

## LEGISLATIVE COUNCIL

THURSDAY, 15TH JUNE, 1950.

The Council met at 2 p.m., His Excellency the Governor, Sir Charles Woolley, K.C.M.G., O.B.E., M.C., President, in the Chair.

### PRESENT:

The President, His Excellency the Governor, Sir Charles Campbell Woolley, K.C.M.G., O.B.E., M.C.

The Hon. the Acting Colonial Secretary, Mr. D. J. Parkinson.

The Hon. the Attorney-General, Mr. F. W. Holder, K.C.

The Hon. the Financial Secretary and Treasurer, Mr. E. F. McDavid, C.M.G., C.B.E.

The Hon. C. V. Wight, O.B.E., (Western Essequibo).

The Hon. Dr. J. B. Singh, O.B.E. (Demerara-Essequibo).

The Hon. Dr. J. A. Nicholson (Georgetown North).

The Hon. V. Roth (Nominated).

The Hon. C. P. Ferreira (Berbice River).

The Hon. T. T. Thompson (Nominated).

The Hon. G. A. C. Farnum (Nominated).

The Hon. Capt. J. P. Coghlan (Demerara River).

The Hon. D. P. Debidin (Eastern Demerara).

The Hon. J. Fernandes (Georgetown Central).

The Hon. Dr. G. M. Gonsalves (Eastern Berbice).

The Hon. Dr. C. Jagan (Central Demerara).

The Hon. W. O. R. Kendall (New Amsterdam).

The Hon. A. T. Peters (Western Berbice).

The Hon. G. H. Smellie (Nominated).

The Hon. J. Carter (Georgetown South).

The Hon. F. E. Morrish (Nominated).

The Clerk read prayers.

The minutes of the meeting held on Friday, the 9th of June, as printed and circulated, were taken as read and confirmed.

### PAPERS LAID

The COLONIAL SECRETARY laid on the table the following:

The Annual Report on the Department of the Interior for the year, 1949.

The Report of the Director of Medical Services for the year, 1949.

### UNOFFICIAL NOTICES

#### PROVISION FOR ADOPTION OF CHILDREN.

Mr. DEBIDIN gave notice of the following motion:—

“WHEREAS in this Colony there is no law and procedure laid down for the adoption of children and many instances have arisen and will always arise where a person may wish to adopt a child;

“AND WHEREAS such a person would merely be putting himself or herself *in loco parentis* towards such child with all legal rights, liabilities and duties of parent towards the child still vested in the true parent;

“AND WHEREAS such questions as an adopted child inheriting as of right under the Estate of an adopted parent and so forth can only be provided for by legislation such as obtains in England;

"AND WHEREAS similar legislation as exists in England for the adoption of children in this Colony is overdue;

"BE IT RESOLVED that this Council request Government to enact an Ordinance to contain similar provisions as the Adoption of Children Act, 1926, (16 & 17 George V Chapter 29) and that a Select Committee be appointed for the purpose of settling the provisions of the said Act or otherwise which should be contained in such Ordinance."

#### NOTICE OF QUESTIONS

##### STONE FOR ROAD RECONSTRUCTION.

Mr. CARTER gave notice of the following questions:—

1. Has Government accepted any tenders for supply of boulder stone for the Road Reconstruction Programme tenders for which were closed on 17th December, 1949?
2. If the answer to question 1 is in the affirmative has Government entered into a binding contract with any would-be supplier? If not, why not?
3. If the answer to question 2 is in the affirmative when was the contract entered into and what sureties, if any, were provided by the would-be supplier?
4. If the contract has been entered into what supplies have been made to date?
5. Is Government satisfied with the quantity of stone supplied to date?
6. If the answer to question 5 is in the negative has Government made any provision for supplies from any other source?
7. Has Government made any provision in the contract for a penalty or for liquidated damages for the failure of the would-be supplier to meet his obligations under the contract?
8. If the answer to question 7 is in the affirmative what sum has been fixed as a penalty or as liquidated damages?
9. If the contract has been entered into and the supplier is in default of supplies will Government take steps to enforce the penalty clause?

#### MAYOR'S FLOOD RELIEF FUND.

Mr. WIGHT: Before we proceed with the Order of the Day may I ask your permission, sir, and that of the Council to make a statement bearing on the one I made some days ago in connection with the Mayor's Flood Relief Fund. It is that the Committee of which I am Chairman held a meeting yesterday and decided to get out, with the assistance of the Commissioner of Local Government, a list of the areas most affected by the floods and to ask certain District Committees which have been appointed to invite and receive applications for assistance from residents in those areas. The main Committee will then go into the question of the disposal of the balance of the Fund which stands in the vicinity of \$24,000. We are going to ask the Press and also the B.P.I. and ZFY to give as much publicity as possible to this fact. It is proposed to make distributions, after examining the several applications, to the most deserving cases in the particular areas and, no doubt, the suggestion which Your Excellency has made—that a substantial amount from the Fund might be allocated to assist in the establishment and development of Co-operative Societies in the flood stricken areas—would also receive the consideration of the Committee. I may say that the decision arrived at by the Committee was a unanimous one and was arrived at after we had given the matter several weeks' consideration.

The PRESIDENT: Council will now proceed with the Order of the Day.

#### ORDER OF THE DAY

##### LAND OFFER TO GOVERNMENT.

Dr. JAGAN asked and the COLONIAL SECRETARY laid over a reply to the following question:—

- Q.—In view of the fact that Bookers Bros. McConnell and Company, Limited, have offered to Government for \$480,000, 252 acres of Campbellville, which is a part of the area set out below, will Government state the total number of acres of lands comprising of Cummings Lodge, Turkeyen, Liliendaal, Sophia, Bel Air, Blygezicht, Kitty, Werk-en-Rust and La Penitence purchased by the Cor-

entyne Sugar Company, Limited, in 1937 for \$60,000 as per Transport No. 1001 of 1937?

A.—According to the records available to Government, the total area covered by Transport No. 1001 of 1937 is approximately 2,991 acres.

WIDOWS' AND ORPHANS' PENSION  
(AMNDT.) BILL.

The ATTORNEY GENERAL: I beg to move that a Bill intituled:

"An Ordinance further to amend the Widows' and Orphans' Pensions Ordinance, Chapter 207."

be read a first time.

The COLONIAL SECRETARY seconded.

Motion put, and agreed to.

Bill read a first time.

CROWN LANDS RESUMPTION  
(AMNDT.) BILL, 1950.

The ATTORNEY GENERAL: I beg to move the second reading of a Bill intituled:

"An Ordinance further to amend the Crown Lands Resumption Ordinance with respect to lands which may be resumed by the Crown."

It will be remembered that a Bill was passed in this Council towards the end of 1948 providing for the amendment of the Crown Lands Resumption Ordinance. Under the authority of the Ordinance the Crown has resumed land alienated by the Dutch authorities prior to the cession to the British Crown in 1803 of the Colony of Demerara and Essequibo and the Colony of Berbice. From time to time doubts were expressed as to whether the Ordinance extended to lands alienated by the Dutch prior to the cession of the Colonies to the Crown in 1803, and the Crown Lands Resumption (Amendment) Ordinance, 1948, No. 32, was enacted. That Ordinance declared that section 2 of the Principal Ordinance should be deemed to apply and always to have applied to lands alienated prior to the cession to the Crown in 1803. As,

however, it is not certain that section 2 of the Principal Ordinance empowers the Crown to resume lands which it has not itself alienated, the Crown Lands Resumption (Amendment) Ordinance, 1948, is not considered to be altogether suitable. Clause 2 of this Bill seeks to empower the Crown to resume lands alienated by the Dutch prior to the cession in 1803; and clause 4 seeks to give persons interested in such land already resumed a further opportunity to claim compensation. Clause 4 seeks to repeal the Crown Lands Resumption (Amendment) Ordinance, 1948.

Hon. Members will recall the very full debate we had in this Council when the Crown Lands Resumption (Amendment) Bill came before it in 1948. It is not necessary, therefore, to go further into this matter because hon. Members are fully conversant with all the facts. I move that the Bill be now read a second time.

Mr. WIGHT seconded.

Motion put, and agreed to.

Bill read a second time.

COUNCIL IN COMMITTEE.

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

*Clause 2—Amendment of section 2 of the Principal Ordinance.*

The ATTORNEY GENERAL: I beg to move that the word "Governments" be substituted for the singular "Government" in the fifth line.

Agreed to.

Clause 2, as amended, passed.

Council resumed.

The ATTORNEY GENERAL: With the consent of Council I beg to move that this Bill be now read a third time and passed.

Mr. WIGHT seconded.

Motion put, and agreed to.

Bill read a third time and passed.

SUPPLEMENTARY ESTIMATE, 1950.

The FINANCIAL SECRETARY & TREASURER: I beg to move:—

"That, this Council approves the Supplementary Estimate for the quarter ended 31st March, 1950, which has been laid on the table."

This Supplementary Estimate totals \$812,991 and nearly the whole of that sum, Sir — \$765,000 to be accurate — consists of a few large items which may well be regarded as Capital expenditure which we have to meet from our surplus balances and not charged to the actual revenue for the year. If hon. Members refer to the Schedule they would recall those items. They are the Cane Grove Land Settlement Scheme — the purchase of agricultural machinery for that scheme — \$43,900; and the purchase of machinery for the land settlement at Vergenoegen — \$61,000: Then there is the item "Special Investigational Surveys" — \$25,000; and other large items with regard to the reconditioning of our hospitals — the Public Hospital, Georgetown, and the Best Hospital, at a cost of \$325,000 and \$150,000 respectively. The remaining items are small, totalling \$47,000 odd, and several of them are re-votes of unexpended balances. All the items were discussed very fully in Finance Committee. I beg to move that this Schedule be now passed.

The COLONIAL SECRETARY seconded.

Mr. DEBIDIN: May I be permitted, sir, to make reference to some of the items—not to oppose them actually, but to draw attention to certain features. With regard to head 19 — Cane Grove Land Settlement—once again I must ask Government what is the extent of its sincerity to settle the people at Cane Grove under the proposed land settlement scheme. I desire to repeat what I have said before and that is, it is not right for the people concerned to be kept in such tremendous suspense as to their future. The floods which took place dur-

ing the early part of this year have certainly shown that where these people are living at present is something similar to the Black Hole of Calcutta. In this case it is the Hud Mole of Cane Grove. Those of us who were able to brave the condition of the roads and the weather during the flood period certainly saw the pitiful conditions under which these people live. These conditions must have an injurious effect upon the health of the people, and I must say that Government is running a grave risk in that serious epidemics are likely to break out in places like that. We have been told of plans to survey another site and to have it prepared for the re-housing of these people, and of the fact that they would be given an opportunity to purchase whatever building materials they have around them, thus building for themselves with the assistance of Government. It follows from that, however, that no repairs can be carried out on the houses in which they are living at present. The present site is fairly low and can only be kept dry by the use of a pump, but there has been no little trouble in getting that pump to work regularly when the rains are falling. I am told that it costs very much to keep this pump going and that the expenditure in this respect absorbs the little profit made by the whole of the scheme. Nevertheless, the pump has to be kept going.

It seems to me that Government should go into this matter very early and with a view to settling these people once and for all under proper roofs and proper conditions generally. I am sorry for these people and those of us who have seen them have expressed nothing but pity for them. I am asking Government not to let us pity these people only, but to assist them tangibly in the near future. So far as this item is concerned, I wish at the same time to congratulate those responsible for the excellent bond that has been erected. I think the erection has been properly carried out and that the bond will play a very useful part in the operation of the scheme.

The next item to which I desire to

refer is that of "Special Investigational Surveys." This item as it stands cannot be opposed because we have all admitted that it represents very useful work. I think Your Excellency has expressed more than once the need for securing useful data for the development of the Colony, but I want to repeat what I have had to express at a recent meeting of the Drainage Board. It is that there would be cause for serious objection on the part of this Council if schemes are undertaken to implement some long-range policy for the development of the Colony when the immediate needs of the people are not being met. In other words, I feel that it is not because Mr. Hutchinson is making these surveys and actually formulating very important schemes for effective drainage and irrigation of the Crown lands on the East Coast of Demerara, that the present drainage conditions of the people in that area should be neglected. That is what, I fear, is happening, and again I would ask that we should not only bestow pity upon these people in their present condition — one of continuous floods — but that something be done immediately to provide relief. I am suggesting, as I have done in the past, that we must face immediate expenditure of possibly larger sums in order to provide this relief. I have in mind the question of the complete taking off of the excess water from the Lamaha Conservancy into the Demerara River.

The PRESIDENT: I think the hon. Member has a motion on that subject before the Council and I suggest that he should wait until that motion comes up to be debated, otherwise he would be debating the matter twice over.

Mr. DEBIDIN: I am glad you have referred to that, Sir, and I would therefore ask that that motion be brought up very soon. It was tabled nearly two years ago and, unfortunately, the matter is still to be settled. I trust, however, that as a result of Your Excellency's reference to the motion we will have an early opportunity to debate it. But, motion or no motion, may I draw the attention of this Council to the fact that the people in the Mahaica and the Mahi-

cony river districts are completely flooded out and have lost so much that there is nothing but cries of lamentation in those areas now. Whose fault it is I do not know. Shall we only blame Dame Nature? I say no. We are not doing sufficient towards these people.

The PRESIDENT: I would suggest to the hon. Member again to reserve his remarks for his motion which will come up as soon as possible. The hon. Member knows very well that Government is considering the matter.

Mr. DEBIDIN: I am glad you have referred to Government's intention to bring forward my motion at an early date, sir, but I desired to take this opportunity of drawing the attention of the Council to what is existing at the present moment. I think I have a great deal of excuse for having done so and that my action is certainly pardonable. I think that is all I wish to say.

Mr. MORRISH: With reference to the item on which the hon. Member for Eastern Demerara has just spoken and his comments relating to Mr. Hutchinson, I would remind the hon. Member that Mr. Hutchinson did say at the last meeting of the Drainage Board when this question of surveys was raised, that the immediate difficulties were far from being overlooked. He also pointed out that it was no use trying to deal with the difficulties unless we deal with the cause "from the root", as he said. The whole background of Mr. Hutchinson's investigations is in the direction of finding what is the "root" and where does the disease of the "root" end.

The PRESIDENT: I would like to remind the hon. Member for Eastern Demerara of what I said in my address to this Council a few weeks ago about the lack of basic information and data and of surveys on which to build schemes of any magnitude. I have pointed out more than once, in this Council and elsewhere, that one of the great difficulties we have experienced in getting these schemes going and in solving these problems was the lack of information such as that for which this particular vote was

asked. There is no question that, as I have said before, a great many of our misconceptions have been due to the lack of that information and that schemes have been brought forward which were not sound for that very reason. It is quite true, as the last speaker has said, that what we are now endeavouring to do is to find the root causes of over flooding and drainage problems. Go along the East Coast and you would be told that the whole cause of the trouble and the flooding is the Lamaha Conservancy, but not even 10 per cent of it is due to the Conservancy. The root cause of the trouble lies in the Mahaica Valley, and not in the Lamaha Conservancy. There are far too many misconceptions about the real cause of these floods and far too little appreciation of the big problem it is to find a solution. That solution is not going to be found today or tomorrow; it is going to take some years before we find it. The problem is one which Mr. Hutchinson is tackling very seriously, but he has been handicapped on all sides by lack of the necessary data on which to formulate his schemes. He has come along and told us something tentatively and that, I think, is all we can expect. He cannot be sure because he has not got the facts. We never had the facts and that is the reason why this vote is necessary.

I should like to say a word about the Cane Grove Land Settlement to which the hon. Member for Eastern Demerara has referred. The hon. Member is apparently blaming Government for not improving the drainage and irrigation, but I think it would be more appropriate for the hon. Member to blame this Council which has already voted something like \$800,000 to settle some 300 families at Cane Grove. The Cane Grove people have had more assistance in proportion than anybody else in this Colony. Indeed we could not on that scale of expenditure ever hope to develop our different land settlements. The Cane Grove people have been treated extremely liberally. In fact this Council's action must be regarded as an act of faith rather than its belief that the settlement was a sound economic proposition. One would have preferred to remove those people

altogether. We know the history of Cane Grove. We know that the sugar estate gave up solely on account of the difficulty of drainage. We know the people there want to stay there and will not move. A good many of us considered it an unsound proposition to keep them there. We have put in it something like \$800,000 for the sake of 300 families, in an effort to keep them on the land and to give them a livelihood.

The hon. Member referred to the pump at Cane Grove. We all know the history of that pump, and we all know how expensive it is to operate it, but what is the alternative but to use that pump. I do suggest to the hon. Member when attempting to throw blame on the Government he should remember what has been done and remember how good the Government and this Council have been towards those inhabitants in Cane Grove.

The FINANCIAL SECRETARY & TREASURER: Your Excellency has already made all the points I may have dealt with in answer to the points raised on the motion. I may say definitely that I have in my hand the last progress report of Cane Grove, and there I find there were 457 families so far and 40 have given up and left. I think that the estimate (so far as I know) of the expenditure is about \$1 million on that settlement scheme, particularly if we include the amount which is put down on this estimate—\$112,000 for agricultural machinery for the further development of the rice cultivation of that area. Although those of us who considered the matter have considerable doubts as to the economic soundness of the use of that particular type of machinery, it is necessary and it has been included in the estimates.

Question put, and agreed to.

Motion passed.

#### A.M.E. CHURCH (INC.) BILL

Mr. PETERS: In rising to move the second reading of a Bill intituled:—

“An Ordinance to incorporate the Board of Trustees of the African

Methodist Episcopal Church in British Guiana to vest therein certain property; and for purposes connected with the matters aforesaid."

I must express my regret to the Council that at the hour of 4 o'clock at the last meeting I found myself under pressure to leave. I regret I had to go when I was called upon to proceed with the second reading of this Bill. Most of us who have been brought up in this Colony are well aware of the fact that the A.M.E. Church, as we call the Church here for the purpose of brevity, has been established for a number of years here, and it has undoubtedly done very effective work among a section of our people in this Colony. I can remember the time when there was no A.M.E. Church in this Colony. That is more than 56 years ago. I remember also when the first Church was started in a struggling way by the Rev. Mr. George Gay Daniels and then a little later his work was followed up by the Rev. Mr. Peter Arteus Luckie, who seems to have put a good deal of driving power by his personality into the development of the work, and the work began to take root in a very effective manner at New Garden Street, Queenstown. That work is still extant, being carried on today by the Rev. Mr. D. P. Talbot. It has since established branches in the Island of Wakenaam and on the West Coast of Demerara. There is also a branch in Charlestown at the corner of Charles and Howes Streets.

This Church has done excellent work not only along religious lines but also along educational lines. As a matter of fact, it can be regarded as the Church which gave a great fillip to the young men of our Colony of slender means to migrate to the U.S.A. where they can enter the Universities there and derive benefit from their contact with those schools over there. Away back between the year 1903 and, I believe, 1910 or 11 the Rev. Mr. Luckie took a number of lads away to the U.S.A. Some of them could not stand the winters there and came back, but the others remained and made excellent progress. I say this, because I desire to place on record the fact that this Church has been a great

pioneer in educational interest in the youth of this Colony, and today when the interest of the youth is a great feature of our present day civilization throughout the world, it is certainly a matter of — shall I say — the best taste on our part to do all we can to encourage this Church to be more firmly established in our midst. And so, Sir, I have very great pleasure in the light of the excellent work done by this Church in the past and in the light of the prospect that it will still do — shall I say—greater work in the years that are to come, I have the greatest pleasure in moving the second reading of this Bill.

Mr. DEBIDIN: I have very great pleasure in seconding the motion.

Question put, and agreed to.

Bill read a second time.

On a motion by Mr. PETERS seconded by Mr. DEBIDIN the Council resolved itself into Committee to consider the Bill clause by clause.

#### COUNCIL IN COMMITTEE.

##### Clause 7—

Mr. ROTH: This clause reads:

"In all matters not specially provided for by this Ordinance, the Board of Trustees shall, so far as may be practicable, possess and exercise the like power and authority as are possessed and exercised by the African Methodist Episcopal Church of the United States of America, and its proceedings shall be governed by the laws, regulations, processes and practice of that body".

It seems rather a wide sweeping statement. Should there not be a saving clause to the effect—in so far as they are not incompatible with the laws of this Colony?

The CHAIRMAN: I think it refers to the Laws of the Church and not the Laws of the U.S.A.

The ATTORNEY-GENERAL: The hon. Member's point is, there may be laws governing the Church which may

not be consistent with the Laws obtaining in this Colony.

Mr. WIGHT: I think the hon. Nominated Member has made a good point. I am prepared to second that. One can conceive of Laws in the U.S.A., whether they be Canon Laws or otherwise, being not compatible with our Laws, especial Canon Laws.

Mr. ROTH: My amendment is the addition of the following words at the end of the clause — "in so far as they are not incompatible with the Laws of this Colony".

Mr. WIGHT: I suggest the word "inconsistent" instead of the word "incompatible".

The CHAIRMAN: Perhaps it should read "the Laws of British Guiana" instead of "the Laws of this Colony".

Mr. WIGHT: May I suggest that words similar to those used in section 15, Chapter 7 of the Laws of British Guiana? The hon. Member may make his amendment to read: "in so far as those laws are not repugnant or in conflict with

any law or Ordinance now in force in the Colony".

Mr. ROTH: Yes, Sir; I accept that.

Mr. PETERS: I have no objection to that, Sir.

Question put, and agreed to.

Clause passed as amended.

Council resumed

Mr. PETERS: With the consent of Council I move that this Bill be now read a third time and passed.

Mr. DEBIDIN seconded.

Question put, and agreed to.

Bill read a third time and passed.

The PRESIDENT: Hon. Members, that concludes the business. There are one or two unofficial motions to be taken tomorrow and I think the hon. Member for Central Demerara is prepared to proceed with his motion. The Council is adjourned to 2 o'clock tomorrow.