

LEGISLATIVE COUNCIL.

Wednesday, 13th December, 1940.

The Council met at 10.30 a.m. pursuant to adjournment, His Excellency the Governor, SIR WILFRID JACKSON, K.C.M.G., President, in the Chair.

PRESENT.

The Hon. the Colonial Secretary, Mr. G. D. Owen, C.M.G.

The Hon. the Attorney-General, Mr. E. O. Pretheroe, M.C.

The Hon. F. Dias, O.B.E., (Nominated Unofficial Member).

The Hon. E. F. McDavid, M.B.E., Colonial Treasurer.

The Hon. F. J. Seaford, O.B.E., (Georgetown North).

The Hon. M. B. G. Austin, O.B.E., (Nominated Unofficial Member).

The Hon. W. A. D'Andrade, Comptroller of Customs.

The Hon. N. M. Maclellan, Director of Medical Services.

The Hon. M. B. Laing, O.B.E., Commissioner of Labour and Local Government.

The Hon. G. O. Case, Director of Public Works and Sea Defences.

The Hon. L. G. Crease, Director of Education.

The Hon. Percy C. Wight, O.B.E., (Georgetown Central).

The Hon. Peer Bacchus, (Western Berbice).

The Hon. E. M. Walcott (Nominated Unofficial Member).

The Hon. C. R. Jacob (North Western District).

The Hon. A. G. King (Demerara River).

The Hon. J. W. Jackson (Nominated Unofficial Member).

The Hon. T. Lee (Essequibo River).

MINUTES.

The minutes of the meeting of the Council held on the 17th of December, 1940, as printed and circulated, were confirmed.

ORDER OF THE DAY.

INTRODUCTION OF BILLS.

Pursuant to notice the following Bills were read the first time:—

A Bill intituled an Ordinance to amend the New Amsterdam Town Council Ordinance, Chapter 87, by extending the period between general appraisements; by changing the avenue of appeal against appraisements; by declaring the area known as Winkel to be part of the township; and for purposes connected therewith.

A Bill intituled an Ordinance to amend the Tax Ordinance, 1939.

A Bill intituled an Ordinance to amend the Miscellaneous Licences Ordinance, Chapter 108, by providing for the abolition of Omnibus Licences in Mining Districts and for matters connected with the aforesaid.—(*The Attorney-General*).

Notice was given that at the next or a subsequent meeting of the Council it would be moved that the Bills be read the second time.

EXPIRING LAWS CONTINUANCE BILL.

THE COLONIAL SECRETARY (Mr. G. D. Owen): I beg to move that a Bill intituled "An Ordinance to continue certain expiring laws" be read a third time and passed.

Mr. DIAS seconded.

Question "That this Bill be now read a third time and passed" put, and agreed to.

Bill read the third time and passed.

GAMBLING PREVENTION (AMENDMENT) BILL.

THE ATTORNEY-GENERAL (Mr. Pretheroe): I beg to move that a Bill intituled "An Ordinance further to amend the Gambling Prevention Ordinance, Chapter 95, by making it an offence for any person in the Colony to sell or deliver any ticket in any Lottery conducted outside the Colony" be read a third time and passed.

Mr. D'ANDRADE (Comptroller of Customs) seconded.

Question "That this Bill be now read a third time and passed" put, and agreed to.

Bill read the third time and passed.

FIREARMS (AMENDMENT) BILL.

THE ATTORNEY-GENERAL: I beg to move that a Bill intituled "An Ordinance to amend the Firearms Ordinance, 1940, with respect to the date upon which Firearms which have been surrendered to the Police may be disposed of at the discretion of the Commissioner of Police" be read a third time and passed.

Mr. D'ANDRADE seconded.

Question "That this Bill be now read a third time and passed" put, and agreed to.

Bill read the third time and passed.

GEORGETOWN (TAXATION AND RATING CONCESSIONS) BILL.

THE ATTORNEY-GENERAL: I beg to move that a Bill intituled "An Ordinance to confer power on the Georgetown Town Council to exempt or to exempt partially the owners of certain properties in the City from the liability to pay taxes or rates for a limited period" be read a third time and passed.

Mr. D'ANDRADE seconded.

Question "That this Bill be now read a third time and passed" put, and agreed to.

Bill read the third time and passed.

DRAINAGE AND IRRIGATION BILL.

THE ATTORNEY-GENERAL: I beg to move that a Bill intituled "An Ordinance to establish the Drainage and Irrigation Board; to define its duties and prescribe its powers and for purposes connected with the matters aforesaid" be read a third time and passed.

Mr. D'ANDRADE seconded.

Question "That this Bill be now read a third time and passed" put, and agreed to.

Bill read the third time and passed.

COLONIZATION FUND (RESERVE APPROPRIATION) BILL.

Mr. McDAVID (Colonial Treasurer): I beg to move that a Bill intituled "An Ordinance to make provision for the transfer of the colonization reserve to the general revenue of the Colony" be read a third time and passed.

Mr. AUSTIN seconded.

Question "That this Bill be now read a third time and passed" put, and agreed to.

Bill read the third time and passed.

SEA DEFENCES (AMENDMENT) BILL.

Mr. CASE (Director of Public Works and Sea Defences): I beg to move that a Bill intituled "An Ordinance further to amend the Sea Defences Ordinance, Chapter 118, with respect to the removal from the foreshore by estate owners of the stumps of felled courida trees" be read a third time and passed.

Dr. MACLENNAN (Director of Medical Services) seconded.

Question "That this Bill be now read a third time and passed" put, and agreed to.

Bill read the third time and passed.

GEORGETOWN RATING BILL.

The Council resolved itself into Committee and proceeded to consider the following Bill clause by clause:—

A Bill intituled an Ordinance to prescribe the method to be adopted in computing the Taxes and Rates to be levied and collected by the Mayor and Town Council of Georgetown in respect of the year nineteen hundred and forty-one.

Clause 2—Computation of taxes and rates for 1941.

Mr. JACOB: I beg to move the deletion of this clause. This clause will give the Town Council power to levy taxes

and rates on valuations according to the Georgetown Rating Ordinance of 1937. From 1937 to now there have been various improvements in the town and, I think, it is distinctly unfair that those properties which have been improved should not pay any taxation on those improvements. I think some other means should be adopted, and I suggest for the careful consideration of Government that the 1939 assessment be taken and not the 1937 one. The 1937 assessment was very low, and there was a great deal of complaint about it resulting in the general appraisalment in 1938-1939. It is far more agreeable to take the 1939 valuations.

A suggestion was made here yesterday by the hon. Member for Georgetown Central (Mr. Percy C. Wight) and supported by the hon. Member for Georgetown South (Mr. Gonsalves), who are Mayor and Deputy Mayor respectively of the Corporation, that the provisions of this Bill should go further and make it legal for the Town Council not to have a general appraisalment for another two or three years. The onus is on the Town Council to put their house in order. They failed to do so in 1939 and 1940 and probably will fail again in 1941, and so they have come back to this Council to ask for special powers to levy taxes on the 1937 assessment. I do not think this Government ought to assist the Town Council in that matter. I do not think this Government should assist the Town Council to carry on an irregularity of that kind.

Yesterday when I quoted figures taken from the *Official Gazette* and stated that over \$20,000 was wasted or about to be wasted in assessment, the hon. Member for Georgetown Central took a slip of paper from his pocket and began to quote figures which were absolutely incorrect. The amount spent in 1938 for appraisalments at the instance of the Mayor and Town Council as detailed in the *Official Gazette* dated 23rd December, 1939, at page 2,375, and signed by the Mayor, Percy C. Wight, and the Town Clerk, G. D. Bayley, was \$1,604.48. In 1939 the actual expenditure—taken again from the *Official Gazette*—was \$10,001.35. I do not know what is the amount given in the Town Hall, but this is what every responsible citizen goes by—the *Official Gazette* of the Colony, printed by the authority of His Excellency the Governor and published for the in-

formation of the general public. The approved expenditure for 1940 is \$4,800 and the estimated expenditure for 1941 is \$5,900. Those are authentic figures, and I do ask hon. Members of this Council not to give other hon. Members the painful duty to refer to figures over and over that are correct.

It was stated yesterday that the approved estimate for 1940 has not been spent. There is no note on this document to show that the amount is a revote, and to further support that contention I would like to refer this Council to the *Official Gazette* of 1939 which showed that the approved expenditure for 1939 was \$1,300 while the estimated expenditure was \$10,001. It only shows that certain Members of this Council—and I am sorry to say there are a good many—deliberately make statements which are misleading to this Council and to the general public. Those statements are published in the Press and create the impression that Members—at least those who do not control the Press—get up here and make rash statements. It is time that the Press of this Colony realize that they should verify conflicting statements or publish both statements. One section of the Press is continually misleading the public by publishing wrong information. I hope I shall not have to refer to this matter again.

I have made it perfectly clear that \$21,000 was to be spent by the Town Council up to the end of 1941. Then I went further and stated that owing to litigation brought about by mismanagement another \$10,000 had been spent. Messrs. Wieting and Richter, Ltd., and other people had a Supreme Court matter with the Town Council as the result of the appraisalment. That amount and the \$21,000 to be spent by the Town Council make a total amount of over \$30,000 of the ratepayers' money under expenditure on this Town Council mess. That statement is disputed, but I am happy to say that my statement in the first instance is substantially correct.

Further it is stated that I have an object; I am a disappointed man, and that is why I make the statement. I may be disappointed. Reference was made to the fact that I contested for a seat on the Town Council on three occasions and failed. I think it is within the knowledge of all

that the hon. Member for Georgetown Central lost at least three times before he got into the Legislature. It is no crime or disgrace for any public man to be defeated at the poll even on six occasions. Statesmen all over the world have been defeated over and over. I am therefore not so disappointed at my failure to get on the Town Council that it should cause me to come to this Council and make statements criticizing the Town Council. I maintain that if the Town Council Ordinance is changed and there is a different system of election, the majority of members at present on the Town Council will not be there. I go further and say that if the recommendations of the Royal Commission are put into effect several Elected Members of this Council will not be here. It is time that hon. Members of this Council, particularly the Elected Members, realize that it is the voice of the people that has placed them here. They may not be wealthy, cannot control the Press and cannot own properties, but they certainly live in the Colony and contribute to the taxes and rates and should have the right of voting, at least the large majority of them. I plead with hon. Elected Members not to contradict other Members when they know that their statements are without merit. In this case it was deliberately done. I am sorry to have to say that, but the hon. Member for Georgetown Central deliberately made misleading statements here. He is Mayor of the City and it is a shame, a scandalous disgrace, for a gentleman holding such an exalted post in this Colony to come to this Council and make misleading statements.

Mr. PERCY C. WIGHT: With regard to a great deal of the remarks of the last speaker I must say that it is another instance of his juggling with figures. I read from a portion of the *Official Gazette* of the same date referred to by the hon. Member and had cut it out particularly anticipating that gentleman's mis-statement of facts. The facts are clearly set out but the hon. Member has avoided them. On a previous day the hon. Member clearly stated that it had cost the Town Council between \$30,000 and \$40,000 over that mess, yesterday he said it was \$20,000 and this morning he says \$21,000. I made it perfectly clear that I was reading from an extract from the *Official Gazette*, and I distinctly stated that therein under "Miscel-

laneous—Appraisements at the instance of the Mayor and Town Council—the approved estimated expenditure for appraising properties on account of improvements was \$800 and for general appraisements of the City for the year 1938 (to cover cost of any appeals) \$500 making a total of \$1,300. The actual expenditure was as follows:—

<i>Appraisements on Account of Improvements—</i>	
Advertising\$ 47.39
Solicitor's Fees for 5 unheard Appeals—less 50%	12.50
Solicitor—Appearances—10 Appeals	50.00

Mr. JACOB (interjecting): I would like to know where the hon. Member is getting his figures from now. Will he quote the page?

Mr. PERCY C. WIGHT: The hon. Member referred to the 1939 expenditure, and I have particularly cut out this part of the statement on the 1939 expenditure from the *Official Gazette*. It is there for every hon. Member of Council to see.

Mr. JACOB: I have the whole of the *Official Gazette* for 1939. I have the one dated December 23rd, 1939, here, and I should like to give it to the hon. Member for him to quote those figures from it.

Mr. PERCY C. WIGHT: These are the revised figures published in the *Official Gazette*. If the hon. Member does not understand that, I am not responsible for his ignorance in that direction. He can juggle with figures more than most people can, but that does not concern me. I am reading from the statement published in the *Official Gazette*—

Costs awarded Appellants ...	\$ 82.48
Serving Notices, etc., Car Hire ...	16.68
Stoby, Gomes & Santos—	
Appraisers ...	1,632.00
Seth, Thorne & D'Andrade—Preparing and Serving Notices	120.00
<i>General Appraisements—</i>	
Advertising Appeal Cases ...	\$ 12.88
Crane's Booklet	2.40
Solicitor—Appearances—270 cases	1,350.00
Solicitor Fee for 78 unheard cases at \$5 less 50%	195.00
Appellants costs	1,922.00
Witness fees	96

Those appellants are the people who got an injunction on appeal from the appraisal of their property. The Judge decided the matter and the Town Council abided by the decision.

Action—White v. Town Clerk—

Deposits against costs	...\$ 240.00
J. A. Luckhoo - fee	... 500.00
Costs awarded plaintiff—Injunction Proceedings	... 1,414.44
Costs awarded plaintiff Action	1,014.98
Taxed Bill of Costs as between Solicitor and Client, \$1,892.64 less deposit against costs \$2.40	
J. A. Luckhoo's fee \$500	... 1,152.64
V. C. Dias—Drafting Invalidating Ordinance and services in connection therewith	... 150.00
Memorandum on the system of rating and valuation in Georgetown and suggestions for improvement by Alfred V. Crane, LL.B (Lond.)	85.00

They make a grand total of \$10,001.35, which I stated yesterday in round figures.

With regard to the sum of \$4,000 on the estimates for 1940 that amount has not been expended as there has been no valuations for 1940. In the 1941 estimates the amount is re-voted and placed at \$5,000 to be used in the event of a settlement being arrived at as to the mode of appraising properties. All of these amounts have been added together and made to total \$21,000. If that is not juggling with figures I do not know what is. That is in keeping with the last speaker's statements. He does not satisfy himself as to facts before he comes here, and it is because of that he makes wild statements and attacks persons superior to himself. He is suffering from inferiority complex. I am perfectly willing to allow him to continue to do so without even making the suggestion that he should stop his unseemly behaviour in this Council.

I was reported this morning to have said that \$10,000 was put down for a new valuation scheme. Hon. Members here will recall that I made no such statement. What I did say was that \$4,000 was put down but was not spent and was therefore carried forward with an addition. With these remarks I take my seat. If the hon. Member wants any further information he can apply to the Town Council and they will supply him with every bit of it.

Mr. JACOB: I am not going to answer the irrelevancies and mis-statements made. I have given the page and date of the *Official Gazette* from which I quoted my figures so that my statements can be verified. I

do ask Your Excellency to take the trouble to verify these particular statements on this particular matter and see whether the hon. Member for Georgetown Central, who tells us he is of a superior nature—one of the superior kind on God's earth—and I am of the inferior kind, is correct or not. I am suffering from no complex. Perhaps he is suffering from a superior complex. I just want to nail the lies—the base lies—made on the subject.

THE CHAIRMAN: The hon. Member must confine himself to Parliamentary language!

Mr. JACOB: He has made base mis-statements with the object of misleading this Council and the public.

THE CHAIRMAN: The hon. Member must limit himself to Parliamentary procedure.

Mr. JACOB: I am saying, sir, I do not think the hon. Member should be allowed to continue to mislead the public and this Council. The public has been misled by the hon. Member for Georgetown North for quite a long time.

Mr. PERCY C. WIGHT: I do not know why the hon. Member for Georgetown North (Mr. Seaford) should be brought in. That is another mis-statement of facts.

Mr. JACOB: I ask that my dissent be recorded.

THE CHAIRMAN: I regret that cannot be done. The hon. Member has moved that the clause be deleted and he can have a division if he likes.

Mr. JACOB: The Council is so depleted!

THE CHAIRMAN: I am afraid that the hon. Member's appeal to the Elected Members has not gone very far.

Question "That the Clause stand part of the Bill" put, and agreed to.

The Council resumed.

Notice was given that at the next or a subsequent meeting of the Council it

would be moved that the Bill be read a third time and passed. (*The Attorney-General*).

ACQUISITION OF LAND (U.S.A. AIR AND NAVAL BASES) BILL.

THE ATTORNEY-GENERAL: I beg to move that a Bill intituled "An Ordinance to provide for the immediate vesting of certain lands in the Colony and for purposes connected therewith" be read a second time. I suppose all hon. Members present in this Council to-day are aware of the Agreement made between the Government of the United Kingdom and the Government of the United States of America whereby in exchange for fifty destroyers the Imperial Government undertook that the United States Government should have the use of certain air and naval bases in Newfoundland, the West Indies and this Colony. That agreement provided that the bases shall be granted on lease for 99 years. Hon. Members are aware of the fact that the United States of America implemented their side of the agreement by handing over the destroyers. It is now for this Council, so far as this Colony is concerned, to carry out our part by providing the necessary land for use by the United States of America as air and naval bases.

For this purpose it is clearly desirable that the lessor should be the Government, as that will prevent any possibility of misconception arising in respect of the ownership of the land concerned. It is also a practical advantage to have one lease in respect of each base, or possibly in respect of all the bases, instead of many leases by the various proprietors of lands which may be affected. It will save considerable time and expense to the proprietors by relieving them from the necessity of executing separate deeds. In the first place, therefore, it is necessary for the Colony to acquire the lands in order that they may afterwards be leased to the United States of America.

As I mentioned before, it is not known exactly where those bases will be sited. We know approximately but not exactly, and therefore we are not definitely certain that any of the property involved will be privately owned. Probably some of it will be private property, but it is fairly certain that a large part of it will be Crown land.

The first object of this Bill is to vest in the Colony certain lands, but as the boundaries of those lands are not yet known they cannot be defined in the Bill.

Therefore the only possible thing to do is to request this Council to invest the Governor in Council with power to define the boundaries of any land required when they are known. This Bill then provides that when the boundaries are defined and published in an Order in Council the lands within such boundaries shall forthwith become Colony lands. It is necessary to put that provision in the Bill because speedy process may be required.

Hon. Members may wonder why the Acquisition of Land for Public Purposes Ordinance is not applicable to these cases. There are two reasons. The first is that it is extremely doubtful whether the acquisition of land for the purpose of leasing it to a foreign power is a public purpose at all. The second is that in the case of private lands certain action can be taken by the land-owners under that Ordinance which might hold up the acquisition for some considerable time. In this particular case transfer of title may be a matter of some urgency. The actual right to occupy the land may also be required very quickly. Provision is therefore made in the Bill whereby the date of vesting in, and occupation by, the Colony shall be fixed by the Governor in Council when the facts are known. At the moment it is not known when the land will be required.

With regard to the Bill itself, it was necessary to devise a new procedure which would enable the lands when defined to be secured in a manner which is both fair and reasonable, having regard to all the circumstances, to the present occupiers. If hon. Members will just turn to the Bill they will see that in Clause 2 power is given to the Governor in Council to acquire certain lands—"the Governor by Order in Council shall define the boundaries of the required lands and from the date of the Order or from such later date as may be specified in the Order those areas shall become Colony lands."

Clause 3 provides that the Governor in Council may direct the date by which these lands shall be evacuated by the present holders. In war-time things move

quickly and, in particular, the Nation which is taking the lease of these lands moves very quickly when a start is made. It is necessary, therefore, that the Governor in Council shall have power to remove the present occupants from the areas before the work is started. Naturally, however, every care will be taken to fix that date as far ahead as is possible. The people concerned will be given as long notice as possible in the conditions prevailing at the time

The next clause—4—is the usual one in an Acquisition Bill. It prohibits all dealings in the lands after the publication of the notice. That provision is intended to prevent speculation.

Clause 5 enables his Excellency the Governor to appoint Claims Settlement Officers—a very common procedure elsewhere. The basic idea is that one or more officers shall be appointed to proceed to the actual site and there make the valuation of all the property which is to be taken over, and in order to speed matters up these officers will be given power and the necessary funds to make payment there and then as soon as the assessment is accepted without the necessity of having vouchers prepared and submitted to the Treasury in Georgetown, getting a cheque and then going to the Bank with the cheque.

Clause 6 is merely the procedure whereby people having claims shall inform the Claims Settlement Officer of the nature of their claims. Clause 7 deals with the assessment of compensation and briefly all that clause says is this: for the purpose of assessing compensation the relative provisions in the Acquisition of Land for Public Purposes Ordinance shall apply and the Claims Settlement Officer shall apply the rules set forth in that Ordinance.

Clause 9 deals with the registration of title, and clause 10 gives a right to any incumbrance to enter opposition to the transfer of title. But that opposition shall apply to the payment of compensation only and not to the registration of title. Clause 11 reproduces exactly a similar provision in the Acquisition of Land for Public Purposes Ordinance. If a claims settlement officer and a claimant are unable to come to an agreement as to the amount of compensation, the claimant may go to

the Magistrate's Court. The Magistrate may then hold a special court on the site itself, view the property and himself fix the amount of compensation to be paid to the claimant.

Clause 12 provides the penalty for obstruction, which is usual in all Ordinances of this nature. Clause 13 provides the procedure to be followed in any prosecution under this Ordinance.

Mr. SEAFORD seconded.

Question put, and agreed to.

Bill read the second time.

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

Clause 11—Power of Magistrate to assess amount of compensation when claimant declines to accept offer of claims settlement officer.

Mr. JACOB: Comparing this Bill with the Bill that has just been made—“An Ordinance to establish a Drainage and Irrigation Board”—Section 30 of that Ordinance says:

If either the Board or the claimant is dissatisfied with the decision of a magistrate under the preceding section an appeal may be made by the dissatisfied party in the manner, and subject to the conditions, provided by the Summary Jurisdiction (Appeals) Ordinance in regard to civil causes.

I notice that the drafting of both Bills is practically the same, but there is no specific provision in this Bill giving the right of appeal from the Magistrate's decision. I do not know if there is a right of appeal under this Bill, but it is not specifically stated as in Draft Bill 196. I do not know if the Magistrate's decision would be final in respect of this Bill.

THE ATTORNEY-GENERAL: With regard to the point just raised by the hon. Member, it was not overlooked. As it stands at the moment this Bill when enacted gives no further right to appeal from the Magistrate's decision. That was not put in, designedly for the reason that the plots in the areas concerned happen to be quite small and the amount of compensation in respect of each is likely to be very

small indeed. Very little damage will be done to personal rights and, therefore, it was thought desirable that those who get compensation should not squander what is due to them in litigation by appealing to the Supreme Court. Your Excellency yourself raised the point with me when you first saw the Bill. In view of Your Excellency's query I have prepared an amendment to introduce a similar clause if it is thought desirable. As the matter has been raised in Council there is no harm in putting it in. That being the case, I shall move as an amendment in due course that a new Clause 12 be inserted.

Clause 12—Right of appeal from decision of magistrate.

THE ATTORNEY-GENERAL: I beg to move that a new Clause 12 be inserted in the Bill to read as follows:

12. If either the claimant or a claims settlement officer is dissatisfied with the decision of a magistrate under the preceding section an appeal may be made by the dissatisfied party in the manner and subject to the conditions provided by the Summary Jurisdiction (Appeals) Ordinance in regard to civil causes.

Question put, and agreed to.

Clauses 12 to 14 as printed were renumbered as clauses 13 to 15.

The Council resumed.

Notice was given that at the next or a subsequent meeting of the Council it would be moved that the Bill be read a third time and passed. (*The Attorney-General*).

SECOND SUPPLEMENTARY ESTIMATE, 1940.

THE COLONIAL SECRETARY: I beg to move the following motion:

THAT, this Council approves the Second Schedule of Additional Provision required to meet expenditure in excess of the provision made in the Estimates of Expenditure for the year 1940, which has been laid on the table.

There are not many items in this Schedule, which totals \$57,000. The principal one is on page 2 under "Public Works Annually Recurrent"—Head XXXVI—an item for \$20,000. This is really a re-vote. On the Third Supplementary Estimates for 1939 the sum of \$30,000 was

provided as a revolving fund for the purchase of timber stocks for Government Buildings, and at the close of that year only \$1,600 had been spent. This year the sum of \$20,000 is being asked for as a re-vote. Under Head XLV—Post Office Extraordinary—there are three items, all being re-votes as stated in the marginal notes. At the foot of the page in the last column at the righthand side the amount of 90 cents should read \$90. On page 4 the largest amount is under Head XIII—Lands and Mines—item 5—"Labour and Rationing of Labour," \$2,370." It is expenditure in connection with surveys carried out for companies in the interior and is recoverable. About \$5,000 will be recovered in fees.

On page 6 the first item under Head XLVI—Public Works Extraordinary—is "Unspecified Works, \$975." The Anglican Church has deposited with the Government \$600 to be spent in renovating the Chapel at Mazaruni. The whole work is estimated to cost \$975. In view of the amount deposited only \$375 will be provided by Government. I am sure hon. Members are very grateful to His Lordship the Bishop for the gift. It was money collected some years ago from persons outside Government, and now that the population has been increased considerably it seems a suitable time to renovate the Chapel which had certainly fallen into a very bad state of repair.

There is also an item for \$602 under Irrigation and Drainage. When the tender was prepared some time in 1939 the figures were based on pre-war prices, and Government considers that the Contractor should be granted \$514 in view of the increased prices. The balance is required to pay for a little extra work carried out by the Contractor at Government's request.

Mr. DIAS seconded.

The Council resolved itself into Committee and considered the Schedule of Additional Provision without discussion.

The Council resumed.

THE COLONIAL SECRETARY: With the permission of the Council I beg to amend the original motion by the substitu-

tion of the words "as passed in Committee" for the words "which has been laid on the table."

Question put, and agreed to.

ESTIMATES, 1941.

The Council resolved itself into Committee and resumed consideration of the Estimates of Expenditure to be defrayed from revenue during the year ending 31st December, 1941, which have been laid on the table.

THE COLONIAL SECRETARY: I ask leave to recommit Head VIII A—Education—on page 13.

THE CHAIRMAN: It was understood when the Committee rose that several Heads were to be recommitted for consideration. We are now dealing with those Heads.

EDUCATION—SCHOOLS, INSTITUTIONS AND MISCELLANEOUS.

Item 11—Grants, \$54,743.

THE COLONIAL SECRETARY: I move that the amount placed on the Estimates for Grants to Aided Schools—\$27,840—be increased by \$8,708 and carried out at \$36,548. Unfortunately in the preparation of the draft estimates the Department lost sight of the fact that a new Code had come into force and, although provision in some of the items affected by the new Code was made, one item was overlooked. In the foot-note to item 11 hon. Members will see "Increase in Stationery and Maintenance grants as a result of increase in average attendance, \$860." That is the item affected. The additional amount has to be inserted to provide for the new scale in connection with these grants. The increase is about 40 to 50 per cent. higher than under the old Code. The foot-note should be amended to read: "Increase in Stationery, Maintenance and Equipment grants as the result of increased provision to the grants provided for under the new Code and increase in average attendance," and instead of \$860 the amount of \$9,568 should be inserted, and the total at the foot of the page made \$15,637 instead of \$6,929. After this item is passed I shall then inform the Council of the amended total of that Head.

THE CHAIRMAN: Perhaps the hon. Director of Education may explain the matter.

Mr. CREASE (Director of Education): I very much regret it has been found necessary to come to this Council and ask for an additional amount of \$8,708 to be moved in under item 11. It is an omission that was made in the Estimates for 1941 due to it being overlooked among the many increases provided for by the new Code. I think the omission is one which may be regarded as possibly due to the additional work involved in the studying of the new Code, and it is very much regretted that it was only discovered when the programme for 1941 Maintenance and Equipment Grants was being revised for issue to the various Governing Bodies. I may add that the increases for these two grants—Maintenance and Equipment—are the two most important under the new Code Regulations. The majority of the schools are in a very bad state of disrepair and lack modern furniture. I sincerely hope this Council will approve of this "move-in" in order to increase the very small annual grant for maintenance and equipment.

Mr. SEAFORD: I think it is most unfortunate that Government had to come to this Council to-day and ask for the recommitment of this vote and for such a large increase on the already increased expenditure under this Head. I say it is very unfortunate because this Council will remember, that when this Head came up in the Council there was a somewhat acrimonious debate, and I feel sure that had hon. Members any idea that it was likely to be recommitted or to come up again there would have been a fuller attendance than there is at the present time. Unfortunately there are no more than three or four Electives present, as far as I can see. I feel that had some of these Members here present—and I include myself—known that they were going to be called upon to increase the vote by another \$8,000 they would have tried to persuade Government to go rather more carefully into these figures.

I, personally, had stretched my conscience very far in agreeing to the \$50,000 increase, and had I known it was nearer \$60,000 than \$50,000 I would have certainly asked Government—and I am going

to do so now—if it cannot reconsider this vote and try to comb it out in order to see if a saving cannot be effected not only under this item but others. I am not in a position to say which item is more important, but I do feel it might be possible to make a certain amount of reduction under the various items so as not to increase the total vote under this Head.

I feel that under present conditions, when we are trying to save everything we possibly can, there is a limit to expenditure and to increases beyond which I think it is almost immoral to go. As you have said more than once, sir, we do not know what to-morrow is going to bring forth and it is impossible to foresee our estimate. In view of that I feel we should make a limit, and I also feel that that limit was reached when we agreed to the \$50,000. I therefore do appeal to Government to consider the matter and see if it is not possible to go through this vote and comb it out—this item and other items under this Head. I regret I cannot support the addition, and if it is put to the vote I would have to vote against this extra increase.

Mr. LEE: I sincerely hope that out of this maintenance vote provision will be made for the schools in my constituency. The children, attending the schools when the rain falls, have to run for shelter into the Churches. I feel sure that if hon. Elected Members know how the children are crowded together in order to be taught at school they would certainly not interfere with the request of the hon. Director of Education for an increased vote for maintenance.

Mr. CREASE: With regard to the remarks by the hon. Member for Georgetown North (Mr. Scaford), he asked Government whether it is possible to reduce perhaps one or more of the other items in order to meet this increase under item 11. It is difficult at this time to give him any assurance that his request can be carried out. There is a possibility of effecting savings under certain sub-heads particularly in respect of item 10 (3)—Additional Teachers, \$8,400. Before any increase of expenditure takes place that increase has to be approved by the Secretary of State, and that approval is normally received four or five months after the beginning of the year. We should be

able to effect certain savings under that sub-head.

With regard to the request of the hon. Member for Essequibo River (Mr. Lee) that the schools in his constituency should receive special consideration, I am afraid that I cannot promise this as the grants for maintenance and equipment are paid on a definite scale in accordance with the average attendance of each school.

Mr. AUSTIN: We all regret that at this particular time this amount should be moved in, but I feel that a very genuine mistake has been made and had this amount been included in the original estimate it would have been passed. This is a vote in connection with the new Code and although most of us think that the Education Vote particularly this year is higher than this Colony can afford, we hope in later years it will be kept down to a proper average so that we will not pay more for education than we can possibly afford. In this instance I really consider that if this vote had come up when we first considered the estimate it would have been passed. I will therefore vote for it.

THE CHAIRMAN: I quite agree that it is highly unfortunate that it is necessary at this stage to move a motion of this kind. Of course it is a sheer accident that it is being done when the Electives are thinly represented. It is very unfortunate, and I propose to take steps to see that errors of this kind do not occur again as far as possible. It would have been very much better if we had the whole picture before us at the original discussion. Government does feel, however, that it is difficult to go back now and reduce concessions that have been already agreed to by the Council. but on the other hand I feel that the schools should not be allowed to suffer by an accounting error on the part of the Department. Much as I regret the necessity for it I feel there is no alternative but to bring the vote forward. I agree with the hon. Nominated Member who has just spoken that it is probable that if it had come before the Council in the earlier instance it would have been passed and therefore the schools should not be made to suffer. Every endeavour will be made to effect a saving on the vote as a whole as far as possible. I would like to avoid any

misunderstanding in respect of what the hon. Director of Education has said. That does not depend on the approval or non-approval of the Secretary of State. If his approval is withheld from any part of the vote that naturally would cause a saving so to speak, but we are in no way relying on that. The possibility of a saving will be explored quite apart from anything the Secretary of State may say, provided of course that the schools do not suffer as the result of the saving.

Question put, and agreed to.

THE COLONIAL SECRETARY: The total vote under "Education" now reads \$623,041. I ask permission to recommit Head XIX—"Medical—Hospital and Dispensaries", page 38, sub-head 27.

MEDICAL—HOSPITALS AND DISPENSARIES.

Item 27—Maintenance of Discharged Inmates of Leprosy Hospital, \$2,900.

THE COLONIAL SECRETARY: It has been customary in the past to give similar allowances to discharged inmates of the Leprosy Hospital as those given to the Poor. As the doles of the Poor are slightly increased I move that this item be increased by \$750, so that these discharged inmates may be benefited in a similar manner, and carried out at \$3,650.

Question put, and agreed to.

THE COLONIAL SECRETARY: The total of the Head now reads \$537,133.

MISCELLANEOUS—(b) SUBVENTIONS, ETC., OTHER THAN MUNICIPAL.

THE COLONIAL SECRETARY: I ask leave to recommit Head XXIV—Miscellaneous—(b) Subventions, etc., other than Municipal," page 49.

Item 4—Grant to Infant Welfare and Maternity League, for general purposes, \$2,680.

THE COLONIAL SECRETARY: I move that the item "For General Purposes" which now reads \$2,680 be increased by \$500. It has been recommended since the Estimates were prepared that a larger quantity of milk for free distribution at the League Clinics should

be authorised. For this purpose an additional \$500 is asked for.

Question put, and agreed to.

THE COLONIAL SECRETARY: The total of the Head should now read \$131,887.

POOR.

Item 17—Grant to Plaisance Orphanage for Boys, \$500.

THE COLONIAL SECRETARY: I move that Head XXVIII—"Poor"—be recommitted and a new sub-head inserted between sub-heads 16 and 17 on page 58. The item to be inserted should read: "Grant to Plaisance Orphanage for Boys, \$500." When the Estimates were being considered in Committee Government undertook to consider whether a grant can be made to this institution, and it has been decided to ask for a sum of \$500 as a contribution towards the maintenance of this institution.

THE CHAIRMAN: The amount of \$1,000 was suggested but it was regarded as being out of scale with other grants of a similar kind. This grant is more or less in the scale of those now made.

Mr. KING: As one of those interested in the Orphanage particularly its financial side, I would like to take this opportunity of thanking Government publicly for its generosity in this matter. We are finding it, as no doubt other institutions of a similar kind, more and more difficult to finance a work of charity of this nature. There are over 60 boys in the institution now, and undoubtedly it fills a want which is very much felt in this Colony since the abolition of the Orphanage at the top of Brickdam. I can assure you that the boys are being taken care of, educated, well fed and, comparatively speaking, well clothed. They are certainly exceedingly happy, and I invite any hon. Member of this Council who is so inclined to visit the Orphanage at any time and see the extraordinarily good work done there by the Nuns in charge. It was suggested that Government may be approached with the view of giving us a grant, which I hope will be an annual one. With that idea I circulated the Electives and asked for their support, feeling sure that I would not only get their unanimous support but as happened the support of Government entirely.

I had hoped, perhaps in my optimism, that the amount would have exceeded the amount placed on the Estimates, but I do not want in any way this Council to feel that because the amount originally suggested cannot be granted my thanks are any less sincere. I hope that conditions will improve in the Colony and that this grant will be increased so as further to encourage those responsible for carrying on this Orphanage to do so, perhaps, a little more generously than at present. In charity of this nature, while one would like to be generous in the way of food to the boys in there, it is controlled by the amount of finance at our disposal. I do not suggest, however, for one minute that the boys do not get sufficient food, but I presume and suggest that there are occasions, such as Christmas and Easter, when the boys do not get perhaps some of the luxuries that those more happily placed enjoy in this world. I do know that the boys are well taken care of, and that this money will be most gratefully accepted and every cent of it spent solely and entirely for the benefit of the boys in the Orphanage.

Question put, and agreed to.

Sub heads 17 to 22 were renumbered as sub-heads 18 to 23.

PUBLIC WORKS—EXTRAORDINARY.

Item 30—Reconditioning Government Estates, W.C.D.

THE COLONIAL SECRETARY: I move that Head XLV—"Public Works—Extraordinary"—be recommitted and at page 86 the following new sub-head be inserted: "30—Reconditioning Government Estates, West Coast, Demerara—\$16,630."

It has been reported to Government that the drainage and irrigation of the three Government Estates are in a very bad condition indeed, and while the amount necessary will be far more than that—the total amount eventually to be spent on them being nearer \$52,000—Government feels that a beginning should be made next year at Windsor Forest. This is the estimate for doing some essential work there next year. It does not mean, however, that this is the whole of the work to be done there as it does not

include repairs to bridges and house-lot drains, but it is the most important work to begin with. I move that the item be inserted in next year's Estimates. Government will return next year to ask for a further amount.

Mr. LEE: I would like to add my quota to this debate and to tell Government that it has been brought to my attention that the pump which the Engineer had said had been repaired and was in order, although it is working it is not discharging water (laughter). Your Excellency, if you enquire into the matter you will find that the engine works but the pump is not discharging the water. The Engineer tried on three occasions to rectify the defect but—

THE CHAIRMAN: Did the hon. Member speak to the Engineer?

Mr. LEE: I did not.

THE CHAIRMAN: It is very difficult for minor points like pump repairs to be dealt with in Council like this. It would be very much better to go straight to the source of the trouble.

Mr. LEE: May I point out that it was brought to the Engineer's attention.

THE CHAIRMAN: The hon. Member should verify his information.

Mr. LEE: My information has come from a reliable source.

THE CHAIRMAN: I suggest that the hon. Member verify his information by personal observation. It is quite possible that the engine can work and the pump cannot work. It is very difficult to deal with questions of mechanical repairs in this Council.

Mr. JACOB: I am grateful for His Excellency's statement on the matter. I do hope that officers concerned with works would appreciate rather than object to being spoken to on these matters. If that is understood there would be a great deal of improvement.

THE CHAIRMAN: It all depends on how it is done. (Laughter)

Mr. JACOB: That is so.

THE CHAIRMAN: I am sure the hon. Member's experience has taught him that.

Mr. JACOB: I agree, but it is very difficult at times. The people on the spot who are concerned may not know how to approach these officers. I am not speaking on mere conjecture. I am saying that if there is better understanding between those actually concerned with works and the people around them and if they would listen to those people there would be a great deal of improvement.

THE CHAIRMAN: I cannot believe that if the engine at this stage is working and the water is not passing through the pump any engineer concerned with it would shut his eyes to the fact if it is pointed out to him. I have no objection to matters of this kind being brought to the notice of Government either by letter or personal interview. I only want to point out that minor mechanical repairs are very difficult to discuss in this Council. I am very sorry it has been necessary to move in such large amounts at this stage. The fact is that the estimate for the drainage and irrigation of these estates was not ready. It required a considerable amount of investigation, and although I regret very much having to move in such large sums at this stage it was felt that we cannot fairly postpone making a beginning with this portion for another year.

Question put, and agreed to.

THE COLONIAL SECRETARY: The total vote under this Head should now read \$530,935. Hon. Members would no doubt like to have the final figures, and could turn to the front page of the Estimates and make the necessary amendments. The total estimated expenditure as printed is \$7,101,334 for 1941. As the result of the Council's deliberations in Committee \$92,219 has been added and therefore the estimated expenditure should now read \$7,193,553. The estimated revenue for 1941 has been increased by \$300,000 and therefore should now read \$6,974,275. The estimated deficit, therefore, should be amended to read \$219,278.

The Council resumed.

THE COLONIAL SECRETARY: I move that the motion:—

THAT, this Council approves the Estimates of Expenditure to be defrayed from revenue during the year ending 31st December, 1941, which have been laid on the table

be amended by the substitution of the words "as amended in Committee" for the words "which have been laid on the table."

Mr. DIAS seconded.

Question put, and agreed to.

THE PRESIDENT: There is certain business before the Council—three Bills which have been read for the first time this morning. Hon. Members saw what they were—the New Amsterdam Town Council (Amendment) Bill, the Tax (Amendment) (No. 3) Bill, and the Miscellaneous Licences (Amendment) Bill—all Bills which should be passed before the end of the year. There is one other Bill of an unimportant and, I think, non-controversial character which may be brought forward. If hon. Members are prepared to go forward with these Bills on Friday of this week, I think the most convenient arrangement would be for the Council to sit on Friday and get through that business. It would then not be necessary to sit again before the end of the year. That would mean of course suspending the Standing Orders to allow these Bills to be proceeded with on Friday, otherwise it would be necessary to sit on the Friday after Christmas or the Christmas Eve Tuesday.

Mr. JACOB: Is it not possible to dispose of all the business to-day?

THE PRESIDENT: I am afraid, not. Printing has to be done.

Mr. SEAFORD: I suggest that Friday will be the most convenient day to us.

THE PRESIDENT: I think hon. Members will prefer that. The Council will therefore adjourn until Friday.

The Council adjourned until Friday, the 20th December, at 10.30 a.m.