

LEGISLATIVE COUNCIL

FRIDAY, 9TH MARCH, 1951.

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 Colonial Secretary, Mr. J. Gutch, O.B.E.

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

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

The Hon. T. Lee (Essequibo River).

The Hon. W. J. Raatgever, (Nominated).

The Hon. V. Roth (Nominated).

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

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

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

The Hon. J. Fernandes (Georgetown Central).

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

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

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

The Hon. W. A. Phang (North Western District).

The Hon. G. H. Snellie (Nominated)

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

The Hon. L. A. Luckhoo (Nominated).

The Clerk read prayers.

The Minutes of the meeting of the Council held on Thursday, the 8th of March, 1951, as printed and circulated, were taken as read and confirmed.

GOVERNMENT NOTICES.

INTRODUCTION OF LOAN BILL.

The FINANCIAL SECRETARY & TREASURER gave notice of the introduction and first reading of a Bill intituled:

"An Ordinance to make provision for raising in the Colony a loan not exceeding one million five hundred thousand dollars."

ESTIMATES, 1951.

PUBLIC WORKS DEPARTMENT— DRAINAGE, IRRIGATION & SEA DEFENCES.

The Council resolved itself into Committee to resume consideration of the draft Estimates for 1951 and the report of the Finance Committee thereon.

Dr. JAGAN: There is one matter which I brought up some time ago by way of motion in this Council but I have not yet seen any action taken on it. I refer to the question of gratuities to workers in the Public Works Department. Certain employees of the Department are entitled to gratuities on retirement, provided they have completed a period of seven consecutive years of 225 days per annum, and I made the point in my motion, that because work was not available in many cases to some of those employees they could not com-

plete the requisite number of days per year, with the result that it affected their right to a gratuity. I do not know when Government intends to bring my motion up. I was told that the matter would be brought up in the form of a Bill, but I do not know whether it will be brought forward shortly.

The FINANCIAL SECRETARY & TREASURER: The hon. Member's motion has not yet reached the Order Paper. In the meantime departmental consideration is being given to the procedure for dealing with these gratuities, and certain recommendations are under consideration which will probably be more favourable than those the hon. Member suggests in his motion. I therefore ask him to be patient. I feel sure that something will be done which will benefit the type of employees he has in mind.

Mr. DEBIDIN: May I just ask whether Government intends to bring forward my motion with respect to the asphaltting of roads passing through villages of the Colony along the coast-land?

The CHAIRMAN: I may mention that the desirability of tarring roads running through villages is fully recognized by Government, but we cannot do it with the machinery we have which is being used on the Courentyne road. The desirability of having the village roads asphalted is fully appreciated by Government, and in due course it will be done.

Dr. JAGAN: There is one other observation I would like to make with respect to the Consulting Engineer's report on the drainage and irrigation schemes on which he is now working. I tried to get Mr. Hutchinson to come before the Finance Committee to tell us something about what he has done, and I believe the hon. the Financial Secretary suggested that we should try to make an opportunity, if possible, to speak with Mr. Hutchinson privately.

The FINANCIAL SECRETARY & TREASURER: I do not think I made such a suggestion. I think I said the time was not ripe to bring Mr. Hutchinson

before Finance Committee or this Council to explain the schemes on which he is working.

Dr. JAGAN: I am certain that the Financial Secretary did say that if I wanted I could consult Mr. Hutchinson privately, and I did so. Mr. Hutchinson said he was quite a busy man, and that before he could give me an interview he would have to consult the Colonial Secretary. I was told by him that there were two schemes already completed, or in respect of which he had written reports, and I would be glad if those reports could be tabled in this Council or circulated, so that Members might have an opportunity to study the recommendations made. I know that many reports are submitted to Government and comments are made on them by experts, but Members of this Council are never informed about them or the comments made by the experts. I feel that Members of this Council would be in a much better position to evaluate these various schemes if they were given an opportunity to peruse these scientific reports which are made from time to time.

The CHAIRMAN: The hon. Member raised this question under "Agriculture", if I remember correctly, and I told him that when these schemes are ready and have been considered by Government they must come before this Council. They cannot be put into effect without the approval of this Council. The hon. Member can be assured that in due course, and as soon as possible, they will be placed before the Council.

Dr. JAGAN: I am not referring to the approval of the schemes as such but the preliminary reports.

The CHAIRMAN: They are all tentative. I cannot undertake to table those reports until final decisions are reached on them. Hon. Members will have an opportunity to study the schemes as soon as Government is in a position to let them have them.

Total of head, \$253,519, as printed, increased by \$3,561 to \$257,080.

SOCIAL ASSISTANCE.

Dr. JAGAN: On the question of old age pension this Council has passed a resolution fixing the age qualification at 60 years. The Council also recommended that the means test should be revised upwards to \$10 per month. I know that Government has increased old age pension by 50 cents per month, but that increase will not take care of many individuals. Government is merely giving on additional 50 cents per month to those who are at present entitled to old age pension, but I feel that the time has come when Government should consider the possibility of lowering the age qualification from 65 to 60 years, as recommended by this Council. In these days of increasing unemployment the older people are finding great difficulty in securing jobs, and some means must be found to keep them alive. I therefore hope Government will see its way to implement the recommendation made by this Council only a few months ago.

Mr. FERNANDES: First of all I would like to thank Government for its decision to add 50 cents per month to the old age pension allowance to those poor people. With regard to the motion referred to by the hon. Member I am asking Government that in future, when a motion is carried by a majority of the Members of this Council and Government has disposed of it, the Council should be informed of Government's decision in the matter. If, in this case, Government found that it could not face the expenditure involved in the Council's recommendation, this Council should have been informed immediately that decision was made. It is very difficult for a Member to be told five or six months after his motion has been adopted, that Government had disposed of the matter without his knowing anything about it. I understand that the matter was disposed of before I left the Colony for New Zealand. I was not told anything about it, and when I returned and asked about it it was then that I got the information that it had been disposed of prior to October 15 when I left the Colony. I am asking that in future this Council should be informed as soon as Government has decided that it cannot

implement a recommendation by this Council.

The FINANCIAL SECRETARY & TREASURER: In regard to the whole matter, and particularly to the remarks of the hon. Member for Central Demerara (Dr. Jagan), I think Government regrets very much indeed that after consideration of the proposal recommended by this Council it was found to be beyond our means. As I explained in Finance Committee, careful investigations were made by the Social Welfare Department of the bill for giving effect to the proposals. That is to say, the cost of the increased pensions, plus the cost of the increased administration that would be involved would be something like \$360,000 per annum. Government most regretfully came to the conclusion that as our Social Assistance bill is already in the vicinity of \$800,000 we could not find the additional money at the present time.

With regard to the remarks of the second speaker I must say that I am very surprised that he has made them publicly, because in Finance Committee, when he made an inquiry, I explained that the record of the decision of the Executive Council was to the effect that the Legislative Council should be informed by the Financial Secretary, and that I intended that a statement to the effect of the decision should be included in the Budget Statement. I then expressed my most profound regret to the hon. Member himself, and to all hon. Members in Finance Committee, that I had omitted it from that already too lengthy Budget Statement. The decision is not very old; it was taken only a month or two ago, and consequently we are not very late in time. As the hon. Member has seen fit to raise the matter publicly again I must again express my profound regret and apologies that I did not include in the Budget Statement information to the effect of the Government's decision.

Mr. FERNANDES: I was not thinking of what happened in regard to the motion in question. I made my remarks particularly in regard to what I would like to see done in the future—that as

soon as a matter is dealt with and it is found that the Colony cannot afford the expenditure involved, some intimation should be given to this Council of Government's decision. I referred to the present matter particularly, because it is still my opinion that if it had been communicated to us in the Budget Statement it would have been at least two or three months late according to my way of thinking, and according to what I would like to see done in future.

Mr. DEBIDIN: I am sorry I was not in my seat when the vote for the Public Works Department was being taken, but what has transpired between the Financial Secretary and the hon. Members for Central Demerara and Georgetown Central convinces me that I am right in thinking that there is too much juggling with the finances of British Guiana.

The CHAIRMAN: We are discussing "Social Assistance". Would the hon. Member confine himself to "Social Assistance"? I cannot allow any general discussion of the kind he is initiating at the moment.

Mr. DEBIDIN: I think I am in order if I am referring to the statement made by the hon. the Financial Secretary that they have thought it fit. I do not know, but probably he was referring to the Executive Council or, perhaps, he was thinking of himself alone.

The FINANCIAL SECRETARY & TREASURER: I deliberately used the words "Executive Council".

Mr. DEBIDIN: I am glad that is so because it makes it a little better. What I am thinking is this: This Executive Council in all its wisdom thinks of what is necessary now, and we who are sitting on this side of the Council know that there are things far more vital to be done and we find the money is being spent not in that connection.

The CHAIRMAN: I must remind the hon. Member that he is out of order again. I am not going to have another discussion on general policy. We are now on "Social Assistance", and I must ask

the hon. Member to confine himself to that.

Mr. DEBIDIN: I say it is a matter of regret that the Executive Council should think that so much money must be spent, and this must be saved and, when a motion is passed to spend money, to say that the Colony is not in a position to spend what is vitally necessary to be spent. That is the point I am making. I say that because I instanced it and supported my argument with the fact that again the hon. the Financial Secretary and, perhaps, the Executive Council, had seen fit to knock out \$200,000 from the Road vote when we had asked, and the Advisory Committee felt it should be \$1,000,000, and today the people are laid off on that road as the vote is exhausted.

The FINANCIAL SECRETARY & TREASURER: They have been laid off because the hon. Member refuses to allow this Budget to be passed so that orders can be given out for the expenditure of money. If we can expedite this, I am quite sure action would be started at once.

Mr. DEBIDIN: I do not think this is stopping it. What I feel is that it is not right to disregard the general wishes. I see that something else is being expedited, and this particular thing I refer to—the question of the \$200,000—has been jettisoned.

The CHAIRMAN: The hon. Member is not in order!

Mr. DEBIDIN: I am sorry for that.

Head passed as recommended by the Finance Committee.

SUPREME COURT.

Mr. DEBIDIN: Under this Head I intend to refer to a matter which properly comes under "Magistrates", and with your permission I shall refer to it here. I think, I may put myself in order by referring to the number of senior men who are in the Supreme Court Registry. That is an office with a judicial function, and it is true that the clerks

there must attain a very high standard of efficiency, and must have peculiar knowledge and ability. I can say this for the clerks of the Registry, especially the Senior Clerks, that they are all men of exceptional ability, and I feel we can never have any better than the present staff.

In the Magistrates' Office we find that too long there has been a flagrant disregard of representations made by Magistrates and many others that there should be a Chief Clerk in charge of that office. In the old days before the redesignation of posts, there was a First Class clerk there. I know many officers who reached the top of their scale and, because they had fitted in well there, were kept there and kept away from going higher. It is not fair for a senior Clerk who has fitted in with the technical work of the Magistrates' Office to be transferred to another Department where there is a more senior post, in order to get promotion, rather than sufficient room being made for promotion in that Department so that his particular knowledge can be retained in that Department. I cannot see the wisdom of the Government in not having a Chief Clerk in the Magistrates' Office in Georgetown. I believe there are just a few people who have thought so before. That, to my mind, is something which should be relegated to the past, as today not only has the revenue increased three times what it was, but there are about 30 clerks and a multiplicity of work. We have added the collection of Maintenance dues or monies payable on Affiliation Orders, which has considerably increased the work of the office. Then we have had Workmen's Compensation attached to it and a variety of other duties which never existed before.

And more than that, in Georgetown we now have five Magistrates' Courts as against two in the past. Recently we have had Rent Assessment work being done by that office. There is far more litigation today than before. What is responsible for that I am not prepared to discuss, but there is also this: In so far as indictable cases are concerned, which must have a preliminary hearing in the Magistrates' Court, there

has been a tremendous increase necessitating a greater volume of supervision by the most senior clerk of the office. Records have to be compiled and he is solely responsible for that; they have to be checked and sent to the Attorney-General. Apart from that he has to check all the appeal records too. We have Rent Assessment appeals apart from the usual appeals from the Magistrates. The work has definitely increased. But more than that, the work has increased in its importance as well, and I fail to see why the Salaries Commission did not implement the representations made by the Magistrates to the Government, the Financial Secretary and others concerned. I feel this is something which is a challenge to Government as to its knowledge of the workings of the various Departments of the Colony. There is no other Department which does harder and more intense work, and whose officers and clerks work harder from the time they reach office to the close in the afternoon. I feel this Department merits far more consideration; its most senior clerk should go right up to Chief Clerk. I trust that what I say is not going to fall on barren ground.

Head passed as recommended by Finance Committee.

VOLUNTEER FORCE.

Dr. JAGAN: I notice under this Head that the expenditure is increasing year after year. The actual expenditure for 1949 was \$32,498 and this year's estimate is \$47,535, while other charges have been increased from \$6,780 to \$9,678. I feel that this is real extravagance which British Guiana cannot afford. We are spending today over \$1½ million for a very large Police Force, and not too long ago this Council passed a Bill seeking to authorise the setting up of a Supernumerary Police Force or Reserve Police Force. In view of all these factors and the huge expenditure which is already being incurred by this Government for the Police Force—over \$1½ million out of a Budget of approximately \$23 million—it seems that this Colony would do well to delete this item of Volunteer Force from the Estimates. I do not think it is necessary at the present time. His Majesty's Gov-

ernment is spending tremendous sums of money for armament, and I do not feel it is necessary for a poor poverty-stricken country like this to be spending over \$55,000 per annum on this Force. Only a few moments ago the hon. the Financial Secretary said we could pay Old Age Pensioners more because we have not got the money, but on the other hand we can find the money to spend on this and other Heads. I move the deletion of items 7 to 18 under this Head.

Question "That the items stand as printed" put, and the Committee divided and voted as follows:—

For—Messrs. Morrish, Smellie, Phang, Kendall, Fernandes, Thompson, Ferreira, Roth, Raatgever, Dr. Nicholson, the Financial Secretary and Treasurer, the Attorney-General and the Colonial Secretary—13;

Against Dr. Jagan—1;

Did not vote—Mr. Debidin—1.

Head passed as printed.

PUBLIC WORKS, DRAINAGE, IRRIGATION AND SEA DEFENCES—EXTRAORDINARY.

The FINANCIAL SECRETARY & TREASURER: I move that the total amount be \$471,050 instead of \$521,050—a reduction of \$50,000—for reasons already explained. It has been happily found that the Sea Defences work at Mahaica can be somewhat limited, consequently item 5 on page 89 of the Estimates is reduced from \$113,000 to \$63,000.

Question put, and agreed to.

Head passed as amended.

Consideration of the Estimates having been concluded the Council resumed.

The FINANCIAL SECRETARY & TREASURER: Sir, before I ask you to put the substantive motion I think the Council would like to hear the final result of our work. During the course of our deliberations items of expenditure under the different Heads were either reduced or deleted to the total of

\$154,671. The principal items of these reductions comprised firstly \$41,000 for the Farm Institute of the Eastern Caribbean which has been cut out, and which is to be the subject of a separate motion that the expenditure be left as part of the Development Plan if approved. Then there is the deletion of \$37,000 under Post Office Extraordinary which has now gone to capital works, and a saving of \$37,000 under Colonial Emergency Measures.

In so far as increases are concerned, we have approved of additions totalling \$1,169,439. The principal items were—\$700,000 for temporary Cost of Living allowances for this year for the subordinate employees of the Public Service; \$25,000 for special equipment grants for schools; \$16,000 for the Technical Institute and a sum of \$47,000 for Atkinson Field. There was \$78,000 added under Pensions and Gratuities for Cost of Living allowances to pensioners, and also a large item of \$184,000 added under Public Debt as a reserve for the interest on new loans which might be raised this year, the interest on which might become payable within this year. There was another \$35,000 added to Social Assistance to provide for the supplementary allowance of 50 cents per month to old age pensioners, which was referred to today.

The total increase was \$1,169,439 and the net increase \$1,014,768—so much for what we have done—and the effect of it now is, our expenditure, in the light of these additions and deletions, which in the printed volume of the Estimates stands at \$22,174,662 to be met from revenue this year, has now become \$23,189,430.

Now for Revenue. On the revenue side, as printed in the volume of the Estimates, the total available at the time when the Budget was prepared was \$21,755,234 but there was an increase of \$75,000 to which reference was made—an item underestimated—making the total revenue available \$21,830,234. We have just passed legislation for an increase in taxation which would provide us with an additional revenue of

\$1,447,000. I need not review the items as hon. Members know what they are—Rum Duty, Export Duty on Bauxite and Income Tax, the principal one. So our revenue total is therefore \$23,277,234 as against an expenditure of \$23,189,430, leaving a small surplus of \$87,804.

That is a reasonably satisfactory result for the reason that, as I have said, we have included as a reserve \$184,000 to cover the proportion of interest on such new loans as we might raise this year, if such interest does fall due to be paid within the year, and that would only happen if we raise any loan before the 1st of July and a half year's interest falls due. As I said, that is satisfactory enough to go forward with, and to enable us to present a balanced financial position when we issue a prospectus for the raising of our \$10 million loan in London.

I would like to conclude by thanking Members for their very great care and attention during these deliberations in Finance Committee, and though I cannot say we did it expeditiously, nevertheless, as I said in Finance Committee, this is an opportunity, as in the case of the old Parliamentary adage—no funds voted unless grievances are redressed. Although many of the grievances put forward were only alleged, nevertheless I think an opportunity has been given Members to speak their minds freely and get explanations as fully as possible from the Heads of Departments who attended during the deliberations in Finance Committee.

After this resolution is passed, I would ask that the Standing Rules and Orders be suspended to enable me to take the Appropriation Bill through all its stages. There is a coincidence. Today is the 9th of March, and if we get through that Bill today it would be precisely the same day as we did so last year.

Motion put, and agreed to.

The FINANCIAL SECRETARY & TREASURER: I move the suspension of the relevant Standing Rule and Order in order to enable me to take items 13 and

14 on the Order Paper. Those are two motions dealing (1) with the increased cost of living allowances to pensioners and (2) with the special allowance to old age pensioners. As provision has been made in the Estimates for them it is desirable that some formal resolution should be passed and put on record.

The COLONIAL SECRETARY seconded.

Question put, and agreed to.

Relevant Standing Rule and Order suspended.

INCREASED COST OF LIVING ALLOWANCES TO PENSIONERS.

The FINANCIAL SECRETARY & TREASURER: I move the following motion standing in my name on the Order Paper —

That, this Council approves of the payment of increased temporary cost of living allowances to Government pensioners (including Teachers) for the years 1950 and 1951 and for such further period thereafter as the necessary financial provision shall be made and approved by the Council in the annual estimates on the following scale:—

- 50% on the first \$360 per annum
- 40% on the next \$360 per annum
- 16 2/3% on the next \$720 per annum
- Flat rate of \$480 per annum on pensions of over \$1,440 per annum
- Minimum allowance \$5.00 per month.

This Council further approves, with respect to any officer or employee who retires after 31st December, 1948, and whose pension computation is based on an average of salary received over a period of years, of such portion of salary received during any year prior to 1949 brought into the calculation of the average being increased by the inclusion of cost of living allowance at the rates set out above; and that the pension computation of any such officer or employee who has already retired shall be revised accordingly;

This Council further approves of the gratuity paid to any non-pensionable employee who retired during the year 1948 being re-computed so as to include the cost of living allowance in force in 1948 with the substantive salary on which the calculation of the gratuity was based.

I am asking that the motion as printed be amended in order to make it clear, by the addition after the word "That" of these words "with reference to Resolution No. 9 of the 7th September, 1948". That makes it clear that it refers to an existing authority to pay Cost of Living Allowances to pensioners. Also after the word "pensioners" in the third line these words were unfortunately omitted "and who retired prior to the 1st of January, 1949, and Widows and Orphans' pensioners awarded pensions prior to that date". The reason is clear, Sir, in that officers who retired after January, 1949, were on the revised scales of salaries, and widows benefit by the provisions of the Ordinance which was passed quite recently granting them a 60 per cent. increase of their pension. So this particular additional benefit is intended to apply to pensioners who retired prior to the 1st of January, 1949.

The second part of the motion deals with the adjustments in some cases of the pensions of such persons where necessary. This matter has been fully discussed in Finance Committee, and I think all Members were present at that meeting which accepted this particular benefit to pensioners. We have already provided for it in the Estimates just approved.

The COLONIAL SECRETARY seconded.

Question put, and agreed to.

Motion adopted.

SUPPLEMENTARY ALLOWANCE TO OLD AGE PENSIONERS.

The FINANCIAL SECRETARY & TREASURER: I beg to move the following motion standing in my name on the Order Paper —

That, this Council approves of the payment to every pensioner in receipt of an old age pension under the Old Age Pensions Ordinance, 1944, of a supplementary allowance of 50 cents per month for the year 1951 and for such period thereafter as provision for this purpose shall be made and approved by the Council in the annual estimates.

It is necessary to have a motion of this sort. The pensions are fixed by law, and this motion seeks to record the Council's approval to this supplementary allowance of 50 cent per month for the year 1951 and such period thereafter as provision for this purpose shall be made and approved by this Council in the Annual Estimates. That gives the formal authority necessary to the Social Assistance Department to make payments in effect from the 1st. January, 1951.

Mr. DEBIDIN: May I ask in terms of money what it is?

The FINANCIAL SECRETARY & TREASURER: \$35,000.

Mr. DEBIDIN: The comment must be made again that we must look after a large group of people who are outside these benefits altogether.

Only recently an old lady came to me and explained her position. Because she owns a property and her income is \$5 per month she is not entitled to receive old age pension. Something further must be done for those unfortunate people who are outside the old age pension scheme but should really be inside.

Mr. FERNANDES: I have already thanked Government for giving the unfortunate old people an additional 50 cents per month, but I would like to remind the hon. Member that the people who will get the additional 50 cents are those who have no means at all.

Mr. DEBIDIN: I am not opposing the motion.

Mr. FERNANDES: I cannot understand why the hon. Member has interrupted, because I did not accuse him of anything. I was just trying to remind him that these people have no property, whereas in the case he mentioned the person owns a property. There may be hardship, but as long as a person has property he or she cannot qualify for old age pension. I cannot see how Government would be able to pay old age pension without a means test, except there is a contributory scheme, which is some-

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thing that should be gone into at a later stage. I would like to thank the hon. the Financial Secretary for including the superannuation group in the previous motion.

Dr. JAGAN: The hon. Member said he did not see how Government would be able to abolish the means test unless there is a contributory pension scheme. I do not wholly agree with him, because when I introduced the motion first in this Council I gave certain figures which showed that if Government removed the means test and reduced the age qualification from 65 to 60 years it would cost one million dollars. If Government was thoroughly organized and run on a different basis it would have money to pay old age pensions from the age of 60 years. The Financial Secretary stated a moment ago that in order to implement the Council's recommendation of an age qualification of 60 years and the raising of the means test to \$10 per month, a sum of \$360,000 would be required, but I would like to ask him if he has separate figures with respect to the two proposals. We would then be in a better position to determine whether we can afford at present to implement at least one of the recommendations. I feel that giving an additional 50 cents per month to those already in receipt of old age pensions is not going to relieve the suffering of those people who are now disqualified either by age or by the fact that the means test now fixed at \$4.50 per month.

Mr. FERNANDES: Instead of using the word "superannuation" when I spoke a while ago I should have said "gratuity group."

The FINANCIAL SECRETARY & TREASURER: I am afraid I have not the details to reply to the hon. Member's questions, as I did not expect the debate on this particular motion to take this turn. This action, taken by the Finance Committee [almost entirely on its own initiative—although I must admit that to some extent it was sponsored or encouraged by myself—was an act of generosity in the circumstances to a very deserving body of people, and more particularly as

we were being generous to Government pensioners. That was the reason and, of course, also the fact that it is clear that old age pensioners must be suffering hardship like everyone else. I did not expect that this opportunity would be taken to revive the question relating to the variation of the procedure for computing old age pension, that is by the removal or variation of the means test and the lowering of the age qualification. I cannot give an effective reply to the questions raised, and I am asking the Council to accept what we are attempting to do as a compromise. It is something we have already done by passing the provision in the Estimate, and unless a resolution of this sort is passed it would be impossible to give effect to our wishes to give this extra money. Perhaps on some other occasion I will give the hon. Member the answers to his questions.

Motion agreed to.

APPROPRIATION BILL, 1951.

The FINANCIAL SECRETARY & TREASURER: The Standing Rules having been suspended, I will now take opportunity to move the Appropriation Bill, copies of which were circulated in *Gazette* form. I formally move that a Bill intitled "An Ordinance to appropriate the supplies granted in the current session of this Legislative Council" be read the first time.

The COLONIAL SECRETARY seconded.

Question put, and agree to.

Bill read the first time.

The FINANCIAL SECRETARY & TREASURER: As Members are aware, the object of this Bill is to give statutory effect to the authority already provided by approving the estimates of expenditure. This Bill covers all items of public expenditure which are not already covered by standing laws. The figures relate to the totals of expenditure which have already been approved, plus items under Colonial Development and Welfare Schemes. I formally move that the Bill be read a second time.

The COLONIAL SECRETARY seconded.

Mr. DEBIDIN: As is customary, the Estimates were dealt with head by head and, in some cases, almost item by item when discussion took place as to whether they should be passed or not, and we have had an opportunity to express our views generally on a particular trend in a particular Department. It is true we have had opportunities for detailed discussions under the various heads in Finance Committee, but we have said enough to show that sometimes in Finance Committee, except that we get a great deal of information which we otherwise may not have got, the position is practically the same as when the various heads come up in Council for general discussion. Therefore, if we do speak here on any of the heads it is because we feel that in Finance Committee it is almost useless to have a division, for the reason that if a motion is made for the deletion of an item we consider unnecessary it is out-voted. The same reasons why it is out-voted in Finance Committee obtain in this Council.

The PRESIDENT: Is the hon. Member speaking on behalf of other Members, or only for himself?

Mr. DEBIDIN: I am speaking on behalf of myself.

The PRESIDENT: Then the hon. Member should not use the plural "we"!

Mr. DEBIDIN: When I use the plural I am speaking of what took place with regard to all of us. Those of us who speak conscientiously on behalf of the people who matter—the people who are taxpayers of this country—can do nothing else but take up the stand of a rear-guard action, if I may use that term, in so far as the Budget is concerned. It seems to me a great pity that one newspaper should also enter into the realms of scurrility so far as its editorials are concerned, by suggesting that we waste time in this Council.

The PRESIDENT: Will the hon. Member confine his remarks to the Bill and not refer to the newspapers?

Mr. DEBIDIN: Again we find the Financial Secretary a minute ago making the remark that Members have brought up alleged grievances, and it is now time for me to make the remarks I propose to make which I otherwise would not have made. I wish to perform a public duty, and no Member of this Council or no newspaper is going to prevent me from discharging my conscience fairly and justly to the public whom I represent, and to myself. That is why I feel that, as we said before the Constitution Commission, we are in a state of frustration because of the closing in of all these influences, and because of what takes place in this Council and in Finance Committee we find ourselves criticized by public opinion as expressed by the newspapers and by the Financial Secretary, who do not represent the masses of British Guiana. Let those of us who represent the masses do our duty and continue to do it fearlessly, as I have been doing in the past. It does not matter how long the debate on the Budget takes. I would rather err on the side of a careful examination of the Budget. I have said that one-third of the Budget could be wiped out, and I still feel so. When we take the stand we have taken we feel justified in conscience and in duty to our people.

Dr. JAGAN: I would support the remarks of the previous speaker by saying that some of us get up in this Council and speak what is in our minds, whether it pleases other Members or not. At the present time the Finance Committee goes through the Estimate before it is brought before this Council. From time to time the tactics of the Chairman of the Finance Committee have been revealed in this Council. If a measure is not passed and Government wants it to go through it is brought back again. In the interim some amount of lobbying is done. We have had numerous examples of that sort, but we hear a lot about talking and wasting time. I would suggest that we do away with the Finance Committee, at least as long as this Council is constituted as it is. Resolutions are passed in this Council, considered in Executive Council, and if they involve expenditure on the estimates the approval of Finance Committee is sought. Finance

Committee is merely a place where opinions are stifled, because the proceedings are private. Editors of newspapers who think we are wasting time here are serving their masters' will. I am not concerned with them at all; I am concerned with the manner in which the taxpayers' money is being spent. The burden of taxation is very heavy.

I propose next year to suggest that the Estimates should not be considered in Finance Committee, because it simply means that some of us will come back here in Council and speak again on the same issues. So far as I am concerned I give notice right now that I do not intend to attend the meetings of Finance Committee on the next occasion. The hon. Member for Georgetown Central (Mr. Fernandes) has resigned from all Advisory Committees because they are a farce. The Finance Committee is a similar farce, and the quicker we get rid of it the better, so long as this Council is constituted as it is. I hope that the Constitution Commission will make its report very soon, and I hope that when that report comes out it will be worth the \$25,000 which this Colony has to pay for the Commission's inquiry. I was surprised to find that we have to pay such a large sum. Had I known that we would have to pay \$25,000 for the Commission I would have recommended the appointment of a local Commission — a Constituent Assembly or some such Commission — for which we would not have had to pay this excessive amount of money. However, I hope that when the report comes out it is going to be worth the \$25,000 which the taxpayers of this country have to pay. Recently we have seen the progress being made by other countries around us.

The PRESIDENT: I hope the hon. Member will not wander too far from the subject before the Council.

Dr. JAGAN: I am here speaking on an appropriation of \$22 million, and it is the time for me to speak very carefully in order to safeguard the interests of the public. I think I have 20 minutes to speak on this Bill according to the rules. I notice that recently the people in the neighbouring Colony of Surinam have

been given a very advanced Constitution, and they are making progress. I foresee that not very long from now we will have to go there and learn a lot of lessons, if we do not have to go right now. Only two days ago it was announced that the people in the Netherlands West Indies have been given responsible government — entire control of their internal affairs — and until we can have similar control in this country I am afraid we are only wasting time and money. I hope that on the next occasion when the Budget is to be prepared Members of this Council will be consulted, and that the view they have expressed on this Budget on the question of taxation will be given some consideration. Taxation is very high, and I hope that in the coming year the people of this country will not be further taxed to meet this huge expenditure, most of which is unnecessary.

The PRESIDENT: I would like to make a few observations as far as taxation is concerned. We have just increased taxation by \$1,500,000 roughly, and if we did a little analysis we would see where that money is going and where it is required. I referred earlier to the fact that we were spending over \$2¼ million on Education, and one hon. Member also referred to the fact that we were also spending over \$2¼ million on Medical Services. We have just seen that our Social Assistance bill is \$800,000, and all that, as I have said before, must come out of our annually recurrent expenditure which amounts to some \$19 million. On these three services alone we are spending nearly 35 per cent. of our total annually recurrent expenditure, leaving aside extraordinary expenditure which we can only incur if we have money to spare. It is the increasing annually recurrent expenditure which is the red light that we must watch.

Going further into the budget we see a million dollars in effect for the subsidization of our public transport services — half a million dollars for our railway services, and another half a million dollars for our steamer services. Then coming to the final item on the Estimate we see Colonial Emergency

Measures which call for nearly a million dollars, the bulk of which is going towards a refund of Customs duties to keep down the cost of living. Then let us look at the figures in regard to our Post and Telegraph services, the difference between expenditure and revenue, and we find that the expenditure exceeds the revenue by something like \$400,000. I am speaking from memory. Where is the rest of the money going to? There is a million dollars for the Public Works Department for maintenance of our buildings and roads. And will anybody contend that half a million dollars for sea defences is too much, when we know that without sea defences this Colony would become an uncultivable swamp?

It is in those directions that money is going. If hon. Members would look at the summary of the expenditure estimates they would see where the money is going. I do not know whether the public knows where its taxes are going. When I say that 35 per cent. of our revenue is required for three social services alone it means that one-third of this taxation of \$1,500,000 is necessary to keep those services going. Then another half a million dollars is needed for debt charge on the \$10 million Development Loan, and a further sum to meet the debt charges on the loan for our Telecommunications service. What is left — \$300,000 or \$400,000 to take care of the increased cost of the rest of our services. And what is the increased cost largely due to? It is due mainly to the salaries and wages revision owing to the increased cost of living. The revision of salaries and wages of the public services alone has meant additional expenditure of something like \$2½ million. That is where the money is going. That is why these heads of expenditure are increasing, and inevitably, if the cost of living goes up, the cost of administration must go up with it. As we all know, personal emoluments account for the bulk of our expenditure.

I think it is rather extraordinary that, despite the serious inflation that has been going on ever since the war ended, we have not found it necessary since 1948 to impose new taxation. Despite our rapidly increasing annually recurrent

expenditure. It has now become inescapable, and I think I have indicated quite clearly and simply — and I hope the public will understand it too — why this new taxation is necessary in this financial year. It might have been another half a million dollars if certain proposals, such as old age pensions, which certain hon. Members recommended, had been adopted to the extent asked for. Government was very sympathetic towards the motion, passed by this Council for increased old age pensions, and would have been only too glad to adopt it, but there is a limit beyond which we cannot go, and we must realise how enormous the expenditure on our social services already is. I am not suggesting that we should reduce that expenditure. We want to increase and improve our social services. Despite the fact that our expenditure on Education and Medical services alone has already gone up to over \$5½ million, we know it will go on increasing and we cannot stop it — what with our increasing population and the increasing cost of running these services. But we have to be very careful about the future. We have balanced our budget this year very satisfactorily indeed in all the very trying circumstances with which we have had to contend.

As I have said, to talk about taxation not being necessary in unrealistic in the extreme. This Council has recognised right from the outset that it is necessary. Indeed the only disagreement we have had is as to the form some of it should take. It was inevitable, and I think we have solved the problem for the present very satisfactorily.

Question put, and agreed to.

Bill read a second time.

The Council resolved itself into Committee and considered the Bill clause by clause without amendment.

The Council resumed.

The FINANCIAL SECRETARY and TREASURER: I beg to move that the

Appropriation Bill be now read a third time and passed.

The COLONIAL SECRETARY seconded.

Question put, and agreed to.

Bill read a third time and passed.

The FINANCIAL SECRETARY & TREASURER: I do not know whether the Council would agree to take items 5, 6 and 22 which deal with supplementary estimates.

Mr. DEBIDIN: I would rather we got an opportunity of seeing these supplementary estimates again, because I have not come with my copy, and it is just possible that there are certain items I may wish to refer to.

AMERINDIAN BILL, 1950.

The ATTORNEY-GENERAL: I ask leave to defer item 4 on the Order Paper — the second reading of a Bill intituled “An Ordinance to make provision for the good government of the the Amerindian tribes of the Colony” — due to the fact that certain suggestions have been made and amendments are being prepared in the light of those suggestions.

VENN COMMISSION REPORT.

The PRESIDENT: The next item on the agenda is consideration of the Venn Commission Report.

Mr. DEBIDIN: The position is that we have not come prepared for that. I have not got my copy of the recommendations with Your Excellency's Message. I would suggest that in view of the fact that there is another function this afternoon we adjourn the Council.

The PRESIDENT: There is the Cattle Stealing Prevention (Amendment) Bill. We can take that.

CATTLE STEALING PREVENTION (AMENDMENT) BILL.

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

“An Ordinance further to amend the Cattle Stealing Prevention Ordin-

ance with respect to the branding of cattle.”

It will be seen from the Objects and Reasons that section 8 (1) of the Cattle Stealing Prevention Ordinance (Chapter 94) as substituted by section 4 of the Cattle Stealing Prevention (Amendment) Ordinance, 1950, (No. 39 of 1950) enacts that certain cattle shall be branded on the neck or shoulders, or on the lower parts of the legs, but contains a proviso that in the Rupununi District such cattle may be branded on the hip. Clause 2 of this Bill seeks to repeal the proviso to section 8 (1) of the Principal Ordinance. Hon. Members will recall the debate that took place in the course of the consideration of the Bill last year, and will recollect the terms of Message No. 8 of 1951 which was presented to hon. Members of Council by His Excellency the Governor, and in which he stated:

“You will recall that the Cattle Stealing Prevention (Amendment) Bill, 1950, which was passed last September, while providing, *inter alia* for cattle to be branded on the neck and lower limbs, contained a proviso permitting cattle in the Rupununi District to be branded on the hip as heretofore; it was explained that the method of branding sought to be introduced by the Bill was considered impracticable in the Rupununi Area.

“However, in the light of the comments of certain Members of Council during the course of the debate, I directed that the matter should be further investigated, and it has now been reported that experimental branding on the neck of 200 calves in the Rupununi District has proved satisfactory. In view of this, the grounds previously advanced for exempting cattle in the Rupununi District no longer hold good, and an amending Bill has accordingly been prepared to repeal the proviso containing this exemption.”

The Bill which is now before hon. Members is not a matter of controversy. Hon. Members will appreciate that, following upon comments which were made in this Council, further steps were taken to explore the whole question, with the result that this proviso is now being deleted. Hon. Members will also realize that when the previous Bill was before

the Council this matter was raised by certain hon. Members but, as I have already said, in view of the comments which were then made on this proviso, the matter was further investigated, with the result that it was decided that the proviso should be deleted from the Ordinance. This is now being done by the Bill before Council. I beg to move that this Bill be now read a second time.

Mr. RAATGEVER seconded.

Mr. DEBIDIN: There is one comment I want to make. I am sorry that now that Government has thought fit to investigate the facts which were disclosed in that debate, it has now seen fit to bring a Bill in to repeal the section which deals with branding on the neck. I have been in contact with farmers on the East Coast Demerara, and their opinion is that it is a matter of cruelty to brand the animals on the neck, and in the case of young animals where the neck is rounded the operation is far more difficult. So far as destroying the hide, only a small part of the hip will be affected. I feel, Sir, that this matter might have been given some more consideration. It is true that the Rupununi people have agreed to come in and not be made the exception, but I feel that we should have given in to the Rupununi people and let them brand on the hip. Brands will have to be recast. I am sure that the size of my father's brand, which has four letters and a dash between, cannot be used on the neck of an animal. I am positive that there is going to be a great deal of difficulty. I do propose that some more investigation be made into that and, possibly not now but in the future, branding on the neck be repealed.

Mr. FERNANDES: It is a great pity the hon. Member made the same mistake as the Director of Agriculture when he came into this Council and gave us the facts of this Bill. He emphasized the neck but the Bill does not say you must brand on the neck. It says either the neck or shoulder of a cow or calf, which has good enough room to take any reasonable size brand. It is a great pity that this Council has to debate this Bill and the taxpayers have to pay for the printing of it. This Bill has

caused much bad feeling between the Department concerned and myself. I was Chairman of the Advisory Committee of this Department, and one of the functions of that Committee was to advise on matters of legislation in connection with that Department. I was there for three years and I was not consulted on this Bill, or any other member of that Committee within my knowledge. Nevertheless this Bill has been brought. But when this Bill came into this Council I fought until I could not fight any more. I cannot remember ever having fought anything more seriously in this Council than I fought that Bill. Of course I failed because there were so few Members present, otherwise the Bill would not have been carried on a 50 per cent. official vote. There were six Members who voted for it, and four of them were members of the Advisory Committee of the Agricultural Department. I remember that well, because the hon. Member for Eastern Demerara spoke for nearly three-quarters of an hour and thereby delayed the time. He had to go to a funeral and so, in spite of his opposition, he was not there to vote when the division was taken. If he did not talk so long he would have been there to cast his vote.

I agree that branding should be done on the neck or shoulder. I agreed to it at the time the Bill came up, but what I did not agree with was that the Rupununi Development Company and other concerns of the Rupununi District should be exempted because, having seen their method of branding myself, I was absolutely sure that no hardship would result by carrying the Bill. But the Director of Agriculture came here and told this Council that the Rupununi Development Company and the other people there would not find it workable. He did convince some Members. The three Unofficial Members who voted for the Bill, like lots of other people, believe no doubt that the layman has no knowledge when he is opposed to the opinion of a specialist of Government. Anyway I am not going to say anything more. I had to behave in a manner of which I am sometimes ashamed when I reflect in my quiet moments. But I took action which I felt would bring the desired

result. It brought the desired result, because of the action I took in resigning from that Committee immediately in protest against the Bill being pushed down my throat and those of Members of the Council.

I am glad to see that you, Sir, have taken the necessary steps to investigate whether I was wrong or right, and once again it is proved that I am not as foolish as I look, and that I knew what I was talking about. I hope a thing like this will never happen again. I hope that before Government brings forward a Bill discriminating against one group and creating one condition for one group and another condition for another group, it would first of all investigate thoroughly what the real situation is, and not just accept the word of the Head of a Department that this or that cannot be done. I understand that in a very short time after the Bill was passed the Rupununi people tried out branding on the neck and found that it would cause them no hardship and, therefore, decided to accept it. I was very surprised that that was not done during the two years in which this matter was being investigated by Government. Had this matter been referred two years earlier to the Advisory Committee when it was first being investigated, I would not have had to behave in the manner I did, and might have behaved in a much more pleasant way. I would have told the Director with a smile that this thing could be done and he should send someone up there to satisfy himself that it could be done. There would have been no necessity for my speaking this afternoon and for my becoming half as bitter as I had to become, when the law was passed without a single Elected Member voting for it.

Mr. DEBIDIN: I did not want to interrupt the hon. Member on a point of correction while he was speaking. The hon. Member has given the impression that I spoke for such a length of time as to cause his motion to be lost. I want to remind him that we were in the Committee stage dealing with a lot of clauses. If it took up much time, as a politician he should know he should have asked for an adjournment. He should not

blame me. He made a mistake when he said that this cattle stealing matter concerns agriculture. It seems to imply that it more concerns the Police.

The PRESIDENT: I cannot allow the hon. Member to take up the time of the Council on that matter.

Dr. JAGAN: I am glad to see that this Bill has been brought before this Council, because it seems to me you cannot have two different kinds of laws for two different kinds of people in British Guiana. Not because the Rupununi Development Company has money and has big shots as shareholders—Mr. Seaford, Mr. Percy Wight —

The PRESIDENT: I deprecate the mention of the names of individuals in this Council. It is not in order. It has nothing to do with the Cattle Stealing Prevention Ordinance.

Dr. JAGAN: They have a lot to do with it. I will call them out and I do not think you have the right to rule me out of order.

The PRESIDENT: The hon. Member must not refer to the names of individuals. It is unnecessary.

Dr. JAGAN: My statement is that if a big company is dominating a situation—Davsons, Bookers, Seaford, Wight — because it is a big company it does not mean that this Council must make laws to satisfy those persons. Every time I seem to make a point in this Council, I do not know if the exposure is a bad thing, I do not know if it is protecting these big interests or not,—

The ATTORNEY-GENERAL: I do not think the hon. Member has any right to make such an assertion. The hon. Member should withdraw it. He must bear in mind that this is a constitutional assembly and must be carried on with certain rules. Each and every Member of the Council must observe those rules, and the President of the Council is the person charged with seeing that those rules are carried out, and it is an unwritten rule that Members should accept the ruling of the President, and this is

so whether it is here in this Council, or in the House of Commons or any other Legislative Assembly.

Dr. JAGAN: I do not know whether it is the procedure to accept the ruling of the President even though the President is wrong.

The PRESIDENT: Would the hon. Member proceed with what he has to say?

Dr. JAGAN: I am very glad to see that the situation is now going to be regularized, and that one set of laws is going to be made for all the people of British Guiana. With respect to this question of branding on the hip the reason given is that in the case of making the hides into leather, it is said, that if the branding is on the hip it destroys the value of the hide and consequently provision is now being made or has been made in the past to obviate this wrong step. As the hon. Member for Georgetown Central has said, I do not think it is going to create such a great difficulty, because we do have to try and encourage an industry such as the leather industry in this country. A great deal of money has to be spent on the importation of hides, and now that we are going to have a Technical Institute, I think, it would be well for someone to be attached to that Institute who is properly qualified to teach persons in this country the proper methods of tanning, etc. If those methods are taught I can see the possibility of a large hide industry in this country, and consequently we must take all steps to see that the value of the hides will not be destroyed. I therefore have great pleasure in supporting this Bill at the present time.

Question put, and agreed to.

Bill read a second time.

COUNCIL IN COMMITTEE.

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

Clause 2 — *Amendment of subsection (1) of section 8 of the Principal Ordinance, No. 39 of 1950.*

Mr. FERNANDES: I would just like to say a few words. I could not do so just now because I would have been speaking twice on the second reading. I would like to remind the hon. Member for Central Demerara who, like the hon. Member for Eastern Demerara, represents a constituency with lots of cattle, that had they been present their two votes would have been sufficient to stop the Bill from going through.

Dr. JAGAN: May I inform the hon. Member that when the Bill was taken I was out of the Colony?

The CHAIRMAN: Is it all necessary? Here we are putting right a thing which hon. Members wanted put right, and that we are having all this talk.

The Council resumed.

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

Mr. RAATGEVER seconded.

Question put, and agreed to.

Bill read a third time and passed.

BASTARDY (AMENDMENT) BILL.

The ATTORNEY-GENERAL: With the permission of Council I beg to move the second reading of a Bill intituled —

“An Ordinance to amend the Bastardy Ordinance”.

The Bill seeks to increase the amount which the putative father of an illegitimate child may be ordered by a Magistrate to contribute towards its maintenance, from a maximum of two dollars per week to a maximum of three dollars per week as from 1st January, 1951. I beg to move that the Bill be now read a second time.

Mr. RAATGEVER seconded.

Question put, and agreed to.

Bill read a second time.

The Council resolved itself into Committee and considered the Bill clause by clause without amendment.

The ATTORNEY-GENERAL: I move that the Bill be now read a third time and passed.

Mr. RAATGEVER seconded.

Question put, and agreed to.

Bill read a third time and passed.

**BAKERIES (HOURS OF WORK)
(AMENDMENT) BILL.**

The ATTORNEY-GENERAL: With the consent of Council I beg to move the second reading of a Bill intituled

“An Ordinance further to amend the Bakeries (Hours of Work) Ordinance, 1946”.

Mr. DEBIDIN: On this question of the bakeries there is a motion notice of which has been given by me in this Council, and I thought in a matter of this kind where there are two motions dealing with almost similar matters, there might have been some discussion or compromise. My motion might have been taken first and a Committee formed to see how we could possibly have an assimilation of the various points which seem to be common.

The PRESIDENT: Does the hon. Member wish this Bill to be deferred?

Mr. DEBIDIN: I ask that it be not taken now as there is a private motion on a similar matter to be taken before this Bill.

The PRESIDENT: Very well.

**GEORGETOWN (TAXATION AND RATING
CONCESSIONS) BILL, 1951.**

The ATTORNEY-GENERAL: I move the second reading of a Bill intituled.

“An Ordinance to confer power on the Georgetown Town Council to exempt the owners of certain properties in the City from the liability to pay rates or taxes for a limited period.”

I am sure that this Bill will commend itself to all hon. Members as a very

desirable gesture on the part of the Georgetown Town Council. As hon. Members will see from the Objects and Reasons attached to the Bill, it is felt that in view of the prevailing housing shortage some encouragement should be offered to persons to erect new buildings and replace existing ones. Under section 137 of the Georgetown Town Council Ordinance, Chapter 86, the Town Council has power to exempt from taxation lands and buildings within the City used for certain purposes set out in that section.

This Bill seeks to empower the Town Council to exempt from the payment of rates and taxes for a limited period the owners of buildings which come within the scope of the Bill. On reference to clause 4 of the Bill it will be seen that 1949 is the year to be used as the yardstick. The “specified period”, as set out in clause 2, means the period which commenced on the 1st day of June, 1950, and will end on the 31st day of December 1952. Clause 6 provides that the Ordinance shall be deemed to have come into force on the 1st day of June, 1950, and shall continue in operation until the 31st day of December, 1956. It is hoped that this concession will give a stimulus to building activities in the City, and by that means alleviate the housing shortage which hon. Members will appreciate is still very acute. I formally move that the Bill be now read a second time.

The COLONIAL SECRETARY seconded.

Mr. DEBIDIN: Looking at this Bill it does seem to raise several questions. While we may have the desire to see more buildings erected in order to relieve the housing shortage, the point that strikes me forcibly is that the proprietors of existing buildings will have to foot any increase of taxation in view of the heavy burden of Municipal expenditure. If new buildings are to be exempted from taxation for a period it means that the owners of existing buildings will have to bear the burden. Is that equitable? It seems to me that this Bill would have succeeded far better in its object if it had provided some concession in respect of a definite housing scheme for working class people. If that wer

done I think we would all welcome it. There are many people who were unable to build houses during the war period, but are now in a position to do so. They may be all wealthy people and may go in for building for investment purposes. Are such people to be allowed to get away with it? Why shouldn't they bear their fair share of taxation? I cannot see the wisdom in this Bill. I cannot see why a person who is able to erect a palatial building should be exempted from taxation for a period. Take for instance the fine building which has been erected at the corner of Charlotte and New Garden streets. I am sure that the owner of that building would not mind paying his share of taxation. I too would like to put up a nice building, and I do not see why I should not pay taxes on it. Encouragement should be given to those people who are prepared to build the type of houses which will relieve the housing shortage in respect of middle-class people.

I have always regarded the housing shortage as being tied up with the economic position of the people in the rural areas. It will never improve so long as the people in the rural districts are allowed to suffer and have a sense of frustration. They will continue to gravitate to the City. If peasant farming is encouraged the people in the rural areas would return to the land and not gravitate to the City. I am a ratepayer in Georgetown and I see no reason why I should be saddled with taxation because "X" can afford to build a fine house but is to be relieved of taxation for a period.

Mr. LEE: I do not think my friend has considered this aspect of the matter. There may be a few people who will build palatial houses, but the object of the Bill is to encourage those who have money to build houses for people of the lower income group.

The FINANCIAL SECRETARY & TREASURER: I honestly try to follow the reasoning of the hon. Member for Eastern Demerara (Mr. Debidin) but on this occasion I am completely defeated. There is a housing shortage, and that is accepted by everyone. The way to over-

come that shortage is to build new houses on vacant lands in the City where vacant lands are available, or to replace existing buildings by larger and better buildings; certainly to replace existing buildings which are out of repair and require reconstruction. Consequently the Town Council are correct and wise in their proposal, which is enshrined in this Bill, to exempt from taxation for a limited period a new house erected either on a vacant lot, or a house which takes the place of an old one which may be in disrepair or require complete renovation. That is pretty obvious. I do not see why there should be imported into it the question of palatial buildings. It is conceivable that one or two people are wealthy enough to be able to put up palatial buildings, but even so they would be helping to overcome the housing shortage, and the whole object of the Bill is to stimulate building by exemption from taxation for a limited period. It is not by any means an attempt to give a particular class the benefit, but an attempt to give everyone who is in a position to build an opportunity to benefit, and thereby stimulate building activity which would in the end result in overcoming the housing shortage.

Mr. LUCKHOO: The Town Council was faced with many proposals of a similar type in which an endeavour was made to compel persons to build on vacant lots, but that did not seem a very practical way of going about it. The proposal in this Bill is to encourage persons to build on vacant lots. If I followed the discussion sufficiently well I understand the point made by the hon. Member for Central Demerara (Dr. Jagan) is that there should be no discrimination, but if we adopted the argument of the hon. Member who spoke first we would be discriminating if we were only to afford an opportunity for one particular class of people to secure exemption for rates and taxes, instead of making the Bill one of general application. I would point out that two types of buildings will be excluded from this exemption from taxation—any building used wholly or partly for the purpose of any trade or business, and any building consisting of rooms to be let separately.

This was and is an honest endeavour to see in what measure the Town Council might be able to offer a partial solution to the very pressing problem of housing in Georgetown.

Question put, and agreed to.

Bill read a second time.

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

Clause 3.—*Power of the Council to exempt from taxation in certain circumstances.*

Mr. DEBIDIN: Under the Assessment Ordinance I find that no definite provision is made for an increase of rent for actual repairs done to buildings. Owing to the shortage of materials during the war period many buildings could not be repaired, and in some cases they require complete reconstruction. The owners of such buildings are not being given any encouragement, and I think there is need for revision of the Rent Assessment Ordinance to provide some concession.

I would like to say in reply to the hon. the Financial Secretary that I like his style in saying that he was completely baffled by my reasoning, but he took an equally long time to reply to what he was baffled about. I would suggest that he consult Hansard and study our speeches.

The Council resumed.

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

The COLONIAL SECRETARY seconded.

Question put, and agreed to.

Bill read a third time and passed.

GUARANTEED MINIMUM PRICES TO FARMERS.

The COLONIAL SECRETARY: Sir, I beg to move the motion standing in my name which reads:

"That, with reference to His Excellency the Governor's Message No. 9 of the 22nd of February, 1951, this Council approves of the guaranteed minimum prices to farmers for ground provisions which expire on the 28th of February, 1951, being extended for a further period of three years from that date."

As explained in Message No. 9 of the 22nd of February, the object of this motion is to provide for the continuance of the guaranteed prices for produce to be paid at the Government Produce Depot for a further period of three years. There is some slight alteration in the guaranteed prices. As will be seen from the comparative table in paragraph 2 of the Message, the price of corn has been slightly raised while the price of yams has been slightly reduced. At the same time the Committee which went into this matter has recommended that the retail prices of ground provisions should be generally increased, as shown in paragraph 3 of the Message.

I think Members will agree that this system of guaranteed prices to be paid by the Government Produce Depot is very much in the interests of the farmers. The prices are not meant to be the best prices that can be got for produce, but they represent fair prices, and particularly in times of glut the farmers have the advantage of knowing that they can dispose of their produce at the Government Produce Depot at these stated prices. If they were not in a position to have that assurance behind them they would not be able to dispose of their produce in such times of glut at reasonable prices. As hon. Members are aware, the Government Produce Depot has been run at considerable loss to Government, which indicates the extent of the benefit which has been conferred on the farmers. I hope the motion will commend itself to hon. Members.

Mr. PHANG: I will support the motion, but I would like to draw attention to the fact that the guarantees which were given to farmers three years ago remain the same today. It must be admitted that during the past three years the cost of labour and everything has increased, and I think the prices

guaranteed to farmers should be increased. The prices for sweet cassava, eddoes, tannias and sweet potatoes remain the same as they were three years ago, while the price of yams has been reduced. The only item in which there is an increase is corn, which has been increased by .25 cents. I think the price of yams should be allowed to remain at 3.50 cents instead of being reduced to 3 cents per lb., while the price of corn should be increased to 3½ cents instead of 3 cents per lb.

Mr. DEBIDIN: Following upon the hon. Member's remarks I am encouraged to pass on complaints which have been made to me by farmers, that they suffer loss in respect of certain items. It is true that in times of glut farmers are able to dispose of their produce at the Produce Depot, but more often than not there is no glut of those items but a shortage, and if there was an open market much better prices might have been obtained by the farmers. We know that in the case of oranges and sapodillas, for instance, the farmers obtain very good prices which they would not get if the prices were pegged. The farmers complain that this is merely a measure designed to keep down the Cost of Living Index so far as Georgetown is concerned, and that whatever loss is suffered by the Depot is regarded as a subsidy to the cost of living, particularly in Georgetown. It seems to me that it is primarily Georgetown that is served by this Depot.

Motion put, and agreed to.

APPLICATION OF CORPORAL PUNISHMENT.

The ATTORNEY-GENERAL: I beg to move the following motion:—

WHEREAS it is considered desirable that the question of the application of corporal punishment in the penal system of the Colony should be reviewed and steps taken with a view to reduction of its use as a method of punishment;

BE IT RESOLVED that this Council recommends to Government the appointment of a Committee to consider the law relating to the use of corporal punishment by the Courts and as a penalty for certain offences committed

by prisoners, and to make necessary recommendations as to the changes which are necessary or desirable.

It will be within the recollection of hon. Members that about two years ago certain Bills were brought before this Council for consideration and after debate one of the Bills was referred to a Select Committee while the other one was rejected by Members of this Council on the second reading. There were two other Bills, which I informed the Council at the time, would be considered by the Committee along with this particular matter, as to whether the application of corporal punishment should be reduced or limited only to certain particular offences. For one reason or another the Committee which was appointed never sat, and now it is considered desirable that this Council should consider the matter and come to some decision with regard to the limitation of corporal punishment. Hon. Members are aware of the fact that for many years now the tendency has been to reduce the application of corporal punishment, and in fact the whole procedure relating to punishment has undergone considerable change. The procedure has now passed from inflicting severe punishment to adopting reformatory methods. However that may be, this motion should meet with the approval of hon. Members. The immediate object is to appoint a Committee to go into the question. I beg to move that the motion be approved.

Mr. RAATGEVER seconded.

Mr. PETERS: I am certainly profoundly happy to have the knowledge that we in British Guiana are moving forward along the lines of the humanitarian perspective that is marking the ways and attitude of the nations of the world today. If I had my own way I would suggest that we go one step further in this new attitude that we are being called upon by the hon. the Attorney-General to assume in respect of punishment in our Colony in general. I have more than once hinted in this Council that I consider it wise that something be done even to investigate the question of capital punishment in this

Colony, not with the view to abrogating it totally but of effecting certain revisions if found necessary. I do not know whether it may be considered wise at this stage to consider that aspect and make that part of the reference in so far as the Committee concerning this motion. It is no use attempting to take one single step in this direction if we are to move in a sort of humanitarian way, if we are to keep pace with the civilized nations today. This is the time to step out and see what is to be done in revising our own methods as regards capital punishment. I do suggest if we consider it wise, that something be done in asking that Committee to take as part of its terms of reference the question of capital punishment as inflicted in our Colony.

Dr. JAGAN: I beg to support the hon. Member who has spoken on this subject.

Mr. LEE: I beg to suggest to the hon. Member that the religious side should be represented on the Committee.

Mr. ROTH: In that case I suggest a senior officer of the Prison Service be also appointed on that Committee.

Question put, and agreed to.

Motion adopted.

RICE FARMERS' SECURITY OF TENURE.

The ATTORNEY-GENERAL: I beg to move the following motion standing in my name with regard to the continuance of the Rice Farmers (Security of Tenure) Ordinance for a period of three years from the 1st May, 1951:—

WHEREAS the Rice Farmers (Security of Tenure) Ordinance, 1945 (No. 10 of 1945), came into operation on the 14th of July, 1945;

AND WHEREAS section 24 of the said Ordinance provides that the Ordinance shall continue in force until the last day of April, 1947, but that the Legislative Council may, prior to the expiration thereof, by Resolution declare that the said Ordinance shall continue in force for such further period as may be specified in the Resolution;

AND WHEREAS by Resolution No.

XXXIV of the Legislative Council passed the 25th of April, 1947, the Rice Farmers (Security of Tenure) Ordinance, 1945 (No. 10 of 1945) continues in operation up to the 30th of April, 1951;

AND WHEREAS it is desirable that the said Ordinance should continue in operation for a further period;

NOW, THEREFORE, BE IT RESOLVED that the Rice Farmers (Security of Tenure) Ordinance shall continue in force for a further period of three years from the 1st of May, 1951.

This motion is the result of the fact that the Rice Farmers (Security of Tenure) Ordinance, which by Resolution No. 34 of the Legislative Council passed on the 25th April, 1947, was continued in operation to the 30th April, 1951, will expire on that date. I think all hon. Members will agree that this legislation is very desirable as it affords a measure of security to those tenants who are engaged in rice farming. It is also desirable, in view of the general feeling and the necessity for the enlargement of rice cultivation in the Colony as part of the economic strength of the Colony, that those who are engaged in the industry as tenants on small holdings should be provided in some way with security such as the Ordinance seeks to give them. I take it that all hon. Members will agree as to the desirability of the continuance of this Ordinance, having regard to the objects for which the enactment was passed some years ago. It is proposed that the Ordinance should be continued for the further period of three years from the day of its expiration, that is from the 1st of May, 1951. I think that also is a reasonable time. I beg to move that this motion be approved by this honourable Council.

Mr. LEE: I beg to second the motion and would say that I am grateful to Government for giving them another period of three years.

Dr. JAGAN: This question of security of tenure to rice farmers, I feel, is a very desirable step to protect these people, especially since we are thinking of an increase of our rice cultivation and expansion of the rice industry in order

even to sell outside in the open markets. I cannot remember exactly if I have a motion at the present time before this Council, or if I have it in mind, but I do recall that in the case of the sugar plantations their lands are exempted from this Ordinance. The hon. the Attorney-General would correct me if I am wrong.

The ATTORNEY - GENERAL : I would like to point out that this Rice Farmers (Security of Tenure) Ordinance with which the hon. Member is dealing, does not embrace the rice lands cultivated on sugar estates.

Dr. JAGAN: I feel that the Ordinance should be amended to bring within its scope the lands which are given out on the sugar estates also. We do know that at the present time the sugar estates do have a large amount of land which they own, and which they lease from Government, all of which is not cultivated in cane, and I see no necessity of having the rice lands which are given out by the sugar estates to workers exempted from the Ordinance. There have been a lot of complaints made to me about these lands being taken away from certain workers and given to others. If the same lands are to be cultivated and are not to be utilized for other purposes by the sugar estates authorities, I do not see the necessity for changing hands from one person to another. As I said before, even if the sugar proprietors contemplate extending their cane cultivation, they still have a lot of land available not yet under cane or rice cultivation. Therefore I feel that that land should also come within the security of this Ordinance.

There is another point with reference to this matter, and that is there are certain landlords who purchase estates merely for speculation. I believe the original intention of this Ordinance was to protect these farmers by the security of their tenancy, especially in those cases where improvements have been made to the land by the farmers. Recently I have had to petition you, Sir, on behalf of certain farmers on the West Coast, Demerara, where a landlord seeks to convert his rice lands into house lots. While it is admirable to house people not only in the City of Georgetown but in the rural areas

also in proper and fit places, I feel that very grave consideration must be given to the question as to the lands being converted from rice lands, into house lots for the purpose of erecting houses thereon. The whole object of the Ordinance is to protect all farmers, not only that they should continue to produce rice on the land they occupy but also that they could make certain improvements on the land. We know there are large tracts of land in this country which were abandoned, and which were not in a proper state for cultivation, but on which in many cases rice farmers have spent a lot of energy and money to bring into a proper cultivable state so that rice can be grown. When all that is done are the people to be deprived of those lands merely because it chooses the landlord to change the land from rice cultivation to house lots? I feel that would be defeating the purpose of this Ordinance if that is allowed.

I would support the measure at this time. This is a really good motion before the Council, and I feel that not only the Ordinance should be continued from time to time, as is now being sought, but should be made a permanent part of the laws of this country in the same way that you have the Rent Restriction Ordinance in the Laws of this Colony and not for a limited period. I hope Government would consider the wisdom of including the sugar estate lands which have been under rice cultivation for a long period of time outside the provisions of this Ordinance.

Mr. MORRISH : The hon. Member for Central Demerara has made reference to some reduction in the rice lands available on sugar estates. He is correct, but what the hon. Member omitted to state is, that owing to the exigencies of war large areas of lands on sugar estates were, at the request of Government during the war years, given over to the cultivation of rice and provisions. That state of affairs, Sir, is now ended, and incidentally at this moment there is land growing rice on sugar estates which would, if growing sugar, produce a further 26,000 tons of sugar per annum. You yourself, Sir, have stressed the necessity of accomplishing or reaching that target of 240,000 tons by end of 1952. Therefore the position is, are the sugar estates

to be sugar estates or rice plantations? If they are to be sugar estates, it seems the situation must revert to what it was pre-war. Furthermore, the giving of rice lands to workers on sugar estates is one of the prerequisites. It is true that in many cases the lands are rented, but at a very lower rent than those in any other area. It is regarded as a prerequisite and aid to those good workers who are assisting the industry to attain that target to which we are aiming. I do not think I need say more, but with your permission, Sir, I would like to quote from Hansard of the 16th May, 1945, when the late Mr. J. A. Luckhoo made this statement:

"I am as strong an opponent of 'class legislation' as anyone, and I want to say at once that this definition of 'rice land' is not the effort of the Law Officer of this Government alone but of himself, myself and another Member of this Council. We felt at the time we worded this definition it would be unjust to the sugar plantations who during a time of severe stress and dire necessity opened their lands for the cultivation of rice, to prevent them from resuming cane cultivation on those lands when they desire to do so."

Mr. DEBIDIN: There is a big question involved in this particular motion for extending the time, and that is, following the debate on the Rice Amendment Bill some time ago, it does appear to me that if those who will succeed get the full control of central mills in this Colony there would be a type of dispossession that would take place. That is, wherever there is a rice miller who owns a considerable area of land and has been renting out these lands to small farmers in lots of one or two acres, and he has been dispossessed of his milling busi-

ness through a central mill operating in his area, it seems to me he would naturally want to resort to cultivating his lands by mechanical means for himself. What else can he do? That is the form of dispossession, I see, which would take place in this Colony if central rice mills are established. What would be the position of these small rice millers who would be thrown out of business in so far as milling is concerned? What would be their position if they were restricted from getting their land back from the tenants to whom they rented it?

I feel, if this Bill is to go through, that the particular clause which gives power to the District Commissioner to give the necessary endorsement that the landlord is entitled to possession should provide that it be not withheld, and it seems to me an important point, because we are going to be faced with this security of tenure power, and chaos will exist on these large properties where there are hundreds of rice farmers. I am going to support the motion, because these people who are presently having their holdings, especially in the Islands of Leguan and Wakenaam, need protection. There is no doubt about that, and I think this Bill was particularly intended for them. But I am sounding a note of warning so that when the time comes it can be said that one Member had raised the point that no objection by the District Commissioners should be allowed to prevent those people regaining possession of their lands.

Motion put, and agreed to.

Motion adopted.

At this stage the Council adjourned to Wednesday next, 14th March, 1951, at 2 p.m.