

LEGISLATIVE COUNCIL.

Thursday, 1st June, 1944.

The Council met at 12 noon, His Excellency the Governor, Sir Gordon Lethem, K.C.M.G. President, in the Chair.

PRESENT,

The President, His Excellency the Governor, Sir Gordon Lethem, K.C.M.G.

The Hon. the Colonial Secretary, Mr. W. L. Heape, C.M.G.

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

The Hon. the Colonial Treasurer, Mr. E. F. McDavid, C.B.E.

The Hon. E. G. Woolford, O.B.E., K.C. (New Amsterdam).

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

The Hon. J. A. Luckhoo, K.C. (Nominated)

The Hon. J. A. Luckhoo, K.C. (Essequibo).

The Hon. J. I. De Aguiar (Central Demerara).

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

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

The Hon. J. Gonsalves, O.B.E., (Georgetown South).

The Hon. J. B. Singh (Demerara-Essequibo).

The Hon. Peer Bacchus, (Western Berbice).

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

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

The Hon. H. N. Critchlow, (Nominated).

The Hon. A. M. Edun, (Nominated)

The Hon. V. Roth, (Nominated).

The Clerk read prayers.

The minutes of the meeting of the Council held on the 30th May, 1944, as printed and circulated, were confirmed.

ANNOUNCEMENTS.

BUSINESS OF THE COUNCIL.

The PRESIDENT: Hon. Members of Council, I have just one brief announcement to make as to our procedure to-day. Members will notice there are four Bills on the Schedule and of these I would wish, if possible, to take through all stages the Estate Duty (Deaths on Service) Bill—that is quite non-contentious. It may be possible to do the same with the Public Health (Amendment) Bill which introduces the principle of power to put under treatment persons suffering from infectious disease and to detain such persons under treatment.

I would then propose to proceed with the Co-operative Credit Banks Bill on the second reading as far as Members are prepared to debate it to-day, but I do not suppose that we will be able to conclude that Bill and the Old Age Pensions Bill, and I propose to sit to-morrow to make progress with both those Bills.

I would then propose to adjourn at three o'clock to-day, in order to discuss in Finance Committee, and as freely and fully as possible, the matter of Land Settlement, according to the Message which is in the hands of Members.

We have, as Members know, a good deal more important legislation to bring forward: the Spirit Shops Hours Bill, the Security of Tenure Bill, the Bill touching River Navigation, meeting the recommendations of a recent committee, the Soap Industry Bill, all of which are in preparation and some practically completed. Next week, however, I am personally extremely occupied with an official visit from the Governors of Surinam and Cayenne and I would propose, therefore, to resume sittings of this Council in the week after. I would suggest Wednesday, 14th June. By that time moreover, the Bills I have mentioned may be completed. My intention would be to sit fairly continuously this month of June, until we have cleared up as much as we can all outstanding business. I would remind Members also of the suggestion I made recently that we fix a regular Finance Committee meeting to deal with current minor business in the third week of each month. I would preside when matters of importance are coming up, otherwise I would ask the Treasurer to preside.

MISLEADING NEWSPAPER HEADLINE.

Now I have one other brief comment to make, that is touching my address on Tuesday. I was able to issue to the Press for publication yesterday the text of the address, and printed copies will be issued to Members in the usual way. I have noticed, unfortunately, a misleading headline in one of the newspapers which I would like here to correct. The headline uses the words: "Sugar not to be economic sheet anchor." Now, I did not say that; what I said inferred exactly the reverse, in effect, that

sugar is an economic sheet anchor of this country: I only made the qualification that it was not to be maintained as such or saved by concentration on it to the exclusion of other needs of a growing population. I trust that no one will be misled by the headline, in view of the explanation I now make. I am afraid it is one of the troubles of democracy that a lot of people are much too quick to jump to a positive conclusion on what they may read without looking at the actual words. I find the same misinterpretation put on certain things I said at the last meeting of last Session, when I castigated malicious personal abuse of individual Officers of Government. I did not say that either Departments or individual Heads of Departments should be exempt from criticism in their official capacities or on the work of themselves or of their Departments. There is a very clear distinction between these things, as I am quite sure most Members realise.

KING'S BIRTHDAY CELEBRATION

Finally, I would announce for record here that we celebrate the King's Birthday on Thursday June 8. As I have already stated, the Governors of Cayenne and Surinam will be with me on that day and will take part in the official Parade.

EBINI EXPERIMENTAL LIVESTOCK STATION.

The COLONIAL TREASURER (Mr. E. F. McDavid) communicated the following Message to the Council:—

MESSAGE No. 1

Honourable Members of the Legislative Council,

In Sir Wilfrid Jackson's Message No. 23 dated 21st August, 1940, to Honourable Members proposals were outlined for the establishment of an experimental livestock station at Ebini Downs, Berbice River. In that message it was stressed that the associated problems of pasturage and feeding were among the chief difficulties to be solved in the development of the Colony's livestock

industry. In order to provide new grazing lands and so relieve congestion on the coast, it was proposed to examine about 2,000 square miles of intermediate savannahs along the Berbice River, some 40 miles from the Coast, with a view to economic stocking of these areas with cattle. As a preliminary, means must be found to offset mineral deficiency of the soil and grasses thereon, and experiments were necessary to determine the effects of supplementary mineral feeding on the condition, reproduction and growth of animals, etc.

2. Accordingly, the scheme was considered and approved, and a sum of \$14,000 for the first year of the scheme, and \$4,000 per annum for four consecutive years thereafter, or a total of \$30,000, was passed as a charge to the Development Trust Fund.

3. During last year, difficulty was experienced in obtaining bonemeal, an essential mineral food supplement, over a prolonged period, and the death rate among the livestock on the station had risen abnormally. To secure improved nutrition it was considered immediately necessary to carry out pasture extension more rapidly than the existing provision allowed, using mineral fertilisers, which were available to this end. An immediate improvement was effected and has been maintained, death rate being now almost nil.

4. The estimated cost of the extra works required in this connection is \$6,000 and in view of the urgency of the matter I have authorised the necessary additional expenditure as a charge against the free grant already made from the Trust Fund. The existing scheme terminates in 1945, and later this year a full report will be forthcoming to enable future policy to be determined and, if necessary, an approach will be made to the Comptroller for Development and Welfare who is fully informed of the nature and need of this investigation. Meantime, it will be necessary to supplement the original appropriation of \$30,000 accordingly.

5. The Secretary of State for the Colonies and the Advisory Committee for the Development Trust Fund have approved of a grant of this additional sum from the Development Trust Fund, and I shall be grateful for the formal approval of the Members of the Council thereto.

GORDON LETHEM,
Governor,

27th April, 1944,

PAPERS LAID.

The COLONIAL SECRETARY (Mr. Heape) laid on the table the following reports and documents:—

Defence (Disposal of Raw Gold) Regulations, 1944.

Defence (Schooner Pool) (Amendment) Regulations, 1944.

Defence (Georgetown Milk Control) Regulations, 1944.

Post Office (Overtime) Regulations, 1944.

Twenty-fourth Annual Report of the Imperial War Graves Commission.

Sugar Estate Advisory Committee's Report.

Memorandum on the development of Youth Movement in British Guiana by the Social Welfare Adviser to the Comptroller for Development and Welfare in the West Indies.

Report on Local Food Production in 1943.

Notes on the remarks made by Drs. Giglioli and Bevier at the meeting of the Central Board of Health held on January 19, 1944, when the present Malarial situation was discussed.

Despatch to the Secretary of State forwarding an application for assistance under the Colonial Development and Welfare Act, 1940, to meet the cost of a Development and Welfare Scheme for the Courantyne Coast, (Council Paper No. 12/34. To be read in conjunction with the Legislative Council Paper No. 5 of 1942.

Despatch to the Secretary of State forwarding an application for assistance under the Colonial Development and Welfare Act, 1940, to meet the cost of the East Demerara Irrigation Scheme, (Council Paper No. 14/44). To be read in conjunction with the Legislative Council Paper No. 6 of 1942.

Schedule of additional provision for the quarter 1st January to 31st March, 1944, required to meet expenditure in excess of the provision made in the Estimates for the year 1944.

Report of the British Guiana Franchise Commission, 1941.

GOVERNMENT NOTICES

INTRODUCTION OF BILLS.

Notice was given of the introduction and first reading of the following Bills:—

A Bill intituled "An Ordinance to amend the Public Health Ordinance, 1934."

A Bill intituled "An Ordinance to provide for the remission, or partial remission, of estate duty in the cases of persons killed on service."

A Bill intituled "An Ordinance to make provision for the payment of Old Age Pensions."

A Bill intituled "An Ordinance to consolidate and amend the law relating to Co-operative Credit Banks."—(The Attorney-General).

EBINI EXPERIMENTAL LIVESTOCK STATION.

The COLONIAL TREASURER gave notice of the following motions:—

That, with reference to Governor's Message No. 1 of the 27th April, 1944, the Council approves of an additional grant of \$6,000 from the Development Trust Fund to cover the cost of carrying out pasturage extension work necessary to prevent a high death rate among the livestock on the Ebini Experiment Station.

1ST QUARTER SUPPLEMENTARY ESTIMATES 1944.

That, this Council approves the Schedule of Additional Provision for the quarter 1st January to 31st March, 1944, required to meet expenditure in excess of the provision made in the Estimates for the year 1944, which has been laid on the table.

UNOFFICIAL NOTICES.

ANNUAL LICENCE ON FIRE-ARMS.

Mr. ROTH gave notice of the following questions:—

WHEREAS in the remoter districts of the Colony the possession of fire-arms is of essential importance to the well-being of residents therein—

Be it Resolved, that this Honourable Council recommends to Government the remission or reduction of the annual licence on fire-arms (other than pistols or revolvers) kept and/or used in places other than towns, villages or sugar estates.

MOSQUITO NETTING

WHEREAS the incidence of malaria in Georgetown at present is higher than it has been for the past two years, and

WHEREAS the supply of quinine is limited and it is conjectural when stocks may be replaced, and

WHEREAS despite Government's promise to exempt it from Bill of Entry Tax, mosquito netting is still beyond the reach of poor people.

Be it Resolved, that this Honourable Council recommends to Government the taking of such steps as may be necessary to bring this most essential commodity, mosquito netting, within the reach of indigent persons, by way of controlled grants to certain charitable institutions, such as the Infant Welfare and Maternity League, the St. Vincent de Paul Society, and various Dorcas Societies.

COMPULSORY CONTRIBUTIONS OLD AGE PENSION SCHEME.

Mr. CRITCHLOW gave notice of the following motion:—

WHEREAS the provisions of the proposed Old Age Pensions Scheme are inadequate and

WHEREAS they provide for a calculation of means:

Be it Resolved, that within twelve months of the first payment of Old Age Pensions in British Guiana there be introduced into this House a measure to secure the payment of Old Age Pension under a Compulsory Contributions Old Age Pension Scheme without any calculation of means.

POST-WAR PROTECTIVE POLICY FOR INDUSTRIES.

Mr. JACOB on behalf of Mr. LEE gave notice of the following motion:—

WHEREAS there is no post-war policy for the protection of the Rice, Coconut and Coffee producers and other workers in this Colony;

AND WHEREAS the Imperial Government by their economic policy for a reasonable increase on the price of rice and other products to the market of the neighbouring Colonies in the West Indies;

AND WHEREAS the sugar producers have not enjoyed a substantial Preference in the past and an increase Preference recently but have been guaranteed protection to the end of 1946;

AND WHEREAS the Rice, Coconut, Coffee and other industries require a protective policy for their expansion for a definite period after the war;

Be it Resolved, that this Council recommends to Government that the Imperial Government be respectfully requested to arrange a definite post-war policy for the aforementioned industries in consultation with those who are directly interested.

NOTICES OF QUESTIONS.

SUGAR ESTATES' STATISTICS.

Mr. JACOB gave notice of the following questions:—

1. In view of the fact that the statistics given in the report of the Sugar Estate Workers' Advisory Committee do not relate particularly to factory and/or all classes of workers, will Government request the Commissioner of Labour to prepare a statement from the records of the seventeen Sugar Factories for the information of this Honourable Council which should be incorporated in his 1943 report, with the following particulars for the two periods from 1st January, 1943 to 30th June, and from 1st July to 31st December, 1943:—

- (a) Total acres of sugar-cane reaped on each estate?
- (b) Total tons of sugar-cane ground in each factory?
- (c) Total days each factory operated?
- (d) Total actual weeks each factory operated? (any quarter and half week to be converted into week)
- (e) Total hours each factory operated?
- (f) Average hours each week each factory operated?
- (g) Average number of male workers employed in each factory each week?
- (h) Average number of female workers employed in each factory each week?
- (i) Average number of male and female workers employed in the following classes of piece work:—to cut load, and transport sugar-cane from field to factory each week, and each sex separately?

- (j) Total tons of sugar manufactured and bagged in each factory?
- (k) Average tons of sugar bagged in each factory during each week actually operated?
- (l) Total tons of sugar thrown away in juice which was not converted into sugar from each factory?

2. Will Government request the Commissioner of Labour to make early arrangements to collect information mentioned in question 1 as from the beginning of this year so that his yearly report will include this information in future?

3. Is Government satisfied that the Committee performed its duties satisfactorily and that the statistics and conclusions in the report could be accepted as reliable when the Committee stated that its findings—that male and female piece workers actually performed 2.3 days and 1.45 days' work per week, respectively, in 1943—are based on the approximate average number of workers and the approximate average number of days worked per week, vide paragraph 11 of the report?

STAFF OF BISHOPS' HIGH SCHOOL.

Mr. ROTH gave notice of the following questions:—

1. How many changes have been made in the staff of Bishops' High School during the year ended 31st March, 1944?
2. How many staff changes are contemplated during the year ending 31st March, 1945?
3. How many mistresses are there actually on the staff under contract and how many are merely ladies temporarily "obliging" as Teachers?
4. In view of the facts stated in the Head-mistress' last annual report, does Government view with equanimity such numerous and frequent changes of staff?

STATE LOTTERY

In view of the vast increase in the country's commitments in regard to Civil Service, Teachers' Salaries, etc., and the consequent apprehension felt in many quarters as to our ability to honour these commitments, will Government be prepared seriously to consider a suggestion that there be set up a State Lottery as has been done in more than one country of the Commonwealth?

ORDER OF THE DAY.

BILLS—FIRST READING.

The PRESIDENT: The suggestion is that after taking the first reading of the Bills we take the Estate Duty (Deaths on Service) Bill first. If hon. Members are agreeable to that I call on the Attorney-General to take the first reading of the four Bills.

The following Bills were read the first time:—

A Bill intituled "An Ordinance to amend the Public Health Ordinance."

A Bill intituled "An Ordinance to provide for the remission, or partial remission, of Estate Duty in the cases of persons killed on active service."

A Bill intituled "An Ordinance to make provision for the payment of old age pensions."

A Bill intituled "An Ordinance to consolidate and amend the law relating to Co-operative Credit Banks."—(The Attorney-General).

ESTATE DUTY (DEATHS ON SERVICE)
BILL, 1944.

A Bill intituled "An Ordinance to provide for the remission, or partial remission, of Estate Duty in the cases of persons killed on active service."

The ATTORNEY-GENERAL: This Bill seeks to adopt the same procedure as was adopted during the last war; that is to say, people killed on active service shall not be required to pay the full estate duty in respect of estates over a certain amount. During the last war this was met by a special Bill as to-day, but when the laws were consolidated the provision appeared as a proviso to section 59 of the Deceased Persons Estates Administration Ordinance. This Bill goes rather further than that. At the last War the Bill dealt solely with the

estates of persons killed on active service. This particular Bill deals with persons killed on active service and people killed on services which in the opinion of the Governor in Council run the same risks as on active service. Also in addition it deals with the point where a person is killed on active service to whom this Bill applies and after that a second person who inherits the estate and is also killed on active service. That is the additional point in this Bill. This Bill is very short and, I am sure, will have the sympathetic support of all Members.

As hon. Members know, in the case of the death of any person in this Colony estate duty is paid on the estate he leaves. That applies whether he dies in the Colony or outside. Every estate in this Colony pays estate duty. If that person has voluntarily joined His Majesty's Forces—either the Navy, Army or Air Force—and in the course of active service against the enemy is killed, I am sure all hon. Members will agree, it would be the very last thing to take as much as we can get from his estate as estate duty. This Bill provides, if hon. Members accept it—I shall read the actual words as it has been drafted with very great care and almost copied word for word from the provision in England, and it has been adopted in all parts of the British Empire, for remission of Estate Duty in the cases:

"(1) Where any person—

(a) dies from wounds inflicted, accident suffered, or disease contracted, within three years of death, while on active service against an enemy, whether at sea, on land or in the air, or on service which, in the opinion of the Governor in Council, is of a warlike nature or which involves risks similar to those incurred on active service, and was, when the wounds were inflicted, the accident occurred or the disease was contracted, subject to any naval, military or air force law; or

(b) not being a person included in the preceding paragraph, dies from injuries received within three years of his death and such injuries were, in the opinion of the Governor in Council, caused by the operations of war,

the Governor may remit, or if the estate duty has already been paid repay in any case he thinks fit the whole or any part of the estate duty imposed under the Estate Duty Ordinance in respect of property passing upon the death of the deceased to his widow or lineal descendants or lineal ancestors, or to his brothers or sisters, or to the descendants of any such brothers or sisters, (hereinafter in this section together referred to as "the beneficiaries") not exceeding the amounts prescribed in the sub-section next following."

Paragraph (b) is a new paragraph which does not appear in the 1915 Bill. It is really a short way of saying the person is a merchant seaman. What is intended to be included is a merchant seaman who at the present moment runs equal risks as the Navy personnel, the Army personnel and almost the Air Force personnel. Hon. Members will notice it says the Governor may. It is permissible in all normal cases but there is a loophole for exceptional cases. That may be remedied.

"(2) The maximum amount which may be remitted or repaid under the preceding sub-section shall be:—

(a) where the value for the purpose of estate duty of the property passing to the beneficiaries does not exceed twenty-five thousand dollars, the whole of the estate duty in respect of that property; and

(b) where the said value exceeds twenty-five thousand dollars—

(i) in respect of the first twenty-five thousand dollars, the whole of the estate duty; and

(ii) in respect of the remainder, an amount not exceeding one-half of the estate duty payable under the Estate Duty Ordinance in respect of such remainder.

Clause 5 deals with a separate matter altogether. It deals with a case that happened early in this war, that of the Duke of Northumberland where one person was killed on active service and a large part of his estate went in estate duty—£2,000,000. Shortly after the person who inherited the estate also died on active service, which meant that practically the whole estate went by two deaths one after the other, both of whom were killed by the enemy. Therefore this clause seeks to provide that if one person is killed on active service and estate duty is paid as provided in clause 4 and then another person set out by name to succeed to the property is also killed on active service, that second person shall pay no estate duty in respect of the property received from the first person. That only applies to certain persons. If hon. Members look at the clause they will see to whom it applies. It applies to the widow, lineal descendants, lineal ancestors, brothers or sisters, or the descendants of any such brothers or sisters of the deceased. In other words if the second person killed leaves the estate to any person different then this Bill has no effect.

Clause 6 provides that this Bill shall only apply to the estates of persons killed on active service on or after the 3rd September, 1939, that being the day war was declared by Great Britain on Germany. I have been informed by the Registrar that up to the present moment there is no estate to which this Bill will apply. In fact we are really starting from all practical purposes from to-day, provided the Bill goes through. There are no arrears to be paid.

Clause 7 provides for the repeal of the Bill which was introduced and passed in this Council in 1915. I beg to move that the Bill be read a second time.

Mr. WOOLFORD seconded.

Question put, and agreed to.

Bill read the second time.

COUNCIL IN COMMITTEE.

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

Clause 4 — Remission of estate duty in cases of persons killed on service.

Mr. ROTH: It seems to me that it is not quite fair to have the words "within three years of death" in this clause, because we know from the history of the last war many men have died from wounds inflicted during that war at a later period than three years after receiving such wounds or injuries, and I can visualize cases happening of an injured person dying three years and two months after having received such injury, and his descendants not receiving the benefit of this Bill. I suggest that the period of three years be increased considerably—six years—in subclause 1 (a) and (b) and I move as an amendment that the word "three" in each of those paragraphs be altered to the word "six."

The ATTORNEY-GENERAL: I quite appreciate what the hon. Nominated Member says. Everyone knows that after the last war some wounded servicemen died twenty years later. A friend of mine did so die last year from wounds received during the last war. There will not be many cases in which this Ordinance if enacted will take effect, but in those cases in which it does take effect I do not think we should tie ourselves down to very long after the war. It is not always easy after three years to tell whether a person died of those wounds or injuries suffered during the war or whether he died of those wounds or injuries made worse by some disease or illness contracted afterwards. Doctors them-

selves cannot tell when required to give a certificate to show from what he died. Doctors say quite frankly that they cannot say so, as probably death is partly due to the wounds and old age and partly to anything else and therefore they cannot sign a certificate to say death was due to the wounds suffered during the war. If the hon. Member's amendment is carried it would have just the reverse effect to what is desired. The effect will be this: Where a man did in fact die from the result of wounds the doctor will not sign the certificate and the Bill will not take effect.

The position is this: It is proposed to run for three years which is the maximum time the medical profession says they are willing to sign to, but if after that a qualified medical practitioner is prepared to sign a certificate saying that a man did die as the result of wounds suffered on active service then I have not the slightest doubt this Council will pass a special Bill relating to that man's estate on the lines of this Bill. I do not want to extend the time further because it may cause more harm than good, as some deserving case may not get what it is entitled to through the doctor not signing the certificate. Any case in which a doctor will sign after three years can be brought before this Council in a special Bill for that person's estate and so no one will suffer. I suggest that three years be allowed to remain.

Mr. ROTH: In view of the explanation given by the hon. the Attorney-General I ask permission to withdraw the amendment.

The Council resumed.

The ATTORNEY-GENERAL: In view of the fact that this is purely a non-controversial matter I beg to move that the Bill be read a third time and passed.

Mr. WOOLFORD seconded.

Question put, and agreed to.

Bill read a third time and passed.

PUBLIC HEALTH (AMENDMENT)
BILL, 1944.

A Bill intituled "An Ordinance further to amend the Public Health Ordinance, 1934."

The ATTORNEY-GENERAL: In moving the second reading of this Bill I need only say that it has arisen from the urgent recommendation of the Tuberculosis Society of British Guiana with the very strong support of the Medical Department of this Colony. Their recommendation was that in the Ordinance as it stands now any person suffering from tuberculosis may be ordered into a hospital or infirmary but there is nothing to stop him if he cares to go out the next day. All that can be done is to order him to go back. The recommendation is that there should be a provision, as in all countries of the Empire and other countries, that a person suffering from tuberculosis in an infectious form should be ordered to go and remain in hospital.

When the Bill was being drafted the whole idea was to provide that people who have been placed in hospital suffering from tuberculosis in an infectious state should be required to be kept there. As often happens, when the Medical Department heard that this small amending Bill was going through they immediately put forward a large number of other amendments, some of which were of so drastic a nature that it meant a completely new Bill. So we told the Department that a new Bill would be drafted and would be introduced in due course. In the meantime all the amendments that can be made in this Bill will be made. Therefore the Bill which originally had two clauses is now extended to six clauses.

Clause 2 defines section 19 in Part III of the Ordinance which defines infectious diseases and sets out a long list of names, some of which I know, some of which I have heard of, and some of which I cannot even pronounce. The amendment in clause 2 of this Bill provides that the Board may declare any area to be an infected area.

The next amendment made by clause 3 substitutes a new paragraph (i) in section 21(1) of the Ordinance. That is done simply for convenience. The only difference between the new (i) and the one contained in the Ordinance is that the words "for diagnosing" are being inserted. In other words, they can now do the most essential thing of all. Hitherto, if a man suspected of suffering from yellow fever was taken to a doctor the doctor had no power to take any action until he had diagnosed yellow fever. The following words are new:—

"including the prohibition or restriction of movement of persons and public and private conveyances of any kind whatsoever within and to and from an infected area."

Those words have been inserted on the recommendation of the Medical Commission which met in Trinidad eight months ago, and were introduced because of the present air traffic. We have aircraft coming here direct from West Africa, and many dangerous things come from West Africa, amongst them being a particular kind of mosquito which is not found in this Colony or in the West Indies. The medical authorities are very anxious that these mosquitoes should not be introduced into this part of the world, so that if an infected person arrives by plane they must have power to stop that person from coming out and becoming a menace. There is nothing to prevent the application of this provision to ships as well.

Clause 4 substitutes a new subsection (1) in section 28 of the Ordin-

ance but does not very much change it. There is one change in the first two lines. It does not matter whether a person is suffering from an infectious disease like leprosy if it is not in an infectious stage, so the words "in an infectious stage" are inserted. There are also new words added: "may, with the consent of the superintending body of any hospital or place and on a certificate signed by a medical practitioner, be removed by order of any justice of the peace to such hospital." In other words, where one is suffering from one of the diseases mentioned in section 19, if a Justice of the Peace is satisfied on a medical certificate that he is so suffering he may sign an order for his removal to hospital or some such place. The proviso is quite new. In case a doctor makes a mistake in his certificate it provides that a Magistrate may order the discharge of the person from hospital.

Paragraph (c) seeks to insert two sub-sections which are quite new. At present an infected person may be ordered to hospital but there is nothing to prevent him leaving the next day. These two new sub-clauses seek to stop that. They provide that a person leaving hospital may be either fined \$25 or ordered to be taken back to the institution. I imagine that in ordinary practice if a person leaves an institution any Justice of the Peace can sign an order for him to be taken back.

The next clause simply arranges about the Magistrate and his certificate. If a person is put into an institution and thinks he is not in an infectious state he may apply to the Magistrate for an order discharging him from the institution. If he is infectious and does not know it he may infect the Magistrate, therefore provision is made that in such a case the Magistrate can hear the application wherever he cares to and in the absence of the applicant.

Clause 5 is a very simple amendment. Section 34(1) of the Ordinance reads as follows:—

34. (1) If any person knows that he is suffering from an infectious disease, he shall not engage in any occupation or carry on any trade or business unless he can do so without risk of spreading the infectious disease.

This amendment seeks to insert the words "or has reasonable cause to believe" between the word "knows" and the word "that," the reason being that a person who is not a medical practitioner may see spots on his hands and not know that they are measles, and Courts are bound to accept that as a reasonable explanation. This provision gets rid of excuses which are not honest.

Paragraph (b) of the same clause seeks to make another very necessary amendment. The existing section of the Ordinance says that anybody who knows that he is suffering from an infectious disease and performs certain work shall be guilty of an offence, but there is nothing in the Ordinance which says that an employer who knows shall be guilty of any offence if he employs him. This sub-clause provides that no person shall knowingly employ any other person in any trade or business whilst such person is suffering from an infectious disease. I think everybody will agree that if an employer employs a person who is suffering from an infectious disease it is a worse offence than that of the person being employed.

Clause 6 looks quite a lot but in fact makes no difference at all. A small change is made at the request of the Director of the Yellow Fever Service. Paragraph (b) is slightly re-worded, and the object appears in the last few words "all trees and shrubs from overhanging roof gutters on his or any other person's premises."

We have had several cases where persons had trees in their gardens which overhung their neighbour's roof, and their excuse was that they could not go into their neighbour's garden to cut down their own tree, therefore they were not responsible for breeding mosquitoes. This amendment makes it quite clear that if it is your tree you have to prevent it from dropping leaves into your neighbour's gutters.

Paragraph (e) is practically the same as the existing one, with the exception that two new words "properly graded" are inserted with reference to roof gutters. I formally move that the Bill be read a second time.

Mr. WOOLFORD seconded.

Mr. JACOB: I have no objection whatever to the Bill going through, but I would like to take this opportunity to direct Government's urgent attention to other amendments which should be made in the Public Health Ordinance. Furthermore, I think Government should take steps not only to see that certain defects are cured but should endeavour to prevent diseases rather than endeavour to cure them.

I was very interested to hear what the Attorney-General had to say with regard to the amendment of section 19 of the Ordinance. I think it is within the knowledge of every Government officer and most Members of this Council that most of the poor people in the country districts would like to improve their houses so as to prevent those diseases which are so rampant in the Colony, and not only to repair their houses but to extend and build houses on suitable lands. Only recently a case was brought to my notice in which a man with a wife and four or five children asked permission to repair his house. Permission was granted, but while the repairs were going on the house broke down. Not knowing the technical details of the law he thought it best to re-build the

house in a different position. There might have been a technical breach of the law, but he was prosecuted and ordered by a Magistrate to take the house down. The house had been slightly improved and made slightly larger. The Attorney-General will agree that it was not such a serious breach of the law to justify the Magistrate in ordering that the house be taken down. The Central Board of Health allowed a year's grace and thought they had done a great service, but suddenly they told the parties that if they did not take the house down they would do so and charge them with expenses. I do not know if that threat has been carried out. I think the matter is still awaiting the decision of the Board as to whether the order should be executed. The hon. Member for Essequibo River (Mr. Lee) and I went to look at the building a few weeks ago, and I think the best place for the people would be either in the Hospital or the Alms House. I am certain that their condition was chiefly brought about by the insanitary condition of that place. The people there have nowhere to build suitable houses.

We have heard a good deal of talk about rural re-construction—fine words to my mind. I do not know whether it is really intended to re-construct the rural areas. I have heard about it so often but I find that the Public Health Ordinance is being rigidly enforced and penalties are being imposed by the Magistrates, most of them in Demerara and Berbice. It is amazing to me to find that this Government will not do the right thing. Government is amending the law. It looks so nice on paper, and people abroad reading the reports will think that British Guiana is really advancing. But, Government is doing mighty little to give the people a chance even to improve their conditions. I have raised this question in this Council for the last seven or eight years and I have been promised

over and over again that something would be done. Something was in process at one time but it has escaped everybody's notice. It is all very well to hear these things but it is better still to have them put into execution in some form.

I cannot help referring to another place. The circumstances I narrated just now concern the East Coast of Demerara. On the West Coast a similar occurrence took place. In both cases I took opportunity to speak to the Attorney-General, but the conditions remain the same. A certain Trade Union took up certain specific cases and referred them to the Commissioner of Local Government who promised that certain things would be done—that a particular road would have been built last February, and certain other things would have been done, but up to this moment nothing practical has been done even to construct the road. The Public Health authorities continue to take people before the Magistrates and a certain man was ordered to take his house down. I bring these matters to the notice of Government in order that they may be put on record and that we may have real progress. We are asked to vote increases of salary to highly paid officials while these things are allowed to remain.

Mr. EDUN: I was recently appointed a member of the Central Board of Health and I have been examining the Public Health Ordinance. Although I am not a lawyer I think I can read and understand the English language fairly well. I feel that the Ordinance is the cleverest piece of class legislation ever perpetrated in this Colony. I do not know who were responsible for the passing of that Ordinance but it stands as an indictment against the Elected Members of this Council. I think I am competent to speak on it, and the time has come when we have to speak very bluntly in plain basic English, and diplomacy and subversive policy

should be disconnected from the affairs of British Guiana.

I notice that in the Objects and Reasons of this Bill it is stated:—

“The object of clauses 2 and 3 of the Bill is to amplify the powers of the Central Board of Health with respect to the prevention and spread of infectious diseases.”

I want to ask at this juncture what is Government doing about the question of hospitalization in the districts? I see in clause 4 the words “any officer of the hospital.” What constitutes a hospital?

The ATTORNEY-GENERAL: If the hon. Member looks at section 2 of the main Ordinance he will see it defined. I will read it for him. It says:—

“Hospital” includes nursing home, convalescent home, sanatorium and asylum, whether public or private, and any premises or vessel for the reception of patients whether permanently or temporarily applied for that purpose.

Mr. EDUN: Very well, sir. I, as the representative of a trade union well known perhaps as the Man-Power Citizens' Association, was given a definite pledge by the Commissioner of Labour who was then Mr. M. B. Laing, who happens now to be the Commissioner of Local Government. The pledge was that a part of the draft Labour Bill would be included as an amendment of the Public Health Ordinance in order that private hospitals on the sugar estates should be maintained to certain definite standards. In this amending Bill I do not see any reference to or any indication of any attempt to standardize those hospitals. Health and hospitalization are the direct responsibility of the State.

I will rehearse something regarding the obligation on the part of employers employing Indian immi-

grants in the past to provide hospitals of certain definite standards. In 1917 indentured immigration ceased and so the direct control of those private hospitals was taken away from the Government Medical Officer of Health, and the employers say now that they are under no legal obligation to maintain those hospitals, and Government says it cannot force them to maintain them according to modern standards. What is the position of the workers from whose substance these so-called institutions are being maintained?

Government, like Pilate, washes its hands of it. The sugar employees state "We have no local population; why should we maintain it to suit the requirements of the workers?" Then it appears to me that the workers will be between the devil and the deep sea in a matter of this kind. Health hospitalization, I repeat, cannot be allowed to remain as a matter of caprice on the part of any employer by law, until hospitals are governed by law and certain statutory obligations are there to keep them at a standard. In this case I shall ask Government to honour that pledge given by the Labour Commissioner.

Only a fortnight ago we met the Sugar Producers' Association in conference and, if I get no indication from Government, perhaps I shall state here what resulted in that conference in the matter of these hospitals. It was stated to us definitely by the Sugar Producers' Association "We maintain these hospitals to suit ourselves. If you feel that Government should take them over and run them efficiently on the status of Colonial hospitals, then it is your duty to move a motion in the Legislature asking Government to set up a Committee to examine the question and report." If I can get an assurance from this Government that that will be done and will be accepted in the best interest of all, I would not say much on these amendments at all

as I see in these amendments an element of hope whereby those people who are infected should be kept aside from the general public.

I think I would be lacking in my duty if I do not at this juncture make this reference. I do not know what is operating in Government's mind up to now, but we have not been told anything except that the Director of Medical Services says it is not the intention of Government to take over these estate hospitals. Then Part 10 of the Labour Bill should be included in the amendments or Government should consider whether or not the time is ripe to make hospitalization a deep concern of the State.

Mr. AUSTIN: At this particular time it is unnecessary to add to our Statute Books an Ordinance which may never be enforced. In the early part of this year I had a chat with Sir Rupert Briercliffe on health affairs of this Colony and he stated that if the various ordinances of the Colonies, as he saw them, were carried out there should be very little trouble in getting these places fairly healthy. I enquired of him whether he would join me one day in company with the Mayor and have a look around Georgetown. He said he could not do that unless he was asked by the Mayor, but he was going away the next evening and on his next visit he hoped the invitation would be extended to him when he would do so. Whether the present Mayor will be in the Chair or not, whoever it is will go around with Sir Rupert, representative of Sir Frank Stockdale's entourage, and see conditions as they are in the town. I ask you just to take a drive anywhere from Kingston along High Street up to La Penitence and you will see actual breakage of gutters, the saturation of gutters with agricultural matter. Yet we bring forward an Ordinance which already exists and is never carried out. Is that useful or helpful or more costly? Not only in that district but go over

the town and see conditions that exist. I cannot help saying that this Ordinance is not designed to block matters but it will never be carried out in my opinion, as the other Ordinances which now exist are not carried out. I spoke to Dr. Bevier on Yellow Fever and gutters and his answer to me was as I understood it: we must not bring cases against some people who cannot afford to get materials for their houses or to have the necessary repairs done. I am not against the Bill. It will be useful in the long run, but I do wonder whether at the moment we are not adding just another dead letter on the Statute Book of the Colony.

Dr. SINGH: In glancing through the amendments I feel these amendments were carefully considered and would be a useful adjunct to the health provisions. In the first place the Bill will protect those who are infected and also contacts, and it will also be useful to the public in general. For that reason I heartily support these amendments because I feel they were carefully considered. On the question of housing, repairs and enlarging buildings in certain areas, I think that is a point to be considered. The Public Health Bill, in my opinion, is too advance for a country whose population is small and where immigration was only abolished twenty-seven years ago. I think, on the whole there has been a lot of trouble time and again in this Council on the question of health. The whole thing should be reconsidered, especially the question of housing. Past Governors have tried to go into it but up to now nothing has been done. I am asking that the question of housing and repairs be gone into as it has caused much trouble and waste of time.

Mr. GONSALVES: The hon. Nominated Member, Mr. Austin, is under the impression that this Bill is particularly intended for Georgetown. It is not really, as I understand the Bill. It is a Bill for the general public health welfare of the Colony.

The clause I am principally interested in is clause 4 which deals with the question of persons who are suffering from some infectious disease. That provision has been long asked for by the Society to which I happen to belong. For some years they have been endeavouring to get some legal support in order to carry on their work, which they have been trying their hardest to carry out to general satisfaction. Whilst they had the right or could take the infected patient to a hospital to be treated for the particular disease from which he is suffering, there was nothing which would in his own interest permit of his being treated at the hospital to which he was taken until he was cured. He was at liberty to go out at any time and so continue to spread the disease with which he was suffering. In that case one hears what is being done. You have a society which takes every step in exhorting the importance of prevention but still the spread of disease is going around. You can take patients to hospital but the hospital authorities have no right to keep them, not only for their good but for the good of the general community. The Society has approached Government in the matter but has not been able to get anything done. I am glad that today this Bill appears in this Council and I hope and do expect it will not be one of those Bills on the Statute Book of the Colony which have become a dead letter. I hope when this thing is carried through some progress will be made in regard to the particular work to which I have referred.

In regard to certain other provisions in the Bill such as the one dealing with the question of trees overhanging the property of adjacent owners, if that is carried through it should help to get over the difficulties which Local Authorities have in regard to that particular matter. The hon. Nominated Member, Mr. Austin, has referred to certain drains in Georgetown start-

ing from Kingston and going south down Water Street. When complaints were made that the Town Council was not looking after Water Street and allowed the drains to be blocked with every rubbish, it was proved that the nuisance was committed by the people in the Street, the merchants who carry on business there. They regard it as trivial. Take Main Street: there also garbage is placed in front of the premises. If they are the people to whom one may look for example and that is the example shown, no wonder other people in other parts of the town, perhaps in a weak moment, follow the practice that those who should know better indulge in. As regards the drains being in a broken condition, I do not know if the hon. Member is referring to the drains or gutters. If it is the gutters on houses, then I can say here without fear of contradiction that within the last year the owners of properties including myself have found it difficult to get zinc sheets in order to have gutters placed on their buildings. I have had recent experience when I wanted to have the guttering of my house done as the result of a notice by the Yellow Fever Campaign Authorities. I sent a requisition for zinc sheets to the Commodity Control and was told my application would be heard at the next meeting. I asked why it should be kept back so long and was told that if it is one sheet you can have it but if it is for more than one you have to wait for a meeting of the Control Board to get permission. I hear on the other hand that merchants have sheets to sell and cannot get to sell them because the Control Board has their hands tied. That is the position.

The Georgetown Town Council issued notices to property-owners to have their gutters done and the people have gone to the Council or to the Public Health Authorities and said they cannot get sheets to do the work and if the Control can let them have the sheets they will do the work. In the case of the Yellow Fever Service

the people want to do all they can to co-operate in spite of the difficulties they experience, but run up against the Yellow Fever people fouling their water with oil. The poor man's drinking water is made a mixture of 80 per cent oil and 20 per cent water. When that is brought to the Yellow Fever people's attention, they tell you "You should seal your vat so that it will be secure from being oiled." On the other hand when you seal your vat the Yellow Fever Inspector goes and lifts up the cover in order to see inside the vat. That is the difficulty the people are up against. I have had occasion to communicate with the Superior Officer connected with that Service and, I regret, the satisfaction I got was not the percentage of satisfaction I had hoped to receive from him. However, if there is to be improvement in public health matters, there must be a certain amount of co-operation on the part of the public and co-operation by Government and the Authority under Government control. If conditions are as bad today as they were a little time back and it is not possible for people to get the necessary materials in order to effect improvements, then I do not think serious attention should be given to the matter.

The hon. Member for Demerara-Essequibo (Dr. Singh) referred to housing. That question was raised in the Georgetown Town Council, and the Medical Officer of Health has had returns in regard to the poor conditions of housing. The proprietors are over-served with notices and the answer given is that they cannot get lumber. One Member of the Town Council said Government has practically commandeered all the lumber. The owners of properties cannot get materials to do repairs which they are asked to do because the Competent Authority will not give them, whether they be lumber, timber or galvanized sheets. Unless that matter is reconsidered and dealt with their liability will continue and there will be difficulty

in getting conditions in that direction somewhat improved. I do not suggest total improvement but especial improvement in that direction. If conditions improve there should be relaxation for people to get on with their work. Apart from doing these improvements it will provide work for the class of labour engaged in doing that particular kind of work. I suggest Your Excellency see your way to discuss the matter with the Control Authority.

I hope the Bill will go through and there will not be any delay about it. There is one provision asked for and that is as regards the obligation of the landlord to keep his house or building in repair. I have been told in the Central Board of Health that the Attorney-General does not consider it advisable that such provision should be in this Bill but put in the Landlord and Tenant Bill which is under consideration and which has been under consideration for nearly a year now. I do hope that will be dealt with shortly. I appreciate the volume of work the Attorney-General has had to do, the number of legislation to be brought forward, but this is one of the matters which come up at meetings of the Town Council and at the Central Board of Health. I hope opportunity will be taken to get on with it.

Mr. DeAGUIAR: The importance of this subject, I thought, would have acted as an inducement to certain Members of this Council to approach it with an open mind. I certainly did not mean it afforded an opportunity for certain hon. Members, and particularly one Nominated Member, to indict the Elected Members for passing a Bill in 1934. I mention that as an opening remark because in the same breath I want to excuse the hon. Member who indicted Members of this Council for passing the Bill in 1934. On that occasion he took very little interest in matters of this Council, because if he did he would have remembered that the Ordinance of 1934 was passed after a great deal of discus-

sion and amendments, going back to committees and things of that kind. As a matter of fact I recall that the first attempt made to introduce comprehensive act embracing public health matters in this Colony took quite a considerable time before it reached finality in 1934. I mention that because it is quite unfair for Elected Members to be indicted for doing something and leaving the inference to be drawn that the Elected Members are responsible for something. The sooner certain Members of Council realise and are able to draw a distinction in matters of this kind, we will be able to get on much better with important business in this Council.

It must be remembered that public health matters are not to effect cures but rather to prevent infection. While it is true that there are some hard cases—the hon. Member for North-Western District (Mr. Jacob) referred to some, and I know of my own knowledge of some as a Member of the Central Board of Health—a line must be drawn somewhere. During the year 1939, as the result of difficulties referred to by the hon. Member for Georgetown South (Mr. Gonsalves) there was a fair relaxation in policy which, I feel sure, is known to other Members of this Council and as a result certain hard cases were dealt with and relief given. I want to make it perfectly clear that there are some hard cases, but however hard they may be it is definitely against public health policy to permit in certain buildings repairs or erection on certain lands of this Colony. The primary requirement is that the site on which the original building stands or where it is intended to erect a building must be approved as a sanitary area and properly laid out. You cannot expect to repair buildings on a dam or on a spot mostly inundated. That will be against all public health principles. Again I say there are hard cases. I am no longer on the Board, but I do believe that where such hard cases exist they will

receive the careful consideration of the Health Authorities concerned. This is not class legislation as was suggested by the same hon. Nominated Member (Mr. Edun). Why do we get up here and make reference to class this and class that? I fail to see why certain Members in particular always endeavour to create strife among the peace loving people of the Colony. As a Guianese I deprecate any such loose statement whenever made either by Members of Council or by people outside the Council. I do not think that is something to be encouraged, and the sooner certain Members are aware that other people of the community think along the same lines as they do and stand up against it the sooner a stop will be put to all that loose talk.

On the question of supplies raised by the hon. Member for Georgetown South (Mr. Gonsalves), as a matter of fact it is really on account of his reference to the subject that I have risen to make a few observations. It is true that it is exceedingly hard to obtain supplies, but it must be remembered that apart from the fact that we are living at the present moment in depressing times the position cannot be helped except we get a little surplus. I am speaking of imported articles, such as zinc sheets referred to by the hon. Member for Georgetown South. Our imports are based on certain specific conditions laid down by the exporting countries, and if our imports are calculated on pre-war imports, assuming for argument sake that our economic condition is better than it was years before the war resulting in an increase of building operations and improvement of buildings, it naturally must follow that the quantity of materials available would result in a short supply.

I am not putting that up as an excuse for the difficulty that exists because I do know that in some cases it might be possible, but there again a difficulty arises. I know how

hard it is to satisfy oneself that a particular case should receive priority when the application is being considered, because we know (and I am sorry to make this remark) and know only too well that certain instances have been abused. People put up what appear to be hard cases to obtain supplies and it is subsequently discovered that those supplies were required for other purposes. Despite what other persons may feel about it I think that the Supplies Authority in this Colony are doing the best they can in the most difficult circumstances. I am not here to defend them—that is the duty of Government—but I think it is only right and fair that I should make these few remarks so that hon. Members might understand what the actual position is at the moment.

In so far as this Bill is concerned, I think it will be admitted that it is not a complete revision of the Public Health Ordinance of 1934. There are many more things which I am sure will have to be done, but I have no doubt that in a very short time a further Bill will be laid before the Council so as to bring the Ordinance more up to date. In that way it will be of considerable benefit to the people of the Colony in so far as public health matters are concerned. I am supporting the Bill as it stands.

Mr. C. V. WIGHT: I think the hon. Member who has just taken his seat has not quite answered the points made by the hon. Member for Georgetown South (Mr. Gonsalves) as regards the question of supplies. He has said that those supplies are to a certain extent dependent upon the conditions laid down by the exporters, but I feel sure that if one of the conditions put up on this side or by the exporters is the safeguarding of the health of the community there would be no reason whatsoever for refusing to supply the necessary material. At the Georgetown Town Council the suggestion was made that as the Council had made over 100

closing orders, and in view of the tremendous overcrowding in the City, a certificate by the Medical Officer of Health or the City Engineer that materials were required for the repair of dwellings in respect of which closing orders had been made, should influence the authorities to grant the applications of the proprietors concerned. If it becomes necessary representations can be made in that connection.

The next point is that the Central Board had for the duration of the war relaxed some of the provisions of the Ordinance with respect to the erection and repair of buildings and I think that has alleviated some of the hardship that accrues in that direction. Of course, it has to be borne in mind that at some future date when the rural housing scheme is put into operation the Public Health Ordinance will be subject to criticism, but constructive criticism to assist those who, after all, are only endeavouring to do their best, and not as has been suggested here from time to time, out to keep the poor man down. I think that some of us realize that mistakes have been made, but at the same time we realize that those who are attempting to do something in very difficult times are doing so in all sincerity and not in the interest of a particular section of the community.

Mr. SEAFORD: We seem to have gone away from the Bill but I wish to say that I have the very deepest sympathy with some of those people in the country districts who desire to rebuild or re-construct their houses. I would like to endorse all that has been said by the hon. Member for Central Demerara (Mr. DeAguiar). When the Public Health Bill came before the Council in 1934 there was a real dog fight about it. I think all of the Members opposed it more or less, and pointed out that it was a long way ahead of its time and we could not possibly enforce it but in

those days, as I suppose even today, we were aiming high. There is one point which I think has been forgotten and that is that at the time we were given an assurance by the President of the Council that Government did not intend to enforce the Ordinance rigidly, but that it was something which should be aimed at in the future.

As a member of the Central Board of Health, I can say that we do try to be as fair and as just as we can. As has been pointed out, we have what is called a Relaxation Committee, and within the last week we agreed to buildings being put up on lands which have not been declared building areas and have not been laid out. We agreed to ignore the Ordinance on that point but it is very difficult to know how far one can go as regards relaxation without making the Ordinance an absolute dead letter. It is a very difficult thing to know where to draw the line. Every member of the Board is sympathetic, and medical officers advise the Board and do everything they can to assist. Although it is hard we must try to improve health conditions in this Colony gradually and not leave them in the state in which we found them.

As regards the remarks of the hon. Member for Georgetown South (Mr. Gonsalves), unless one sat on the committee which has to deal with applications that come in, it is not possible to realize how difficult it is. Hundreds come in every week, and if all the requests were from gentlemen of the status of the hon. Member we might accept them just offhand. Time and again we have had requests for one thing and another and when we sent to have the work inspected the building could not be found, or the work they intended to do did not exist, or the material was used for something totally different. One has to be very careful in such cases. If a letter was received from the Town Council or the Medical Officer of Health that would

cannot remember whether there has ever been a filaria survey in this Colony. This disease is spreading more and more in this Colony and I hope Government will consider the carrying out of filaria survey in order that steps may be taken to check the spread of the disease.

The ATTORNEY-GENERAL: I need only reply to those speeches relating directly to the Bill itself. Hon. Members who are members of the Georgetown Town Council took the opportunity to get heat off about the supply of materials, but I am sure they would not expect me to reply to that. I know nothing about it.

The first Member who spoke was the hon. Member for North-Western District (Mr. Jacob) who brought me in personally and said he reported to me and the Central Board certain cases on the West Coast. As far as I am concerned that is perfectly true. He brought two documents supporting the cases, and the facts he put forward were true. In a particular case an unfortunate sick man erected a new house on a dam without the permission of the Board.

Mr. JACOB: In the case I referred to the house was not erected on a dam. The case I referred to occurred at Better Hope, and there are other houses nearby.

The ATTORNEY-GENERAL: I beg the hon. Member's pardon. The information supplied to me was that the building was on a dam, and the position is that neither the Central Board of Health, myself, a Magistrate nor the Supreme Court can act in the face of what the Ordinance says. If the building was not erected on a dam then a mistake has been made. I may be confusing this case with another.

The next speaker was the hon. Nominated Member, Mr. Edun, who got busy straight away with the question

of hospitals on sugar estates. The Colonial Secretary has just told me that a communication was recently received from the hon. Member and asked if I had seen it. I told him I had not seen it and he replied "It is on your table." I may tell the hon. Member that I have not seen the communication he has sent in and I do not know exactly to what he referred. Whatever he was saying about estate hospitals is not contained in this Bill. If what he says is correct a revision will be made in the comprehensive Bill when it is brought forward. In any case, it would not have been put into this particular Bill which has been introduced with three distinct objects. A comprehensive Bill will be introduced in the near future. I hope that will not be taken too literally.

The hon. Mr. Austin also spoke, and I must confess to having misled him. I read what purported to be a provision in this Bill but I did not read everything in it. The hon. Member then spoke about seeing vegetation and other things in gutters. The amendment refers to roof gutters and I am quite sure that had he realised that it was roof gutters he would not have said that the law in that particular respect is a dead letter. All hon. Members have seen gentlemen in uniform walking about with a shaving mirror at the end of a long stick. There is no reason for that particular section of the Ordinance being a dead letter. It is a very much live letter. This amendment refers entirely to roof gutters and not gutters in the street.

The hon. Member for Demerara-Essequibo (Dr. Singh) gave his support to the Bill as I know he would. He has been pressing for it. The hon. Member for Georgetown South (Mr. Gonsalves) was enthusiastic in support of the measures as regards tuberculosis but was lukewarm as regards mosquito-borne diseases, and very fed-up about not getting one sheet of corrugated iron. I congratulate him

on having got it in the long run. As far as that sheet is concerned I think the hon. Member for Georgetown North (Mr. Seaford) replied on behalf of the Commodity Control. I did think it rather strange when the hon. Member for Georgetown South told us about his difficulty in getting one sheet of corrugated iron and said that the Georgetown Town Council experienced great difficulty in getting timber, and finished up by asking when are we going to bring in a Bill to make landlords repair their houses? What is the good of drafting a Bill and asking that a defaulting landlord should be sent to prison if he cannot get one sheet?

Mr. GONSALVES: I agree with the Attorney-General that it is a waste of time, and I think it is an absolute waste of time for Government or any authority to speak about houses in a dilapidated condition if that is the attitude of Government as expressed by the Attorney-General.

The ATTORNEY-GENERAL: I cannot speak on behalf of the Commodity Control. If the hon. Member cannot get one sheet I do not think any drafting I can do would give the landlords what they require.

The hon. Member for Western Essequibo (Mr. C. V. Wight) supported the hon. Member for Georgetown South (Mr. Gonsalves), and although he is in a position where he is able to get all the information available he still thinks that the Control Board would not release those articles. He has all the facts that I know and on those facts we differ. I do not think the Commodity Control or any other Control is at fault at all. It is simply that the exporting countries will not give us what we want, and they want inadequate rations to last as long as they can.

The hon. Member for Georgetown North (Mr. Seaford) replied on behalf

of the Commodity Control, and as one of the chief advisers he is in an extraordinarily good position to know the position.

The hon. Nominated Member, Mr. Critchlow, made a statement with which I am in complete agreement. I agree with him that there are properties, particularly in Georgetown, and also outside of Georgetown which are in a very bad state. The hon. Member went on to say that before the war a great deal of relaxation existed and landlords did not repair their houses. I have no personal knowledge of that.

Every Member who spoke was very willing to support the Bill. It is merely a palliative, something to carry on with, and not the comprehensive Bill which I expect to see in front of Members, though not quite as early as some Members anticipate.

The PRESIDENT: Before putting the question I should like, as the question of housing was mentioned once or twice, to state what exactly is being done by Government at the moment. The question came before the Executive Council yesterday, particularly in the form of a report put up by Mr. Freeman of the Local Government Department, an officer who visited Trinidad and Jamaica to study the question at first hand and assist us in any action we should decide to take here.

The first question we had to consider was whether or not we should set up immediately one statutory authority to deal with housing both in the rural districts and in the towns. The Executive Council thought it would be premature to do that and it was decided to authorize the Commissioner of Local Government to proceed to set up a body, on which this Council would be well represented, to handle the preliminary stages in the rural districts, particularly those dealt with by the Committee which sat last year

and considered the question of housing in Essequibo.

As regards the urban housing, rather than commit ourselves to one statutory authority we propose to ask the Town Council to take such measures as they can to prepare plans to be considered by the Town Planning Officer.

The second question is one of funds, and the Commissioner of Local Government is authorized to prepare an application for funds under the Colonial Development and Welfare Act, a general outline of which is set out in the report. In the case of repairs Government will give a free grant of 25 per cent. on condition that the person who is going to repair his house is able also to put up 25 per cent. from the beginning. The rest of the money—50 per cent.—will be put forward by loan from Government. In the case of additions to houses and new houses, one-third will be a free grant from Government and one-sixth the householder is to have in hand at the beginning; the next will be a loan from Government.

The third point is the staff for the carrying out of this action for which the Commissioner of Local Government will prepare an application for funds, and the fourth, which may be difficult, is one touching the availability of land. That will be put up to Government in such proposal as he may decide. I just state that to show what is the present stage of action reached by the Executive Government.

Question put, and agreed to.

Bill read the second time.

COUNCIL IN COMMITTEE

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

Clause 2—*Definition of infected area.*

Mr. JACOB: I think what this Council ought to do at this stage, in view of the delays which have occurred all these years and particularly in view of the statement made by the hon. Member for Georgetown South that when this original Ordinance was passed a distinct promise was made by the then President of the Council that this Public Health Ordinance will not be rigidly enforced and the Legislature agreed, that it should not be rigidly enforced then and now. I think the fault lies with the Board operating this Ordinance. Therefore, I suggest that the composition of the Board be changed. I think it should be changed for many reasons—in view of the more democratic outlook of the nations—and further, I think, it has been admitted though not specifically stated that there should be more Elected Members of this Council on Boards. What does Ordinance No. 15 say about it? Section 3 says—

“The Board shall consist of the Surgeon-General who shall be Chairman of the Board, the Mayor of Georgetown and the Mayor of New Amsterdam, and of members appointed by the Governor as under:—

- (a) Two Elected Members of the Legislative Council;
- (b) One Nominated Unofficial Member of the Legislative Council;
- (c) Not more than six other persons of whom one shall be a member of the Georgetown Town Council and one a representative of the British Guiana Sugar Producers' Association to be selected from names submitted by those bodies.”

If for nothing else—

The CHAIRMAN: This is quite irrelevant. We are dealing with clause 2 of the Bill and are not considering the membership of the Central Board.

Mr. JACOB: Clause 2 amends section 19 of the Ordinance, and I am suggesting that section 3 should be amended before section 19 is

amended. It is a question of order.

The CHAIRMAN: Then you will move the deletion of this clause.

Mr. JACOB: I shall move the insertion of a new clause between clauses 1 and 2.

The CHAIRMAN: Move it and we will take it.

Mr. JACOB: I may read the proviso to the provision so that we can follow it.

The CHAIRMAN: I must get the amendment in concrete form. What amendment do you wish to move?

Mr. JACOB: "That the Board shall consist of the Director of Medical Services who shall be Chairman." The title "Surgeon-General" appearing in the Principal Ordinance should be altered to read "Director of Medical Services." If you approve of my suggestion I would then frame the clause to be inserted.

The CHAIRMAN: I would put it to the Committee as to whether we should have a clause to amend the composition of the Central Board of Health. That is what you want?

Mr. JACOB: Yes, sir.

The CHAIRMAN: I can sound the Committee on that now.

Mr. JACOB: The Board is composed of two Elected Members, one Nominated Unofficial Member and six other persons one of whom shall be a member of the Georgetown Town Council and one a representative of the British Guiana Sugar Producers' Association. I submit that at this stage it is not the best thing to have particular bodies represented on any Board or Committee. If for instance you suggest that the Georgetown Town Council should be represented there, I suggest with equal force that the British Guiana Village

Chairmen's Conference should be represented. Georgetown is an urban area and is represented by the Town Council. The Village Chairmen's Conference looks after the whole of the rural areas. This Bill, while it affects Georgetown to a great extent, affects the rural areas to a greater extent. So I am submitting this is the time, unless Government undertakes to bring in another amendment very soon, that the composition of this Board should be radically altered so as to give you power to nominate persons to sit on this Board and not for you to be galvanized by section 2 of the Principal Ordinance to nominate persons as detailed there.

The ATTORNEY-GENERAL: I do not want to interrupt the hon. Member. Obviously he has not got the wording of his amendment. I would suggest that he submits his idea in writing so that it may be incorporated in the new Bill which is just about to be prepared now rather than chop up this one.

Mr. JACOB: I will accept the assurance and do that if the hon. the Attorney-General gives the further assurance that the Bill will come up very shortly. I have been put off so often, I have written letters and the hon. the Attorney-General has a letter from a Trade Union giving him specific details of a particular question and, when speaking here, he refers to something entirely different. I do not know if a letter can explain it better than I can here when it can be on official record.

Mr. GONSALVES: I would like to say that there are on the Central Board of Health at the present moment several Members of this Council. Four of them are Elected Members—Mr. Seaford, Dr. Singh, Capt. Ferreira and myself—and the Nominated Members are Mr. Austin, Mr. Jackson and Mr. Edun.

Mr. JACKSON: I was there but I am not there now.

Mr. GONSALVES: Mr. Jackson is represented by Mr. Edun (laughter). I do not mean he appears for Mr. Jackson. There are six Members of this Council on that Board. I do not think my hon. friend has much to complain about. I agree that it affords him an opportunity to say something about the Bill and, if that is the purpose of his rising from his seat, then he has achieved that purpose.

Mr. JACOB: If that is so, I submit this Ordinance prevents His Excellency appointing other people on that Board. Your Excellency has not the power to do so.

Mr. GONSALVES: I did not say they were selected as Elected Members of this Council.

The CHAIRMAN: The hon. Member means the Governor should not be tied down to appoint people from this Body and we should have a larger representation on this Board. I give the assurance that the Bill will come up shortly and I am sure the hon. the Attorney-General will do his best. That will be borne in mind.

Mr. De AGUIAR: I am not quite clear that I understand the hon. Member for North-Western District strictly. I do not know to what the change relates. I often hear him clamour for representation by Elected Members on these Boards. Now he says he does not want His Excellency to be tied down to an Ordinance.

Mr. JACOB: I am afraid the hon. Member was not listening

Mr. De AGUIAR: I was listening so well as to know that the hon. Member was hopelessly at sea when he quoted sub-clause 2 (c) of clause 3 of the Principal Ordinance. I rather understood that sub-clause to mean something entirely different to what he said.

Clause 5—Amendment of Section 34 of the Principal Ordinance.

Mr. JACOB: I wonder what the employers think of this clause.

The CHAIRMAN: What is the clause?

Mr. JACOB: 1A. I do not think that is a very good provision.

The CHAIRMAN: Are you in favour of people suffering from an infectious disease handling food?

Mr. JACOB: It is the word "knowingly."

The ATTORNEY-GENERAL: If you do not put the word "knowingly" an employer living at Bartica or New Amsterdam would be rendered liable to a penalty for such offence committed without his knowledge. It only makes him responsible for his own knowledge. The reason is, it is an offence on his part. It is the same thing in criminal law; with very few exceptions it is only if you knowingly do an act you are criminally liable. This follows the usual procedure on this subject.

Clause 6—Amendment of Section 66 of the Principal Ordinance.

Mr. J. A. LUCKHOO: I move the deletion of the word "and free from mosquito larvae" in paragraph (b). It is putting too much on the householder and owner of property to keep trimmed and free from mosquito larvae all trees. The discovery may be beyond him and, it seems to me, it is putting too much onus on the householder and owner of property by leaving those words in. I beg to move as an amendment the deletion of those words.

Mr. WOOLFORD: I would like to support that suggestion by the hon. Member. I was trying to persuade the hon. Mover of the Bill to explain how that can possibly be done in a Colony like this. If it is intended to affect only such cultivations as bananas and plantains it may be all right, but the ordinary shade trees all over the

place are very hard to climb and difficult to reach the top. I have also risen for another reason. I have heard persons say that a relaxation of the enforcement of the provisions of Ordinance No. 15 of 1934 by the Central Board of Health was promised. I think hon. Members will recall that it was with reference to a particular section that the undertaking was given—section 136 and its sub-provisions dealing with the erection of buildings. It says:—

“(1) No building shall be erected, altered or enlarged by any person without the previous approval in writing of the local sanitary authority.

(2) No house shall be erected on any land by any person unless and until such land has been freed from bush, the surface raised or levelled and such measures taken for the drainage of such land as may be required by and to the satisfaction of the local sanitary authority.

(3) No building shall be erected by any person on any dam, railway embankment, road, parapet, street or public footway, without the permission of the Board.”

An undertaking was given that that particular section would not be enforced for the time-being, and I think I am right in saying that there is more than one legal opinion — I am speaking of official legal opinion—upholding the view of a series of submissions before the Magistrate that it is *ultra vires* and does not affect the existing operation. I have had several cases in which the point was raised and the Magistrate took that view. The point is how we can correct it in the new Bill. You have to take care that the same objections cannot be taken because it should not be made to effect the existing operations particularly on the estate lands. I think that is what the hon. Member referred to. It happens to be the only place allowed by the management in the years gone by. I think the hon. Member for Georgetown, North (Mr. Seaford) knows of that very peculiar circum-

stance. I just mention that to show no undertaking was given in respect of the general provisions of the Bill.

The ATTORNEY-GENERAL: I think I should speak on the amendment moved by the two hon. Members on my left (Messrs. Luckhoo and Woolford) because everything is going the reverse way to what is intended. The Medical Authorities said that the existing section is grossly unfair on members of the public. The existing section reads as follows:—

“(b) keep trimmed, within reasonable number to the satisfaction of the local sanitary authority, and free from the breeding or harbouring of mosquitoes, all fruit or other trees, shrubs, hedges and plants of a like nature.”

The Medical Authorities considered it unfair to require any person to keep trees free from the breeding or harbouring of mosquitoes, as you may see a tree one moment with no mosquito and then go away and yet it may be harbouring mosquitoes. I said to them “Draft something which will meet the case”, and the proposed amendment is the result. Everyone can see mosquito larvae; it does not fly away. That is put in as being fair to the general public. I do not know if hon. Members insist on the amendment, but I would ask that it remain in Committee.

Mr. C. V. WIGHT: I can hardly see how the larvae can be seen unless we are turned into monkeys, as some of these trees are very difficult to get at the top. Another point of my mind is that of trespass to carry out this clause in respect of trees overhanging other persons' premises. If you are going to take out those words as suggested, I think some consideration ought to be given to the latter part of the provision. I do not know that this provision alone will allow someone to enter another person's yard for the purpose of keeping overhanging trees trimmed.

The CHAIRMAN: Why not keep the section as it is?

The ATTORNEY-GENERAL: I beg to report progress and ask leave to move it back again.

The Council resumed.

Bill left in Committee stage.

CO-OPERATIVE CREDIT BANKS,
BILL, 1944.

The ATTORNEY-GENERAL: In moving the second reading of this Bill

A Bill intituled "An Ordinance to consolidate and amend the law relating to Co-operative Credit Banks."

I need hardly remind hon. Members of the history. Hon. Members will remember the Economic Adviser to the Comptroller for Development and Welfare in the West Indies, Mr. Benham, came down here and after staying in this Colony reported on numerous subjects in connection with economics. One of the subjects was "Credit to small scale farmers." The whole gist of his recommendations was that credit should be extended far further than was permitted under the existing Co-operative Credit Banks Ordinance. As he himself told me personally, he only writes theoretical discourses and he wants the practical people to put forward concrete facts and cases. In this particular case, in order to have concrete facts brought forward it was referred to a small Committee comprised of the Colonial Treasurer, the Director of Agriculture and Mr. Delph. They put forward specific proposals which are incorporated in the draft Bill which was introduced in this Council in December last year. During its passage through the Committee stage it became obvious that quite a number of hon. Members were dubious either if the extension of credit was sufficient or if the number of people who would get advances from the Banks was sufficiently wide. In view

of the fact that that was the whole object of the Ordinance His Excellency directed that it be withdrawn from the Committee stage and the subject reconsidered. Accordingly a Committee of the Executive Council was appointed consisting of the hon. Nominated Member, Mr. Luckhoo, the hon. Member for Central Demerara and myself to reconsider the matter, and we considered the Bill itself and all avenues available. One member of the Committee, the hon. Member for Central Demerara, wished it referred to the Agricultural Department Advisory Committee and it also went to that Committee. The result was this Bill went to not less than four committees and, I am bound to say, only one unanimous recommendation emerged from the four. Therefore the Bill before the Council has been substantially amended in two major respects and a half-dozen very minor respects. I will refer to them as I go through the Bill.

I know that the members of the Agricultural Department Advisory Committee felt very strongly on one point. I do not see the Member present who was so strong on it, and so I will not waste time to refer to it.

All I need do is to refer hon. Members to the difference now in the Bill before you now and that which was before you at the last Session of this Council. The whole of the definitions and the whole of Part I, the whole of Part II and the whole of Part III stand absolutely unaltered. The first change comes in subclause (4) of clause (21.) which reads:—

"All loans made to banks under this section shall bear interest at a rate not exceeding three per centum per annum."

Loans made to Banks by Government under the old Bill were to be at the rate of two per cent. In other words, Government was bound to lend money to Banks at two per cent. The members of the various Committees referred to point out it might be

inimical and possibly a loss to Government in attempting to lend money at two per cent. and it was safer to put in "at a rate not exceeding three per cent." It was proposed to advance these sums at the original rate of two per cent. But in case conditions change it gives more latitude, more fluidity to the section.

The next change is the most important of all, that is in clause 23 which deals with purposes for which Banks may grant loans to members. When the original Bill was before the Council that clause came in for an artillery barrage. Everyone of the purposes for which money was to be loaned was said to be far too restricted, and minor industries had been left out. The Bill then before the Council was drafted five months before any Minor Industries Committee had made a report. Now that we have seen that Committee's report changes have been made and will be found in paragraphs (g) and (h.) They are:—

"(g) the purchase or lease or the construction, repair or renewal of any building, factory, mill, machinery or equipment used or to be used by the applicant in connection with any agricultural or industrial undertaking;

(h) the manufacture or preparation of any agricultural or industrial product or commodity by the applicant for sale in the market."

It practically says any factory in the Colony can get an advance for the purpose of that factory. Hon. Members will agree that the whole scope of that clause has been extended to include most forms of industries and, as far as I am aware, it includes every recommendation put forward by the Minor Industries Committee.

The next change is in clause 28. One of the objections to the last Bill was the fact that only immovable property could be taken in security, and hon. Members are aware that in this Colony factories are all movable property, and so an amendment was

made by inserting par. (b) in sub-clause (1). In other words, if you want an advance for the purpose of improving your mill or factory, or installing machinery or for building you are entitled to get an advance from these Banks.

Another change appears in sub-clause (4) of the same clause which provides that loans not exceeding \$480 may be granted by the Committees of the Banks under a bill of sale.

There are several minor amendments appearing in the Second Schedule and are consequential on the amendments I have just mentioned. When the original Bill was introduced there was no objection taken to the clauses I have mentioned, except clauses 25 and 28, so I am hoping that now that we have a new Bill we will be able to get on quite quickly. I formally move that the Bill be read a second time.

Mr. J. A. LUCKHOO seconded.

Mr. JACOB: This Bill is a step in the the right direction. It has been delayed far too long and I am wondering whether when it is passed there will not be greater delays in putting its provisions into operation. I am guided more particularly by previous experience. We have had a Co-operative Credit Banks Ordinance, No. 28 of 1933, and I believe that at the time it was passed there were great hopes that something constructive would have been done, and that the country would have progressed. I have no doubt that when the Bill was introduced in 1933, hon. Members thought they were making a step that would have brought about improvement of certain classes of people. We have seen little or no improvement since that Ordinance came into force. I noticed that the last printed report of the Co-operative Credit Banks' Board is dated 1937. In par. 14 it is stated:—

"During the year the Banks made 1,018 loans to members, aggregating \$30,962.34 as shown in detail below. Of this amount actual new loans made totalled \$2,974.89 and notes which were renewed accounted for \$8,995.45.

Your Excellency was good enough to compare this Colony with several parts of the world, the Caribbean area and other places, and we pride ourselves on having Co-operative Credit Banks lending in one year \$30,000. If it had been something like 30 million dollars we would have had something to be proud about. I regret to say that while the tendency is for advancement and improvement along progressive lines, general planning and wise statesmanship are mere words. I see very little being done, particularly in the last 8 or 10 years. Practically nothing is being done.

I hope that this Bill will go through and that it will be directed by public-spirited men of this Legislature as representing the public, and not by Government officers. In the past we have been influenced far too much by public officers, Heads of Departments and others who have no real stake and abiding interest in this Colony. The results are clear. If they are not clear to hon. Members I am sorry for them. This is my country. I have an abiding interest in it and I think I have lived in it long enough to be very pessimistic over the future. Anything I can do to raise optimism I pledge myself to do without any reserve. I have been advocating all along that something be done along progressive lines, to lend people money at low rates of interest, but in this Bill it is proposed to charge people 6 per cent. interest. I think 6 per cent. is far too high. When it is considered that depositors at the Savings Bank get no interest over a certain sum and only a small interest up to a certain sum, I am wondering why this rate of 6 per cent. has been fixed. I think the Colony can raise loans probably at 2 per cent. The Colony has a large enough surplus to start something on

a comprehensive scale and I trust that something constructive will be done. I hope the Banks will not lend \$30,000 in a year and will not charge 6 per cent. interest.

I am strongly opposed to Government officers having the major voice in these matters. We have not progressed in the last 15 or 20 years. I am told by certain people that this is not a Crown Colony. I have always understood British Guiana to be a Crown Colony, dictated and directed by the Crown, and now even when we have what is called representative Government nothing can go through this Council without the approval of the Secretary of State for the Colonies. It is nothing short of Crown Colony Government. We may talk from morning until night here and pass any legislation, but a simple "No" is the end of it. It may not be Crown interest but Imperial interest. I am appealing to Government to have this Bill put through and to have it done as expeditiously as possible so that we may have improvement in this Colony.

Mr. EDUN: So far as this Bill is concerned I am of the considered opinion that it will have the support of the entire Council. I have risen to speak as a Nominated Member representing the Indian agricultural community who for the most part will take loans. I do not know why Elected Members say that a Nominated Member should not say certain things. I challenge the right of an Elected Member, who may have been elected by half of his electorate as against a Nominated Member who has been nominated by the Governor of the country to represent a certain community.

I have been perusing this Bill and I think that while its provisions are ample in themselves I have fears as regards the practical functioning of the Board so far as loans are concerned. The Bill provides that the Director of Agriculture shall be Chairman of the

Board. While I agree that personal criticisms are not the right thing in a legislative body, when it comes to examining measures for the benefit of the producing element in this country men must not be considered. If this Board is to function with the present Director of Agriculture at its head it will simply mark time. I have not forgotten Your Excellency's Message about Cove and John. Those are matters which will be discussed in Legislative Council. Here I find that while the will of the Legislature will be embodied in the provisions of this Bill human beings will have to function, and men will be prejudiced in their functioning against interests. If I were assured that the present Director of Agriculture would not be Chairman of the Board, I would be content to think that something will be done, but if I am to examine and satisfy myself in the interest of the producing elements in this country I have to state unequivocally that I am not satisfied with that end of it. After all these Credit Banks are expected to accelerate production.

Part V of the Bill deals with the operation of Banks, and for the purposes for which loans may be granted I would include provision for education in agricultural pursuits. It is all well to sit here and think of being polite and courteous and at some times to be very sedate, but this Council ought to be a place where the interests of every section should be threshed out properly and views expressed without fear of anybody. Principles are great things in themselves, and this credit bank principle is very good indeed, but I want to impress on you, sir, as Head of the Administration, that if you wish to succeed in the practical functioning of things like banks you should have as your first lieutenant the Head of the Department, supporting loyally the policy of your regime. I find that there is no co-ordination of Departments. One Head of a Department does not know what is happening in another Department, and if there is no

co-ordination there must be chaos.

So far as credit banks are concerned I will find that loans will be granted only when certain people can show certain goodwill to certain persons. That will not be good enough. It has been so in the past. There should be some central Bank in Georgetown where the Governor himself would be able to examine and give loans. I suppose one of these days I will become an Elected Member. I can stand against some Members and win an election. As soon as one speaks on certain things some Members become ruffled. It is here we have to discharge our duties and give way to the majority view. Although I have been criticizing the practical functioning of these Banks I want to see a better era, a new orientation. Let us produce more and more, and we can only produce more and more if we finance more and more. I ask in all sincerity whether it is not possible even now to include provision for loans to students for education in Agricultural pursuits?

I want to see this Bill go through. When I read your Excellency's speech I said to myself that in 1929 I wrote my "Heart Probe" and I find that Your Excellency has been singing the same song in all your speeches—production. I want to feel that perhaps Your Excellency has stolen my thunder which was put into cold print in 1929. I want to plead with you, sir, not to allow this top-heavy machinery of the credit banks to outweigh the principle.

The ATTORNEY-GENERAL: The hon. Member for North-Western District (Mr. Jacob) referred to the total amount advanced by the Banks in 1937 which he said was the year of the last report printed. I thought the debate would have gone on after 3 o'clock and I would have had an opportunity to find out, but I can now inform the hon. Member that the amount was very much larger than the figures he read out in respect of 1937, though I have not got the exact figures here.

The hon. Member went on to speak about the constitution of the Board. That is dealt with in Part 1 of the Bill, and the hon. Member went further and said that after all a proportion of the Members should be Elected Members of this Council. I hope I am not doing an injustice to anybody when I say it is possible to envisage some period in the future, especially in view of the possibility of a lower franchise qualification, when you could not get Members of this Council with banking experience. It does not follow that because you are an Elected Member you should know all the intricacies of banking. Imagine what would happen if the House of Commons passed a Bill providing that one half of the Governors of the Bank of England should be Members of Parliament. It would shatter the financial standing of the Bank of England in two or three hours. With due respect to Members here I can imagine a future Council in which it may not be very difficult to get four Members who would shatter the Co-operative Credit Banks here.

There is provision for Members to be appointed to the Board. The intention behind that is very clear and easy to explain. Government proposes to lend money to the Banks at not more than 3 per cent., and the Banks themselves are going to lend to borrowers at interest not exceeding 6 per cent. Therefore whoever controls these Banks will have not more than a 3 per cent. margin to work on. All bankers agree that it is a very close fit. The administrative staff has to be paid by Government and will not be a charge against the Banks, but even then 3 per cent. is a very narrow margin and makes very little provision for bad debts. For those reasons Government feels that it is necessary to have a strong Board, and a strong Board means the best brains it can get with knowledge of this specialized form of banking. For this particular form of banking you find people of experience more in insurance companies and building socie-

ties, and it is the intention of Government to appoint people with more experience in this particular line to form a Board, and full control will be given to the Board. When this Council agrees to hand over full responsibility to a Board like that I suggest that it must give power to Government to appoint the strongest possible Board, and not fetter Government by saying that a certain proportion of the members of the Board must be Members of this Council.

The hon. Member expressed the opinion that "not exceeding 6 per cent." was too high. I can only say that the existing rates of interest are just double that. Some are more than double, and even now they are making very little profit. I am quite sure the hon. Member himself a business man, will agree that 3 per cent. is a very small margin to cover banking or any business. I am sure he was not serious when he made that remark. I do not think any bank would be able to charge less.

The hon. Mr. Edun supported the Bill, but having criticized the Director of Agriculture as the Chairman of the Board I may explain that it is not a new creation. It is in existence now. It has been operating for quite a number of years, and it has been operating under the control of the Director of Agriculture, I need hardly say that at the end of the war, or soon after, the Banks are going to approach their most difficult period. Fourteen Banks went out after the last war and we do not want that to happen again. The idea of having the Director of Agriculture as Chairman is that he does know about the operation of the Banks and when new members are put on the Board to help him I think it is a good idea for him to be there to explain the history of the Banks.

Then the hon. Member said he would like an extension made to clause 23 whereby students can get education in

agricultural pursuits in the States or England. I am quite sure if the hon. Member think for a moment he would see the difficulty in that. The money is lent at six per cent. with a security of 50 per cent. It is obviously much cheaper to go to a Bank to get an advance for education rather than give that security. The ordinary Bank takes an ordinary Life Insurance policy while in the Credit Bank you give property. Even if the provision is put in no advantage will be taken of it, as to lodge the security the whole time one is being educated is far too expensive. There is, however, no objection to the suggestion, but everyone who knows the expense has said it is quite hopeless to take advantage of that right even though it be inserted in the Bill. I beg to move that the Bill be read a second time.

Mr. WOOLFORD seconded.

Question put, and agreed to.

Bill read a second time.

The ATTORNEY-GENERAL: I give notice of the Bill being taken through the Committee stage.

The PRESIDENT: As I had said, I would adjourn at 3 o'clock in order to have an informal discussion in Finance Committee and get as much information as we can from the Commissioner of Local Government and the Consulting Engineer whom I have asked to attend. I will now adjourn for three minutes and resume in Finance Committee.

The Council was adjourned to the following day at 12 noon.