

## LEGISLATIVE COUNCIL.

*Thursday, 29th October, 1942.*

The Council met at 12 noon, His Excellency the Governor, Sir Gordon Lethem, 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., K.C.

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

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

The Hon. E. F. McDavid, C.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, O.B.E.,  
Comptroller of Customs.

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

The Hon. G. O. Case, Consulting  
Engineer.

The Hon. B. R. Wood, Conservator  
of Forests.

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

The Hon. J. Eleazar (Berbice River).

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

The Hon. J. I. deAguiar (Central  
Demerara).

The Hon. Jung Bahadur Singh  
(Demerara-Essequibo).

The Hon. Peer Bacchus (Western  
Berbice).

The Hon. H. C. Humphrys, K.C.,  
(Eastern Demerara).

The Hon. C. R. Jacob (North-West-  
ern District).

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

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

The Clerk read prayers.

### MINUTES.

The minutes of the meeting of the Council held on the 3rd September, 1942, were confirmed.

### ANNOUNCEMENTS.

THE LATE HON. F. A. MACKAY.

THE PRESIDENT: I have the very sad duty of opening to-day's meeting with a reference to the tragic death of the Hon. F. A. Mackey, whose membership of this Council has been so greatly valued by not only Government who nominated him to this duty but also, I am quite sure, by all his colleagues who have known and respected him for so many years. It would be fitting that this Council, as its first business before proceeding to the Order of the Day, should move a suitable resolution which I will, in accordance with custom, leave to the hon. Colonial Secretary.

THE COLONIAL SECRETARY (Mr. G. D. Owen): There is not very much I can add to what Your Excellency has already said. We miss Mr. Mackey here this morning. He was born in this Colony and, except for the few years he spent at school in England and the short periods of leave which he took away from this place, the whole of his life up to the very moment of his death was spent at work in this Colony. In it he rose to be Managing Director of a large commercial firm, Messrs. Booker Bros. McConnell & Co., Ltd.

Your Excellency has already referred to his position in this Council to which he was appointed in 1935 to be a Nominated Unofficial Member. From that date he had served on several committees appointed by the Governor, and from the year 1931 he served as a Commissioner on the Transport and Harbours Board of Commissioners. He was also from the year 1933 Honorary Consul for Norway.

Mrs. Mackey has had to bear this very sudden loss of her husband, but that is not all the sorrow she has had to bear during the last few months, for it is not long ago that the War took from her one of her two sons serving with the Forces. This is then another blow which she has been called upon to bear. I will ask hon. Members of Council to pass a motion of sympathy to be conveyed to her and her relatives. I therefore move—

That this Council records its deep regret at the death of the Hon. Frank Alexander Mackey and directs that an expression of its sympathy be conveyed to Mrs. Mackey and her relatives.

Mr. McDAVID (Colonial Treasurer) seconded.

The resolution was adopted, the Council standing.

## PRESIDENT'S ADDRESS.

### THE NEW CONSTITUTION.

THE PRESIDENT: Hon. Members of Council! My first intimation to-day should be touching the proposed amendment to the Constitution. It is now some weeks since my last exchange of telegrams with the Secretary of State, which had left me with the impression that no more questions were to be referred to me but that action to make the Order-in-Council would proceed. I have, however, no intimation of such action and can only assume that that is the case. I am sure that Members will appreciate that in the extremely difficult conditions of public business which

obtain in London, a matter of this kind will not receive such priority before the King-in-Council as to have made action a matter of urgency. It is to me a matter of regret, however, when I realize that the change in the composition of the Council cannot now be effected before our next session. I should explain that not only has the Order to be made with whatever formality is necessary, but the draft Order has also to lie on the table of the Houses of Parliament for twenty-one days during which the Houses are sitting before it becomes effective. The date on which, therefore, nominations could be made to complete the composition of the Council under its new Constitution is still some weeks off, and once the principal session of Council has been constituted, as I intend, on the 18th November, it will not be possible to make the change before the conclusion of the session. I personally regret that the matter has not proceeded to fruition earlier, because as I have frequently said in the debates nearly nine months ago, I am personally a strong supporter of constitutional reform in the direction intended and I had hoped that my second budget session would have seen the beginning on the lines desired.

There is, however, one further comment I should make now, and that is in regard to the representations of several Members in the debate last January as to future constitutional reform in development of the present step. As I undertook last January, I drew the attention of the Secretary of State to the observations of several Members of Council and he has authorised me to say that these have received his consideration. He observes that the action which may be taken on receipt of the report of the Franchise Commission, to which reference is made several times in the debate, does not necessarily involve the immediate change also in the composition of the Council and that His Majesty's Govern-

ment cannot be committed to such action when considering the report. On the other hand he has desired it to be made clear that all amendments of a colonial constitution are temporary and not final, and that the present stage of development of the Constitution in British Guiana is to be regarded in this light.

#### BONASIKA-BOERASIRIE DRAINAGE AND IRRIGATION.

I would refer now to my recent meeting with Unofficial Members in Finance Committee on Monday last, at which we discussed informally the proposals now made by the Secretary of State for the financing of the Bonasika-Boerasie Drainage and Irrigation Scheme. My minute of the 22nd October sets out the matter adequately, I think. Though I have myself felt considerable disappointment in that our more finite proposals, made after Sir Frank Stockdale's visit of which I had informed Members by minute of the 13th October, had not been accepted by the Secretary of State and, though I greatly regret that the proposals now being put before the Imperial Treasury involve a hypothetical indebtedness of \$460,000, at the same time practical politics indicate that we should accept the proposal for the many practical advantages it has. These are the immediate proceeding with an important, and undoubtedly beneficial work without the Colony having to put its hand into its pocket at all, without any conditions for payment of interest, and with the extreme likelihood either that repayment would not be ultimately required at all or at least that only some limited amount of such sum, as might have accrued to revenue in the intervening years and due solely and directly to capital expenditure on the area in question, alone might be asked of us. That again would be entirely open to argument at that quite distant date. What we have to undertake to do is to give reasonable assurance that the conditions of the Development

and Welfare Act as passed by Parliament in England, which emphasizes that in a work of this kind there shall be some method of recovery of capital costs where private property has benefited, will be observed. The system of taxation of land values, as put forward originally by us in April-May last, has been suggested as the best long-distance policy for a large number of reasons, social and political, as well as financial. That too will be subject to fullest consideration by this Council when the time comes. We shall also have to undertake in accordance with the correspondence to control rents.

In accordance with the general view expressed at the meeting on Monday I am informing the Secretary of State that I do not propose to put up any alternative, and I shall hope in due course to receive some very early indication of final approval of the scheme, so that the work can proceed just at a time when it will be very greatly in the interests of the Colony, incidentally, I hope, providing not a little employment.

#### MINOR SCHEMES.

As regards the minor and practical schemes which we decided at our meeting in September should be prosecuted with the use of Colonial Funds, some 24 schemes ranging from \$500 to \$50,000 are now under consideration, and I hope to put some of these before Council at an early date. The fact that our local Colonial Development Trust Fund will not be drawn upon for the Bonasika Scheme may perhaps facilitate the financial carrying of these works.

#### NEW MILITARY DISPOSITIONS.

I have referred in a recent minute to the new military dispositions which are now being put into effect since our last meeting of Council. I had indicated the new arrangements which will have substantial financial advantages to the Colony. These arrangements are going through quite smoothly, and I hope there will be a steady advance in our

military establishment which will become more and more an object of pride to the Colony. The precise amount of the contribution which we will make to the total expenditure of the War Office has only been very tentatively discussed and I am unable to place a figure to it at the moment though, as I have already said, I anticipate that it is going to save us not a little financial burden and even anxiety. One particular point is under discussion at the moment and that is, that as the troops will take the status of Imperial troops arrangements similar to those throughout the Colonial Empire permitting exemption from customs duty in certain circumstances have been proposed. While I am aware of the many objections and difficulties that this brings with it in view of the substantial financial advantage that is going to accrue to the Colony generally, we can scarcely grudge the comparatively small drop in revenue which may materialise. I have, however, asked the Brigadier for his precise proposals with limitation and safeguards against abuse.

#### HYDE PARK—GEORGETOWN ROAD.

Another semi-military matter is the question of the construction of the road between Hyde Park and Georgetown. On the understanding given by the U.S. Army Authorities that they were proceeding to construct the road first to about half way and latterly all the way on an improved standard, I had authorized the publication of an order under Defence Regulations making possible the necessary surveys and interference with private property for the cutting of a better line for the road and for payment of compensation out of Colony funds pending any decision as to from what source this should finally be met. I had been most anxious to meet the representations of the U.S. Authorities that the matter was one of urgency and that they wished to proceed with the greatest possible speed. Quite unexpectedly, however, after a good deal of preliminary work had been done

and compensation paid, the orders were cancelled except as regards the construction of quite a short piece of road near Hyde Park, and the whole matter is in suspense. I hope that an ultimate decision will be reached early which will permit construction work one way or another to go forward. It will be remembered that this Council authorized a substantial sum of money for the construction of part of the road nearer Georgetown but, as it was impossible to secure road metal pending the completion of the Bases themselves, it would have been wasteful in the extreme to embark on construction work without material. At the present moment some \$20,000 has been expended on compensation to private proprietors and this stands in our accounts as an advance. I shall ask Council later to continue the vote for construction of the nearer section, pending any further consideration for work to go on if material can be made available.

#### MARKETING OFFICER APPOINTED.

Members will observe from time to time in recent weeks a few more Development and Welfare Schemes approved with financial provision from His Majesty's Government in the United Kingdom. I may here record these as follows:—

Marketing Officer	£5,297
Soiling System experiment for Livestock Production	1,500
Model Houses	2,100
Appointment of Sister-Tutor to Hospital	800

The Marketing Officer has been appointed and should arrive very soon.

#### SOCIAL WELFARE.

I should also record action as regards certain schemes as to which I have already embarked on correspondence with the Secretary of State, perhaps the most important being the following up of projects put forward after the visit of the Comptroller's Adviser on Social Welfare. Members are aware

that a Social Welfare Committee under the presidency of His Honour the Chief Justice was appointed to frame and scrutinize such schemes for recommendation to Government. The first move has been a despatch proposing the framework of a social welfare organisation to be financed by grants from the Imperial Treasury, including the setting up of a Youth Council with a full time officer, some organisation in rural districts in conjunction with the District Administration for projects outside Georgetown of community benefit, and some particular projects for the assistance of particular associations or institutions. I should again wish to express my gratitude to His Honour the Chief Justice for assisting us in the way he is doing.

#### PROPOSITION CONCERNING THE INTERIOR.

Three propositions which I have also put forward concern the interior. One is for a Veterinary Officer to be stationed in the Rupununi, and it would be intended that he should work in conjunction with the District Commissioner and the Medical Officer for whom funds have already been provided as a team for the development of this area. This scheme has already gone to the Secretary of State. I am in further correspondence with London in the hope of securing funds for a full time officer as Protector of Aboriginal Indians to be stationed right in the interior, possibly in the Pakaraima area, who would be charged with the attempt to make a realistic approach to aboriginal development, with the utmost encouragement and expansion of such economic activities as might be useful and not unprofitable as well as humanitarian. Not unrelated to this problem has been the attention I have given to the question of administration of a huge area of the interior which is administratively speaking a no man's land, and I shall bring forward to Council later in the year a proposal to establish an administrative district to cover the Bartica,

upper Potaro and Mazaruni areas. This will be by a better co-ordination of the work of the district administration machinery and that of the Lands and Mines Department. It will involve of course no withdrawal but some expansion of services in being. I may say, I was greatly struck on my own visit by the absence of effective Government machinery to deal with the needs of the population which, though not great in numbers, has its importance to the Colony's development in those parts. Similarly, I have arranged for the stationing of an Administrative Officer in the Essequibo islands which, I hope, will ensure a more expeditious and convenient handling of the matters which merit Government's attention. Existing dispositions for the islands, including the smaller ones such as Fort Island, I do feel leave something to be desired.

I have also proposed the bringing of the Geological Survey Staff up to strength by means of a Development and Welfare grant.

#### IMPORTS AND SUPPLIES.

I would turn to recent developments in the matter of imports and supplies. I regret to inform Members that within the last week I have received a series of telegrams, emphasizing still further not only the increasing difficulties probable in the future but also the need for us to amplify still more our local organization to meet the demands of the unified Anglo-American direction of the war effort on its economic side. We are called upon as *sine qua non* for the obtaining of any supplies from outside for the submission of much more regularised and itemised statements of requirements, and I have the statement before me that we cannot expect to obtain any supplies at all unless we have complied in full with the required provision of advance programmes. It is further emphasized :

This must be confined to requirements for direct war needs plus the barest essentials for carrying on the colony's war time

economy. Any temptation to estimate generously so as to allow for later pruning by supply authorities must be sternly suppressed.

I am not referring here to difficulties of shipping. It is clear that whether they are easier or not the crux of the question is whether the Supply Authorities in London and Washington are going to release products. I quote again from the telegram :

In many cases it will not be possible to satisfy requirements in full—simply because supplies available will not be sufficient to go round: I (that is, the Secretary of State) see no prospect at present of the position being eased.

It is also apparent that there will have to be extension of the method of acquiring supplies by bulk purchase or through Government indent. The question of extending control of distribution of a number of articles has already been taken up by the Control and I foresee steady expansion of that. I quote again from my telegram :

Only by considerable departure from peace time ideas of trade can colonial territories have any reasonable prospect of receiving minimum essential imports.

#### HEAVY ADDITIONAL BURDEN.

The Secretary of State further comments in his long principal telegram to me by saying :

I recognise with regret that this development will throw a heavy additional burden on colonial administrations. I can, however, see no alternative.

He goes on to point out the growing shortage of materials and plant capacity for goods required for civilian needs, increasing shortage as war demands grow, and that Supply Authorities can no longer make available scarce materials for export unless the most urgent need be shown: and he points out that all programmes of supply are now the subject of discussion and co-ordination as between the U.S.A. and the United Kingdom and that it is not simply a question of colonial needs as appreciated in Whitehall.

Lastly, the Secretary of State points out :

The additional work imposed on Government Supply organizations will demand reinforcement of personnel.

I am sure Members will realize the increased anxiety and burden that this is throwing upon the administrative machine. I had in any case intended to make some reference to this matter even had I not received these further telegrams. I think it should be appreciated that, as things are, an almost impossible burden is being placed on the central machinery and in particular on the Colonial Secretary and myself. I am taking this opportunity of saying that in the immediate future until the end of the year I must personally limit to the point of elimination the numerous engagements outside my office and Government House that I have been hitherto willing to fulfil. I regret this exceedingly, and I realize that at this time of the year there are numerous meetings of societies and associations which have most courteously invited me to preside at some of these. I have been very pleased to do so and to have the opportunity of coming into personal touch with people active in public service. But I fear I must for the present postpone all that kind of thing until after the turn of the year.

Similarly I am receiving numerous letters every day asking for personal interviews or to receive deputations. With regard to these I must take a similar course of action and, though I am glad and ready to read the representations made to me, it is not practical for me to give personal attention under present circumstances, and I have no alternative except to refer the writers to one or other of the Departments of Government which can deal with their representations in the first instance.

#### INCREASING CONGESTION AT COLONIAL SECRETARIAT.

I would also refer to the increasing congestion of work in the Colonial

Secretariat from every source of call. I have been woefully impressed by the fact that on many days the Colonial Secretary and myself seem to be spending perhaps seventy-five per cent. of our time on trivialities, which the exigencies of public demands and of a large public service continue to thrust upon us even in this time of emergency. I would again repeat that in the circumstances in which we stand first things have got to come first, and I shall have to direct sometimes a practice in these future weeks of ruthlessly deferring consideration of matters which cannot properly be given precedence or priority at the moment.

This consideration compels me to make some reference to our approaching session of Council when we are considering the Budget. I feel it impossible to allow ourselves the leisurely discussion which characterized our session last year. That was my first in the Colony, and I thought it proper to allow considerable latitude. I am, as Members know, most anxious to keep Members of this Council informed of Government's intentions and action, not only by frequent minutes or memoranda circulated but by informal meetings with Members of the Council. Extreme pressure of work has prevented me developing that as much as I should like, but even so I feel it has been most useful.

Our budget session is primarily a business one and should, I think, be so treated. What I propose to do, therefore, is as follows: As soon as the estimate can be printed and issued to Members, I am going to request them to meet with the Treasurer in Finance Committee so that they can be given quickly and informally all the information they may wish as to the details of the Estimates. I do not wish to stifle debate in Council, but I think Government may fairly ask Members to take advantage of this opportunity offered so as to reduce the length of

formal sittings of Council, which must take up a great deal of the time of individual Members and of Government Officers.

#### VISIT OF SIR COSMO PARKINSON.

I shall be myself very busily engaged in the first fortnight of December with the personal emissary of the Secretary of State, Sir Cosmo Parkinson, and may have to be out of Georgetown for part of that time. This need not necessarily interrupt meetings of Council and I shall hope to be able to adjust these things so as to suit all Members of Council. I shall hope in due course to invite Members of Council to meetings with Sir Cosmo Parkinson.

#### ESTABLISHMENT OF W. I. SCHOONER POOL.

THE COLONIAL SECRETARY communicated the following Message:—

##### MESSAGE No. 15.

Honourable Members of the Legislative Council,

The Council is invited to approve of the Government of British Guiana joining with the Governments of Trinidad and Tobago, Barbados, the Leeward Islands and the Windward Islands in the establishment of a West Indies Schooner Pool with the object of controlling schooner traffic in the Eastern Group of the Caribbean area.

2. The need for controlling schooner traffic and arranging for the provision of war risk insurance and compensation for injury to the masters and crews has been recognised as urgent and essential and, as Honourable Members are aware, Government has, as a temporary measure, arranged to insure certain schooners trading with this Colony, pending the formation of a West Indies Schooner Pool, in the event of loss due to enemy action to the Governments concerned.

3. It may be mentioned that, following on certain conclusions reached at the Jamaica Supply Officers' Conference relating to the utilization of schooners, arrangements were made for Mr. C. Du Bois of the Anglo-American Caribbean Commission to visit the Colonies concerned and make investigations regarding the establishment of an organisation for controlling the Schooner traffic in the area during the continuation of the war. The plan prepared by Mr. Du Bois and subsequently revised by him has formed the basis for consideration and negotiation between the several Colonial Governments concerned in consultation with the Secretary of State for the Colonies and the Comptroller for Development and Welfare in the West Indies.

4. The proposed plan provides for the establishment of a Corporation with Headquarters in Bridgetown, Barbados, to be known as the "West Indies Schooner Pool" operating under a Pool Authority with an Advisory Board of five members consisting of a representative schooner operator or owner from each of the five Colonies concerned, which each will nominate.

5. The proposal is that the Corporation should be empowered to take over and operate schooners placed in the Pool by arrangement with the owners or requisitioned by the participating Governments. The schooners would be under the sole control and direction of the Pool Authority and they would be prohibited from operating otherwise. The Corporation would also be empowered to arrange, in the event of damage being done to the schooners by enemy action, for war risk insurance and compensation to the masters and crews. The purchase of the necessary gear for the upkeep of the schooners would also be arranged for by the Corporation.

6. As regards the financing of the costs of operating the Pool, it is proposed that the working capital and overhead expenses of the Pool should be borne as far as possible by the Governments of the participating Colonies. It is proposed that the amount to be borne by the participating Colonies should be calculated on the basis of freight charges actually paid on imported goods carried to the respective Colonies on schooners working under the control of the Pool Authority; it will be some time, however, before the information concerning the freight charges actually collected can be obtained and for the first year it is intended that each Colony should accept liability on fixed percentages, *i.e.*—

British Guiana	25%
Trinidad and Tobago	25%
Barbados	25
The Leeward Islands	15%
The Windward Islands	10%

of the operating cost, or its proportion based on freight carried, whichever is greater. This arrangement will be subject to review later. In order, however, to provide the necessary funds initially, the Colonies concerned will be required to make advances based on a fixed percentage subject to adjustment on the modified bases proposed.

7. As regards the liability for indemnification of owners of schooners against possible loss of their craft and compensation in respect of the captains and crews injured or killed, it is proposed that the situation should be met by the establishment by the Pool of an internal insurance fund to be built up by means of premium payments on the same basis as if made to an insurance company; such charges to be borne by the respective Colonies in the same proportion as to the operating costs of the Pool, but with a definite limit fixed prescribing the maximum liability of each Colony. It is proposed that the total limits shall be as follows:—

British Guiana	... £15,000
Trinidad and Tobago	15,000
Barbados	... 10,000
The Leeward Islands	{ Still under }
The Windward Islands	{ consideration }

In view of the unknown liability in this respect, it is proposed that any charges for such

indemnity, which any of the Governments of the Colonies concerned are unable to bear out of Colonial funds, might be met by His Majesty's Government if this should be found to be ultimately necessary. In other words, His Majesty's Government would undertake to underwrite any Colony which might be unable to meet its financial liabilities in this respect.

8. The proposals have been considered by me from time to time in Executive Council, and with the advice of the Council I have agreed to this Government participating on the financial basis set out, subject to the approval of the Legislative Council which is now sought.

9. It is expected that the Pool will be established at an early date; and as soon as it begins to operate, the temporary measure adopted by the Government to provide insurance for schooners and referred to in paragraph 2 of this Message, will be withdrawn.

GORDON LETHEM,  
Governor.

Government House,  
British Guiana,  
28th October, 1942.

## PAPERS LAID.

The Colonial Secretary laid on the table the following reports and documents:—

Colonial Audit Department—Annual Report of the Auditor to the Director of Colonial Audit and to the Government of the Colony of British Guiana for the year 1940.

The Report of the Board of Commissioners and the General Manager on the Administration of the Railways, Steamers, Road Transportation and Harbours Services for the year ended 31st December, 1941.

The Report of the Director of Agriculture for the year 1941.

The Report of the Director of Colonial Audit on the account of British Guiana for the year ended 31st December, 1940, together with the Governor's comments thereon.

The Report on Drainage and Irrigation of Front Lands between Mahaicony River and Berbice River. (L/C Paper No. 3/42.)

The Report on Drainage and Irrigation between Mahaica River and Mahaicony River. (L/C Paper No. 4/42.)

The Report on Drainage and Irrigation of the Courantyne Coastlands between the Berbice and Courantyne Rivers. (L/C Paper No. 5/42.)

Report on Additional Water supply for the East Coast, Demerara and Georgetown. (L/C Paper No. 6/42.)

Report on Drainage and Irrigation with special reference to sugar and rice crops and cattle lost during dry season 1939—1940. (L/C Paper No. 7/42.)

The Report of the Rice Farmers (Terms of Tenancy, Etc.) Committee. (L/C Paper 14/42.)

The Joint Colonial Fund Report for the year ended 31st December, 1941.

Defence (Requisition of Telephones, Regulations, 1942.



Defence (Mining Regulations Amendment) Regulations, 1942.

Defence (Modification of Application of the Shops Regulation Ordinance) Regulations, 1942.

Defence (Commodity Control Board) (Revocation) Regulations, 1942.

Defence (Military Organization) Regulations, 1942.

Defence (Transfer of duties) Regulations, 1942.

Defence (Mackenzie Area Lighting Control) (Amendment) Regulations, 1942.

Schedule of Additional Provision for the quarter 1st July to 30th September, 1942, required to meet expenditure in excess of the provision made in the Estimates for the year 1942.

## GOVERNMENT NOTICES.

### INTRODUCTION OF BILLS.

Notice was given of the following Government Bills:—

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-three. (The Attorney-General).

A Bill intituled an Ordinance further to amend the Customs Duties Ordinance, 1935

A Bill intituled an Ordinance to amend the Tax Ordinance, 1939, by providing for the imposition and collection of an excise duty on methylated spirits. (Mr. D'Andrade, Comptroller of Customs).

A Bill intituled an Ordinance to provide for the partition of a certain area of land known as section B in the Christianburg and Wismar Country District, for the reallocation of holdings therein, for the issue of titles thereto, and to render the occupation thereof more beneficial. (Mr. Laing, Commissioner of Local Government).

### CONTINUANCE OF RENT RESTRICTION ORDINANCE, 1941.

The Colonial Secretary gave notice of the following motions:—

*Be it Resolved.*—That this Council hereby declares that the Rent Restriction Ordinance, 1941, (No. 23 of 1941) shall continue in force for the further period of one year from the date of expiration of the Ordinance on the 7th November, 1942.

### ESTABLISHMENT OF W.I. SCHOONER POOL.

That, with reference to the Governor's Message No. 15 of the 28th of October, 1942, this Council approves of the Government of British Guiana joining with the Governments of Trinidad and Tobago, Barbados, the Leeward Islands and the Windward Islands in the establishment of a "West Indies Schooner

Pool" with the object of controlling schooner traffic in the Eastern Group of the Caribbean area for the duration of the war, and of the necessary financial provision being made to give effect to the proposal on the basis outlined in that Message.

### THIRD QUARTERLY SUPPLEMENTARY ESTIMATE, 1942.

Mr. McDAVID (Colonial Treasurer) gave notice of the following motion:—

THAT, this Council approves the Schedule of Additional Provision for the quarter 1st July to 30th September, 1942, required to meet the expenditure in excess of the provision made in the estimates for the year 1942.

## UNOFFICIAL NOTICES.

### DEVELOPMENT OF FIBRE INDUSTRY.

Mr. ELEAZAR gave notice of the following motion:—

THAT Government be requested to obtain from the Colonial Development and Welfare Fund a Loan of \$250,000 (two hundred and fifty thousand dollars) free of interest for a period of 16 years for the development of a Fibre Industry in the Colony.

## NOTICES OF QUESTIONS.

### IMPORTATION OF BAGS, COTTON TWINE AND CORDAGE.

Mr. ELEAZAR gave notice of the following questions:—

(a) How many bales of Bags have been imported into the Colony during the last 10 years 1931-1941 (giving each year separately) and at what value?

(b) From what countries have the Bags been imported?

(c) What quantity of Twine and Cordage has been imported during the same period, wherefrom, and at what value?

(d) What quantity of Cotton Twine and Cordage has been imported during the same period, and at what cost?

## ORDER OF THE DAY.

### INCREASED WORK IN MAGISTRATES DEPARTMENT.

Mr. GONSALVES asked the following questions to which the Colonial Secretary replied:—

Q.1. Is Government satisfied that there has been an increase of work in the Magistrate's Courts, Georgetown and Providence during the past year or longer?

A. Yes, there has been an increase each year for several years. The number of cases disposed of by the Courts named during recent years was as follows:—

1939	.. 14,110
1940	... 15,086
1941	... 16,070

Q. 2. If the answer to the above Question is in the affirmative, does Government intend to appoint an additional Magistrate in order to cope with the work, if so when?

A. The position at present is that there is more work than can be performed satisfactorily by two Magistrates, but it is considered that there is not enough to occupy the time of three Magistrates sitting continuously in the judicial district concerned.

Q. 3. What was the purpose of providing an additional Court room in Georgetown? If it was intended to be used as a third Court, when would it be so used?

A. Firstly, to provide accommodation for the Court records and other documents and secondly, for use as an additional Court room. It is expected that this Court will come into regular use when the new arrangements consequent upon the establishment of the Courantyne Judicial District become effective.

Q. 4. How much money has been spent in building the Court room referred to in the preceding question?

A. The total cost of the Court, together with the repair and partial reconstruction of the cells whereon it is erected, was \$1,938.70.

Q. 5. Have the Magistrates in Georgetown made any complaints about the present congestion or accumulation of work?

A. No, but measures to liquidate arrears of work in the Court have been the subject of discussion between the Magistrates and the Attorney-General on several occasions.

Q. 6. Is Government aware that complaints are being made by litigants with regard to the long delays in the trial of cases as the result of the excessive amount of work which the present Magistrates are called upon to do?

A. During the past year Government has received about five written complaints regarding the delay in hearing particular cases.

Q. 7. Is the Honourable Attorney-General satisfied with the present arrangement whereby the Magistrates in Georgetown change over from civil to criminal work and *vice versa* monthly?

A. No, certain defects in the existing system have been exposed by the administration of the Rent Restriction Ordinance, 1941. The sub-division of the Georgetown Judicial District into separate districts is under consideration, but action must await the readjustment of the boundaries of the East Demerara Judicial District consequent upon the establishment of the Courantyne Judicial District.

#### BILLS—FIRST READING.

The following Bills were read the first time and notice given of their second reading at the next or a subsequent meeting of the Council:—

A Bill intituled an Ordinance further to amend the Teachers Pensions Ordinance by providing for the grant of pensions in certain circumstances to uncertificated teachers with less than thirty years service.

A Bill intituled an Ordinance to amend the Education Ordinance.

A Bill intituled an Ordinance to amend the Summary Jurisdiction (Appeals) Ordinance, with respect to the time within which appeals may be made from the decisions of Magistrates of certain Judicial Districts.—THE ATTORNEY-GENERAL.

#### SUMMARY JURISDICTION (APPEALS) (AMENDMENT) BILL, 1942.

The Council resumed the debate on the second reading of the following Bill —

A Bill intituled an Ordinance to amend the Summary Jurisdiction (Appeals) Ordinance by extending the power of the Full Court of the Supreme Court to include the substitution of more severe sentences.

THE ATTORNEY-GENERAL: When the Council adjourned last, most of the Unofficial Members had already spoken on this Bill and, therefore, they are debarred at the present time from speaking again. Since the adjournment Your Excellency has circulated to hon. Members a minute on this Bill wherein reference was made to certain objections made and one or two statements, which were not quite correct, were corrected. Objection was taken to the Bill on the ground that there was no specific right to appeal from a sentence considered to be too severe solely on that ground. As the Circular stated, Government is quite prepared to move an amendment giving the specific right to appeal against a sentence. Another objection taken was that although each of the three Judges of the Court of Appeal may have decided that if he had been the Magistrate he would have come to a different decision yet, if the decision was one the Magistrate viewing the evidence reasonably could properly make, they have to dismiss the appeal. I accept that and, provided this Bill is adopted, an amendment will be made to remove that anomaly. The actual wording proposed is set out in the Circular.

Another objection taken was that only in the case of the Court of Criminal Appeal in England, the highest Criminal Court in the United Kingdom, if the restricted right of appeal to the House of Lords be ignored, was power given to increase a sentence on appeal. Since the adjournment I have looked into this matter and found that that objection is not supported by the facts. There is the right to appeal from the Petty Sessions, which is the most junior Court in the United Kingdom and which is, however, in the vast majority of cases comprised of persons without legal qualifications. In some Colonies the right is exercisable by a Court composed of a single Judge. In this Colony it is sought to vest that power in two or three Judges. Therefore I submit there are ample safeguards in the provision before the Council to-day. Every Unofficial Member has already spoken on the Bill, but I ask that those who want to speak on the Circular should do so in the Committee stage. I beg to move that the Bill be read a second time.

THE PRESIDENT: I think that is a very useful procedure. I have no objection to that.

Question put, and agreed to.

Bill read the second time.

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

THE CHAIRMAN: I give an opportunity to any hon. Member who desires to address the Council on the principle of the Bill before taking the Bill clause by clause.

Mr. ELEAZAR: I do not understand this system. This is nothing short of obscurantism. The objection against this Bill is that in 1907 or thereabout the Court of Criminal Appeal in England was given this power to increase penalties on appeal from the lower Court, and in this Council times without number we have asked for

and were told we cannot have them. The contention is that since we have not a Court of Criminal Appeal and cannot have it, we do not feel it would be fair to the Colony to give the power, which is given only to the Court of Criminal Appeal, to the Appeal Court here which has not the same jurisdiction and not the same powers as the Court of Criminal Appeal in England. Our Ordinance confines appeals to law alone, while in England an appeal is a kind of re-hearing of the case. To tell us that the people in England who hear the cases are not skilled men, is not sufficient. I know that in some of the Colonies they are not skilled men, but that is why the Court of Criminal Appeal is the only Court with this power to increase penalties. I cannot see how Government can be consistent in saying that the power given to the Court of Criminal Appeal in England must be given to the Supreme Court here, and we cannot have a Court of Criminal Appeal here.

For one reason more than any other, a Magistrate here is skilled and his skill entitles him to be able to judge not only from the law but from the facts presented to him, and that has a lot to do with the demeanour and general conduct of witnesses in the witness-box. That is a physical impossibility to a Judge in the Appeal Court or any Judge in any Appeal Court; he has not seen the witnesses, he has not seen their demeanour, he does not know what was passing through the Magistrate's mind while looking at the witnesses, and he does not hear all of the conditions at the trial, as a good many things which the Magistrate has put down in his notes are omitted from the records before him, as well as a good many things are omitted from the Magistrate's notes. He just takes sufficient notes for his purpose. A man who does not see nor hear the witnesses is to adjudicate and say the penalty is too small and should be more! That can only be done with subject races. Who dares to put that

in the law in England? It cannot be done there, but it is done in the Colonies because the people are subject races. I speak strongly on this matter, because when this idea originated I had several debates with the originator on the question and the cases cited were all known to me. I knew the reasons why the penalties were imposed because I knew all the conditions which the Magistrate knew in imposing those penalties. The Judge enquired of me why I thought it should not be, and I told him that the Magistrate knew what he did not know.

We are told that this thing is happening in South Africa, in Jamaica and in Trinidad, regardless of what powers the appellant has in those countries. We know very well that our Appeal Court here is not a Court of rehearing but acts simply on the Magistrate's notes and does not call for any additional evidence. We do not know when that power is given whether these facilities will also be given. You are going to bind the appellant here hands and feet to appeal only on the law. The skilled man who has the best opportunity of seeing the witnesses and judging the facts makes his finding, but the other man is to say the penalty is too lenient or otherwise. The whole thing is outrageous. I do not think Government wants to be enlightened otherwise Government will not go out of its way to find out-of-the-way places where the power exists and say that as it exists there it should be here. Government would like to force this Bill on this community as it has done many a time before. I feel that if I stand here and speak until Doomsday Government is not going to change its view and, therefore, all I can do is to oppose right through the passage of this measure, unless Government can bring forward a Bill to show that this Appeal Court is given all the powers of the Court of Criminal Appeal in England and an appellant is given the right to come under the same conditions

which exist in England and which he has not here.

This making of laws for subject races has been going on from time immemorial. My grievance in this matter is that over and over again we have asked that there be a Court of Criminal Appeal in this Colony. If ever there was necessity for it there has always been the right for a Court of Criminal Appeal in this country, but we have been denied and are still being denied it and its powers are being transferred to an inferior Court, with all due deference to those practising there. If a Court of Criminal Appeal is necessary and its powers are to be invoked, why not have a Court of Criminal Appeal in this country? I see that Government means to push it through, but that does not justify the situation. I say it will be an abuse of Government's power. Government is taking away a privilege which every British subject has under the Criminal Law of England, which has always existed here, and has a right to expect. We are told that this law is in England and we are aspiring to bring this country as near to England as possible. Are you going to give us the same powers and administrative right of investigation as exist in England? We are, however, being told that we cannot have a Court of Criminal Appeal, and to confer that Court's powers upon an inferior body I say is an insult to my intelligence.

When you come to each of the clauses of the Bill, I may or may not have a word to say. I think I will just let it go through and say nothing. I cannot see what is the acute hurry for this Bill, when summary justice is administered in this Colony by Magistrates competent to assess penalties in accordance with the crime. Is it because the Magistrates are giving small penalties such as men disregard and therefore crime is rife in the country? If that is so, then it is a sorry indictment of the Magistrates for

not doing their duty. It is a piece of insolence offered to the Magistrates, because I maintain we have Magistrates here who are as well versed in the theory and practice of the Criminal Law of England as any criminal lawyer is expected to be. To say that they are not competent to mete out adequate punishment, having seen the witnesses, heard the evidence and had all the facts put before them, is to say they have not the ability, integrity and moral courage to do so and the assistance of the Appeal Court Judges is needed to point out their shortcomings. I say it is an insult to the Magistrates and an attempt to use undue influence on the Government.

Clause 2—Amendment of section 9 of the Principal Ordinance.

THE ATTORNEY-GENERAL : I beg to move that the following new clause 2 be inserted in the Bill :—

2. Section nine of the Principal Ordinance is hereby amended—

(a) by the substitution of the following paragraph for paragraph (h) therein—

“(h) the decision was unreasonable or could not be supported having regard to the evidence”.

(b) by the substitution for the full stop at the end of paragraph (k) of the following “; or”; and

(c) by the addition thereto of the following paragraph—

“(l) the sentence was unduly severe”.

Mr. HUMPHRYS : As regards (a) I may be wrong, but I cannot see any difference between the old (h) and this suggested new one. When the Bill was before the Council on the last occasion it was urged that an appeal ought to be allowed on a question of fact. Paragraph (h) of the clause should be reworded to read “the decision was against the weight of evidence”. What we do want is the right of appeal on the ground that the decision is against the weight of evidence. In other words that the Magistrate is more or less perverse. That is the amendment desired. It is a very simple way of putting it and, I think, more effective.

THE ATTORNEY-GENERAL : I appreciate what the hon. Member has said, but I repeat the remark I made before that in one Ordinance the original draughtsman tried to deal with two things, criminal and civil appeals. He performed wonders, but it is actually an impossibility. The hon. Member said the last time, and he has now repeated it, that he wishes one ground of appeal—the decision is against the weight of the evidence. We cannot do that in criminal appeals, the ground that the decision is against the weight of the evidence will apply to civil appeals only. The hon. Member said that what he was anxious to get was that the Judges of the Appeal Court could reverse a decision of a Magistrate on the ground that it was perverse. I submit that that is covered by the words “The decision was one which the Magistrate viewing the evidence reasonably could not properly make”. I agree with him that it does not go as far as it might, but I cannot draft it in this Bill because the words “the decision is against the weight of the evidence” will apply only to civil appeals.

Mr. HUMPHRYS : I agree with the hon. Attorney-General that it would be better to split the Ordinance in two, but I submit that after the word “decision” he might insert the words “is against the weight of the evidence” or “was unreasonable and should not be supported having regard to the evidence.” In civil cases a person could appeal on the ground that the decision was against the weight of the evidence.

THE CHAIRMAN : We are up against a knotty point upon which most of us are unable to comment.

Mr. ELEAZAR : The point is not so knotty. The Judge has the evidence before him. He says “If I were the Magistrate I might not have convicted you, but he has seen the witnesses and, having regard to that fact, I think the evidence is sufficient, although I might

not have convicted you if I had heard the case." What is the good of appealing? We must give an appellant an opportunity to be heard again, if we want to give the Appeal Court power to increase sentences. If an appellant gets a sort of rehearing and the Judge says "I have reheard the case and, I think, you should get six months instead of four", there can be no complaint at all.

THE ATTORNEY-GENERAL: The Court has that power now under section 27.

Mr. ELEAZAR: Why then do you want to give it again?

THE CHAIRMAN: Does the hon. Member for Eastern Demerara (Mr. Humphrys) wish to move a specific amendment?

Mr. HUMPHRYS: I do not wish to take up time, if I am not going to get support from the Government. It seems to me that we should make one job of it. I cannot see why there should be any urgency about this Bill. It should be redrafted by the hon. Attorney-General and put into proper shape. I respectfully suggest that the matter be put down until the hon. Attorney-General makes a complete rehash of the Appeals Ordinance. For my part I have no fear of leaving my liberty in the hands of the present Judges, but that may not always be so. However, if Government has decided to proceed with the Bill, I will move an amendment because I feel we should have it. Anyhow I throw out the suggestion that the matter should be allowed to stand down. I would like some indication as to whether Government is likely to adopt my suggestion.

Mr. JACOB: I suggested on the last occasion that the Bill be deferred for six months. I strongly support the remarks of the hon. Member. I should not like to say here what has been suggested outside as the reasons

for this amendment, but I strongly urge on Government not to press the Bill.

Mr. DE AGUIAR: Now that the lawyers have disagreed, I am wondering how the public is going to pay for it. We know that when lawyers disagree we suffer both in mind and in pocket, and I am wondering whether it would not be a wise course to adopt the suggestion of the hon. Member by allowing the Bill to stand over for a little while.

THE ATTORNEY-GENERAL: It is not a case of disagreement between lawyers, except in the case of the hon. Member for Berbice River (Mr. Eleazar) who showed quite clearly that he had never seen the Court of Appeal in England and had an idea that there was a separate building. The Judges of the Court of Criminal Appeal in England are King's Bench Judges who spend most of their time sitting in the King's Bench Division. It is merely a name. In this Colony the Judges call themselves the Full Court which is just as much a Court of Criminal Appeal as the one in England. We are not discussing appeals from indictments, but appeals from Magistrates, appeals which in England are dealt with by unqualified people. Such appeals do not even get as far as a single Judge there. Don't be misled by a little bit of verbiage, by this talk about a Court of Criminal Appeal. You have your Court of Criminal Appeal; you have as many rights of appeal in criminal cases as they have in England. The Full Court here is a Court of Criminal Appeal, the only difference being that three Judges waste their time, or rather occupy their time, in hearing pettifogging criminal appeals from Magistrates instead of appeals from convictions on indictment, whereas in England they go before a number of respectable village gentlemen who know no more about the niceties of law—perhaps I should not say it (laughter).

I think that most of us will admit that when lawyers disagree it usually proves expensive for somebody. But in this case the degree of disagreement is not so great as may appear: in fact in some respects there is complete agreement. We all agree that the Summary Jurisdiction (Appeals) Ordinance was not happily framed: we all agree that it requires amendment: we all agree that if it were split into two separate Ordinances an improvement would be effected and, I trust, we all agree that the present time is not the time to ask a Law Officer to perform this task—he has other far more urgent calls upon his time. In my opinion there is no danger whatever in vesting this power in the Court and, I trust, that hon. Members will support it.

Mr. ELEAZAR: I think I can understand the English language when I see it written, and I can use it as well as any Englishman. I see it written here.

“Such power was conferred on the Court of Criminal Appeal in England by the Criminal Appeal Act, 1907, and recently appeals have been heard by the Full Court which, in the opinion of that Court, made the exercise of this power desirable in the interest of justice.”

THE CHAIRMAN: Are you addressing yourself to the clause?

Mr. ELEAZAR: I am addressing myself to the reasons given for the clause.

THE CHAIRMAN: We are discussing the new clause 2.

Mr. ELEAZAR: The hon. Attorney-General wrote it here and put his name below it. The power was only given to the Court of Criminal Appeal in England. He has only turned it round about.

THE CHAIRMAN: I must ask the hon. Member to address himself to clause 2. I will give him an opportunity to address himself to the Bill on the third reading.

Mr. ELEAZAR: The amendment to clause 2 suggested by the hon.

Member would not assist but I see no reason why those words should not be inserted. If all that is required is to give the Judges additional power to increase sentences, what is wrong in inserting the words “against the weight of evidence”? I am going to move another amendment—“the decision was against the weight of evidence.”

Mr. HUMPHRYS: The amendment I was proposing was that the words “against the weight of the evidence or was unreasonable having regard to the evidence” be inserted after the word “was” in paragraph (h). I do not like the words “could not be supported by the evidence”.

THE ATTORNEY-GENERAL: The words “against the weight of the evidence” can only apply to civil cases. In criminal cases it has to be “beyond reasonable doubt”. Against the weight of the evidence is not applicable to criminal cases. The hon. Member is making it worse instead of better.

Mr. HUMPHRYS: I suggest that we leave in the words “against the weight of the evidence.”

THE ATTORNEY-GENERAL: It is a pity that the hon. Member has in mind civil cases only, because “against the weight of the evidence” cannot apply in criminal cases. In criminal cases the degree of proof required is “beyond reasonable doubt.”

Mr. HUMPHRYS: You have the words “or was unreasonable having regard to the evidence” which can apply to criminal cases.

THE CHAIRMAN: I must accept the ruling of the Attorney General that those words would limit application to civil cases, which we do not desire. I will put the amendment moved by the hon. Member for Eastern Demerara (Mr. Humphrys) that paragraph (h) of clause 2 be amended (i) by the insertion of the words “against the weight of evidence or was” after the word “was”

and (ii) by the deletion of the words " or could not be supported " after the word "unreasonable".

The Committee divided and voted :—

*For* :—Messrs. Jacob, Humphrys, Peer Bacchus, de Aguiar, Gonsalves, Eleazar, Woolford and Dr. Singh—8

*Against* :—Messrs. Jackson, Wood, Case, Laing, D'Andrade, Austin, Seaford, McDavid, Professor Dash, the Attorney-General and the Colonial Secretary—11.

Did not vote: Mr. Percy C. Wight—1.

Amendment lost.

New clause 2 put, and agreed to.

Clause 2 as printed in the Bill was renumbered as clause 3.

The Council resumed.

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

Professor Dash seconded.

Mr. ELEAZAR: Why can't Government allow this Bill to go through the ordinary course? Has Government anybody they want to catch?

Mr. JACOB: I protest against the third reading being taken to-day.

THE PRESIDENT: Is it the opinion of hon. Members that we should proceed to the third reading? Except any Member desires to debate the principle of the Bill I do not see any useful purpose in postponing the third reading. The Bill has been pressed for by two Chief Justices, the late Sir Maurice Camacho and Mr. Verity, and I feel very diffident about not proceeding to act on their advice, which has been given for some years. I therefore put the question that the Bill be read a third time.

Agreed to.

Bill read a third time and passed.

#### SUSPENSION OF STANDING RULES.

THE PRESIDENT: We have come to the end of the Order of the Day with two hours and a half to go. I feel sure that there is some useful business with which we could now proceed. We can suspend the Standing Orders and proceed with the second reading of those three Bills. With the leave of the Council we may even proceed with those Bills of which notice has been given. I suggest that we proceed with the second reading of those three Bills which were read for the first time this morning. Will the Attorney-General move the suspension of the Standing Orders?

THE ATTORNEY-GENERAL: I move that the Standing Rules and Orders of the Council be suspended to enable the following Bills to be taken through their remaining stages :—

A Bill intituled an Ordinance further to amend the Teachers Pensions Ordinance by providing for the grant of pensions in certain circumstances to uncertificated teachers with less than thirty years service.

A Bill intituled an Ordinance to amend the Education Ordinance

A Bill intituled an Ordinance to amend the Summary Jurisdiction (Appeals) Ordinance, with respect to the time within which appeals may be made from the decisions of magistrates of certain judicial districts.

Professor DASH seconded.

Question put, and agreed to.

#### TEACHERS PENSIONS (AMENDMENT) BILL, 1942.

THE ATTORNEY-GENERAL: I move that " A Bill intituled an Ordinance further to amend the Teachers Pensions Ordinance by providing for the grant of pensions in certain circumstances to uncertificated teachers with less than thirty years service " be read a second time. In the existing Teachers Pensions Ordinance, for some unknown reason, there is very great distinction made between the rights of certificated teachers and the rights of uncertificated teachers. In the case of certificated



teachers they have to serve a certain period in order to get pension, but there are three provisos which read :—

Provided that—

- (a) it is proved to the satisfaction of the Governor in Council that any certificated teacher is from infirmity of mind or body incapable of discharging the duties of his office, and that the infirmity is likely to be permanent, the Governor in Council may award a pension to that teacher calculated on the number of years of service ;
- (b) the Governor in Council may for due cause shown grant to a certificated teacher who has attained the age of fifty-five years and served for at least thirty years, the full pension provided under this Ordinance.
- (c) the Governor in Council may grant full pension to any certificated teacher who has served for at least thirty years in all although he may have ceased to be a teacher before attaining the age of sixty years.

In the case of a certificated teacher he has three grounds on which he can get a pension although he is not qualified under the section itself. But in the case of the uncertificated teacher, who needs more looking after than the certificated teacher, because he received less pay, the section relating to him reads as follows :—

5. An uncertificated teacher who has served in schools for thirty years, whether continuously or not, shall be entitled, in the discretion of the Governor in Council, to a pension calculated at an amount not exceeding seventy-five per centum of his average salary for the last five years.

It follows that if an uncertificated teacher has served for 29 years and six months, and then has a physical collapse, it is impossible for anybody to award him a pension. The object of the Bill is to put uncertificated teachers as nearly as possible in exactly the same position as certificated teachers under the Teachers Pensions Ordinance. I move that the Bill be read a second time.

Professor DASH seconded.

Mr. ELEAZAR : I think the principle of the Bill is sound, because it seems to me that an uncertificated teacher has to do his work as a teacher, and in many cases he does it as well and sometimes

even better than a good many who are certificated teachers. Yet when he has been engaged in doing his work for several years, and through no fault of his own can carry on no longer, he is denied a pension because he did not have a certificate. After all a certificate is no guarantee that a man is a first class teacher. There was a teacher, Mr. Hunte, whose place at Queen's College has not yet been filled. He had no certificate ; he was plain Mr. Hunte, but as a French teacher other men with B.A.'s and B.Sc.'s could not fill his place.

Mr. WOOLFORD : I do not think it is right that the hon. Member should leave the impression on the community that the place of Mr. Hunte, whom I knew quite well, has not been filled by the present Masters at Queen's College. Mr. Hunte was an excellent teacher, but he never got beyond a certain range, and I think I may be allowed to say, without any disrespect to him, that he never taught any scholars beyond the Third Form. I do not think the hon. Member meant anything by his reference to Mr. Hunte. He was a poor example of the standard of French study as exists to-day at Queen's College.

Mr. McDAVID : I would like to point out that the Bill does not seek to put an uncertificated teacher on the same basis as a certificated teacher as regards pension. It does provide for his pension, but the rate is 40 cents per month for each year of service in an aided school, which is two-thirds of the normal rate for a certificated teacher.

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 put, and agreed to.

Bill read a third time and passed.

#### EDUCATION (AMENDMENT) BILL, 1942.

THE ATTORNEY-GENERAL: I move that "A Bill intituled an Ordinance to amend the Education Ordinance" be read a second time. This Bill looks rather lengthy, but what happens is this: that a number of amendments become necessary from time to time but are not of sufficient importance, so they are put on one side to await a major amendment when it becomes necessary. That major amendment is set out in clause 8 of the Bill, but those in the other clauses were awaiting a suitable moment to be brought before the Council.

Section 8 of the Ordinance provides:—

8. No teacher whose certificate has been cancelled or suspended shall be employed in any aided school until, in the case of suspension, the period of suspension has expired, and no school, whether an aided school or not, in which a teacher whose certificate has been cancelled or suspended as aforesaid is employed shall be deemed to provide efficient elementary education.

No provision is made for a case where a teacher's certificate is cancelled but afterwards a new certificate is issued to him. He still cannot be employed in an aided school. The object of clause 2 of the Bill is to enable him to be re-employed in an aided school.

Clause 3 repeals paragraph (a) of section 11 of the Ordinance, the reason being that when the Ordinance was originally drafted it was intended that there should be a number of Educational Districts and a large number of Attendance Officers. In fact there are only three Attendance Officers, and it is not practical to carry out the provisions of that paragraph.

Clause 4 of the Bill seeks to repeal several sections of the Ordinance. Section 19 of the Ordinance is unworkable, because there are only three Attendance Officers. Section 21 will have to be amended if the proposed amendment of section 25 is carried. Section 35 is no longer necessary, as payment by results has ceased. Section 36 is affected by the repeal of section 35. Sections 38, 39 and 40 deal with children of immigrant labourers on estates, but as indentured immigration has ceased those sections are no longer necessary. Section 55 is out of place and is being replaced by a new section 55 in this Bill.

Clause 5 of the Bill extends compulsory education to children between the ages of six and fourteen throughout the Colony. At present it only applies to Georgetown and New Amsterdam.

Clause 6 is consequential on the amendment of clause 5. Clause 7 seeks to amend section 42 of the Ordinance which provides that if the Director of Education requires a copy of the birth certificate of a child in respect of a competitive examination he has to pay a fee of eight cents. The object of the clause is to enable him to obtain that certificate free of charge.

Clause 8 provides for the substitution of a new Part for section 55 of the Ordinance. It deals with matters which, in the existing Ordinance, all appear in one section, 55. As hon. Members are aware, in the Civil Service there are fixed rules to be applied in cases of disciplinary action against Civil Servants. They are set forth in a number of Colonial Regulations and have to be followed with the same meticulous care as in a criminal case in Court. In the case of teachers, who are not civil servants, the only provision is in section 55, which is quite inadequate. There is considerable doubt as to what should happen in certain circumstances. Section 7 of the Ordinance makes distinction between a

certificated and an uncertificated teacher, both as regards penalty and procedure. There seems to be no valid reason why a certificated teacher who does wrong should benefit at every stage as against an uncertificated teacher. Therefore section 55 of the Ordinance is being repealed *in toto*, and all these new sections are being substituted therefor. There is no reason for me to go through the sections one by one because they set out exactly the procedure for civil servants laid down in the Colonial Regulations, though not in the exact words. In fact teachers will in future be subject to exactly the same procedure as civil servants.

Clause 9 of the Bill seeks to insert a new sub-head "General," because the last sub-head is "Discipline," and it may be argued that the only power to make regulations relates to the disciplining of teachers.

Clause 10 seeks to increase the power of the Governor in Council to make regulations. The only difference really from the existing law is the use of the words "or for withholding any such award." It may happen that at some competitive examination no candidate attains the required standard. Occasionally it does so happen, or not as many candidates attain the standard as there are scholarships. In such a case it is sought to give the Governor in Council power to withhold a scholarship from a candidate who has not attained the required standard. I move that the Bill be read a second time.

Professor Dash seconded.

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—

Mr. ELEAZAR: I think there are some things in this Bill which ought

not to be made into law without discussion. They might usefully be amended, but one needs a little time to go through them. I see nothing objectionable in clause 3, but we are going on and I am wondering whether we should not allow the Bill to remain in Committee for a little time.

THE CHAIRMAN: Do you wish to postpone consideration of the Bill in Committee? It has been before you for eight weeks.

Mr. ELEAZAR: Yes sir. When you have read these things for the second time you have not the time to give them the scanning that is really necessary. When you read them a third time you remember what you have read in a hazy way.

THE CHAIRMAN: The Bill was published on September 2nd, which afforded very ample time.

Mr. ELEAZAR: Those who have been drafting it had six or seven years, but you say that eight weeks is ample time for Members of the Council.

THE CHAIRMAN: Isn't that just one of the reasons why we are a backward Colony?

Mr. ELEAZAR: I agree with you that Government takes six years to bring things forward and then rush them through in a day or two.

THE CHAIRMAN: It means that the hon. Member has not studied the Bill before to-day.

Mr. ELEAZAR: I have given it some thought, but I have not studied it for the purpose of being able at first hand to suggest amendments.

THE CHAIRMAN: When would you be able to do so?

Mr. ELEAZAR: As soon as you decide when next you will take it I would devote some time to it in order to meet the occasion.

THE CHAIRMAN: Would you like to take it to-morrow morning?

Mr. ELEAZAR: If you don't mind.

THE CHAIRMAN: It is not an urgent Bill. The Director of Education may be here to-morrow. He is ill to-day.

Mr. ELEAZAR: All the better for Government.

THE CHAIRMAN: With the consent of Members we will hold the Bill up in Committee until to-morrow morning.

The Council resumed and progress was reported on the Bill.

#### SUMMARY JURISDICTION (APPEALS) (AMENDMENT) BILL, 1942.

THE ATTORNEY-GENERAL: I move that "A Bill intituled an Ordinance to amend the Summary Jurisdiction (Appeals) Ordinance, with respect to the time within which appeals may be made from the decisions of magistrates of certain judicial districts" be read a second time. This Bill has precisely the same title as the previous one, the reason being that one was actually in the printers' hands and circulated to Members before the cause for a second one arose, and in the Committee stage I shall ask leave to move an amendment of the title. This Bill has become necessary because of war conditions largely arising from the shortage of petroleum. Section 6 of the Ordinance reads as follows:—

6. For the purpose of enabling any person to appeal from a decision of a travelling magistrate, a warden, the magistrates of the North-West and the Demerara river judicial districts, the assistant magistrate of the west coast and Bartica judicial district, and any other magistrate in respect of whom the Governor in Council may by order direct, there shall be added to the period of time prescribed in this Ordinance for the doing of any act in relation to an appeal the period of twenty-eight days.

Some judicial districts are mentioned which do not exist now, and in the case of the Potaro and Mazaruni districts it has been proved that it is

quite impossible to apply the provisions of that section. A period of 28 days is not sufficient for an appeal to be heard. There is a case now in which the Court has to be moved for an extension of time on the ground that it is absolutely impossible under present conditions to comply with that section. Clause 2 of the Bill has been drafted so as to give the Governor in Council power to fix the extension of time and to vary it in the districts from time to time. I think that nobody can possibly object to the intentions of the Bill. I move that the Bill be read a second time.

Professor DASH seconded.

Question put, and agreed to.

Bill read a second time.

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

Clause 1—Short title.—was amended by the insertion of the brackets and number "(No. 2)" after the word "Amendment" in brackets in the second line thereof.

The Council resumed.

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

Professor DASH seconded.

Question put, and agreed to.

Bill read a third time and passed.

#### EXTENSION OF RENT RESTRICTION ORDINANCE, 1941.

THE PRESIDENT: I propose that the Colonial Secretary's motion with regard to the Kent Restriction Ordinance be taken now. I do not think it is controversial, and we must pass it before November 7. If Members are agreeable to that I would ask that the suspension of the Standing Orders be moved.

THE COLONIAL SECRETARY: I move that the Standing Rules and Orders of the Council be suspended to enable the following motion to be moved:—

Be it resolved that, this Council hereby declares that the Rent Restriction Ordinance, 1941. (No. 23 of 1941) shall continue in force for the further period of one year from the date of expiration of the Ordinance on the 7th of November, 1942.

Mr. McDAVID: seconded.

Question put, and agreed to.

THE COLONIAL SECRETARY: Section 16 of the Rent Restriction Ordinance, 1941, makes provision for the Ordinance to be extended for a further period of one year from the date of its expiration. The Ordinance will duly expire on November 7 this year, and it is the intention of Government that it should be extended for a further period of one year. Under section 4 of the Ordinance the Governor in Council has power to extend the provisions of the Ordinance to any area prescribed in an Order made by His Excellency. No doubt hon. Members have already seen in the *Gazette* that the Ordinance has been extended to two districts—to Christianburg and Wismar, by Order of April 1, and to the Bartica Village District by an Order in Council of the same date. I formally move the motion standing in my name.

Mr. McDAVID seconded.

Question put, and agreed to.

SUPPLEMENTARY ESTIMATE JULY-  
SEPTEMBER, 1942.

Mr. McDAVID: I move that the Standing Rules and Orders of the Council be suspended to enable the following motion to be moved:—

That, this Council approves the Schedule of Additional Provision for the quarter 1st July to 30th September, 1942, required to meet the expenditure in excess of the provision made in the estimates for the year 1942.

Mr. AUSTIN seconded.

Question put, and agreed to.

THIRD QUARTER'S SUPPLEMENTARY  
ESTIMATE, 1942.

Mr. McDAVID (Colonial Treasurer): I beg to move—

That, this Council approves the Schedule of Additional Provision for the quarter, 1st July to 30th September, 1942, required to meet the expenditure in excess of the provision made in the estimates for the year 1942.

The Schedule calls for a total additional provision of \$392,200.64 of which \$150,000 is under the Head of "Colonial Emergency Measures" and \$18,800 representing two items under the Colonial Development and Welfare Act. Eight large items comprise practically the whole of the large total amount. I refer to such large items as Loans to Co-operative Credit Banks on which a further \$10,000 is included; continuation of the programme of the extension of Fort Groyne, \$12,500; Conveyance of Mails \$35,000—that refers particularly to Air Mail carriage expenses and is reflected in increased postal revenue. Then there is also a large item of Dietary for Hospitals and Prisons due to increased cost of foodstuffs. There are two items totalling \$41,500. Under the Head "Miscellaneous" there is a large item "Refund of Temporary Increases 1922—\$70,472" which this Council had approved by resolution. Last but not least there is the War Vote which has been exceeded by \$150,000. The remaining items of the Schedule amount to \$14,000.

These items have been already sanctioned informally by Unofficial Members, so there is no necessity to go into details. I had promised to take special note of any items in respect of which hon. Members had made reservation or observation in Committee, but so far no such reservation has been made. I therefore take it that the Council is quite prepared to approve of the Schedule. Before moving the adoption of the motion I move that the Council go into Committee in order to go into the details of the Schedule.

The Council resolved itself into Committee and proceeded to consider the Schedule.

Mr. C. V. WIGHT: There is one item I would like to make a few remarks on. I have spoken to the hon. Colonial Secretary about it and that is the question of the employment of Temporary Clerical Assistants in the Supreme Court. I would just like to state that the Registrar's Office for which this item is required is understaffed. It is not adequately staffed. There are only four qualified officers and as a consequence there is a great deal of extra work thrown on the Head of the Department and his Senior Officers. It is a technical branch, though I know some people who are not lawyers and have nothing to do with legal departments think there is nothing in the law. These temporary Clerical Assistants are actually learning. It takes them six months before they are able to do any real work in that Department. I think it was mentioned by the hon. Member for New Amsterdam (Mr. Woolford) in Finance Committee.

Mr. GONSALVES: I had intended to raise the same question as the hon. Member for Western Essequibo. I do not know who is responsible, but I think a Committee exists in connection with transfers and appointments. I do not know whether serious thought is given to the making of transfers from the Deeds Registry of Court. At the present time quite a number of junior men have been transferred there from other Departments. I see here provision is made for three temporary Clerical Assistants to be employed to fill temporary vacancies on the staff of the Deeds Registry. Personally, I think it is not fair, it is immoral, to take young men who had just joined the Service and pitch them into a Department of importance as the Supreme Court Deeds Registry to do work which used to be done a few years ago by a Senior or First Class Clerk in that Department. I do not think it is fair and

Government should not encourage such a state of things.

Quite recently up to a few weeks ago the position existed there of a very Junior Clerk working as a cashier. If that officer had not been put there it would have meant that either the Registrar would have had to take the cash himself or no cash received in the office, because there is some Regulation in the Service which says that only an officer beyond a certain class or grade in the Service can be a Cashier in a Government Department. A temporary Clerical Assistant cannot be put as Cashier. If that is so, at the moment with one such officer gone to Berbice, another attending the Criminal Court, another acting as Transport Clerk and the other acting as Registrar, the Department is left without any officer capable of carrying on the work of that Department. Yet you have men qualified as Notaries for the purpose of working in that Department transferred to some other Department of the Service with the result that the public, who have the right to approach the Supreme Court for their legal rights and to have legal documents recorded, find themselves in the difficult position of having Juniors who have no knowledge of the work to attend to them in that Department. I am not saying this as a reflection on the ability of the young men because they are endeavouring to do their best, but it is not fair to these Clerical Assistants that they should be paid \$30 a month and be asked to do work for which up to a few years ago men were paid \$120 or \$150 a month. It is not fair. It is immoral.

Mr. ELEAZAR: As regards the convenience of the public, I know that in the same office there was a clerk who had been engaged for more than twenty-five years in doing transport and mortgage work—most important work—and who was an efficient officer. He was transferred to the Office of the Director of Medical

Services though versed in such important work because Government could not see its way to give him promotion where he was. At Berbice the Marshal gets less pay than the Head Bailiff in Georgetown or New Amsterdam. That is preposterous. I cannot understand why it should be allowed to continue. I mention it here only for the purpose of giving an opportunity to the Official concerned—the Colonial Secretary or somebody else—to investigate the matter. There is no reason why these things should exist. They do not make for efficiency.

THE COLONIAL SECRETARY: This little trouble complained about dates back to November, 1940. The officer was transferred from the Deeds Registry to the Medical Department. Representations were made to Your Excellency's predecessor by members of the Bar when the recommendation for the officer's transfer went before him. Reports reached my office that the officer did not want to go and that the Head of his Department did not want to lose him. The Promotions Board, however, decided that he should leave and the officer was extremely anxious to get into the Department he is now in. The Head of his Department, who was a member of the Promotions Board, said he was not pressing to retain that particular officer in his Department if Government thought he should get promotion; he was quite willing to let him go because he could fill his place. From that day complaints have been coming in. I know nothing about the Department and would like to say that representations have not been made to me. I understand that none has been made to the hon. Colonial Treasurer in connection with next year's estimates by the present Head of the Department. The substantive Head of the Department is acting elsewhere.

Mr. C. V. WIGHT: Is the hon. Colonial Secretary advancing the proposition that unless the Head of a

Department makes a request for a particular type of officer no consideration is paid to any request made in any other form?

THE COLONIAL SECRETARY: Certainly not! I made it quite clear that in this particular case the members of the Bar came to me and went to Your Excellency's predecessor when the recommendation was placed before him. This matter was fought out at length. But what I am saying is that I do not for one moment say I know the work of the officers on the staff of that Department. I have been in every Government Office, but I am not prepared to dictate to the Head of a Department that he should have so many officers. I investigate when Heads of Departments apply for more staff and satisfy myself that they need more. I should like to inform the hon. Member that next month the staff will be strengthened by one officer. He is a Junior Officer, it is true, but he had been seconded from that Department to another and will be returning there next month or at the end of this month.

Mr. GONSALVES: If the hon. Colonial Secretary is referring to the Clerk who discharged the duties of Cashier, he has already resumed. What I listened to with a great amount of astonishment is that the Head of the Department made no representation that he desired senior men in his Department. I resent any statement that the Head of the Department says there is no need for senior officers on his staff, when I know he says he wants them.

THE COLONIAL SECRETARY: I would like to hold over my remarks as it is certainly a long time ago. I would like to check up the statement and, if I am wrong, I shall certainly withdraw it. I do not know whether the hon. Member is referring to the substantive Head of the Department. I shall check it up with the records and, if I am wrong, I shall withdraw

the statement to-morrow. I do not wish to misrepresent any Head of Department to the Council.

Mr. WOOLFORD: I ought to explain to the hon. Colonial Secretary that in my view it is one of the most difficult Departments in the Service to find a staff for, because it is not generally known that in the judicial side of that Department as well as what is called the Deeds Registry in order that a clerk should perform his duties he must have some knowledge, elementary or otherwise, of ordinary law. He has to know the Rules of Court. It is expected of him to see that a document complies with certain Rules and Regulations made from time to time. He cannot automatically receive a document, as either the Registrar or the Judges later on will make complaint about some error in the document itself. In the Deeds Registry the examination of title is not a perfunctory matter. A very keen officer who must be well qualified is required to do it.

At the present moment one man is doing that work alone as his assistant is on leave. It does not matter in what special department an officer is placed, you cannot readily transfer one man from one part of the Service to the Deeds Registry and expect him to give satisfaction. It is not fair to the officer who is sent to the Department. At the present moment you have the Criminal Court sitting. When there are three Courts sitting it means that three Senior Officers are there engaged. They actually do nothing during the day, but they are clerks to the Judges and at any moment the Judges may require of them some particulars and they have to go and get them. Therefore you have three stationary men in the Courts which means a loss to the service to the public, and provision has to be made for that. That is the evil in the Registry Department.

I think a small committee should be

appointed and they would find that most of these representations are correct. The hon. Colonial Secretary has said that no representation was made by the Head of the Department. I do not think there is a legal practitioner to whom the Head of that Department did not make excuse for lack of staff. That is done every day. That is an excuse made by the Head or the acting Head of the Department, and to us practitioners it seems true.

THE CHAIRMAN: That particular item will be taken note of.

Mr. McDAVID (Colonial Treasurer): I would like to support what the hon. Colonial Secretary has said. I am somewhat surprised at that weight of argument put forward to-day for increasing the strength of the staff of that Department. I did not hear it before. I was very much surprised when the Head of that Department permitted the release of one officer, a well trained officer with long experience. I myself urged as much as I could that his services should be retained in that Department and was surprised that the Registrar permitted him to be released for another Department.

This is merely an application for a small amount for the employment of extra temporary Clerical Assistants to take the places of three Junior Officers who are on leave. The Registrar himself is acting as a Judge. There is a shortage of staff, and the Council is being asked for money to provide for temporary clerical assistance. Enquiries, however, will have to be made in regard to that staff. If it is proved that an increase—

Mr. WOOLFORD: It is not so much an increase in numbers as it is experience in that particular line of work that is required.

Mr. GONSALVES: What I am emphasizing is that it is necessary in the Registry to have men qualified as



Notaries. They have to study so as to become qualified as Government Notaries. You have three men who are so qualified, and you have taken one away and sent him to the District Administration Department in Essequebo where he has not the power to act as such and, therefore, his qualification is wasted down there; another is transferred to Berbice as a Magistrate's Clerk where he has not the power to act as a Notary and, therefore, his services as such are wasted. The Registry does not get the benefit of his qualification nor do the people of Berbice. The other man is quite experienced and he is pitched into the Police Department to reckon how many men are sent to prison and are released. That is the sort of thing I complain about. Three qualified men have been taken from the Registry, where they could not have got promotion to the Class they held unless they were qualified, and sent to other Departments where their qualification would be absolutely wasted.

**THE CHAIRMAN:** We will record the substance of this debate.

Schedule passed without amendment.  
The Council resumed.

**Mr. McDAVID:** I move the substantive motion standing in my name.

**Mr. AUSTIN** seconded.

Motion put, and agreed to.

#### SUSPENSION OF STANDING RULES AND ORDERS.

**THE PRESIDENT:** We will now proceed, with the leave of the Council, to the First Reading and any subsequent stages, if desired, of the Bills standing in the Second Schedule to the Order Paper. There being no objection, I call upon the hon. Colonial Secretary to move the suspension of the Standing Rules and Orders to enable those Bills to be taken.

On a motion by the COLONIAL SECRETARY seconded by Mr. McDAVID (Colonial Treasurer) the Standing Rules and Orders of the Council were suspended to enable the Bills in question to be taken through all their stages.

#### BILLS—FIRST READING.

Motion made, and question put and agreed to, that the following Bills be read the first time:—

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-three.—(THE ATTORNEY GENERAL).

A Bill intituled an Ordinance further to amend the Customs Duties Ordinance, 1935.

A Bill intituled an Ordinance to amend the Tax Ordinance, 1939, by providing for the imposition and collection of an excise duty on methylated spirits.—Mr. D'ANDRADE, Comptroller of Customs).

A Bill intituled an Ordinance to provide for the partition of a certain area of land known as Section B in the Christianburg and Wismar Country District, for the re-allotment of holdings therein, for the issue of titles thereto, and to render the occupation thereof more beneficial.—Mr. LAING, Commissioner of Local Government).

Bills read the first time and notice given of their second reading at the present or subsequent meeting of the Council.

#### CUSTOMS DUTIES (AMENDMENT No.2) BILL.

**Mr. D'ANDRADE** (Comptroller of Customs): The object of this Bill is to amend the Customs Duties Ordinance, 1935 in several respects. The first clause seeks to amend Section 12 of the Principal Ordinance by the substitution of a new subsection for Subsection 1 of Section 12. The existing Ordinance provides for the granting of a drawback of duty in the case of petrol and kerosene oil when used as fuel for industrial purposes. In the case of petrol the refund allowable is three cents per gallon and in the case of kerosene oil it is eleven cents per gallon. It would be remembered that

in March last the Principal Ordinance was amended to allow of a reduction of the duty on kerosene oil. The rates of duty at the time were 25 cents British Preferential Tariff and 29 cents General Tariff, and they were reduced to 7½ cents British Preferential Tariff and 12½ cents General Tariff. As a result of that amendment the refund of duty provided by Section 12 is now more than the duty payable.

Clause 3 provides for the substitution of a new sub-item (c) of item 20 of the First Schedule to the Principal Ordinance. The substituted sub-item provides for the payment of duty on smoked or dried fish other than morocut, while clause 6 further provides for the amendment of the Fourth Schedule by adding morocut to the list of goods in the Table of Exemptions from Duty. The effect will be that morocut which now pays a duty of eight cents under the British Preferential Tariff and 50 cents under the General Tariff will, if this Bill is passed, be exempted from duty altogether. The object of it is to encourage the importation of morocut from Venezuela through the Port of Morawhanna.

Clause 3 also provides further for the substitution of a new sub-item (d) of item 52 and the proviso thereto. The object of this is to reduce the duties now payable on fresh vegetables, other than onions and garlic, from 40 cents to five cents under the British Preferential Tariff and from 80 cents to ten cents under the General Tariff. The object is to encourage the importation of fresh vegetables from Suriname.

Clause 4 amends sub-item (a) of item 1 of the Second Schedule to the Principal Ordinance. This item fixes the duties payable on boots and shoes of every description. In the case of shoes made wholly or partly of rubber the rates of duty now are 2% under the British Preferential Tariff and 6% plus 24c. per pair under the General Tariff. It would be remembered that in March

last the rates then fixed in substitution were lower than the duties payable previously but higher than those now proposed. Those rates had to be fixed in compliance with the requirements of the Canada-West Indies Trade Agreement of 1925, but since then the Government of Canada has consented to the rate under the General Tariff being carried out at the same rate as under the British Preferential Tariff. Therefore the preference margin will disappear during the period of the War and the rates will be the same in both tariffs, that is 2 *ad valorem*. I give notice that in the Committee stage I shall also move that the rates of duty on other kinds of boots and shoes, which are at present 6⅔% under the British Preferential Tariff and 20% under the General Tariff be reduced to 2% and 6% respectively.

Clause 5 provides for the insertion of the words "and all other materials admitted by the Comptroller for use exclusively in lithographic printing." At present the only articles that are admissible under this item are those specially mentioned in the item, but there are several others one cannot foresee in drafting an item of this kind and the item is therefore now extended to include all other materials admitted by the Comptroller of Customs for use in lithographic printing.

Clause 6 provides in the first place for the placing of morocut on the Free Schedule, and secondly for the substitution of the words "transparent cellulose wrapping" for the word "cellophane" in sub-item (41) of item 1. The article generally known as cellophane is admissible duty free when imported for the wrapping of shirts made in the Colony. It has been pointed out that "cellophane" is a proprietary trade mark and should not be used as a general description for that article. The more appropriate description is "transparent cellulose wrapping."

The clause also provides further for the addition of certain materials to those already admitted duty free when imported for use in the manufacture or packing of candles, soap, edible oils and margarine. In this particular case the two articles added are "butter flavouring" and "paper boxes" for use in connection with the manufacture of margarine.

The same clause finally adds to the list of exemptions "chemicals and other materials for use in the manufacture of cheese." There is an attempt to manufacture cheese in the Colony and it is desirable that this industry should be encouraged in every way. I move that the Bill be read a second time.

Mr. LAING seconded.

Mr. C. V. WIGHT: I would like to make an enquiry on a question of principle. I would like to know if the principle is altered in respect of the duty on morocut. Some four years ago I suggested to Government and repeatedly during that period that the duty on morocut might be reduced so as to allow its importation for the benefit of the poorer classes. I would like to know why this sudden change in policy or principle has taken place.

Mr. D'ANDRADE: The rates of duty a few years ago were lowered on dried fish so as to let morocut be admitted at a much lower rate of duty than even fish from Canada. I doubt whether it was not in fact a contravention of the spirit of the Canada-West Indies Trade Agreement.

Mr. SEAFORD: I would like to ask one question. When that duty was reduced did it increase the imports of that fish in the Colony?

Mr. D'ANDRADE: Last year it was temporarily removed. It was represented that if we place other kinds of fish obtainable from Venezuela on the same duty as morocut imports would

increase. There were considerable difficulties in the way on account of the Canada-West Indies Trade Agreement, but it was decided to suspend temporarily the duty for three months in order to see what the effect would be. As a matter of fact it did not give the results anticipated. Imports did not increase to any appreciable extent.

Question put, and agreed to.

Bill read the second time.

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

Clause 4—Amendment of Second Schedule to the Principal Ordinance, No. 9 of 1942.

Mr. D'ANDRADE: I move as an amendment that (ii) of the sub-item (a) be carried out at 2% under the British Preferential Tariff and 6% under the General Tariff instead of at 6 2/3% and 20% as printed.

Question put, and agreed to.

Clause passed as amended.

Clause 7—Date of commencement.

Mr. D'ANDRADE: I move that the clause be deleted. It is not desired that any particular section should be brought into conflict with the general coming into force of the Bill.

Question put, and agreed to.

Clause deleted.

The Council resumed.

Mr. D'ANDRADE: I move that this Bill be read a third time and passed.

Mr. LAING seconded.

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

Bill read the third time.

## TAX (AMENDMENT) BILL, 1942.

Mr. D'ANDRADE: This Bill seeks to amend the Tax Ordinance so as to provide for the imposition of an Excise duty of five cents per gallon on all methylated spirits manufactured in the Colony. "Methylated spirits" mean all spirits which have been denatured in any way by the addition of the denaturants provided in the Spirits Ordinance. Section 75 of the Spirits Ordinance provides that no duty shall be payable on such spirits, but there are regulations being made under the Emergency Powers Act to provide for the suspension of that provision so as to allow of the imposition of duties at least during the present war.

At present this denatured alcohol is only used in machinery for industrial purposes. The manufacturers of this denatured spirit gave an undertaking to Government several years ago, that in the event of Government permitting them to use such spirits without the imposition of a duty they will only use it for industrial purposes. Exception was made in the case of the sale of denatured alcohol for domestic purposes such as its use in spirit stoves etc. Owing to the scarcity of petrol and difficulty in getting supplies it is desirable that denatured alcohol, usually known as power alcohol and sold by one firm under the name of alcylene, should be allowed to be used generally subject to control by the Controller of Petroleum Oil, and it is felt that this particular denatured spirit can bear a tax of five cents per gallon without increasing the cost. The price as recently fixed is 58 cents per gallon, and it is proposed that even with this increased duty it should remain at that figure.

The object of this Bill is to apply this excise duty generally to all denatured alcohol and all kinds of methylated spirits regardless of the purpose for which it is to be used. It is believed that this particular denatured spirit can bear such a tax without

increasing the cost. That is why it is applied generally to all denatured spirits. I move that this Bill be read a second time.

Mr. LAING (Commissioner of Local Government) seconded.

Mr. SEAFORD: My first reaction to this Bill is one of bewilderment. I am puzzled to know why it is brought to the Council. I wonder what the object and reason really are for the imposition of an excise duty on methylated spirits. It is stated that it is to recover in part the import duty which is being lost as a direct result of the restricted use of petrol. I am not going to insult the hon. mover of the motion by suggesting what is his real reason. I am quite satisfied that there is a quarter-million gallons in the Colony and it is only going to effect in revenue \$12,500 when the amount the Colony is losing on petrol is in the neighbourhood of \$150,000. To say that is going to make any difference, I am quite satisfied that the hon. mover knows it cannot. When it is borne in mind that hundreds of thousands of dollars are being spent in other ways, I do not think a revenue of \$12,500 is going to affect the position at all.

As regards the reason for bringing it in, perhaps, I may be able to answer that a little later on. When I was thinking of this I was going to call it ill-considered legislation, but after hearing Your Excellency's remarks to-day I think it is fair to say that pressure of work has not allowed Government to give full consideration to this motion which is before this Council. I say that because it reverses the principle that Government has been acting on lately. You have the case where Government has taken off the import duty on gasoline for the benefit of the industrialists, and in this case Government is reversing that and adding five cents more to the payment by the user. I am absolutely sure that this

has not been brought forward to add greater burden at the present time to the producer. If it is, then it is a very unfortunate time to do so because at the present time we are going through one of the worst periods in history. With lack of labour owing to the high cost, the uncertainty of being able to secure anything and the uncertainty of the future, I am quite satisfied that Government cannot take advantage of the situation to make it much more difficult.

The producers of this commodity, if they exported it, would get very much more for it than they are getting in the Colony. But I am not suggesting nor do I ask this Council to consider that I am putting up that with the idea of obtaining more money for the producer. My object is this: I do feel that Government is wrong in putting on a five cents excise tax. I am going to ask Government to withdraw this proposed tax and instead reduce the price of this commodity by five cents per gallon and so make it at least that the producers can bear it. But it seems ill-considered that you are going to ask the producer to pay five cents more when he is so hard hit by other commodities. That five cents will bring the cost of that commodity above the high cost of petrol and gasoline in this Colony to-day. It would be very much more in line with Government's policy of subsidization if Government take that action I have suggested. I do feel that this is not the time to increase prices to the consumer. I am going to ask Government to withdraw it and instead fix the maximum price five cents lower to take the place of this excise tax which is now proposed h.cents

Mr. ELEAZAR: I would like to support the hon. Member who has just sat down, but I think I may be a little more generous. Government may withdraw this but reduce the price of this article by the same proportion as the price of petrol. I understand that

this article is giving about two-thirds of the service as petrol.

Mr. SEAFORD: If you reduce the price it would come slightly below the price of petrol.

Mr. ELEAZAR: I am saying how much below. I am thinking of reducing the price not merely by five cents but more than five cents. That is, if petrol is costing two shillings (48c.), let this be so reduced as to make its cost 32 cents.

Mr. SEAFORD: That is what I am asking.

Mr. ELEAZAR: If petrol is 70 cents a gallon make this 50 cents and let the consumer get the benefit. I quite agree with that, but I do not agree that it is opportune to increase the cost to the people who produce it. Let them sell it at a price cheaper than petrol.

Mr. AUSTIN: I cannot quite follow the hon. Member for Georgetown North (Mr. Seaford). I am not very clear on it. We both know what this thing costs and we both know what the wholesale price is. It seems to me, as I said in another place, there is a reasonable charge of five cents per gallon which should go to the Colony's revenue by permitting the use of this alcoholene under the present day conditions. I know this alcoholene goes 70 odd miles from New Amsterdam, right away to the West Coast Berbice, and if it entails all that freight and carriage surely a small charge of five cents per gallon on the producer will in no way affect either the producer or consumer and it will assist revenue and also give an indication that the producers under present day conditions are willing to contribute something.

Mr. SEAFORD: I think the hon. Member has missed my point entirely. I am not suggesting that the producer should get anything. All I am asking Government is not to put on an excise

tax but to reduce the maximum price by five cents, and so the producer will get one cent of it.

Mr. GONSALVES : It is said that when lawyers differ and disagree the public suffer. I see two representatives of Sugar are differing on a material point, but I do not know who is going to suffer. Whatever is the object of the Bill, after reading a few lines of the hon. Attorney-General's note, it seems that it is to enable motorists to use alcolene in the place of petrol. If that is so, I think every facility should be offered for that use if the present condition is going to continue and the supply of gasolene or petrol is going to be restricted for a very long time. Those of us or those persons who are privileged under certain conditions to use their cars must have something to drive them with, otherwise there is no need being given permission to use them. For that reason I think the price should be made as reasonable as possible in the circumstances. As regards the details, I am not prepared to say whether it should be five cents or ten cents less, but some reasonable figure may be arrived at.

Mr. C. V. WIGHT : I would like to get some figures. I see here that the object is to recover in part the import duty which is being lost as a direct result of the restricted use of petrol. I would like to get some comparative figures as to what is the estimated loss, and the estimated duty we are going to get in to recover in part that loss, because it would appear that unless we put this here, as suggested by the hon. Member for Georgetown North, at a figure which would induce motorists and others to use it the whole effect would be lost and the excise duty would not recover in part what is expected. The whole question appears to be one for serious consideration by Government. What is going to happen at the present moment with this restriction on petrol and the consequential results of insurance taxation and the licences ?

All will have to be taken into account in computing it and adjusting it, so that where you lose on one you may gain on the other. Government will have to take the matter seriously into its hands as to whether motorists' licences ought to be payable within a month or three months or at all, or whether they ought to get a rebate on their insurance. I would like to get some idea of the figures before I can say whether I will support the Bill or not.

Mr. D'ANDRADE : The whole thing is explained in the objects and reasons. No one thinks we will get anything like the revenue we lose as the result of the restricted use of petrol, but it is almost impossible to get an estimate of the revenue we will recover. It is only quite recently it has been offered to the public, and a large number of people are not using denatured alcohol in their cars. The figures given by the Controller of Commodities Department are 114 drums delivered in Georgetown between the 17th and 28th October. I have not got the figures from Berbice, but it is estimated that the total amount for that period is 150 drums. I was told by the District Commissioner that the effect would be practically the same, because it is only when the alcolene is delivered it is allowed to be replaced.

Mr. SEAFORD : I am afraid that is not correct, because I have been asked by the Controller to ship all the alcolene we can. We have been shipping every drum that could be put into Bond, using every means of transportation we could put our hands on. I think the Commissioner of Local Government knows something about it.

Mr. C. V. WIGHT : Between the two hon. Members they may be able to give us some figures.

Mr. D'ANDRADE : I do not think it is the quantity of stuff removed to the magazine but what is delivered.

THE PRESIDENT: Before I put the motion I should say that Government's object in imposing this tax is largely because we feel that we cannot permit such an article to go on the market entirely untaxed. It is quite true we cannot recover more than a mere portion of what we will lose on petrol. On the other hand, the proposition is that we should waive the tax to allow the price of alcolene to come down, and that that would be in pursuance of our policy of subsidization of industry. I cannot help feeling that the producers of alcolene would be able to appreciate a subsidy of that kind.

The suggestion has been made to me that those owners of cars not used for essential purposes, who have no priority in obtaining gasolene, might be allowed to have alcolene. I do not exactly favour that proposal, but it has been suggested to me again. It would mean that those people who use their cars for non-essential purposes are going to have alcolene at a cheap price. I do not think I would favour that. If our policy of subsidization is one to be pursued, I would much rather see the tax levied on alcolene used for the purpose of meeting those numerous obligations we have to shoulder. For example, on Tuesday last the Executive Council agreed to an expenditure of \$10,000 between now and the end of the year in increasing Poor Relief, and I would much rather see the money devoted to that than in cheapening the price of alcolene to consumers who I really believe can pay. Government would be wrong in giving facilities for alcolene to go on the market and levying no Excise tax whatever upon it. I do not regard the tax as heavy or severe.

Mr. SEAFORD: When I referred to subsidization I was not thinking so much of owners of cars, because by far the smallest use is made by them of alcolene. I was referring to the industrial people who use alcolene. A

considerable amount of it was sent to the people in the Mahaica area. They are the people who are going to suffer by having to pay so much more for alcolene than they would for petrol in normal circumstances.

THE PRESIDENT: I admit that those users of alcolene were suffering a hardship, but an increase in the price by five cents per gallon as compared with the price of gasolene would not cause any great hardship.

THE PRESIDENT put the question "That the Bill be read the second time."

The Council divided and voted:—

For—Messrs. Jackson, Jacob, Peer Bacchus, Eleazar, Wood, Case, Laing, D'Andrade, Austin, McDavid, Dr. Singh, Professor Dash, the Attorney-General and the Colonial Secretary—14

Against—Messrs. Percy C. Wight and Seaford.—2.

Did not vote:—Mr. C. V. Wight.—1.

Motion agreed to.

Bill read the second time.

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

Clause 2.—

Mr. JACOB: I think the duty on alcolene should be higher than five cents per gallon. There is going to be a large quantity of alcolene used by motorists, and I think it is a luxury. In the case of industry I can quite understand not taxing it at all, but for motor cars I think the duty should be more than five cents per gallon.

Mr. SEAFORD: I would like to point out to hon. Members so that later on they cannot say they did not understand, that whereas the rice-grower to-day can get his petrol at 50 cents per gallon this Bill will mean that he

is going to pay 80 cents for the equivalent amount of alcoholene he will require to do the same work.

Mr. D'ANDRADE : The price is 58 cents per gallon. We are imposing a duty of five cents per gallon, but we will still fix the price at 58 cents per gallon. I am therefore not quite clear how the rice-grower would be paying more.

Mr. SEAFORD : You do not get the same mileage from alcoholene as you get from gasoline.

The Council resumed.

Mr. D'ANDRADE : I move that the Bill be read a third time and passed.

Mr. LAING seconded.

Question put, and agreed to.

Bill read a third time and passed.

LAND PARTITION AND RE-ALLOTMENT  
(CHRISTIANBURG AND WISMAR) BILL.

Mr. LAING (Commissioner of Local Government): I move that "A Bill intitled an Ordinance to provide for the partition of a certain area of land known as Section B in the Christianburg and Wismar Country District, for the re-allotment of holdings therein, for the issue of titles thereto and to render the occupation thereof more beneficial," be read a second time.

The Country District of Christianburg and Wismar was laid out in August, 1900, in three sections—A, B and C. Section A is separated from B by land belonging to Sproston, and B from C by certain farm lands leased to a company. The lots in Section B run at right angles from the river bank to the back boundary of the village, and near to the river bank is a reservation of some feet used as a path for pedestrians. It would appear that when the lots were laid out in 1900 it was contemplated that the settlers

would build their houses in the front of the lots, using the rest of the lots for agricultural or other purposes, and that the main means of access would be from the river.

Many things have happened in the past 40 years, and in that area there has been considerable industrial activity. This has led to a great increase in the population, which in turn has led to a considerable increase in housing, particularly in section B which is now very much overcrowded. In view of that the Central Board of Health approached the lot-owners and suggested to them that they should lay out the area in a more beneficial manner. The advice was accepted by the owners of the first eight lots. There are about 36 lots in section B, and those which were laid out in a manner satisfactory to the Board have been approved. Some of the owners of the other lots approached the Central Board with various proposals for laying out their lots, the effect of which would be that the lots would be of unequal sizes, with irregular means of access, and with varying means of drainage.

Had those proposals been accepted by the Board the village would then have comprised a large number of lots of varying sizes with irregular means of access, and also irregular means of drainage. That naturally would have led to considerable difficulties, particularly in regard to the maintenance of proper roads and drainage of the area. The Central Board therefore decided that they could permit no further building, and again suggested to the lot-owners that they should get together and put up some main scheme for laying out the whole of Section B. Officers of the Public Health Department and my Department have visited the area from time to time and had consultations with the lot-owners but, unfortunately, we have not been able to reach a common plan of laying out that section. It seems essential from the public health point of view, and also



from the point of view of the beneficial occupation of the lands, that the area should be laid out and laid out as early as possible.

The object of the Bill, therefore, is to provide for the laying out of Section B of the Christianburg and Wismar Country District under the Lands Partition and Re-allotment Ordinance. I may add that if this Council adopts the Bill the proposal is that the villagers should have at their disposal a Government surveyor who would do the partition work free of cost to them. The only charge they would be called upon to pay would be the cost of the transports, which is laid down in the Partition Ordinance, that is \$1.50. I move that the Bill be read a second time.

Mr. D'ANDRADE seconded.

Mr. ELEAZAR: I am going to move that the Bill be deferred for six months for the special purpose of giving the Local Government Board an opportunity to read the Public Health Ordinance, especially sections 135, 139, 140, 141 and 142. The Board is incompetent to handle this matter. The original owners of the land passed transport to those who purchased from them, and after a time those persons wanted their portions divided. They did not want undivided lands. Government then passed Chapter 169 which gave 51 per cent. of the proprietors the right to apply to Government for a partition, and Government would cause the Local Government Board to have the lands surveyed and partitioned, each proprietor getting transport for his portion. It is then his property. Then, in order to provide for proper drainage and irrigation and public health, the Public Health Ordinance was passed which says that you may own land but the Central Board of Health must be satisfied as to what portion of it you are going to occupy if you are going to build on it. The Board also has to approve of the size of the building, the materials to be

used, and everything conducive to public health.

There are members of the Board who have no knowledge of land tenure and they say that 51 per cent. of the proprietors should not have it their way. This Council is therefore asked to give them power to say how it should be done. Is that the way to treat people who own freehold property? I would like to see this precious Board going on one of Bookers' estates and telling them what to do. The surveyor would not go near the estate, and the Board would not have the audacity to suggest that. So much land is being wasted because the Board has the power to make Regulations. I do not know who is going to be the Hitler of the Board. This Bill is going to cause trouble. The Board should not have power to go on people's land and say how it should be divided up.

THE PRESIDENT: It is to meet a very special set of circumstances. It is strictly limited to this particular area. No general power is asked for.

Mr. ELEAZAR: But isn't it a bad precedent, sir? There must be irregular sizes of lots. If you have one acre and I have half an acre, how can we have lots of the same size? I think if those two sections of the Public Health Ordinance were referred to it would be seen that the Board has sufficient power and does not need this Bill. The people who own the lots do not want partition according to law. Although the Board has power to prevent them building on those lots as they like it does not propose to use that power but is seeking power to divide up the lots as it thinks fit. The law is there for safeguarding public health, and people who desire to build houses have to comply with that law. The land law of the country is still Roman-Dutch Law, but people make so little use of it that they do not know it.

Mr. JACOB: I have tried to follow

the hon. Member's remarks, but I am afraid I could not. I observe that the hon. Member for Berbice River (Mr. Eleazar) has been speaking on a question that concerns the Demerara River. I do not know if he has been retained in his legal capacity to represent the people in the Demerara River.

Speaking on the principle of the Bill, I think that Government is acting in the best interest of the people, and that it is a step in the right direction. I am particularly concerned about people all over the Colony living on properly laid out lots, and for that matter the land should be theirs, and they should have transport for them.

Mr. ELEAZAR: I would like to know whether the last speaker is the Member for Demerara River? (laughter)

Mr. JACOB: I am afraid my friend does not understand what I am saying. Speaking on the principle of the Bill, and on behalf of people in several parts of the Colony, I think Government's action is a step in the right direction. Representations have been made to me from time to time by people nearly all over the Colony, that wherever they live their lots should be properly laid out, and that they should have the necessary transport. Your Excellency knows that representations have been made by me that land should be compulsorily taken over and sold to people who wish to live on those lands, or who have been living on them for some time. I cannot imagine that this Council is not in favour of that being done. Let the hon. Member say definitely that people should not be anchored on the land and have it properly laid out for health reasons.

I think this policy should be extended throughout the Colony, and I take this opportunity to say that wherever people reside the lots should be properly laid out, and every facility offered to them to live there so that they could leave those lots for their children and

their children's children. Large numbers of people are very concerned about their personal holdings, and I would be sorry to think that the remarks of the hon. Member should indicate to Government that people are not mindful of how they live, and do not want to live under proper conditions.

Mr. ELEAZAR: The hon. Member does not seem to understand the simple English language. I did not say that the people do not want land partition. I said that they have the right to do it under the law, but nobody has the right to do it for them as they want it done.

Mr. JACKSON: The Bill before us is very necessary, and in taking the step it has taken the Central Board of Health has gone in the right way. There must be order and regularity, and the conditions obtaining at the present time at Christianburg and Wismar are such that do not conduce to good health. Buildings have been erected in an irregular order, one almost butting on another. There are no proper roads, and the drainage is imperfect. I am satisfied that the position taken up by the Board is the correct one, and I hope that the Bill will be passed without further opposition.

Mr. PEER BACCHUS: With all due deference to the hon. Member of Berbice River (Mr. Eleazar) I think he has misconstrued the object of the Bill. It does not seek to give the Board any more power than is given under the Lands Partition Ordinance. The Bill is only necessary because 51 per cent. of the holders of land have not petitioned Government for a partition of their lands, and the Governor in Council had nothing upon which to act. The object of the Bill is to enable the lots to be laid out in a regular way. It does not mean that the partitioning officer is going to take two rods from "A's" land and give them to "B." Under the Lands Partition Ordinance,

if an unfortunate holder has a piece of land which is not sufficient to allow of the erection of a building in compliance with the Public Health Ordinance, the partitioning officer has the power to sell that land at public auction.

Fortunately or unfortunately, I happen to be a lay Member of this Council, and I would appreciate it if the hon. Member for Berbice River (Mr. Eleazar) would be asked to give some of his valuable time to serve on some of the various Boards. It is not pleasant work, and only members of such Boards know how much of their time is spent on them.

Mr. SEAFORD: I feel that it is the duty of Government, wherever necessary, to look after sanitation and to see that any district or village which has no proper sanitation is put in order. I take it that that is what Government proposes to do in this case. It is no good spending money on education if Government is not going to look after the health of the people. I mention sanitation because it comes before anything else.

Another point that influenced the Board was that where the houses were being put up there are no means of ingress or egress. There is absolute congestion, and a great many of the houses are hovels. It is the duty of Government to go to the aid of the unfortunate people in the district and have the lots properly laid out.

Mr. LAING: My friend the hon. Member for Berbice River (Mr. Eleazar) is well informed on the Lands Partition Ordinance, and of the defects of section 135 of the Public Health Ordinance, but I do not think he is fully informed about Section B in the Christianburg and Wismar Country District; that the lots run at right angles to the river, and that there are no means of access except from the river. The purpose of the Bill is to construct roads

so that the people can get in and out. We do not propose to take away the right of any man to his land, but to provide proper means of ingress and egress from his house, and so render beneficial occupation of the lands possible. There is no intention whatever of disturbing the rights of the proprietors to their lands, but simply to improve the health of that locality.

THE PRESIDENT: I am exceedingly pleased to find that there has been this measure of support to this Bill. It was with some degree of trepidation that I allowed it to go forward to this Council. In the form in which the proposal was submitted to me originally by the Law Officers it meant a rather big and general measure of slum clearance. That would have required a great deal of discussion. We are in fact faced with a particular question, a horrible slum growing up at Christianburg and Wismar, right opposite the area where Government requires the Bauxite Company to do all sorts of things to ensure proper housing. That was a situation we could not allow to continue.

I think the Commissioner of Local Government made every effort to get the people together, but the one thing they agreed upon was that they would agree about nothing. Individual representations put forward were simply ludicrous, and showed me that those people were not fitted to give judgment as to how their township should be laid out, and we were faced with the need of this special provision. Therefore, instead of attempting to take any more general powers we thought we might meet the situation by an *ad hoc* Bill, and I am glad to find that the Council is prepared to give support to the Bill. I agree with the hon. Member for North-Western District (Mr. Jacob) that these powers are necessary, and I hope in due course to see Housing Bills and Slum Clearing Bills come before the Council when we have time to consider such measures,

Question put, and agreed to.

Bill read the second time.

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

The Council resumed.

Mr. LAING: I move that the Bill be read a third time and passed.

Mr. D'ANDRADE seconded.

Question put, and agreed to.

Bill read a third time and passed.

THE PRESIDENT: As far as I can see, to-morrow we will have the Education (Amendment) Bill in the Committee stage, the Georgetown Rating Bill, and the Schooner Pool motion. The hon. Member for Berbice River (Mr. Eleazar) also has a motion. Does he desire to take that to-morrow?

Mr. ELEAZAR: I do not mind, Your Excellency.

THE PRESIDENT: That, I think, will end our business. I think it might be useful to take a decision on a

financial matter to-morrow. The Executive Council has decided to vote a sum of \$10,000 for increased Poor Relief, and a motion to that effect will be put forward to-morrow.

#### REMOVAL OF BAN ON RUPUNUNI CATTLE.

I have an interesting bit of information to announce. Members may be glad to know that we have every reason to think that the ban on cattle from Rupununi will be removed, and our meat position will be improved.

Mr. ELEAZAR: After to-morrow we will be adjourning for some weeks?

THE PRESIDENT: We shall be adjourning until the 18th of November unless other business comes up.

Mr. ELEAZAR: I have not my ammunition for my motion. I hardly expected it to be taken to-morrow.

THE PRESIDENT: We could quite easily take it in November.

Mr. ELEAZAR: Very well, sir.

The Council was adjourned until 12 o'clock the following day.