

## LEGISLATIVE COUNCIL

WEDNESDAY 4th DECEMBER, 1946.

The Council met at 2 p.m., His Excellency the Officer Administering the Government, Mr. W. L. Heape, C.M.G., President, in the Chair.

### PRESENT

The President, His Excellency the Officer Administering the Government, Mr. W. L. Heape, C.M.G.

The Hon. the Colonial Secretary, Mr. D. J. Parkinson, (acting).

The Hon. the Attorney-General, Mr. F. W. Holder, K.C.

The Hon. the Colonial Treasurer, Mr. W. O. Fraser (acting).

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

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

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

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

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

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

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

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

The Hon. Peer Bacchus (Western Berbice).

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

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

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

The Hon. V. Roth (Nominated).

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

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

The Hon. G. A. C. Farnum (Nominated).

The Hon. J. A. Veerasawmy (Nominated).

The Clerk read prayers.

The minutes of the meeting held on Wednesday, the 27th November, 1946, as printed and circulated, were taken as read and confirmed.

### ANNOUNCEMENTS

#### PROCEDURE OF BUSINESS

The PRESIDENT : With the approval of Members it is proposed today that the Colonial Treasurer should introduce the Estimates, read the Budget Statement and lay on the table the printed draft of the Estimates; then the Council will adjourn consideration of the Estimates for the usual period, I think, of seven days. We will then proceed with the legal business, and that is to go back into Committee to consider the report of the Select Committee on the amendments to the Georgetown Town Council Ordinance, and then proceed with the deliberations on the other Bill which the Attorney-General proposes to introduce today.

I would just like to explain to Members that if the Council agrees to this procedure, it would be possible to go into Committee and give serious consideration to the Estimates in detail next week. That is very desirable, and the other Bills being very important I would like to deal with them this afternoon after the Treasurer has read his Budget Statement, and again tomorrow and on Friday if necessary, so that when we meet again next week—and I would suggest Wednesday next—we will be able to start consideration of the Estimates and do that alone.

The ATTORNEY-GENERAL: Your Excellency, I just wish to say at this juncture, that after the Treasurer has laid his Budget Statement and consequent upon the proposals therein, there will be two Bills introduced, and I shall ask the consent of this Council for their first reading. It is the usual procedure

and it is supported by law that in matters of this sort immediately after the Budget Statement is submitted we should proceed to the introduction of the Bills which seek to increase the Customs Duties or to levy rates and taxes. That procedure is being followed.

The PRESIDENT: The point is, this does not mean that this Council is being asked to make any decision. The Bills will be read the first time with your approval and then the debate will be taken as soon as convenient afterwards. The fact is that the tax takes effect from the introduction of the Bill. It is therefore quite obvious to Members that it is most important when the proposals of Government are known that the Bill be read the first time so that if the Bill is approved and eventually made law, the tax will be levied from that day. It is always done, and I hope Members will agree.

#### PAPERS LAID.

The ATTORNEY-GENERAL laid on the table the following:—

Report of the Select Committee appointed to consider the Georgetown Town Council (Amendment) Bill. (Legislative Council Paper No. 12 of 1946).

The COLONIAL TREASURER (Mr. Fraser) laid on the table the following documents:—

Draft Estimates of Revenue and Expenditure for 1947.

Budget Statement by the Colonial Treasurer.

The COLONIAL TREASURER: I should like to take this opportunity to explain that the Estimates are printed this year in two sections in order to facilitate the business of the Council. The section which has been laid this afternoon consists of the Statement of Assets and Liabilities (at 31st December, 1945), the Estimated Financial Position of the Colony at 31st December, 1946, and the Budget Position for 1947 with the heads and details of Revenue and Expenditure in so far as Colonial Emergency Measures are concerned. The other portion of the Estimates consisting of

the Estimates of the Colonial Development and Welfare Schemes and the Appendices, which are usually printed with the Estimates, are at present in the hands of the Printers. It is hoped, however, to have that portion ready before the Council resumes next week to consider the Estimates.

The PRESIDENT: Am I right in saying that the portion which we are going to receive some days later is purely self-balancing expenditure and that the Council has today the full proposals as regards actual Colony expenditure?

The COLONIAL TREASURER: Yes, sir.

#### GOVERNMENT NOTICES

##### INTRODUCTION OF BILLS

The ATTORNEY-GENERAL gave notice of the introduction and first reading of the following Bills:—

A Bill intituled "An Ordinance to provide that the persons who on the thirty-first day of December, nineteen hundred and forty-six are the Mayor and the Elected Councillors of the City of Georgetown shall continue in office as such until the thirtieth day of June, nineteen hundred and forty-seven; and for purposes, connected therewith."

A Bill intituled "An Ordinance further to amend the Tax Ordinance, 1935."

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

##### ESTIMATES, 1947

The COLONIAL TREASURER gave notice of the following motion:—

"That, this Council approves the Estimates of Expenditure to be defrayed from revenue during the year ending 31st December, 1947, which have been laid on the table."

#### UNOFFICIAL NOTICE

##### U.S.O. CLUB BUILDINGS

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

1. Does Government contemplate buying, or has it arranged to buy the buildings of the U.S.O. Club, when they are vacated by the present holders?

2. In the event of buying, has Government any definite plan for using these buildings?
3. If so what is that plan?
4. Does Government actually contemplate using them to house Government Departments?
5. If so, what Departments and why?
6. Would Government consider handing them over to some suitable body to organise and run as a Hostel for Working Girls?

## ORDER OF THE DAY

## GOLD AND DIAMOND MINING INDUSTRIES

Mr. ROTH asked and the COLONIAL SECRETARY replied to the following questions:—

Q. 1—How much Royalty has Government collected on gold during the past forty years?

A. —The royalty collected on gold during the 40 years, 1906-1945 inclusive amounted to \$745,826.09.

Q. 2—How much royalty has Government collected on diamonds during the past forty years?

A. —Royalty collected on precious stones amounted to \$879,736.73.

Q. 3—How much export tax has Government collected on gold during the past forty years?

A. —Export tax on gold was first imposed in August, 1923; the total amount collected during the period 1923 to 1945 (23 years) was \$230,081.45.

Q. 4—How much export tax has Government collected on diamonds during the past forty years?

A. —Export tax on diamonds was first imposed in August, 1923; the total amount collected during the period 1923 to 1945 (23 years) was \$650,880.13.

Q. 5—How much fees has Government collected on Gold and Diamond Mining Titles during the past forty years?

A. —Fees collected on Gold and Diamond Mining Titles:—

Gold Claim Licences ....	\$ 267,110.00
Precious stones licences	\$ 381,805.00
Exclusive Permissions	\$ 263,011.00
Mining Concessions ....	\$ 85,540.00
Dredging Concessions	\$ 26,574.00

\$1,024,040.00

Q. 6—How much has Government spent on the encouragement and development of the Gold and Diamond Mining Industries during the past forty years?

A. —It is not possible to answer the question exactly since all expenditure by Government on communications, transport, administration, health, postal, police and other services within the mining districts must have been of direct or indirect benefit to the industry, and the amount so expended cannot be isolated from other departmental expenditure. However, the following major items of direct benefit to the industry are recorded for information:

- |  |                     |
|--|---------------------|
| (1) Development and maintenance of communications within mining districts    | \$2,184,788.        |
| (2) Geological Survey Department   | .... \$ 356,908.    |
| (3) Rebate of freight on flour and milk to the Mazaruni and Potaro districts | .... \$ 34,934.     |
|  | <u>\$2,576,630.</u> |

## INTERIOR ROADS

Q. 7—Is Government aware of the deplorable condition of the Bartica-Potaro and Issano roads?

A. —Government is aware that some sections of the Bartica-Potaro Road and the Issano Road are in bad condition. Repair and reconditioning work is, however, already in progress.

Q. 8—Is Government aware that it may be cheaper to concentrate on the proper maintenance of these roads than on the lorries running thereon—i.e.—that it would be cheaper to spend more money on the former with a consequent cheapening of upkeep of the latter?

A. —The possibility has not been overlooked, but before these roads can be properly maintained they must first be properly reconstructed. Their reconstruction is being considered in connection with the Development Programme.

Q. 9—What steps, if any, is Government taking with regard to the

construction of a road to the Cuyuni Goldfields?

- A. —A survey of a proposed road route from Kartabo Point to Aurora was carried out by Mr. G. B. Whitehead, Engineer of the Cuyuni Goldfields Limited, at the expense of Government. Mr. Whitehead's report, which is satisfactory, is being considered by the Roads sub-Committee of the Interior Development Committee. The Committee's recommendations on the report will be submitted to the Communications sub-Committee of the Colony Development Committee.

#### D'URBAN PARK AS HOUSING SITE

Mr. FARNUM asked and the COLONIAL SECRETARY replied to the following questions :—

- Q. 1—Is it a fact that the land known as D'Urban Park was a gift to the inhabitants of the Colony?

A. —No such record can be traced. The land is Crown land.

- Q. 2—Is it a fact that Government has leased D'Urban Park to the Demerara Turf Club, Ltd?

If answer is in the affirmative please state :

- (a) date lease will expire;
- (b) whether lessors have the right of renewal.
- A. —D'Urban Park is held by the Demerara Turf Club, Ltd. under an annual permission solely for the purposes of horse racing.
- (a) The permission expires on the 31st of December, 1946.
- (b) No, but the permission may be renewed annually on application.

- Q. 3—Whether Government considers D'Urban Park a suitable site for a housing scheme for persons of the working classes, due to the largeness of the area wherein a large number of buildings could be erected, and its proximity to existing amenities.

A. —Government is advised that the D'Urban Park is a suitable housing site, but the question of housing persons of the working class there would have to be considered in connection with the housing plan of the City.

#### POUDEROYEN & STANLEYTOWN VILLAGE ELECTIONS.

Mr. JACOB, on behalf of Mr. LEE, asked and the COLONIAL SECRETARY replied to the following questions :—

- Q. 1—What is the number of Voters in the Pouteroyen Village District and Stanleytown Village District?

A. —Pouteroyen 121, Stanleytown 143.

- Q. 2—What is the cost to each Village aforementioned for the election of Councillors whether contested or not, i.e. of printing Voter's Lists and Ballot Papers, each separately?

A. —The cost to the two districts during 1944, 1945, and 1946 for printing Voter's Lists and printing Ballot Papers in English, Urdu and Nagri was as follows :—

<i>Pouteroyen</i>		
<i>Printing Voter's Lists</i>		<i>Ballot Papers</i>
1944.....	\$22.50	
1945.....	36.00	40.00
1946.....	7.44 (by Roneo)	
<i>Stanleytown</i>		
<i>Printing Voter's Lists</i>		<i>Ballot Papers</i>
1944.....	\$30.00	
1945.....	48.00	40.00
1946.....	8.58 (by Roneo)	

In addition to the above, fees to the Returning Officers and expenses of their travelling were :—

*Pouteroyen*—\$8.00 in 1944 and \$8.84 in 1945.

*Stanleytown*—\$14.50 in 1945.

#### BAGOTSTOWN APPRAISEMENT

- Q. 3—When was the last appraisal of the Local Authority of Bagotstown done and who were the appraisers?

Q. 4—By whom were these appraisers appointed and what was their remuneration, each separately?

A. —The last general appraisal of Bagotstown was made over 20 years ago. It is regretted it is not possible now to state the names of the appraisers. Appraisal of new buildings and re-appraisal of old

buildings are made annually, under the provisions of Section 102 of the Local Government Ordinance, No. 14 of 1945. The last of these was made in January, 1946. The appraisers were A. Barnwell and A. Grannum. They were appointed by the Local Authority and their remuneration was \$2.00 each.

Q. 5—Is any of the appointees related by marriage to the Chairman of the said Local Authority ?

A. —Not so far as Government is aware.

Q. 6—Will Government state what is the appraised value of the property of Shivgolam Singh, S½ of Lot 7 Bagotstown, East Bank, Demerara in 1945 at the present time ?

A. —In 1945 the appraisalment was \$115.00. In 1946, \$230.00.

Q. 7—How many buildings were existing on the above lots in the year 1945 and also how many buildings are there at the present time and when the re-appraisalment was made in January, 1946 ?

A. —Three buildings were on the lot in 1945 and the same number are on the lot at the present time. During 1945 these buildings were improved and the Local Authority re-appraised them under Section 102 of the Local Government Ordinance.

Q. 8—Will Government state whether the owner of the property made any application for re-appraisalment as required by the Law ?

A. —The owner made no application, but the Local Authority caused a re-appraisalment to be made under the provisions of Section 102 of the Local Government Ordinance.

#### RICE INDUSTRY

Mr. JACOB asked and the COLONIAL SECRETARY replied to the following questions :—

Q. 1—When last were the books, accounts, vouchers, and stocks of rice, bags, padi, etc., at the Rice Mills at Plantation Anna Regina and Mahaicony checked by the Auditors of the Rice Marketing Board ?

A. —As at 31st March, 1946.

Q. 2—When last were the books, accounts, vouchers, and stocks

of every kind at the Rice Production Expansion Scheme at Mahaicony-Abary checked in detail by the Auditors of the Board ?

As at 31st March, 1946.

Q. 3—When last were the books, accounts, vouchers and stocks of every kind at Georgetown, Anna Regina, and Mahaicony-Abary checked and verified by the Auditors of the Board ?

A. —As at 31st March, 1946.

Q. 4—Have the Auditors issued a report certifying that they have examined and checked ALL the books and accounts of the Rice Marketing Board, that they have verified the cash in hand at Anna Regina and Mahaicony, and whether they obtained all the information and explanations they required. If so, will Government cause this report to be published for the periods ended 30th September, 1945, 31st March, 1946, and 30th September, 1946, without further delay ?

A. —(a) The Auditors have issued separate Certificates in respect of:

The B.G. Rice Marketing Board,

The Anna Regina Rice Mill, and

The Mahaicony/Abary Rice Development Scheme.

In each case the Certificate reads as follows :

#### "AUDITORS' CERTIFICATE

We have examined the foregoing Balance Sheet with the books, accounts, and vouchers, and we have obtained all the information and explanation we have required. We certify the Balance Sheet to be correctly drawn up in accordance therewith."

—(b) Reports for the periods to the 30th of September, 1945, and the 31st of March, 1946, have been submitted to Government and will be published as soon as printing facilities permit. The Report for the period to the 30th of September, 1946, will be submitted by the Board as

soon as the Auditors' Certificate is received.

Q. 5—What is the reason for not publishing the Statement of Income and Expenditure and Liabilities and Assets of the Board with a full and fair report of the Auditors for the three periods mentioned in question 4 after the Statements had been received by the Auditors ?

A. —See 4 (b) above.

Q. 6—Is it a fact that a Commission headed by Mr. Justice Jackson investigated the affairs of the Anna Regina Rice Mill recently, if so, will Government cause the report of the Investigators to be printed and circulated among the Members of the Legislative Council ?

A. —No. Mr. Jackson was, however, Chairman of a Committee appointed in July, 1945, under Colonial Regulation 68, to enquire into charges preferred against the officer who was at that time responsible for the operation of the Anna Regina rice mill; as a result of the Committee's recommendations the services of this officer were subsequently terminated. It is not customary to publish reports of disciplinary proceedings.

Q. 7—Will Government consider the advisability of requesting the Colonial Auditor to audit all the books and accounts of the Rice Marketing Board and the Rice Expansion Scheme as from the 1st of November, 1946 ?

A. —The accounts of the Rice Expansion Scheme, which is now administered by a Board of Control appointed by Government, will be subject to Government audit from the 1st of January, 1947. Government does not consider that there is any reason to change the present arrangements for the auditing of the accounts of the Rice Marketing Board.

Q. 8—Is it a fact that a large quantity of new rice bags were reported lost or missing recently, from one of the Board's bonds in Georgetown ? If so, what steps, if any, have been taken to recover the bags and to bring those responsible for the loss before the Courts ?

A. —Twenty-one bales of new bags were stolen from the New Mar-

ket Street bond which is under the control of the Commodity Control Board and not of the Rice Marketing Board. Charges have been brought against four persons in connection with the theft, and the matter is now before the Court. There is no suspicion that any member of the Rice Marketing Board staff is involved.

Q. 9—Are any members of the Board employed by way of giving advice at the Mahaicony-Abary Rice Production Expansion Scheme ? If so, give their names, date of employment, whether temporary or permanent, and remuneration ?

A. —Mr. H. E. H. Gadd has been temporarily seconded by the British Guiana Rice Marketing Board to the Mahaicony-Abary Rice Development Scheme from the 1st of March, 1946, at a salary of \$5,760.00 per annum out of funds from the Scheme.

#### PROCEDURE APPROVED

The PRESIDENT: I now ask the Council to approve of the proposal I indicated. Mr. Attorney-General, is it necessary to suspend the Standing Rules and Orders?

The ATTORNEY-GENERAL: No, sir.

Proposal agreed to.

The PRESIDENT: With the consent of Council the hon. the Colonial Treasurer will now introduce the Estimates for 1947 and read the Budget Statement.

#### BUDGET STATEMENT

The COLONIAL TREASURER: The Draft Estimates of Revenue and Expenditure for 1947, which have been laid on the table, have been prepared in close collaboration with Lieut.-Colonel Spencer, Economic Adviser. Lieut.-Colonel Spencer has recently completed an intensive study of the economic and financial position of the Colony and I feel that I have been both privileged and fortunate in having had the advantage of his specialist knowledge and experience on which to draw. My task, as a consequence, has been made so much easier that I wish at the very outset, to acknowledge my indebtedness and gratitude to him.

2. In the last three years of war when the Colony enjoyed an unprecedentedly high level of prosperity, Government expenditure rose from a little over \$7,000,000 to over \$14,000,000, and yet surplus balances were the order of the day. This phase is now ended and Colony finances are entering a period of re-adjustment and adaptation to post-war conditions. Revenue, although still buoyant, has lost its upward momentum while Expenditure is still tending to increase from year to year.

3. In order to meet this situation, every effort has been made to check the rising tendency of expenditure, and the estimates now presented to Council, have been subjected to a detailed review by a Committee of Executive Council and the Economic Adviser, leading to reductions totalling over \$454,236 on the estimates originally submitted by Heads of Departments.

4. That expenditure might exceed revenue in the first stages of transition was not unexpected, but it is the first and cardinal recommendation of the Financial Report to which I have referred (and the one which Government has accepted) that this stage is now past and the Budget must be balanced without delay. This will not be easy and will only be accomplished by set purpose and determination. It is clear, after relatively minor economies have been made, that balance can be achieved only by a substantial reduction in the level of Government services or by a corresponding increase in taxation. As I have already mentioned reductions have been effected in Committee and it was the view of Sir Gordon Lethem, who had been giving this matter close attention up to the time of his departure, that when such steps had in fact been taken it would be right and proper to call for reasonable increases in taxation to meet what was still required to provide the existing level of Government services of all kinds.

5. In his financial and economic report, Lt.-Colonel Spencer has pointed very clearly to the various categories of Colony expenditure. He has shown with some significance that, of the increase of nearly \$7,000,000 between Colony expenditure in 1939 and Colony expenditure in

1946, social services account for approximately \$2,400,000 and he has expressed the view that major savings can be effected only by reversing existing policies involving reduction in the present level of services; or, a heavy increase in taxation if these services are to be retained. Lt.-Colonel Spencer's report will no doubt sooner or later come up for consideration. Thus, this Council with its long and varied experience of Colony affairs will have it in its power to make an indelible contribution to the settlement of future policy before it finally lays down its responsibilities and passes into the pages of history.

6. Uncertain as the Colony's outlook may appear at first sight, there are still, in the offing, many cheering signs. Our Mineral, Forest and Agricultural resources are still available to consolidate the Colony's economy and to expand its wealth. Exports of bauxite, which had slumped towards the latter part of 1945, are again at the peak-level of war-time production and there is promise of still further development. Activity, by outside interests, in the gold bearing areas of the Colony has at no time been greater, while large concessions of forest land are under active examination by local, as well as non-resident interests. Experts of repute are examining our cement, wood pulp, plywood and other industrial possibilities. On the agricultural side, sugar is planning for an expanded output and large areas of rice lands, developed with the assistance of Colonial Development and Welfare Funds, should shortly be in production. A hopeful element in this direction is the comprehensive experiments being made in the mechanization of the industry which, if they prove as successful as they promise, should go far in lifting the Colony into the position of being the granary of the West Indies—a position to which it has long aspired. In the foregoing connection, Council will have a further opportunity under the Chairmanship of Lt.-Colonel Spencer to plan and integrate a comprehensive policy of Colonial development. If standards reached under the impetus of war are to be maintained, there are important roles which must be played; important victories which must be won in the fields of primary and

technical production, no less than in the field of statesmanship. Costs must be reduced; production expanded and the price of exports must be adjusted upward to combat the inflation which has taken place in the prices of essential imports. It is only by the realisation of these factors that the Colony can hope to maintain its position until the development now being planned comes to fruition; to confirm and strengthen an enlarged economy and to give to the Colony a new sense of direction and achievement. In the presentation of this budget, apart from emphasising the need for balancing revenue and expenditure, no attempt has been made to define policy. As has been stated previously, this has been left for Council to do when the appropriate memoranda on the subject are presented. I have therefore, only attempted an outline of available factual information which I hope will assist members of Council in the examination of the estimates and of the proposals made in regard to taxation.

#### FINANCIAL REPORT—1946.

7. The estimates for 1946, exclusive of Colonial Development and Welfare Schemes, approved by this Council on the 19th December, 1945, provided for an expenditure of \$13,539,414 against a revenue of \$10,647,299 or a deficit of \$2,892,115. Owing to the upward trend of world prices and new factors which manifested themselves, after the estimates were approved by Council, it became necessary to augment considerably the amount approved for appropriation.

8. Supplementary estimates already passed by Council authorise additional expenditure to the extent of \$1,327,589. It is anticipated that before the year ends further supplementary appropriation will be necessary. A large number of items in these estimates comprises re-votes of unexpended balances approved in previous years, either for works which could not be completed for lack of material or machinery, or for supplies ordered from abroad which, on account of world and shipping conditions, did not arrive in the Colony within the year of provision.

9. The revised estimates of expenditure for 1946 as represented in the draft estimates for 1947 embody approved supplementary votes and other items of anticipated excess expenditure reported and admitted at the time of their preparation. The total of the revised estimate as shown is \$14,514,269. This figure includes the total cost of subsidisation approved at \$750,000 but which has been increased to \$1,000,000; thus reflecting the impact which the revaluation of the Canadian dollar and the increase in price structures are exerting on the cost of living in the Colony. Government is in communication with the Secretary of State on this matter and it is hoped that some assistance from His Majesty's Government will be announced. Inclusive of the full cost of subsidisation the revised estimate of expenditure indicates an increase of \$974,855 on the original estimate. Anticipated savings where reported by Departments have been taken into account, but it is possible that there may be still further savings and I do not think it likely that the final expenditure for 1946 will actually reach the total shown in the revised estimates. It must, however, be emphasised that savings from unfilled indents placed, or work postponed, or uncompleted, occasion supplementary revision in an ensuing year.

10. The revised estimates of Revenue for 1946 have been placed at \$12,297,073—an increase of \$1,649,774 on the original estimate. This is a big increase and represents the appreciation which has taken place in Customs revenue and Income Tax.

11. The self-balancing budget in respect of services financed under the Colonial Development and Welfare Act was included in the estimates at a total of \$1,539,958 on both sides of the account. During the course of the year supplementary provision has been made, bringing the revised estimated expenditure and related receipts under this budget to a total of \$1,856,625.

12. On the basis of the revised estimates of revenue and expenditure which I have just quoted, the transactions of the year 1946 will result in a deficit of \$2,217,196. It is hoped, however, that the Imperial Government will shoulder ex-



penditure in excess of the voted provision of \$750,000 for subsidisation. If this hope should materialise the deficit for 1946 will be reduced to \$1,967,196.

13. The year 1946 opened with a surplus balance of \$5,985,597 after the 1945 deficit of \$1,055,062 had been allowed for. This balance will be further reduced by the actual deficit resulting in the year's transactions. The position as estimated at 31st December is set out in the statement prefacing the estimates. The surplus includes the interest free loans totalling \$2,000,000 made to His Majesty's Government under Resolutions of Council passed in 1943 and 1944.

14. The unallocated balance of the Local Development Trust Fund, established under Ordinance No. 7 of 1937, is estimated at \$231,911 at 31st December, 1946. It was originally proposed to close the fund by transferring its unallocated balance to general revenue. A new proposal, however, has since been made, that the Fund should be ear-marked to finance the acquisition of La Bonne Mere and Cane Grove estates which are being abandoned by their proprietors. This will have the effect of extinguishing the Fund. In conformity with the provisions of the Ordinance governing the Fund, Council will be approached in due time to sanction the purchase of these estates from the funds of the Trust.

#### BUDGET FOR 1947

15. The draft estimates for 1947 as laid before Council provide for an expenditure from Colony funds of \$14,254,923 as against an estimated revenue of \$12,739,720. There is therefore a deficiency of \$1,515,203 in revenue.

16. Expenditure falls under the following main categories:—

Annually Recurrent ....	.....	\$10,720,418
Extraordinary (exclusive of war bonus) ....	.....	\$ 1,196,522
<i>War Emergency Measures—</i>		
Colonial Emergency Measures ....	.....	\$ 300,000
Temporary War Bonus ....	.....	1,037,983
Subsidisation	1,000,000	\$ 2,337,983
	—————	—————
		\$14,254,923
		—————

Expenditure shown under "Extraordinary" includes provision for \$500,000 on new public works and on construction. While part of this expenditure can be classed as capital expenditure, the major portion of it represents deferred maintenance on public buildings and other Colony assets as a result of the lack of supplies and technical services occasioned by the war and, prior to the war, through financial limitation. This neglect has been so great and of such long standing, that it would be false economy to perpetuate it any longer. The imperative necessity to provide for heavy maintenance must, therefore, be faced. To avoid doing so would be warranted only by the most dire financial circumstances. Provision has therefore been carried out under Public Works Extraordinary at \$500,000—the same as the provision in the current year's estimates. The two items "Temporary War Bonus" and "Subsidisation" have been inserted in the estimates in order to show the total appropriation which would be necessary. It seems that so long as the cost of living, and more particularly the cost of essential articles of food, remains at an abnormally high level, war bonus and subsidisation will have to be provided for. The question of the extension of the bonus to higher paid Civil Servants on whom the cost of living presses hardly less heavily, has been raised. The question, however, is not one merely of what is desirable but, of what is possible and what the Colony can afford, and it has not been possible to do more than increase subsidisation and use it as an instrument of policy in affording as much relief as is practically possible to the greatest number. The provision for the two items will require specific motions and these will be duly presented to Council.

17. The item "Colonial Emergency Measures" excluding Subsidisation, represents anticipated expenditure on a number of wartime services which, although reduced, it has not yet been found possible to discontinue entirely. It might be of interest to observe that whereas expenditure in 1945 amounted to \$696,295 a sum of only \$300,000 is being provided for in 1947. Commodity Control Organisation (\$149,915) and contribution to His

Majesty's forces in the Colony (\$90,000) account for the major part of the expenditure under the head.

#### LOAN EXPENDITURE

18. It might not be out of place if passing reference were made to another form of Government spending, which although subject to Legislative Control, does not find expression in the Colonial Budget. I refer to expenditure met from funds raised by public loans.

19. Hon. Members are aware that advantage was taken of the favourable domestic money market to raise by the issue of 3½% debentures a sum of \$5,000,000. In accordance with the provisions of the Governing Ordinance No. 5 of 1945 the Loan proceeds were pledged to provide for the redemption of the outstanding 4% bonds issued under authority of Ordinance No. 6 of 1916 as well as the expenses of the issue—a total of \$698,850. Council has also approved by legislation or Resolution, of certain works and projects being financed from this source. In order that the position and distribution in regard to the several commitments pledged and assumed may be readily ascertained, I would draw attention to Appendix N to the Draft Estimates which embodies all relevant details. With the raising of the \$5,000,000 Loan the Colony's public debt now amounts to \$22,624,232 exclusive of Loans from Colonial Development and Welfare Funds. Under the financial provisions of the recently enacted Ordinance in connection with Town and Country planning, Government is committed to provide the necessary funds from the proceeds of Loans which may be raised from time to time. As this commitment may assume formidable proportions there is every need for the exercise of restraint in the raising of future loans.

#### TAXATION

20. Comparatively speaking taxation in this Colony is not low but neither is the average income per head of the Colony's population high.

21. In the proposals which follow, cognisance is taken of legislation to be in-

troduced in Council repealing the Excess Profits Tax Ordinance No. 12 of 1946 in respect of the accounting period commencing 1st January, 1946, in redemption of the promise made in the early part of the current year. The proposals hereinafter set out for equating Revenue with Expenditure follow in part the recommendations made by the Economic Adviser. A feature of the proposals is the raising of the rate of income tax levied on Companies from 33½ per cent. to 40 per cent. which is considered a better levy as it does not penalize development in the same way as does excess profits tax. The following are the details of the proposals for closing the gap between revenue and expenditure:—

#### INCOME TAX

- (a) the Company rate of Income Tax now 33½% be increased to 40%.
- (b) relief for say, five years of a reasonable portion of the tax payable be granted to Companies in respect of new enterprises or new undertakings which have as their object the development of the industrial, agricultural, mineral or other natural resources of the Colony.
- (c) the Income Tax Ordinance be amended to provide that in the case of all enterprises, deductions for wear and tear, and depletion be permitted on an improved basis to be approved by the Governor-in-Council; and
- (d) the personal rates of Income Tax which is now 24% be increased to 30%. This will in effect only fall upon those persons with incomes over £1,000 per annum and, to meet the high cost of living in these and other groups, improved family and dependants' allowances will be introduced.

#### EXCISE AND CUSTOMS

The excise duty on—

- (a) rum be increased from \$5.50 per proof gallon to \$6.00 with

a corresponding adjustment of the import duty on spirits; (b) wines, locally manufactured, increased from 25 cents per liquid gallon to 50 cents per liquid gallon,

and by increasing the duty on luxuries and non-essentials as follows:—

- (1) Rates on tobacco in leaf for cigarette-making to be increased by 32.5 cents per lb., and rates on imported cigars, cigarettes and manufactured tobacco to be increased proportionately;
- (2) Beer, ale, stout and porter from 75.4 cents (Preferential) and \$1.13 (General) per gallon to 97.5 cents and \$1.30 per gallon respectively (these rates include surtax);
- (3) Perfumery, cosmetics and toilet preparations, excluding dentifrices, from 16 $\frac{3}{4}$ % (Preferential) and 33 $\frac{1}{2}$ % (General) to 20% and 40% respectively; and
- (4) by amending the Customs tariff to provide for full rates of *ad valorem* duty being collected on merchandise bearing advertising devices—including bottles and crowns used for aerated waters and other beverages.

22. It is estimated that the foregoing amendments will yield an increase in revenue of \$1,500,000 per annum under the Income Tax and the Customs Duties Ordinances.

#### DETAILS OF ESTIMATES REVENUE

23. Excluding Colonial Development and Welfare receipts the revised estimates for 1946 forecast a total revenue of \$12,135,762, whereas the approved estimate totals \$10,647,299 — an increase of \$1,488,463 may therefore be expected. If the revised estimate should materialise, the year's revenue will fall below that of 1945 by less than \$170,000, despite the reduction in rate of the Excess Profits Tax—taxation being otherwise more or less constant in the two years.

24. The following are the increases expected over the 1946 approved Estimates under each head of Receipt:—

<i>Head.</i>	<i>Total</i>
I. Customs	\$ 675,000
II. Excise and Licences	33,000
III. Internal Revenue	484,000
IV. Fees of Court or Office	71,000
V. Post Office	85,000
VI. Forests—Lands and Mines	15,000
VIII. and IX. Interest and Refunds of Loans	38,000
X. Miscellaneous ....	87,000
 Total Estimated Increase	 \$1,488,000

25. It will be noted that Heads I. Customs (\$675,000) and III. Internal Revenue (\$484,000) account for \$1,159,000 of the estimated increase.

26. The effect of the re-valuation of the Canadian dollar, the rise in prices of imports from the U.S.A.; an increase in the volume of imports and greater exports of bauxite than had been anticipated, explain the increase in Customs receipts.

27. In framing the Income Tax estimate for 1946, the adverse effect upon revenue as a result of the cessation of hostilities and the Georgetown Fire of 1945, on profits generally arising from bauxite and sugar (including rum) and on trading profits was over-estimated; hence Revenue from this source is expected to be up to the extent shown.

28. In the financial position at 31st December, 1946, furnished earlier, regard was taken of the under-noted items (not included in the Revenue Estimates) in anticipation of Council passing legislation providing for their appropriation to the General Revenues of the Colony:—

Public Officers' Guarantee	
Fund—undistributed balance	\$ 140,000
Loan Account Ord. 22/1935	
—unexpended balance ....	12,311
	<hr/>
	\$ 152,311

In addition the estimated balance of the accumulated profit from sales of Brazilian cattle of \$9,000 will be transferred to Revenue bringing additional Extraordinary Receipts to \$161,311.

29. The estimate for 1947, as explained earlier, is framed on the basis of existing taxation and, consequently, the probable abolition of the Excess Profits Tax has been ignored. The estimate forecasts a total yield of \$12,739,720—an increase of \$610,000 over the estimated Revenue for 1946.

30. The following comparative table summarizes the position:—

<i>Head.</i>	<i>Increase on 1946 Revenue Estimate</i>	<i>Decrease on 1946 Revenue Estimate</i>
I. Customs ....	\$200,000	
II. Excise and Licences ....		\$ 90,000
III. Internal Revenue	640,000	
IV. Fees of Court....		80,000
V. Post Office ....		18,000
VII. Forests ....	8,000	
VIII. Interest ....		50,000
 Total ....	 848,000	 \$238,000
 Deduct Decrease	 238,000	
 Net Increase ....	 \$610,000	

31. The explanation for the major increases and decreases is as under:—

- I. *Customs*—Expanding imports and effect for a full year of rise in Canadian Exchange.
- II. *Excise and Licences* — Indications are that receipts from Rum Duty are declining, probably because of the greater importation of malt and other liquor and probable contraction in the purchasing power of the public on account of the rise in prices of foodstuffs in particular.
- III. *Internal Revenue*—Income Tax (\$200,000) and Excess Profits Tax (\$500,000) account for the large increase under this Head. The increase in imports and exports is regarded by the Income Tax Commissioners as sufficient grounds to justify expectation of a 10% increased yield on the 1946 returns from Income Tax. That under

Excess Profits Tax represents anticipated settlements and collections in respect of back years.

IV.—*Fees of Court*—The bulk of the fall here is under sub-head “Sundry Re-imbursements” the reason being that the 1946 figure included some extraordinary receipts.

VIII. *Interest*—The fall under this head reflects the anticipated shrinkage in the Colony’s Surplus and Loan balances. These balances in excess of financing requirements have been interest earning.

#### EXPENDITURE

32. With regard to expenditure the provision made in 1947 exceeds the approved estimate for 1946 by the sum of \$715,509 after offsetting decreases amounting to \$558,617 occurring under seven Heads. The following are the two Heads under which main decreases are shown:—

Transport & Harbours ....	\$441,708
Colonial Emergency Measures	100,000

All other Departments show increases, the principal ones occurring under the following Heads:—

Miscellaneous	\$439,008
Pensions and Gratuities	36,040
Police	45,732
Public Debt ....	28,808
Drainage, Irrigation and Sea Defences ....	40,701
Sea Defences—Extraordinary	102,864
Subsidization	250,000

33. The causes of all increases are set out in detail in the Explanatory Notes to the Estimates and need not be recounted here. Of the increases, other than those indicated above, Personal Emoluments, mainly increments accruing under the revised salary scales, account for \$159,240; War Bonus for \$14,690; Travelling and Subsistence Allowances for \$18,611 and Departmental Extraordinary Expenditure (other than that under Heads Public Works and Post Office Extraordinary) for \$270,401.

34. Departmental Extraordinary Expenditure is high, as all Departments are taking advantage of the availability of sup-

plies to replace equipment such as typewriters, motor vehicles, engines, etc., which could not be readily obtained during the war. With regard to Travelling, expenditure under this sub-head of the estimates due to a number of causes, has risen steeply during the latter war years. The question is under active examination and it is hoped to take steps early in the year which will tend to curtail costs. The search for further opportunities to effect reductions in departmental expenditure is being carried on and Heads of Departments have been invited to effect economy of their own volition, wherever this is practicable, and not to wait for it to be thrust on them.

35. I have to apologise for the lateness of the Budget. Its presentation has not been an easy task. The printing position, as Council knows, is still acutely difficult. Indeed, the seriousness of the situation was only overcome by the ready co-operation of the printers.

36. In conclusion, I should like to record my thanks to those members of Executive Council who shared with me the responsibility of going through the estimates and of effecting reductions in them to the extent of half a million dollars which meant working on many occasions far into the early hours of the morning.

#### 1947 DRAFT ESTIMATES

I now beg to move, formally, the following motion standing in my name in the Second Schedule, and to ask that the discussion be adjourned for one week :—

“That, this Council approves the Estimates of Expenditure to be defrayed from revenue during the year ending 31st December, 1947, which have been laid on the table.”

Mr. WOOLFORD : I desire to second the motion. I was about to move that the debate on this question be adjourned so as to give more hon. Members an opportunity of being present. I may add that in the past the practice was for a Member to move the adjournment of the debate in order to have the right to speak later, and I should like to see that practice maintained. In those circumstances the Colonial Treasurer would have the right to make another speech.

The PRESIDENT : If hon. Members agree, we will adjourn the debate on the Estimates for a week.

Agreed to.

#### BILLS—FIRST READING

The ATTORNEY-GENERAL : Consequent on the taxation proposals outlined in the Treasurer's Budget Statement, I now, with the consent of the Council, beg to give notice of the introduction and first reading of the following two Bills :—

A Bill intituled “An Ordinance further to amend the Tax Ordinance, 1939.”

A Bill intituled “An Ordinance further to amend the Customs Duties Ordinance, 1935.”

The PRESIDENT : The idea is that these Bills should be read the first time because if they are subsequently approved by this Council they would take effect from this date. Otherwise—and I think hon. Members would understand—there will be the possibility of the public seeing the Bills and providing for them. I appeal to hon. Members of this Council to approve of these Bills. All we are asking is that they be read the first time so that if they are eventually approved they would have effect from today.

Mr. de AGUIAR : I think that is a peculiar procedure and I am not willing to support it because I am not aware of what the details are. I agree that it is desirable that if these Bills are passed they should become effective as from today but, obviously, even at this moment it is the practice that Bills should be laid before hon. Members for a certain time so that they might know what they contain. I think that should have been done for some little time at least in this case.

The ATTORNEY-GENERAL : It is just the same as if the Budget Statement is submitted and discussion of it postponed. They are only being put forward.

Mr. de AGUIAR : But I have the Budget Statement.

The ATTORNEY-GENERAL : The introduction and first reading are only

formal and under the Rules this course is permitted.

The PRESIDENT : I hope the hon. Member would not oppose these Bills although I see his point. Although he has not got copies of the actual Bills, what they propose to do is contained in the Budget Statement which he has obtained, so that he knows what is in the Bills. I will therefore ask him not to embarrass us by asking that the actual Bills be put before him. If hon. Members agree in principle that the Bills be read the first time, that is all we are asking for.

The ATTORNEY-GENERAL : I take it that hon. Members approve in principle.

Mr. de AGUIAR : I would like to point out that I have no desire to embarrass Government. I only raised the question of irregularity and nothing else.

The PRESIDENT : I think the hon. Member is right. It is irregular, but I think the principle is being carried out all right. With the consent of the Council then, I would put the question that these two Bills be read the first time.

Mr. DIAS : I would like to say that I know nothing at all about these Bills and, therefore, I cannot agree to the motion. It is impossible for me to do so in the circumstances.

The ATTORNEY-GENERAL : For the information of hon. Members I should like to point out that it is a matter of the protection of revenue and it is not advisable that the details relating to the Customs Duties Bill should be published now, except for the information of hon. Members. In other words, in matters of this sort you do not broadcast the information about the raising of duty before the time comes. I appreciate the point raised by the hon. Member, and as soon as the Bill is ready for introduction he would have a copy. That point was overlooked and, in other words, I will come here armed with 24 copies of the two Bills. These Bills seek to carry out the proposals adumbrated in the Colonial Treasurer's speech.

Mr. de AGUIAR : The hon. the Attorney-General is asking me to accept his assurance that the Bills contain the pro-

posals set out in the Colonial Treasurer's speech.

The PRESIDENT : I am asking you to accept my word.

Mr. de AGUIAR : I will.

The PRESIDENT : Aren't we a bit too meticulous ? We all know that the purpose of these two Bills is to carry out proposed amendments relating to the duty on wine, beer, tobacco and so on, by amending the Customs tariffs, etc. Mr. Attorney-General, would you let hon. Members have these Bills ?

Mr. de AGUIAR : If the intention is to proceed tomorrow with the second reading of the Bills as moved today, I must point out that I have not yet received copies and I do not see how I can be expected to come here tomorrow and discuss them. I fully appreciate the fact that there is no debate on the first reading of a Bill. I have only risen to make this point because if the intention is to proceed with the second reading tomorrow and I am not yet in possession of the Bills, I do not see how I can rightly come here and contribute to the debate.

Mr. JACOB : If the Bills are going to be presented to the Council tomorrow I do not see the necessity for the hon. Member's complaint. Bills—important Bills — have been introduced here and read the first, second and third times in one day. If these Bills are to be presented tomorrow, I see no objection in having the first reading now.

The PRESIDENT : I do not know if the Bills would be presented tomorrow.

The ATTORNEY-GENERAL : The whole idea underlying Bills of this nature is that as soon as the Budget proposals are put before hon. Members they are followed up with the Bills. The law provides that when a Customs Duties Bill such as this is introduced and read the first time the duties are collected retrospectively. The Council have a right to examine the proposals in the Bills and if they do not agree with them the Controller of Customs would have to refund this tax.

The PRESIDENT : I can give hon. Members my assurance that the Bills would be ready next week.

The ATTORNEY-GENERAL: They would be ready next week. We are trying to get them into the *Gazette* for you on Saturday.

The PRESIDENT: Will hon. Members accept that?

Mr. de AGUIAR: I am awfully sorry the hon. Member for North Western District does not appreciate the point. He does not seem to be able to appreciate anything I say. This Council is being asked to approve of a Bill being read the first time although it is not yet before the Council.

The PRESIDENT: That is correct, but I have explained the reason.

Mr. de AGUIAR: If it is going to embarrass Government, I have no desire to do so. I only say it is not proper to have these Bills read the first time without putting them before this Council.

The PRESIDENT: I have already told this Council that we are having very great difficulty with our printing. I am not quarrelling with the hon. Member for his interruption, but I am asking hon. Members to allow these Bills to be read today for the first time.

Mr. JACOB: I think it is quite in order to have a blank paper with the title of the Bills printed on it. I think Government could lay the Bills later on, when they are printed. The hon. Member's complaint, I thought, was that no further taxation should be collected.

Mr. C. V. WIGHT: I beg to move that the question be now put.

The PRESIDENT: The question is that these two Bills be now read the first time.

Agreed to.

Bills read the first time.

GEORGETOWN TOWN COUNCIL (AMENDMENT) BILL, 1946.

The Council resolved itself into Committee to resume consideration of the following Bill:—

A Bill intituled "An Ordinance to amend the Georgetown Town Council Ordinance in certain particulars."

The ATTORNEY-GENERAL: Since the last meeting of Council, the Committee appointed by Your Excellency to consider this matter has met, and the report of that Committee was laid on the table this afternoon. The main points which have been dealt with are (a), the question of the qualification of elected Councillors. In connection with the question of the reduction of the period of occupancy, the Committee recommended a reduction from 12 months to six months. As regards the question of the qualification of a Councillor, the Committee recommended a reduction of the rental qualification from \$25 per month to \$20 per month. I wish to say that the hon. Member for North Western District (Mr. Jacob) and the hon. Member for Essequibo River (Mr. Lee) while agreeing with those recommendations, desire to record that they prefer the qualification of an elected Councillor to be the same as that of a voter.

As regards the qualification of a voter, it was decided that recommendation be made to this Council for a reduction of the residential qualification from 12 months to six months and that there should be a reduction of the rental qualification from \$8 per month to \$6 per month. There was also considered the point which I raised in the course of the second reading, and that is the question of the registration of aliens as voters. The Committee considered that an alien should not be eligible for registration as a voter. Perhaps they consider that aliens who desire to take part in the civic life of the community should apply for naturalization certificates and thereby obtain the privileges of a British citizen if they so wish. As I pointed out in the course of the second reading, so far as the qualification goes an alien is not permitted to register as a voter.

There is one other question which was dealt with. Opportunity was taken to provide some security for the Town Clerk as Chief Executive Officer of the Town Council. In other words, it is sought to

put the Town Clerk on the same footing as the other Senior Executive Officers of the Town Council — the City Engineer, the Medical Officer of Health—by making his appointment and dismissal subject to the approval of the Governor in Council. The amendments are set out in a detailed form and attached to the report, and I propose to proceed with the consideration of the various clauses and make the necessary changes as we go along with the Bill.

*Clause 3 — Qualification of elected councillor.*

Mr. JACOB : I think the Council was very appreciative of the fact that this Bill was referred to a Committee. During the discussions in Committee it was pointed out that the Town Council merely sought the opportunity to change the appraised value to assessed value, so as to be in line to collect taxes on a different basis. They thought of amending one or two clauses in the existing Town Council Ordinance, I and the hon. Member for Essequibo River experienced extreme difficulty in getting the other members of the Committee including the Mayor of Georgetown who is the hon. Member for Western Essequibo, (Mr. C. V. Wight), and the hon. Member for Georgetown South (Mr. Gonsalves) who is an ex-Mayor of Georgetown, to agree to the proposals we were making. We realized that we were in the minority and so had to make a compromise. My object in speaking is to urge on Government that a Commission or Committee be appointed to go into the whole question of Municipal franchise including the qualification of a councillor. I am not going to repeat the arguments I have put forward here on the last two occasions, but it seems very obvious that this Government should take a firm hand in a matter of this kind. I know I am going to be told that the Town Council approved of this Bill. During the discussion in Committee the hon. member for Western Essequibo and the hon. Member for Georgetown South said the Town Council had authorized such a thing to be done, and they went on to say that the Town Council is a democratic body and is supposed to represent the interests of the ratepayers of Georgetown. I want to say most emphatically that the Town Council is not

a democratic body and does not represent the ratepayers of Georgetown. Perhaps it did two years ago when there was a General Election. Yet the Town Councillors did not get the opinion of the ratepayers in the various wards of the City. The Town Council is, what I might call, an autocratic body. It consists of nine elected members and three hand-picked members, and all of them only represent about 1,400 ratepayers in Georgetown.

The ATTORNEY-GENERAL : What does the hon. Member mean by "hand-picked members" ? I do not like that remark to go on record without some proper explanation, because there are certain members of the Town Council who are nominated according to law by the Governor in Council. I do not know if he is using the term in that direction.

Mr. JACOB : They have not been elected by the people. That is the only way democracy can be shown. A democratic body is one elected by the people and not elected by the Government. I want to make the point that I stand for democracy unadulterated, but you have there adulterated democracy. The time has come when the Municipality of Georgetown should have unadulterated democracy and the people should have a wider franchise. Those people who are voters should be eligible to be Councillors' and not be subjected to arbitrary qualifications. That is what I have risen here to say. We can do no better than to agree to the majority opinion in this matter. I suggest that Government should appoint a Commission to go into the whole question and make recommendations. If the Commission or Committee is going to make recommendations that may be called democratic, then the Secretary of State for the Colonies will have to change the Constitution as has been done in Jamaica. I say "Do that with the Constitution of the Town Council first". I was disappointed to learn that the Secretary of State refused to grant the request, an individual request, to make the Georgetown Town Council a wholly elected body. The name of the person who made the request was not given, but the statement was made from the Chair that the Secretary of State was not pre-



pared to give the Georgetown Town Council a wholly elected body. I cannot understand it, but it is said that the Secretary of State said so in a letter to someone. I think that should be given the widest publicity.

The CHAIRMAN: We are dealing with the clause in the Bill and the hon. Member has strayed a good way from it. Having had the opportunity on the previous occasion when we were discussing the principle of the Bill to deal with that, I think he should now stick to the clause.

Mr. JACOB: This clause says: "Election of Councillors." We cannot go on with that principle forever.

The CHAIRMAN: I am only pointing out that the hon. Member has been allowed a lot of latitude.

Mr. JACOB: I am just making the point that if it is stated that the Georgetown Town Council is not ripe to be a wholly elected body, then it follows as a matter of course that this Colony will never be ripe. I think a Committee should be appointed, as promised by the West India Royal Commission, to make recommendations, yet we have the Secretary of State preventing or disapproving of the recommendation. I urge on Government to appoint a fully representative Committee to go into the whole question, so that we can decide the qualification of Councillors and any other recommendation the Committee might be pleased to make.

The CHAIRMAN: I would like to reply to this question of the appointment of a Commission as promised by Government. I am informed that a motion to appoint the Commission was debated and defeated in this Council, but that is no reason why Government should not consider the matter again. I will call for the papers and go into them. My view is that this matter can be most reasonably dealt with at the elections when the candidates should come forward and say "I will stand for a wholly elected Council" or "I stand for a wider franchise." Let that be one of the platforms when the elections take place. That would be an obvious democratic way of dealing with the

matter. Let the representation come from the bottom through the Town Council to the Government. I will study all the papers thoroughly to see what has happened. If that is what the hon. Member suggests, I will do that.

Mr. JACOB: May I correct you? I do not think it was debated in this Council. The Franchise Commission itself debated it and we then took on an additional job. I looked at the records. It was defeated by a 10 to 9 majority. That was the decision arrived at. As Your Excellency pointed out, the voters' list was so thin that even with the extended franchise—

The CHAIRMAN: To a point of correction! I never pointed that out.

Mr. JACOB: No, sir; you pointed out that the voters must decide at the general elections, and I am pointing out that the list is so few that you cannot get a decision. Even with the extended franchise as proposed, candidates going up for election may not get a decision. That view was supported by the Secretary of State for the Colonies when Jamaica was granted adult suffrage without the Legislature asking for it.

Mr. C. V. WIGHT: I would just like to make two observations. First, I would like to point out that the Labour Government—and the Secretary of State for the Colonies we are told repeatedly is a member of the Labour Government—has turned down the request of a Labour member of this community to abolish the three Nominated seats on the Town Council. It is significant that it has been done by a Labour Secretary of State for the Colonies. The other point is this: I take it that as one of the Committee the hon. Member should try in the best way, if possible, to gain the respect of his fellow Members. The hon. Member has referred to the hon. Member for Georgetown South and to me as saying certain things on that Committee. There are two other members of the Committee sitting around this table who, no doubt, have heard him and who know what happened, and I feel sure they can tell this Council that the remarks made by the hon. Member for North-Western District (Mr. Jacob) are absolutely incorrect. The hon. Nominated

Member, Mr. Veerasawmy, and the hon. Nominated Member, Mr. Farnum, are both here and can say, if they desire, what occurred. For myself, I have nothing to say. I would just like to repeat what one hon. Member to whom reference was not made actually said: "If you are going below \$20 I would decide to stick at \$25." If that is not a correct statement the two hon. Members can say.

The ATTORNEY-GENERAL: I was Chairman of the Committee which has issued the report which is in the hands of hon. Members. There is a Bill and we are dealing with it. I suggest to hon. Members that we proceed with the business. It is unnecessary and undesirable that we should at any time forget that we should maintain the highest traditions of Parliamentary principles. Let us get on with the King's business which brooks no delay. I move that in clause 7 (1) (c) the words "six months" be substituted for the words "twelve months" and the words "twenty dollars" for the words "twenty-five dollars."

Question put, and agreed to.

The ATTORNEY-GENERAL: I move that in clause 7 (2) (b) the words "two hundred dollars, and where he is not the owner of such a lot, if" be substituted for the words "two hundred dollars, and"; and the words "twenty dollars" substituted for the words "twenty-five dollars".

Question put, and agreed to.

The ATTORNEY-GENERAL: I move that in clause 7 (6) (b) the words "two hundred dollars, and where the company or the wife or the infant is not the owner of such a lot, if" be substituted for the words "two hundred dollars, and"; and that the words "twenty dollars" be substituted for the words "twenty-five dollars, and".

Question put, and agreed to.

The ATTORNEY-GENERAL: I move that in clause 8 (1) (c) we substitute "paragraph,—" for "paragraph; or".

Question put, and agreed to.

The ATTORNEY-GENERAL: I move that clause 8 (1) (d) be deleted. This is

a question of principle—as to whether an alien should be given the right to vote. The Committee considered that an alien should not be given that right and has so recommended. In consequence of that, this clause will have to be deleted and the word "or" in the previous proviso also be deleted.

Question put, and agreed to.

*Clause 8 (3) —Company Contracts with Council.*

Mr. JACOB: This looks to me like something new. The Town Council has taken the opportunity again to put a company in a position which makes it possible for any individual to vote. In this Council we have agreed that there should be no plural voting at general elections for the Legislative Council. I endeavoured with all the arguments I could bring forward on the special Committee to get a majority of the Members to approve of the principle that there should be no plural voting in Georgetown and particularly in regard to companies, but my hon. friends would not agree. I think the hon. Member for Western Essequibo who is the Mayor promised to take the matter up with the Town Council. That is an established principle in this Colony. A company can be registered but at the general elections it has not more than one vote to exercise at the option of an individual. If that individual is a controller of the company and has a vote of his own, at the general elections that company should not vote. That is an established principle here. I merely raise that so that it can be recorded for reference at a later stage. The hon. Member for Western Essequibo promised to take the matter to the Town Council who would decide whether they were opposed to the principle which was already established in this Colony, or whether they would support it.

The ATTORNEY-GENERAL: I move that in clause 8 (4) we substitute "paragraphs (a) or (b)" for "paragraphs (a), (b) or (d)" in lines 2 and 8.

Question put, and agreed to.

*Clause 4—Repeal and re-enactment of section 9 of the Principal Ordinance.*

The ATTORNEY-GENERAL : In par. (e) of the new clause 9 (1) to the Principal Ordinance, there will be two amendments. The words "six months" will be substituted for the words "twelve months" in the first line, and the words "six dollars" will be substituted for the words "eight dollars" in the last line. Then, sub-clause 9 (2) will be deleted and pars. (3), (4), (5) and (6) will be renumbered as (2), (3), (4) and (5), respectively.

Mr. JACOB : Here again, sir, let me repeat what I have stated so that it should remain on the records of this Council. In spite of the persuasive argument which the hon. Member for Essequibo River and myself were able to adduce, we were not fortunate enough to get a majority support for a reduction from \$15 to \$8, and from \$8 to \$3 per month as I have recommended. The majority of the members of the Committee agreed that the rental qualification of a voter should be \$6 per month and, as I have stated before, I had to bow to the ruling of the majority but that does not prevent me from expressing my views so that I may have them on record for a later date. We also pointed out that it is exceedingly difficult to register voters at the present time, and in this respect I want to make a suggestion and ask Government to give it their support. It is that the Town Council itself should prepare the list of voters, as is done in Trinidad. If it is not done now, the matter should be taken up and that method adopted at a latter stage.

But what is more; a tenant applies for registration and he is told to produce rent receipts for six previous months. If these previous receipts are not attached to his application, his name is not put on the voters' list. That is one of the reasons why there are not more voters; it is too burdensome for tenants to get registered. At the last meeting of the Committee the question was raised as to whether a sub-tenant or a lodger could be registered, and the opinion was expressed that no sub-tenant or lodger could register. I maintain that a sub-tenant or a lodger could be registered, and I think the situation should be made clear. For instance, both a father and a son could be registered once they pay \$12 jointly

for the house they hire; or, if the father owns a property the valuation of which could cover both himself and son, they should both be registered. Likewise, if ten persons are residing in a house and are paying \$60 per month for it, they should all have a right to be registered. People living in hotels should be eligible for registration also.

Those persons who remove from one Ward to another within six months of the date of registration would also not be eligible at present, and there are other cases of hardship which I do not think should exist. For instance, the 48 families residing on the premises of the Wortmanville Housing Scheme would not be registered if they had not been residing there for six months prior to the date of registration. Fears have been expressed by persons connected with the Town Council that it would be difficult to compile a proper voters' list if we are going to disqualify those tenants who remove from one place to another. As one who was in this business for a long time and knows the technique of registration—the taking of people to the polls and so on—I should understand what I am talking about. I think this Legislature ought to make it possible for a proprietor to file claims on behalf of every sub-tenant and every lodger, providing they possess the qualification to be registered as voters. I make this point so that it would be put on record and when the time comes for further examination of this question it would be seen what my views were.

Mr. de AGUIAR : I would like it to be put on record that I do not fully understand what the hon. Member for North Western District meant when he spoke of "unadulterated democracy". I rather assume that I do not understand him but as I understand it now, he is saying that if there are six persons in a house they may all become voters for Town Council elections. I understand him to say that they could give receipts to each other and so obtain the necessary qualification as voters. I also understand him to say that lodgers in boarding houses in Georgetown should be registered, but he did not say whether that should be done even if they came from the Corentyne.

Mr. JACOB: I rise to a point of order: My hon. friend should understand that I meant permanent lodgers.

Mr. de AGUIAR: I also understand what the hon. Member meant when he spoke of the technique in voting—getting people to the polls and things like that.

Mr. JACOB: We understand each other.

The CHAIRMAN: Sub-clause 9 (2) will be deleted and sub-clause 9 (3) will be renumbered as 9 (2).

Question put and agreed to.

The CHAIRMAN: Then there is a new sub-clause (3) to be inserted.

The ATTORNEY-GENERAL: That sub-clause is at the bottom of the page with the amendments and it reads:—

(3) A company shall be qualified to be registered as a voter under this section —

- (a) if it was established or registered, in the Colony the United Kingdom or His Majesty's dominions (including therein British protectorates protected states and mandated territories) outside the United Kingdom, not less than twelve months immediately preceding the application to be registered as a voter; and
- (b) if it is qualified under paragraphs (d) or (e) of sub-section (1) of this section.

I beg to move that this sub-clause be inserted.

Question put and agreed to.

*Clause 13—Amendment of section 28 of the Principal Ordinance.*

The ATTORNEY-GENERAL I move that this clause be deleted and a new one substituted to read as follows:—

"13. Section twenty-eight of the Principal Ordinance is hereby amended by the addition at the end of subsection (1), of the following — ; and where any change occurs in the qualification as set out in such statement the councillor may from time to time deliver to the Town Clerk a statement of his qualification for the time being, made in

the manner and form hereinbefore provided in this subsection."

Question put and agreed to.

*Clause 16 — Insertion of new section 80A in the Principal Ordinance.*

The ATTORNEY-GENERAL: I move that this clause be amended by the insertion of the word "personal" before the word "disposal".

Question put and agreed to.

Clause 16, as amended, passed.

*Clause 17 — Amendment of section 85 of the Principal Ordinance.*

The ATTORNEY-GENERAL: There will be an amendment in the form of a new clause 17, and this amendment meets the point raised by the hon. Nominated Member, Mr. Veerasawmy. The new clause reads as follows:—

17. Section eighty-five of the Principal Ordinance is hereby amended by the insertion between the words "sits or votes in the Council" and the words, "shall be liable" of the words, "or having been elected a member sits or votes in the Council after he is disqualified for sitting or voting in the Council."

Question put and agreed to.

*Clause 18—Substitution of "assessed value" for "appraised value" in the Principal Ordinance.*

The ATTORNEY-GENERAL: I beg to move the insertion of the following as clause 18:—

"18 Section ninety-two of the principal Ordinance is hereby amended —

- (a) by the repeal of subsection (1); and
- (b) by the substitution therefor of the following subsection —

"(1) Subject to the foregoing provisions, the Council may from time to time make such Standing Orders as the Council may think proper for the regulation and conduct of the proceedings of meetings

of the Council and of meetings of Committees of the Council' "

This is a matter which was outstanding and which the Town Council, I understand, omitted to put into their draft but they had written to Government some time before in connection with it.

The CHAIRMAN : This is a new clause; isn't it ?

The ATTORNEY-GENERAL : Yes sir. It would be inserted as clause 18 now.

Question put, and agreed to.

*Clause 19 — Repeal and re-enactment of Section 118 of the Principal Ordinance.*

The CHAIRMAN : I see that there is a new clause to be inserted here also; will the Attorney-General please explain it ?

The ATTORNEY-GENERAL : This is the result of a recommendation that the executive officer of the Town Council — the Town Clerk—should be put in a different position so far as the question of appointment and dismissal is concerned. This particular recommendation was not submitted by the Council in their Bill, but the hon. Mr. Veerasawmy brought it forward, and I think before the Bill was referred to a Select Committee he indicated that he was going to bring forward an amendment along these lines.

The CHAIRMAN : It is a reasonable provision, I think.

Mr. C. V. WIGHT : I may point out that this question was considered by the Town Council some time ago. I think it was raised by Councillor Thorne — that the Town Clerk should be independent, in a way, of the Council. I have myself gone into the duties of the Town Clerk and I know what he is going to have to face when certain responsibilities like the collection of rates are entirely his. Seeing that the City Engineer and the M.O.H. are protected, I see no reason myself why justice should not be done and why this Town Clerk or any other should be left at the whims of any particular Council who, for

instance, might elect to get rid of him at a month's notice. Even in New Amsterdam this point came up some time ago, and the hon. Mr. Veerasawmy having indicated that he would raise it here, I think it should find favour with this Council.

Mr. VEERASAWMY : I desire to point out that I made the suggestion in order to bring the Town Clerk of Georgetown into line with the Town Clerk of New Amsterdam. There was a time when Government had to intervene in order to protect him.

Mr. RAHAMAN : I think it is desirable that the Town Clerk should have this protection. I know that in the villages the officers of the local authorities have similar protection, their appointment and dismissal being subject to the approval of Government. If these men are protected there is no reason why the Town Clerk of Georgetown should not be protected also.

The CHAIRMAN : It seems to me to be a reasonable insertion.

The ATTORNEY-GENERAL : The new clause 19 reads as follows :—

19. Section ninety-three of the Principal Ordinance is hereby amended—

- (a) by re-numbering subsection 2) as subsection (1) ;
- (b) by the deletion therefrom of the word "also";
- (c) by the substitution for the words "a city engineer" in that subsection, of the words "a Town Clerk, a City Engineer";
- (d) by the addition at the end of that subsection of the words "with the salaries and emoluments assigned to them respectively by the Council, which shall be paid out of the general revenue of the Council";
- (e) by re-numbering subsection (1) as subsection (2);
- (f) by the deletion therefrom of the words "a town clerk";
- (g) by the substitution for the words "The Council may" in

that subsection of the words  
"The Council may also";

- (h) by the substitution for the words "the city engineer" in the proviso to subsection (3) of the words "the Town Clerk, the City Engineer".

Question put and agreed to

Clauses 18 to 29 inclusive, renumbered as clauses 20 to 31, respectively.

Mr. C. V. WIGHT : May I just take this opportunity of thanking Government on behalf of the Town Council for having adopted this innovation (in clause 22 as printed). I think I can say thanks on behalf of a considerable number of the poorer residents and also on behalf of some of the landlords in the City who would now be able to get title for undivided portions of a lot. Nobody except the lawyers can appreciate the amount of difficulty that was created because many of these people could not obtain such titles, and on their behalf I desire to thank Government.

Mr. GONSALVES : I myself would like to thank Government especially because of the position in Wortmanville where people sometimes desired to get title for part of a lot but could not .

Mr. C. V. WIGHT : I also desire to thank Government for the amendments contained in clause 24 (renumbered as 23). For some time now the British Guiana Nurses' Association desired to get exemption from taxation, but was unable to do so because of the Ordinance. The Association can get it now, however.

Mr. JACOB : I think this Council ought to be thanked.

The CHAIRMAN : I would like to thank the hon. the Attorney-General and Members of the Select Committee very sincerely for having presented a great report which has enabled us to complete this most urgent Bill. I also thank Members for their patience. I think we have done very good work this afternoon. I will go into the question of appointing a Commission, as promised,

Council resumed.

Mr. GONSALVES : I think we should not proceed to the third reading before we have checked the amendments.

The PRESIDENT : The amendments will be checked.

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

Mr. CRITCHLOW seconded.

Question put, and agreed to.

Bill read a third time and passed.

(GEORGETOWN TOWN COUNCIL (SPECIAL PROVISION) BILL, 1946)

The ATTORNEY-GENERAL : I ask for the suspension of the Standing Rules and Orders to enable me to take the first and second readings of the Georgetown Town Council (Special Provision) Bill, 1946.

Agreed to.

The ATTORNEY-GENERAL : I move that the following Bill be read a first time :—

"A Bill intituled "An Ordinance to provide that the persons who on the thirty-first day of December, nineteen hundred and forty-six are the Mayor and the Elected Councillors of the City of Georgetown shall continue in office as such until the thirtieth day of June, nineteen hundred and forty-seven, and for purposes connected therewith".

Mr. CRITCHLOW seconded.

Question put, and agreed to.

Bill read a first time.

The ATTORNEY-GENERAL : With your permission, sir, I ask leave to move the second reading of the Bill. As hon. Members will see from the memorandum of Objects and Reasons which accompanies the Bill and from the Bill which we have just considered and passed, the term of office of those Councillors who are now elected councillors of the City of Georgetown will expire on the 31st December, 1946, and a general election is required by law to be held during the first 15 days of December, 1946. Under the Georgetown Town Council (Amendment) Bill, 1946, it

is proposed that the qualification of a voter should be considerably reduced. It is therefore considered that the general election should be postponed until after a new register, based on the reduced qualification of a voter, can be prepared. Such a register will be prepared before the end of May, 1947.

It is also considered that the councillors who are Mayor and Deputy Mayor on the 31st December, 1946, should continue in office until the 30th June, 1947. It is proposed that the general election of councillors be held in June, 1947, that the councillors elected thereat should hold office from the 1st July, 1947, to the 31st December, 1948, and that a Mayor and a Deputy Mayor be elected for the period 1st July, 1947, to the 31st December, 1948.

I need hardly emphasize the necessity for a Bill of this nature, having regard to the fact that the Bill which has just been passed by this honourable Council will affect a large number of those who are registrable, and it is desirable that every facility should be provided for them to elect their new Council. I beg to move that this Bill be now read a second time.

Mr. CRITCHLOW seconded.

Mr. JACOB: The Bill as presented here looks very harmless. It is necessary that it should be passed because I am 100 per cent. satisfied that should the franchise be widened Georgetown would get better representation on the Town Council I am wondering however, whether it would be necessary for the Town Council to come back to this Council and ask that this time be extended I have in mind the fact that the general elections should be held in February, or March the latest, in next year but I have not yet heard from Government when they will really be held. So far as I am able to gather, the majority of the Voters' Lists are not yet printed. Those lists have to be printed and kept in the forms until they have been revised before the final lists are issued and the general elections take place. About 60,000 names have to be put on the 14 lists of the Colony of British Guiana. I anticipate that the new Voters' List for Georgetown will represent 15 per cent of the population, and that is

about 11,000 voters—a modest estimate. I do not know what the Town Councillors think about it—those members of the Town Council who are hon. Members of this Council. To prepare a list of 11,000 names, to have it printed in time and to have all the necessary things done within six months is a very big job, particularly if the printers are not able to do the work immediately. You are heading for a bottle-neck. I am satisfied that the general elections cannot be held until August next year. I am satisfied in my mind that six months is not sufficient time within which to prepare for the Town Council General Election in 1947. However we have other people who are keenly interested. I trust we will have a satisfactory Voters' List and that we will have the election as contemplated by this Bill. I have no objection whatever to the Bill, but I merely make this point so that care will be taken to handle the matter with despatch from now on.

The PRESIDENT: I think there is some doubt as to whether we can get the Voters' List ready, but there can be no harm in passing the Bill now and extending the time if it becomes necessary.

The ATTORNEY-GENERAL: So far as the hon. Member's comments go, I am sure he appreciates the fact that every effort is being made to expedite the printing of these Lists. I hope the hon. Member is a false prophet in saying that the general elections will be as far as August next year. I can assure him and Members of this Council and all interested persons that Government is leaving nothing undone in its effort to get the general lists printed, but this has to be borne in mind: Take the list from Berbice, it is 9,000. When you compare that one register, I think the time allotted will be such as to put them in a position to get the list prepared and have everything ready. This Bill provides ample and sufficient time for that purpose. I have nothing further to add.

Question put, and agreed to.  
Bill read a second time.

COUNCIL IN COMMITTEE

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

*Clause 2—Elected Councillors of the City of Georgetown to continue in office until the 30th June, 1947, and provision made for holding an election in June, 1947.*

Mr. C. V. WIGHT : There is just one slight amendment desired. The Town Clerk is asking — I am going to be guided by what he says as he is the person who month between the 15th. May and the first Ordinance and administering it—that in (f) we may make the time the 15th May instead of the 25th. It will give one month before the 15th May and the first few days in June. Despite prognostications the Town Clerk, who is an efficient and hard-working officer, feels he will be able to get through by then, but if he has to revise the list on the 25th he is left very little opportunity between the 25th May and the 15th June for the election.

The ATTORNEY-GENERAL : In other words, what the Town Clerk wants is to shorten one end so as to have a longer period after the Open Court is held.

The CHAIRMAN : There is nothing to prevent him from having it done by the 15th if he wants.

Mr. GONSALVES : If he can get through by the 15th, I suggest that we leave the paragraph as it is.

The CHAIRMAN : I would leave it !

*Clause 3—Mayor to continue in office until the 30th June, 1947, and provision made for holding an election in June, 1947.*

Mr. C. V. WIGHT : I desire to point out to the hon. the Attorney-General—I did not notice it before—that it talks about “Anything contained in the Principal Ordinance . . .”. The Mayor goes out of office every two years. There is another Ordinance which is an amending Ordinance of the Principal Ordinance. I am not quite sure if that amending Ordinance will have to be covered in this clause. I am not prepared to face an election petition.

The ATTORNEY-GENERAL : What I propose to do is this : Pass the clause and

leave this part of the Bill open for a new clause which I have had drafted and which I should have read to Members. It is as regards enabling Nominated Councillors to carry on as in the case of the Elected Councillors. At the time of drafting this clause we only thought in terms of Elected Councillors. I may point out to the hon. Member that the Short Title clause reads :

“This Ordinance may be cited as the Georgetown Town Council (Special Provisions) Ordinance, 1946, and shall be construed with the Georgetown Town Council Ordinance, hereinafter referred to as the Principal Ordinance, and any amending Ordinance.”

Mr. VEERASAWMY : The same point that struck the hon. Member for Western Essequibo has struck me, and I too would like to have it cleared up. I see that in (6) there is mentioned “a sum not exceeding \$500”. I thought we had got away from that in the previous Bill, when we made the change to a specific amount. Why come back now and be not consistent with the amendment just passed ?

The ATTORNEY-GENERAL : I do not know what are the views of Members of this Council who are members of the Town Council, but there is no objection to having a specific sum.

Mr. GONSALVES : I think the hon. Member is wrong. What we passed a few minutes ago—80A—calls for a sum not exceeding \$1,000. This is merely carrying on what is stated there.

Mr. FARNUM : Is this a draft from the Town Council ? If that is so, then I do not think it should be interfered with. A sum not exceeding \$500 leaves to the discretion of the Town Council the actual amount.

The ATTORNEY-GENERAL : It is as a result of enquiry made by Government on this point. I think that the principle was accepted and the draft was done in our Department.

Mr. GONSALVES : As a matter of fact to allay the feelings of the hon. Nominated



Member I may state that the Town Council Estimates which have been recently passed contain the vote of \$1,000; so there is no risk of the person who is Mayor not getting the money .

The ATTORNEY-GENERAL : May I be permitted to make the following amendments :—

- (1) Insertion of the word "personal" between the words "the" and "disposal" in the second line of (b);
- (2) The word "provision" in the first line of (e) to be corrected to read "provisions".
- (3) Insertion of the word "personal" between the words "the" and "disposal" in the second line of (g).

Question put, and agreed to.

The CHAIRMAN : Mr. Veerasawmy, do you wish to press your amendment ?

Mr. VEERASAWMY : No, sir.

Mr. C. V. WIGHT : As regards (h), the Town Clerk has brought to my attention the fact that the person who is elected Mayor from January to the end of 1948 will go on the end of 1949, and therefore he thinks that there is need for (h) to be in the Bill.

The ATTORNEY-GENERAL : Am I to understand the point is that if the Mayor is elected in mid-year in 1947 he would carry on to the end of 1948 and thereby he would lose his two years' period which is being extended for this purpose, and he has the right to go on to the extent of two years ?

The CHAIRMAN : I regard this matter as one for consideration by the Town Council.

Mr. C. V. WIGHT : For practical purposes I do not think it has any effect.

Mr. GONSALVES : The only point is this : The law, as it is, says the Mayor is going to be the same for two years.

The ATTORNEY-GENERAL : I think the best thing is this : If it becomes

necessary I would ask leave to recommit this clause (h) and the one referred to by the hon. Member for Western Essequibo. Those are two outstanding points.

Mr. GONSALVES : I would just like to point out that whatever is to be done, it is advisable that the Bill be passed before the 15th December because under the present law the election must be held during the period 1st to 15th December. If that is not done, no section would be available in the Bill to cure that trouble

Mr. VEERASAWMY : What is passing through my mind is this: There is going to be an artificial election by virtue of this Ordinance. I am wondering whether that is going to prevent the holder of the office from continuing right on to 1949.

The ATTORNEY-GENERAL : He can continue.

Mr. VEERASAWMY : Is it that the present holder of the office with this interrupting period can be elected next year and go on to 1949 ?

The ATTORNEY-GENERAL : The position is this : The present holder of the office of Mayor goes on for six months. Had it not been for this Bill he would have been precluded by law from continuing after two years had expired. The maximum period for which a Mayor can continuously hold the office is two years, therefore when he goes out at the end of June the point arises as to whether he should have a six-month or a one year period before he can be elected as Mayor again. In other words, if the Mayor went out, as the law provides now, at the end of December, 1946, he would have to run a clear year before he could be eligible for election as Mayor. He can only be eligible in January, 1948.

Mr. FARNUM : The point is, when the Mayor is elected in June, 1947, when would he go out of office ?

Mr. C. V. WIGHT : He has to be re-elected again in December for 1948, and then every year there is an election of Mayor. While it is an annual election, the Councillors do not usually throw the Mayor

out unless he is hopeless. In my recollection there has been only one Mayor who served one year. While the present Mayor goes on for two and a half years the new Mayor may go on for two and a half years also.

Mr. GONSALVES : When we shall have passed the 30th June, 1947, this Ordinance will be spent and we will fall back on the Principal Ordinance. The Principal Ordinance says that no Mayor can hold office for more than two years in succession and that there must be a period of one year between his going out of office and his coming in. If that position is going to exist in July, 1947, I cannot see how the Mayor elected in July, 1947, could be elected in 1949. The matter I repeat, needs going into.

The CHAIRMAN : If there is any doubt about it, Mr. Attorney-General, we can leave the Bill at clause 2 for the moment. You had better discuss the matter with the Authorities concerned and bring back an amendment also to clause 8.

The ATTORNEY-GENERAL : Very well, sir. I desire also to move the insertion of a new clause 4 which reads :—

“4. Anything contained in the Principal Ordinance to the contrary notwithstanding, the Governor in Council may nominate in writing —

- (a) a number of persons not exceeding three to serve on the Council from the first day of January nineteen hundred and forty-seven to the thirtieth day of June of the said year; and
- (b) a number of persons not exceeding three to serve on the Council from the

first day of July nineteen hundred and forty-seven to the thirty-first day of December nineteen hundred and forty-eight. —

and the provisions of the Principal Ordinance relating to the nomination of councillors by the Governor in Council and to councillors so nominated shall apply to the nomination of councillors, and to councillors nominated, under this section.”

Hon. Members will appreciate that this is to put nominated Councillors in the same position as elected Councillors in the Bill.

The CHAIRMAN : The hon. Member for North Western District who does not like nominated councillors can take his opportunity to speak here, but he cannot do so from where he is at present because he is not in his seat.

Question put and agreed to.

Council resumed.

The PRESIDENT : Is there anything else on the agenda ?

The ATTORNEY-GENERAL : No, sir.

The PRESIDENT : Would hon. Members like to meet tomorrow to deal with this alone, or would you like to postpone it until next Wednesday ?

Mr. GONSALVES : It would be all all right if left until next Wednesday. I only wanted the Bill to be passed before December 15.

The PRESIDENT : I think we had better meet on Friday. I will adjourn Council to Friday, December 6, at 2.30 p.m.



## LEGISLATIVE COUNCIL

FRIDAY, 6th DECEMBER, 1946.

The Council met at 2.30 p.m., His Excellency the Officer Administering the Government, Mr. W. L. Heape, C.M.G., President, in the Chair.

### PRESENT :

The President, His Excellency the Officer Administering the Government, Mr. W. L. Heape, C.M.G.

The Hon. the Colonial Secretary, Mr. D. J. Parkinson (acting).

The Hon. the Attorney-General, Mr. F. W. Holder, K.C.

The Hon. the Colonial Treasurer, Mr. W. O. Fraser (acting).

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

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

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

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

The Hon. Peer Bacchus (Western Berbice).

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

The Hon. T. Lee (Essequibo River).

The Hon. V. Roth (Nominated).

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

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

The Hon. J. A. Veerasawmy (Nominated).

The Clerk read prayers.

The minutes of the meeting of the Council held on Wednesday, the 4th of December, 1946, as printed and circulated, were taken as read and confirmed.

### ANNOUNCEMENT

ESTIMATES, 1947.

The PRESIDENT : I think it is right that I should clarify for the information of the Council an important factor in the Budget Statement which was laid on Wednesday last, December 4. The estimated expenditure for 1947 is \$14,254,923 and the estimated revenue—and this is the point I wish hon. Members to take particular notice of—on the existing basis of taxation,

\$12,739,720. Government is asking this Council to approve of raising the difference of \$1,500,000 by increasing taxation on the lines stated in pars. 20 to 22 of the Budget Statement. Government takes the view that the Budget must be balanced in 1947. Now, there are two Bills relating to increased taxation under the Tax and the Customs Ordinances on the Order Paper today but, no doubt, Members would like to have time to study the details of these Bills and, therefore, I do not propose to take their second reading until Wednesday next. I have consulted the Attorney-General and that is convenient to him. I have also consulted the Treasurer and it is convenient to him too, so that Members will have ample opportunity to study the details of these two Bills in the meanwhile. Both of them will be on the Order Paper on Wednesday next.

### GOVERNMENT NOTICE

RENT RESTRICTION ORDINANCE, 1941.

The ATTORNEY-GENERAL gave notice of the following motion :—

“WHEREAS the Rent Restriction Ordinance, 1941, was enacted on the 3rd of November, 1941, and came into operation on the 8th day of November, 1941;

“AND WHEREAS section 16 of the said Ordinance provided that the Ordinance should continue in force for one year but that prior to the expiration thereof it could be renewed for further periods of one year by Resolution of the Legislative Council;

“AND WHEREAS by annual Resolutions the said Ordinance was continued in operation during the years 1942 to 1945, and until the 31st day of December, 1946;

“AND WHEREAS it is expedient that the said Ordinance be continued in operation for a further period of one year;

“Now, THEREFORE, BE IT RESOLVED that the Rent Restriction Ordinance, 1941, shall continue in operation until the 31st day of December, 1947.”

### ORDER OF THE DAY

GEORGETOWN TOWN COUNCIL (SPECIAL PROVISIONS) BILL, 1946.

Council resolved itself into Committee to resume consideration of a Bill intitled:—



“An Ordinance to provide that the persons who on the thirty-first day of December, nineteen hundred and forty-six are the Mayor and the Elected Councillors of the City of Georgetown shall continue in office as such until the thirtieth day of June, nineteen hundred and forty-seven; and for purposes connected therewith.”

#### COUNCIL IN COMMITTEE

The ATTORNEY-GENERAL : It will be within the recollection of hon. Members that there are two points in this Bill which were left over for consideration. In clause 3 the hon. Nominated Member, Mr. Veerasawmy, desires that we should provide some clear indication in the Bill limiting to a maximum of 2 years the period of service of the Mayor. In the first line of this clause I propose to insert the words “or in any amending Ordinance” between the words “Ordinance” and “to”. Then, in order to meet the point raised by the hon. Member (Mr. Veerasawmy), I propose to delete par. (h) because it deals with 1949 and that is not thought desirable. It is thought that the Mayor in office should go up to the end of 1948 when conditions would revert to normal. I would also ask permission to recommit clause 2 in order to insert the same words—“or in any amending Ordinance”—between the words “Ordinance” and “to” in the first line.

Clauses 2 and 3 as amended, passed.

Clause 4—*Appointment of Nominated Councillors.*

The ATTORNEY-GENERAL : I should also like to move that the following new clause 4 be inserted in the Bill :—

4. Anything contained in the Principal Ordinance to the contrary notwithstanding, the Governor in Council may nominate in writing—

- (a) a number of persons not exceeding three to serve on the Council from the first day of January nineteen hundred and forty-seven to the thirtieth day of June of the said year; and
- (b) a number of persons not exceeding three to serve on the Council from the first day of July nineteen hundred and forty-seven to the thirty-first day of December nineteen hundred and forty-eight, —

and the provisions of the Principal Ordinance relating to the nomi-

nation of councillors by the Governor in Council and to councillors so nominated shall apply to the nomination of councillors, and to councillors nominated, under this section.

Question put and agreed to.

Council resumed.

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

Mr. CRITCHLOW seconded.

Question put and agreed to.

Bill read a third time and passed.

#### RENT RESTRICTION ORDINANCE, 1941

The ATTORNEY-GENERAL : With the consent of hon. Members I now move the following motion :—

“WHEREAS the Rent Restriction Ordinance, 1941, was enacted on the 3rd of November, 1941, and came into operation on the 8th day of November, 1941;

“AND WHEREAS section 16 of the said Ordinance provided that the Ordinance should continue in force for one year but that prior to the expiration thereof it could be renewed for further periods of one year by Resolution of the Legislative Council;

“AND WHEREAS by annual Resolutions the said Ordinance was continued in operation during the years 1942 to 1945, and until the 31st day of December, 1946;

“AND WHEREAS it is expedient that the said Ordinance be continued in operation for a further period of one year;

“Now, THEREFORE, BE IT RESOLVED that the Rent Restriction Ordinance, 1941, shall continue in operation until the 31st day of December, 1947.”

This is a formal motion providing that the Rent Restriction Ordinance, 1941, should be carried on for another year. It has been carried on from year to year and hon. Members are aware of the fact that it has, to be continued by resolution of this Council. I may add that a Bill has been drafted to amend this Ordinance and that it is at present in the hands of the printers. It was hoped that it would have been ready for consideration by the Council during

this month, but owing to the extensive difficulty relating to the printing position it is not ready yet.

The PRESIDENT : I would have liked to have the amending Bill in order to introduce it and take the first reading but, as hon. Members know, if we introduce a Bill in 1946 it has to be passed before December 31, 1946. The Attorney-General is going away for 10 days and I am afraid this very important Bill will have to come up the first week in January. However, this motion will enable us to continue the Ordinance until we have the amending Bill on the Statute Book and I hope hon. Members will agree to let the Attorney-General deal with the motion this afternoon.

The ATTORNEY-GENERAL : I am very grateful to Your Excellency for your observation with regard to the amending Bill. I think hon. Members will have the Bill during the course of the month, and I may add that it is fairly long. This is a formal motion and it comes under section 16 of the Rent Restriction Ordinance which has been continued in this way from year to year. Section 16 says :—

“16. (1) Subject to the provisions of this section, this Ordinance shall continue in force for a period of one year beginning with the date of the commencement of this Ordinance;

“Provided that the Legislative Council may, prior to the expiration of this Ordinance, by resolution declare that this Ordinance shall continue in force for a further period of one year from the date of that expiration, and may from time to time, prior to the expiration of that or any further continued operation, similarly declare that it shall continue in operation for a further period of one year.....”

I do not think there is any hon. Member who would gainsay the fact that it is very necessary and desirable that rent restriction should continue and, consequently, this motion should find favour in principle with every hon. Member. I beg to move that the motion be adopted.

Mr. CRITCHLOW : I rise to second the motion. I was also wondering whether instead of extending this Ordinance every year, we could not extend it for two or three years at once.

The ATTORNEY-GENERAL : That is what is proposed in the amending Bill—to continue it for five years—but that Bill is not before you at the moment.

The PRESIDENT : Can you let hon. Members have copies of the amending Bill ?

The ATTORNEY-GENERAL : I have a draft copy with me and if any hon. Member wishes to see it I will show him.

The PRESIDENT : Does any hon. Member wish to speak on the motion ?

Mr. LEE : I would like to ask whether this Bill applies to business premises also.

The ATTORNEY-GENERAL : As the hon. Member is aware, during 1944 an Order was made by His Excellency under the Defence Regulations in connection with the matter which is now being put forward, but we are dealing with it on a wider basis in the amending Bill which will come before the Council.

Mr. LEE : What I am thinking about is whether the extension of this Rent Restriction Ordinance of 1941 for another year would now be applicable to business premises although it was not applicable in 1944.

The ATTORNEY-GENERAL : Business premises were not dealt with under the Rent Restriction Ordinance at all, but under the Defence Regulations. In other words, so long as the necessity exists the Rent Restriction Ordinance would be continued, and so long as the necessity exists business premises would be dealt with under the Defence Regulations.

Mr. LEE : The Defence Regulations came into force under a particular act.

The PRESIDENT : It is still in force, and for the information of hon. Members I may say that the Regulations made under the Defence Regulations would be put in the amending Bill.

Motion put and agreed to.

The PRESIDENT : I am sorry to have called hon. Members out for so short a meeting, but it was necessary. We will now adjourn until Wednesday, December 11, at 2 p.m.