of New buildings
- " - 43/1912 Construction of New buildings
- " - 92/1914 Inspection of Bakeries & Butcher shops.

4. Has any other Bylaws been made & especially have any Bylaws been made

(a) Under Sec 9 of Act 5/1894 regulating duties of Inspectors of Nuisances

^{Under} (b) Sec 18 sub sec iii relation to

clearing of water courses drains ditches streets lanes roads & removal of refuse matter therefrom.

5. The reasons with which the Board of Health is empowered to deal are defined in sec 8 of act 5/1894.

6. I affirm that by inference the Govt is responsible for the ^{construction} maintenance of streets, roads, ditches & gutters although I cannot find this in the laws.

S. 52 of 5/1902

7. In addition to the offences in act 5 of 1894 all other sanitary offences are made punishable by Summary Jurisdiction Act 1902. This law makes no specific reference to Board of Health.

8. Who is official who institutes proceedings under act 5/1902

S. 21 of 5/1894

Section 49 sub-section (g) (h) & (i)

" 50 - - (b) & (c)

" 52 - - (a) (b) (c) & (d)

9. Attention is specially invited to

(a) see 49 sub. sec (i) under which owner or occupier is responsible for "cleaning of public footpaths drains & water courses adjoining his premises".

(b) see 52 sub. sec (e) [with respect to public roads] under which it is an offence

for any person to "permit any offensive matter to run from his premises on any public road or into any public drain."

10. Some of nuisances which form subject of correspondence in the paper + 748/20 + 838/20 appear to be matters which owners or occupiers are responsible for remedying but the Government.

11. I shall be glad if the Colonial Surgeon (or Member of Board of Health) will examine + report on what provision (including points referred to above) + will advise me on measures which are practicable for the improvement of the sanitary condition of Stanley without incurring heavy capital expenditure. It is undesirable that existing laws should be amended if this can be avoided. The Board of Health + the Govt ^{should} work together to improve sanitary condition of the town.

JK

18/Jan 1921.

Hon: Colonial Surgeon,

For the favour of your report.

K. S. S.
A. S. S. 20/6/21.

Hon: Colonial Secretary,

In reply to the 3rd par: of His Excellency's minute, I beg to submit the following list of Bye-Laws that have been framed under the Public Health Ordinance, 1894, viz:-

Framed under Ordinance No. 5 of 1894, and published on page 382 of September, 1894 Gazette.

Building Bye-Laws: under Section 13 of the Ordinance.

Page 86 of June 1908 Gazette.

Page 155 of December 1910 Gazette.

Page 125 of August 1911 Gazette.

Page 6 of January 1912 Gazette.

Page 50 of April 1913 Gazette.

Regarding Contagious or Infectious Disease: under Sec: 15 (v) of the Ordinance.

Page 6 of January 1912 Gazette.

Page 97 of June 1913 Gazette.

Page 119 of April 1914 Gazette.

Balkhous + Bunker shops.

Regarding the disposal of night-soil: under Section 18 of the Ordinance.

Page 76 of June 1908 Gazette.

Page 121 of October 1909 Gazette.

Page 102 of September 1909 Gazette.

Regarding Ashpits: under Section 19 of the Ordinance.

Page 77 of June 1908 Gazette.

Page 157 of July 1912 Gazette.

Relating to the sale of milk in Stanley: under Section 19 of the Ordinance.

Page 80 of April 1912 Gazette.

Recommendations to Builders.

Page 95 of July 1908 Gazette.

2. In reply to par: 4, I beg to report (a) ^{that}

that the following Bye-Laws have been made by the Board under Sec: 9 of the Ordinance, regulating the duties of the Inspector of Nuisances, i.e:-

Clauses 5, 12, 14, & 15 of the Bye-laws published on page 382 of September, 1894 Gazette and Notice 77 on page 87 of June 1908 Gazette, and

(b) that the following Bye-Laws have been made under Section 18 (iii) relative to cleaning of water courses, drains, ditches and roads, and the removal of noxious matter therefrom, i.e:-

Clauses 3, 4, & 10 of the Bye-Laws published on page 382 of September 1894 Gazette.

3. I would venture to point out that Clause 1 of the Bye-Laws published on page 382 of September 1894 Gazette require that "before any new street in the Town of Stanley shall be commenced, its proposed width, manner of construction, drainage and sewerage, shall be submitted to and approved by the Board.

4. With regard to par: 6, it seems to me that in as much as a certain sum of money is provided annually on the Estimates under 'Public Works Recurrent' from the public funds, for the upkeep and maintenance of Roads, Drains, &c., that it may be said that Government is responsible and not the Public.

5. The condition of the roads and gutters of Stanley requires attention, but unfortunately for this Colony, sanitation does not appear to play the same part as it does in many other places, if the absence of sickness is to be taken as an index.

6. To me the sanitary laws of this Colony would seem to be quite clear, and I understand that the Common Law of England can be applied; but I question whether a conviction would result if due regard be given/

given to Section 15 of Ordinance No. 4 of 1901.

7. Prosecutions are carried out in the name of the President of the Board of Health, but I entertain serious doubts of any success if evidence such as is expressed in Par: 2 of the Colonial Engineer's letter of the 29th of September, 1920 is brought in, which says:-

"In the first place I wish to state that I am not responsible for the construction of this particular drain, or of any other of the main cross drains in Stanley, all of which are insanitary through faulty construction"

8. The amount expended on Roads in Stanley during the Year 1920 was £1061 15/8 and the results do not appear to be noticeable.

9. I would recommend that the practice of emptying slop water (urine &c) into open street gutters should cease, and that each house should its slop water dealt with by the Sanitary Department.

10. If the roads and surface drains were taken in sections, commencing say with the top road and drains and all the roads and drains dealt with from above downwards, year by year the results would be more noticeable than they are at present.

11. The Board of Health is without doubt a Government Board and any recommendations from it should not be taken as a personal attack on any Government Officer, which I regret to say ^{appears to} have occurred in the past. The majority of the members of the Board are residents, and the Board's expression of opinion or any recommendation from it, is bound to be the wish of the populus.

12. The Board of Health should have some executive power, and should work as a Government body for the public weal.

J. W. Deane
Colonial Surgeon,
28th June, 1921.

Kelvin House

Stanley F.I.

26th. Sepr. 1920.

Sir,

I beg to bring before your notice the portion of the public drain in John Street in front of Kelvin Store premises.

The water from this drain seems to be expected to run up-hill, hence the accumulation of filth to at least three to six inches before anything drains away. On any moderately warm day this stagnant deposit throws out an odour that is not altogether pleasant. Occasionally this filth is disturbed (or as they say cleaned out) and thrown on the bank at the entrance of drain where it remains until the cart makes its regular fortnightly rounds. At the end of which time it has mostly all blown away.

I have previously drawn the attention of the inspector to this matter but nothing happens.

Hoping you will give this your attention.

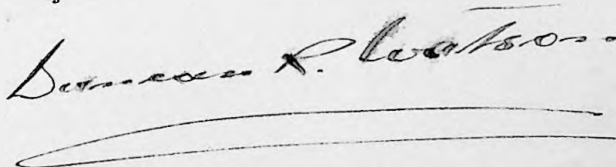
I am Sir,

Yours Truly,

The President

Board of Health.

Stanley.

A handwritten signature in cursive script, appearing to read "Benjamin R. Watson". The signature is written in dark ink and is positioned to the right of the typed name "The President". Below the signature is a long, horizontal, slightly wavy line that spans across the width of the signature area.

(1)

Stanley

27.9.20

Sir

I have the honour to forward herewith a letter from Mr.Duncan.R.Watson complaining about the insanitary condition of the drain in John Street . I have seen this drain, trench, gutter or whatever other name the Officer responsible for its construction and keeping in order,may care to apply to it, and quite agree with Mr.Watson that it is in a most filthy and insanitary condition.

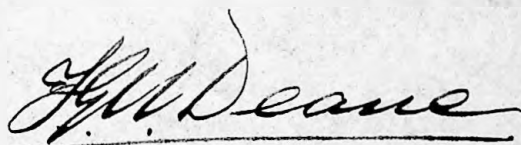
I should recommend that the place be treated with some strong disinfectant and the offensive matter taken away in one of the sanitary carts,and not left as it is at present to be an insanitary nuisance,and a danger to the health of the public. I will be much obliged if His Excellency would give an order for this to be dealt with as I have suggested.

I have the honour to be

Sir

Your obedient Servant

The Hon The Colonial Secretary



Colonial Surgeon

Report on the condition of drain in John Street.

The Hon: Colonial Secretary.

I beg to submit the following report on the condition of the drain in John Street.

2. In the first place I wish to state that I am not responsible for the construction of this particular drain, or of any other of the main cross drains in Stanley, all of which are insanitary through faulty construction.
3. The faults of the one in question are that it has not enough fall; that the mouth has not sufficient take off to the down drain; and that it has no adequate water flush practically none whatever when there is a drought.
4. The only way to make this drain sanitary is to lay pipes to carry off the service water from the adjoining houses, to cover in the ditch and construct a gutter to run off the surface water.
- X. Until this alteration is made at this particular place, in front of the Kelvin Store, the dirt is bound to accumulate there and be the cause of an insanitary nuisance.
5. Mr. D. Watson states that he has drawn the attention of the Inspector to this matter, I beg to point out that the Inspector has not reported this to me.
6. The clearings from this drain have been removed and disinfectant will be put down.
7. In conclusion I would state that there are several other service drains in the Township which should be rectified in the same way as the above. If this very necessary work is to be carried out then pipes will have to be procured from the United Kingdom.

R. B. Baseley.
C.E.

29/9/20.