

LEGISLATIVE COUNCIL.

Friday, 20th December, 1940.

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

PRESENT.

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

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

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

The Hon. J. S. Dash, Director of Agriculture.

The Hon. E. A. Luckhoo, O.B.E., (Eastern-Berbice).

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

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

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

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

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

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

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

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

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

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

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

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

The Hon. Peer Bacchus (Western Berbice).

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

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

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

The Hon. F. A. Mackey (Nominated Unofficial Member).

The Hon. C. V. Wight (Western Essequibo).

MINUTES.

The Minutes of the meeting of the Council held on the 18th December, 1940, as printed and circulated, were confirmed.

PAPERS LAID.

THE COLONIAL SECRETARY (Mr. G. D. Owen, C.M.G.) laid on the table the following reports and documents:—

Report of the Registrar General for the year 1939.

Report of the Director of Medical Services for the year 1939.

The Post Office Savings Bank (Amendment) Regulations, 1940, (No. 47 of 1940.)

The Motor Vehicles and Road Traffic (Provisional) Regulations, 1940, (No. 48 of 1940.)

DEMERARA LICENSING BOARD (SPECIAL MEETING) BILL.

THE ATTORNEY-GENERAL (Mr. E. O. Pretheroe, M.C.) gave notice of the introduction and first reading of the following Bill:—

A Bill intituled an Ordinance to make special provision for the consideration by the Licensing Board of Demerara county of certain specified applications for the renewal of spirit shop licences; and for matters connected therewith.

ORDER OF THE DAY.

GEORGETOWN RATING BILL, 1940.

THE ATTORNEY-GENERAL: I move that "A Bill intituled an Ordinance to prescribe the method to be adopted in computing the Taxes and Rates to be levied

and collected by the Mayor and Town Council of Georgetown in respect of the year nineteen hundred and forty one," be read a third time and passed.

Professor DASH (Director of Agriculture) seconded.

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

Bill read a third time and passed.

ACQUISITION OF LAND (UNITED STATES OF AMERICA AIR AND NAVAL BASES) BILL.

THE ATTORNEY-GENERAL: I move that "A Bill intituled an Ordinance to provide for the immediate vesting of certain lands in the Colony and for purposes connected therewith" be read a third time and passed.

Professor DASH seconded.

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

Bill read a third time and passed.

NEW AMSTERDAM TOWN COUNCIL (AMENDMENT) BILL.

THE ATTORNEY-GENERAL: I move that "A Bill intituled an Ordinance to amend the New Amsterdam Town Council Ordinance, Chapter 87, by extending the period between general appraisements; by changing the avenue of appeal against appraisements; by declaring the area known as Winkel to be part of the township; and for purposes connected therewith" be read a second time.

Clause 2 of the Bill seeks to extend the period between appraisements to bring them more into line with those applicable to Georgetown where a general appraisal is held every tenth year. At present the period in New Amsterdam is three years which is thought unnecessarily short and the cause of expense. Sub-clause (2) is a new provision. In the existing Ordinance no provision is made for advertising or giving notice of a general appraisal.

The object of clause 3 is to correct an

error in the existing Ordinance which has a similar provision but uses the word "building" instead of the word "lot." The Council can make a re-appraisal of a building but cannot order the re-appraisal of the actual land on which the building stands. The last few words of the clause are also new. Under the present Ordinance the Council can only appraise buildings erected or improved during the year immediately preceding, so that, if a building is overlooked for more than a year, the Council cannot appraise it until the next general appraisal. This clause makes it possible to do so at any time.

Clause 4 deals with appeals. At the moment appeals in New Amsterdam are conducted in this way: the party appealing appoints an appraiser and the Town Council appoints one. If the two appraisers agree on a figure it is accepted. If they are unable to agree the appraisers themselves appoint a third person who gives the final decision. In Georgetown the method of appeal to a Magistrate works well and the New Amsterdam Town Council desires the same procedure to be adopted there.

Clause 5 relates to Winkel but I shall not say much about that at this stage. I am sorry the hon. Member for Berbice River (Mr. Eleazar) is not in his place; I have no doubt that he would have had quite a lot to say. I have heard him express his opinion and I know what his views are. I had them in mind when I looked into the question myself. I may say that I have examined every document and every file on the subject I can trace; every original plan or certified copy and every New Amsterdam Town Council Ordinance as far back as the year 1844, and I have not a shadow of doubt that the area known as Winkel is, and always has been, part of the New Amsterdam township, and the provisions of the New Amsterdam Town Council Ordinance apply now and always have applied to that area. I need not go through the various arguments adduced by those who hold the contrary view, but others have expressed the views I have just expressed. The first opinion was expressed in 1891, which happens to be the year in which the original grants in Winkel were made. If passed this clause will remove all doubt that Winkel is part of the township of

New Amsterdam and therefore subject to the provisions of the Ordinance. I move that the Bill be read a second time.

Professor DASH seconded.

Mr. LUCKHOO: I wish to give expression to certain views I have on the various amendments. With respect to the mode of assessment that now obtains in New Amsterdam it appears to me that the Town Council was perfectly justified in asking for a revision of that section of the Ordinance. The system of appraisal as at present carried out consists of the appointment of two appraisers by the Town Council, and in the case of any excessive appraisal the party affected has the right to appoint an appeal appraiser on his behalf and the Town Council has a similar right. In cases of disagreement on the valuation an umpire is brought in and the matter is settled in that way. Recently there have been very many appeals from the decision of the Town Council's appraisers, and as a result the Council thought the procedure should be brought up-to-date and some improvement made in respect of the question of appeals. As a result the Council is now seeking to get that part of the Ordinance amended so as to enable an appeal to be made direct to the Magistrate of the district. All appeals are subject to a prior payment of \$10 which has to be lodged by the dissatisfied person. It has worked some hardship on small property-owners because the amount seems rather excessive for that particular purpose. That has been the procedure for a number of years. The procedure now suggested seems very desirable, because it will give the dissatisfied party the right to approach the Magistrate and have the appeal heard according to the ordinary procedure of the Magistrate's Court.

Under the present law the Council may appraise properties within the Municipal limits every third year. That means that an appraisal might take place this year and in the next two years there is a general appraisal. That involves the Council in considerable expenditure—\$200 for each appraiser. Now it is sought to amend the law to enable that appraisal to hold good for at least five years. That seems to be a very necessary provision.

Clause 5 of the Bill seeks to remove doubt with regard to the Winkel area. For some time the boundaries of the town of New Amsterdam have been the subject of discussion by the Town Council, and as a result of that discussion a conference was held at which it was decided that Winkel was within the Municipal limits of New Amsterdam. Some years ago—I think it was in 1936—on the occasion of a visit by Sir Geoffrey Northcote to New Amsterdam a petition was presented to him by the proprietors of Winkel asking to be heard on the question. The petition was forwarded by Government to the New Amsterdam Town Council. I happened to be Mayor of New Amsterdam at the time and attended the conference at which I think Mr. Macnie was also present. One Mr. Moore, who died not many years ago, represented the views of the petitioners who claimed that Winkel was a grant given by the Government to former slaves or their descendants and title was issued accordingly, subject to certain conditions for the proper supervision of the area and sanitary provisions. In the petition it was stated quite clearly that they asked Government's help in getting some recognized authority placed over them. Government acceded to that wish and a proposal was put before the Council that Winkel should be assessed separately in order to bring them under the present Ordinance.

With regard to the boundaries of Winkel itself I know that the hon. Member for Berbee River, who unfortunately is not present to-day, has maintained that Winkel is outside the Municipal limits of New Amsterdam. I have always maintained the opposite view and I have communicated that view to Government—that from the boundaries as described in the present Ordinance it does form part of New Amsterdam. It appears that in the title issued to the descendants of the slaves reference is made to the land "in the rear of that part of the town called Queenstown." I understand that to mean the land immediately adjoining Queenstown, and therefore it is not outside the Municipal area. There has been a great deal of controversy on this question. I do not say my view is correct but I am glad that the Attorney-General has formed the same opinion that Winkel does come within the Municipal limits of New Amsterdam

and therefore is liable to be assessed for taxes.

It is true that those people have exercised their right since the grant of a free title in the reign of William IV. They have always maintained that they are not liable for any rates in New Amsterdam, but not many years ago the Central Board of Health was brought into the matter and recommended to Government that a grant of about \$800 be given to the people of Winkel to enable proper roads to be constructed and inter-lot drains to be dug. That has been carried out, but now it is thought by some people that Winkel being windward of the town it should come under some recognized authority. At the present time there is no authority governing the affairs of Winkel, and if we are to proceed with public health matters I think the Municipality should have a say in the affairs of Winkel. At present we have in New Amsterdam a Government Medical Officer of Health, Sanitary Inspectors and a Town Superintendent, and it is very essential for the proper maintenance of roads and sanitary measures that the Health Department of the Town should have jurisdiction over the Winkel area.

It might be contended that the people of Winkel have not paid rates all these years, and that it would be hard for them to contribute now. I do not know what will be the assessment in respect of those properties but I think the proprietors will get value for the money they contribute towards the rates. Those roads have to be maintained, and unless there is a duly constituted authority to have oversight on them they will go to ruin, and there might be a further appeal to Government for a concrete road. It has been contended that a great number of mosquitoes come from the Winkel area. I think Winkel does contribute in some measure to the mosquito menace. I submit that it would really be in the very best interest of the people of Winkel if they were brought under some proper authority. In fact in their petition to Government they stated that health conditions in the area were really good, and that their death-rate was very small. They would get the help of the Medical Officer of Health and the Sanitary Inspectors.

THE PRESIDENT: What does free grant mean?

Mr. LUCKHOO: They seem to have the erroneous idea that because of the free grant they are not liable to pay any taxes. It is true that they have had self-government all these years, but when health conditions are being improved surely it is time that they should be brought under some proper authority. In certain quarters there has been a great deal of agitation that these people should not be made to pay taxes, and if steps are taken to make them pay it is suggested that proceedings should be taken in the Supreme Court. From that point of view I am glad the hon. Attorney-General has inserted a provision to remove doubt. That is the view maintained by several Attorneys-General in the past. When the people of Winkel appealed to Sir Geoffrey Northcote for a loan or grant they stated that their only pressing need was a good driving road. They have a fine road and a bridge has been erected. Although the population of the village does not number many hundreds they are people of the artisan and labouring classes. I must say to their credit that they have tried to keep abreast of sanitary improvements as best they could.

I think the Bill should go through. Unfortunately the hon. Member for Berbice River (Mr. Eleazar) is not in his place, but I know his views and I believe they have been given full circulation in the newspapers of the Colony. Looking through the correspondence we had in 1936, I see that a direct appeal was made by the people of Winkel to the Governor of the Colony asking that they be brought under some proper authority, and if money has been expended on the village they must contribute towards the taxation in the town. I have made this explanation at some length in order to make my position clear. Whatever may be said to the contrary I think there is great need for the introduction of this Bill with the amendments suggested.

Mr. C. V. WIGHT: In view of the absence of the hon. Member for Berbice River (Mr. Eleazar) through illness I have been asked by him to enter a protest on his behalf against the proposal in this Bill to remove the doubt with regard to the position of Winkel village. I can assure the hon. Attorney-General that I will not be as long as perhaps the hon. Member would have been if he had been present.

I am asking your permission, sir, to read certain extracts from a document which has been forwarded to me by the hon. Member for Berbice River. A similar document is already in the hands of the Colonial Secretary.

The hon. Member for Berbice River contends that the village of Winkel was granted to the predecessors of the present occupants over 110 years ago, and those people and their descendants have been in undisturbed possession all this time. The facts in support of the hon. Member's contention are contained in extracts from certain correspondence which commences from the period when the free grant was given to those people. I may interpose here to say that I am indoubt as to the correctness of the statement made by the hon. Member for Eastern Berbice (Mr. Luckhoo) that after that free grant had been given subject to certain conditions there was a contingent liability on the people of Winkel to the imposition of taxation. I would like to enquire of the hon. Member who is to impose those taxes and recover them in view of that grant?

The position taken up by the inhabitants of Winkel might be put in very terse words to the effect that their fear is that if they were incorporated into the town of New Amsterdam the taxation which would be imposed on them, as is imposed on the people of New Amsterdam at present, would be a burden on them and would not be offset by the benefits which they would derive from the imposition. In other words the taxation imposed in New Amsterdam does not provide sufficient revenue for its own needs and requirements. The hon. Member for Eastern Berbice referred to the question of roads. I see the hon. Member for New Amsterdam (Mr. Woolford) in his seat. No doubt he will give the Council his impression of roads in New Amsterdam, whether he thinks they are fit and proper. The people of Winkel fear that if the roads in New Amsterdam are not kept in the condition they should be, their roads would suffer the same fate. There are other instances, for instance the question of lighting which is arranged by a headman of the village who collects from the others. There is also to be considered the position of Smythfield which is adjacent.

Quite recently, I am informed, during

the regime of the present Director of Public Works, the Town Council of New Amsterdam was advised to divert the drainage of the town through Winkel village by means of the Canje creek and, in the words of the hon. Member for Berbice River, it was done in a high-handed manner. A drainage trench was dug through the village without giving the people an opportunity to consent or otherwise, and, to use the hon. Member's words again, the Council got away with it. The Council next conceived the idea of drafting the village into the boundaries of the town and there was some argument against their authority to do that, and the right of the Council to levy taxation on the village. An appeal was then made to Government, and the result of that appeal is the Bill now before this Council.

The hon. Member for Berbice River desires me to express his regret that he is not in his seat this morning. He would have been able to put his case more forcibly than I have been able to do. From the notes he supplied me it is obvious that he not only feels very strongly about the matter but he has used very strong language indeed. I do not think it is necessary to relate to the Council the whole history of the matter as that is already fully in the possession of the Colonial Secretary. It goes back to the minutes of the proceedings of the Court of Policy on Tuesday, 30th September, 1890, at which the then Government Secretary moved a motion for the free grant of the land known as Winkel village to certain persons named in a list. There was also a petition to the Governor, Sir Charles Bruce, and there are further documents and petitions relating to the whole history of the matter and the persons to whom grants of portions of the village were subsequently made. One is inclined to suggest that before this Bill was introduced a referendum might have been taken in the matter.

THE PRESIDENT: To whom?

Mr. WIGHT: To the ratepayers of New Amsterdam and also to the people concerned in Winkel village. It may mean and probably will mean an increase in the rate of taxation in New Amsterdam when Winkel is incorporated into the town in order to carry out sanitary and other services in Winkel. The hon. Member for

Eastern Berbice (Mr. Luckhoo) has referred to the Public Health Ordinance. One wonders whether the provisions of that Ordinance are being carried out. The New Amsterdam Town Council apparently finds itself short of revenue to carry on its own services. One need only refer to the unfortunate incident which occurred quite recently when there was a total black-out of the town. One does not know what was the cause but one constantly hears murmurs, rumours and disgruntled epithets thrown at the Town Council, and it seems to me that if the people of the town are not satisfied with conditions there it would be unwise to extend the boundary of the town without the financial means to do so. The New Amsterdam Town Council should put its own house in order before attempting to put somebody else's in order.

I will ask the Council to give further consideration to the matter when clause 5 of the Bill is reached in the Committee stage. As a matter of fact I shall move on behalf of the hon. Member for Berbice River the deletion of that clause at the proper moment. Perhaps the hon. Member for New Amsterdam (Mr. Woolford) might be able to assist the Council with his views on this matter. No doubt he is fully cognizant of the whole history of the matter and its intricacies.

Mr. CASE (Director of Public Works and Sea Defences): The statement made by the hon. Member for Western Essequibo (Mr. C. V. Wight) that a drainage trench was dug through Winkel in order to drain New Amsterdam is incorrect. A main drainage trench was dug through Government land outside of Winkel. Certain improvements of the drainage of Winkel were carried out, but before they were carried out plans for those works were approved by the Town Council of New Amsterdam.

Mr. WIGHT: I would like to point out that the statements I have made, whether correct or incorrect, were made on information supplied to me by the hon. Member for Berbice River (Mr. Eleazar). Perhaps I may be allowed to read his instructions to me. This is what he writes on the point:—

“The Council in a very high-handed manner cut their drainage trench through

the village without asking the people a word, and got away with it.”

THE ATTORNEY-GENERAL: I would like to reply to two points. First of all I may inform the hon. Member for Western Essequibo (Mr. C. V. Wight) that as regards the correspondence he mentioned as having been sent to the Colonial Secretary, I read it all before coming to the Council. The expression has been used that the people of Winkel were given a free grant. That expression merely means that they had given no consideration for the land. It does not mean that in perpetuity they are to be absolved from payment of rates and taxes. In fact in the grants themselves it is specifically stated to the contrary. I have before me 57 original grants and in every one it is stated that the lots “shall be maintained.....at all times in good sanitary order and repairs, and shall be at all times subject to all laws and enactments for the control and superintendence of the town of New Amsterdam.”

Question put, and agreed to.

Bill read a second time.

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

Clause 5—Addition of new section to Principal Ordinance.

Mr. C. V. WIGHT: I move the deletion of this clause. I think I have already indicated to the Council the grounds upon which I am moving its deletion.

Clause put, and agreed to.

The Council resumed.

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

Professor DASH seconded.

Question “That the Bill be read a third time and passed” put, and agreed to

Bill read a third time and passed.

TAX (AMENDMENT) (No. 3) BILL.

THE ATTORNEY-GENERAL: I move that "A Bill intituled an Ordinance to amend the Tax Ordinance, 1939" be read a second time. In the first place section 16 of the Principal Ordinance has been the subject of some doubt as to whether a person who sets up a stall in a yard for the sale of merchandise is required to take out a trade licence. To remove all doubt it has been decided to re-word it, and for that purpose it takes three clauses of this Bill. Clause 7 provides that a person growing tobacco shall not be required to take out a licence for the sale of tobacco grown by himself to persons who are manufacturers of, or dealers in, tobacco.

Clause 8 relates to the fee to be paid for a spirit licence in a mining area. At present the fee is \$240 per annum whereas all the rest of the Colony outside Georgetown and New Amsterdam only pay \$150. The Committee recommended that the diamond and gold mining areas should pay the same licence fee. That means that the fee in the case of mining areas will be reduced to \$150.

Clause 9 speaks for itself; it reduces the amount from \$100 to \$40. I move that the Bill be read a second time.

Professor DASH seconded.

Mr. DE AGUIAR: I do not think there can be much opposition to the Bill but it seems to me that further points need some clarification. In clause 2 it is proposed to delete the definition of the word "huckster" in the Principal Ordinance.

THE ATTORNEY-GENERAL: I should have referred to that. The point about that is that when the new Road Traffic Ordinance was enacted all the provisions dealing with motor cars were taken from the Principal Ordinance and put into the new one, and the only reference in the Principal Ordinance to hucksters was to the licence for his vehicle if he had one. At present the word "huckster" does not appear in the law at all except in the definition section.

Mr. DE AGUIAR: That is precisely the explanation I was going to ask for. Apart from that I would like to make passing reference to the fact that Govern-

ment has put forward some further evidence of the prosperity of Kitty seeing that it is proposed to put the small market at Kitty in the same category as the markets in Georgetown and New Amsterdam.

THE ATTORNEY-GENERAL: The effect of this provision, as far as Kitty is concerned, is to reduce the licence fee.

Mr. DE AGUIAR: I only rose to ask for information and also to point out something with regard to clause 7.

THE PRESIDENT: These rather conversational exchanges on the clauses would be better during the Committee stage.

Question put, and agreed to.

Bill read a second time.

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

Clause 3.—

THE ATTORNEY-GENERAL: I move that clause 3 be amended (a) by the insertion of a comma after the word "yard" where that word appears in the eighth line of the clause, and (b) by the insertion of the following comma and words, "or any part of any such place" after the word "yard" where that word appears in the first line of paragraph (d).

Mr. PEER BACCHUS: I would like some explanation. Having added the word "place" to paragraph (d) I would like to enquire whether hucksters who take their goods from one estate market to another will be liable to pay an additional licence. Those hucksters take out a licence to trade in estate markets. They do not as a rule trade at any particular market but go from one estate market to another. If they have to pay an additional licence I think it would be a great hardship on them.

THE ATTORNEY-GENERAL: If a huckster ceases to be a huckster and becomes a general trader with a fixed stall he is liable to pay the same licence fee as anybody else. A huckster is a person who travels about the country and peddles his wares. If he sets up a fixed stall he ceases to be a huckster.

Clause 3 as amended put, and agreed to.

Clause 7.—

MR. DE AGUIAR: I think there is a little snag in this proviso. There are a number of people in the country who grow tobacco and manufacture it to some extent. They carry out a process of manufacture and I am wondering whether this relief is intended to go as far as that, or whether they will be required to pay a licence if they carry out some process of manufacture?

THE ATTORNEY-GENERAL: It does not matter what the actual grower does to his tobacco before he sells it. As long as he sells it to a manufacturer of tobacco, or a dealer who buys tobacco and sells it again, the grower is covered.

Clause 7 put, and agreed to.

Clause 9.—

THE ATTORNEY-GENERAL: I move that clause 9 be amended by the insertion of the word "dollars" within the inverted commas after the words "one hundred" and the word "forty" in the second and third lines thereof.

Clause 9 as amended put, and agreed to.

The Council resumed.

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

Professor DASH seconded.

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

Bill read a third time and passed.

MISCELLANEOUS LICENCES (AMENDMENT) BILL.

THE ATTORNEY-GENERAL: I move that "A Bill intituled an Ordinance to amend the Miscellaneous Licences Ordinances, Chapter 108, by providing for the abolition of Omnibus Licences in mining districts and for matters connected with the aforesaid" be read a second time. This is consequential on the other Bill and refers to omnibus licences. As I have already pointed out, it will afford great relief to shop-keepers in declared mining

areas. At present they have to take out what is called an omnibus licence which means that they have seven licences in one and have to pay for seven even though they only sell three or four of the articles concerned. The effect of the Bill will be to reduce the licence fee payable by holders of omnibus licences.

Professor DASH seconded.

Question put, and agreed to.

Bill read a second time.

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

The Council resumed.

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

Professor DASH seconded.

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

Bill read a third time and passed.

DEMERARA LICENSING BOARD (SPECIAL MEETING) BILL.

THE ATTORNEY-GENERAL: I move that the Standing Rules and Orders be suspended to enable the following Bill to be taken through all its stages:—

A Bill intituled an Ordinance to make special provision for the consideration by the Licensing Board of Demerara county of certain specified applications for the renewal of spirit shop licences; and for matters connected therewith.

Professor DASH seconded.

MR. LUCKHOO: In view of the special urgency of the matter I am not going to oppose the motion but I think in ordinary circumstances a Bill should be circulated among Members within the time allowed by law so as to give us an opportunity to go into its provisions.

THE PRESIDENT: I quite agree with the hon. Member that it is very desirable as a rule, but it is only because the matter is very urgent and I did not want to

summon the Council again at the end of the year.

Question put, and agreed to.

THE ATTORNEY-GENERAL: I move that the Bill be read a first time.

Professor DASH seconded.

Question put, and agreed to.

Bill read a first time.

THE ATTORNEY-GENERAL: In moving the second reading of the Bill I do not think I can explain the position that has arisen better than by referring to the Objects and Reasons. Two spirit shop licencees filed their applications for renewal with the District Commissioner on the 27th October this year. The Ordinance requires that all such applications shall be filed on or before the 15th day of October each year. The District Commissioner accepted the applications but when he placed them before the Licensing Board, the Board held that they had no power to consider the applications because they were out of time. The position, therefore, is that as from the first day of next year those two licencees will have to close down their spirit shops for one year as there is no provision in this Colony for quarterly licences. In Great Britain and in other Colonies there is provision under the licensing enactments that anybody who applies for the grant or renewal of a spirit licence after the statutory date, but before the meeting of the Licensing Board can, subject to approval and on payment of a penalty, be permitted to have his application considered.

It is considered in this case that as it was completely an oversight on the part of the two persons concerned it is only fair that on payment of a penalty, which has been fixed at \$50, their applications should go forward. It is not being enacted by this Bill that those two applicants are to get their licences. All it does is to give the Board power to sit before the end of the year and consider those applications and either reject or grant them. All the Council is being asked to do is to give the Board power to consider those applications.

Mr. C. V. WIGHT: In view of the statement made by the hon. Attorney-General may I ask that consideration be given to the question of incorporating the provisions which he says obtains elsewhere into our law?

THE PRESIDENT: I do not know whether we should introduce a special Ordinance for that, but at any rate there will be a series of amendments of the law very soon.

Question put, and agreed to.

Bill read a second time.

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

The Council resumed.

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

Professor DASH seconded.

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

Bill read a third time and passed.

Mr. DE AGUIAR: I understand that the Council will now adjourn for the Christmas recess to meet again early in the new year. I desire, therefore, on behalf of Members of the Council to extend to Your Excellency and Lady Jackson our very good wishes for Christmas and for good health and prosperity in the coming year.

THE PRESIDENT: I thank the hon. Member on my own behalf and on behalf of my wife for the good wishes he has expressed on behalf of the Council. I need hardly say that I heartily reciprocate with Members of the Council that they may pass a pleasant holiday, and that the new year may bring us happier times.

There is important business that will have to be considered fairly early in the new year but it is not easy to fix the exact date, and for the moment I think it is better for the Council to adjourn *sine die*.