

LEGISLATIVE COUNCIL

(Constituted under the British Guiana
(Constitution) (Temporary Provisions)
Order in Council, 1953).

FRIDAY, 5TH APRIL, 1957.

The Council met at 2 p.m.

PRESENT:

His Honour the Speaker,

Sir Eustace Gordon Woolford, O.B.E.,
Q.C.—

Ex-Officio Members:

The Hon. the Chief Secretary,
Mr. F. D. Jakeway, C.M.G., O.B.E.,

The Hon. the Attorney General,
Mr. A. M. I. Austin.

The Hon. the Financial Secretary,
Mr. F. W. Essex.

Nominated Members of Executive Council:

The Hon. Sir Frank McDavid,
C.M.G., C.B.E. (Member for Agri-
culture, Forests, Lands and Mines)—

The Hon. P. A. Cummings (Mem-
ber for Labour, Health and Housing).

The Hon. W. O. R. Kendall (Mem-
ber for Communications and Works)—

The Hon. G. A. C. Farnum, O.B.E.
(Member for Local Government,
Social Welfare and Co-operative
Development).

The Hon. R. B. Gajraj

The Hon. R.C. Tello

Nominated Official:

Mr. J. I. Ramphal.

Nominated Unofficials:

Mr. L. A. Luckhoo, Q.C.

Mr. C. A. Carter

Mr. E. F. Correia

Mr. H. Rahaman

Miss Gertie H. Collins

Mrs. Esther E. Dey

Dr. H. A. Fraser

Mr. R. B. Jailal

Mr. Sugrim Singh

Clerk of the Legislature —

Mr. I. Crum-Ewing.

Assistant Clerk of the Legislature

Mr. B.M. Viapree (Ag.)

Absent:

Mr. T. Lee—on leave.

Mr. W. A. Phang—on leave,

Rev.D.C.J. Bobb—on leave.

Mr. W. T. Lord, I.S.O.—on leave.

The Speaker read prayers.

The Minutes of the Meeting of
the Council held on Thursday, the 4th
of April, 1957, as printed and circu-
lated, were taken as read and con-
firmed.

ANNOUNCEMENTS

LEAVE OF ABSENCE

Mr. Speaker: I regret to have to say that Mr. Phang is ill and has asked for leave of absence. No particular time for absence was noted. The Clerk of the Council has spoken to me about it and necessary action will be taken at some time.

PAPERS LAID

The Financial Secretary (Mr. Essex): I beg to lay on the table the following —

Report of the British Guiana Rice Marketing Board for the period last October, 1955 to 30th September, 1956.

STATEMENT BY MEMBERS OF EXECUTIVE COUNCIL

RAILWAY LANDS AT KITTY

Mr. Kendall (Member for Communications and Works): I would like to make a statement dealing with item 5 on today's Order Paper. The Executive Council by a Memorandum issued from my Ministry has decided, relative to the motion standing in the name of the hon. Member, Mr. Luckhoo, and seeking that the lands at Kitty which were originally reserved for use as a railway marshalling yard, and that idea since abandoned, to give the Ministry of Labour, Health and Housing the opportunity to examine plans and prepare proposals for the area with a view to deciding which portion, if any, should be reserved for public purposes. A survey of the area has been accordingly put in hand but it has not yet been possible to complete it. When all this has been done however, it is proposed to offer for sale all the lands that are not

required for public service, the present occupants of the land being given the first option of purchase.

I would like to say further that on the 30th October, 1956, the Governor's Secretary indicated to the hon. Mover of this motion through a letter the conditions which I have just given in the memorandum which was put forward by my Ministry to the Executive Council.

Mr. Cummings (Member for Labour, Health and Housing): The Government policy on this question is also of some concern to my Ministry. For quite some time now it was made quite clear to the residents of that area, when we learnt that the Transport people no longer needed the area as a marshalling yard, that it would be Government's policy as soon as that department had ascertained what portion, if any, it would wish to reserve to sell the lands and give the first option of purchase to the people concerned. Those people interviewed me on more than one occasion at my Ministry, and from my records they understood and were satisfied. The hon. Member for Communications and Works has already invited attention to the letter which the Governor's Secretary wrote to the hon. Mover of the motion dated 30th October, 1956. The letter reads as follows —

"Sir,

I am directed by the Governor to refer to your letter of the 18th October, requesting His Excellency to receive a deputation of five persons and yourself from the village of Kitty to discuss the question of the acquisition of lands on both sides of the Railway line at Kitty.

2. The position is that the land was originally reserved for use as a railway marshalling yard, but that idea has been abandoned. However, it is not proposed to dispose of any land until the Ministry of Labour, Health and Housing has had

the opportunity to examine plans and proposals for the area with a view to deciding whether any portions of the land should be reserved for public purposes.

3. Before this can be done, a survey of the area has to be undertaken and it is understood that the Ministry of Labour, Health and Housing expects to complete this task by the end of the current year. Thereafter it is proposed to offer for sale any land not required for public purposes and the tenants now occupying the land will have the first option of purchase.

4. The information given above sets out the position to date, and in the circumstances, you may not wish to pursue your request for an interview with His Excellency at this stage."

As I understand the motion of the hon. Member, Mr. Luckhoo, he is seeking to get this Council to resolve that something that has already been done should be done. It is the decided policy of Government to let those people have the land, and that policy was declared long before the hon. Member came into the picture or anywhere near it. I want to make that quite clear.

Mr. Luckhoo: I do not know whether it is the intention of the hon. Members who have spoken to commence the debate on the particular motion, but I shall not take unfair advantage of the opportunity permitted at this stage. I shall have full opportunity to express my own views on it. There is no question of my trying to get done what has already been done. That letter, which was referred to and read, was brought to the attention of the people. It is with a view to getting a recommendation from this Council in respect of the lands that the motion is being brought. I do intend to pursue the motion, irrespective of what sarcasm

is made or cast, with due respect and deference.

Mr. Speaker: Hon. Members will have an opportunity to debate the motion.

INACCURATE PRESS REPORTS

Mr. Cummings: Perhaps, I don't know, but your Honour must guide me as to whether this is the correct time to make such a statement. I wish to refer to what I regard as certain inaccuracies in the Press report of yesterday's meeting. I do not wish to say that it is anything intentional on the part of the Press, but I am sure Sir, that you and hon. Members will agree that it is in the interest of the public that Press reporting should be fair and accurate. That is to say, if the Press is going to say a Member spoke and to quote other Members verbatim, it should state at least what that Member said. I refer to a report in the "Graphic" under the headline "Freeness Bill through". The report states "The moment Mr. Jakeway's motion was seconded and supported by the Member for Health (the Hon. P. A. Cummings) the protest began". It then reports at length and verbatim what the Members who were opposing said. I feel that the people should know that this Bill was only put through by Government and supported by myself in particular because Government was satisfied — speaking for myself I was satisfied—that we had done our duty to that category of persons who should first be provided when it comes to anything given free. It is nothing given free by Government. It was pointed out clearly yesterday—I pointed it out—that at the moment the proposals adopted by

[Mr. Cummings]

this Council, the proposals which were put forward by myself as Member for Health, are stated in paragraph 15 of the Sessional Paper and read as follows:

"15. These proposals aim primarily at providing medical facilities free to the following categories:—

- (a) all persons whose earnings do not exceed \$16 a week and the dependents of such persons who may be residing with them;
- (b) Police Constables and their families;
- (c) Prisoners and other persons brought by the Police;
- (d) Such other persons as may be admitted at the discretion of the Medical Authorities to be deserving of free medical attention.

Free medical facilities will be made available to these categories at the various community health clinics and Government controlled hospitals throughout the country."

I do not want to go over it and abuse this privilege allowed Members of the Executive Council by reiterating everything said yesterday, but I do feel that in fairness to Government and myself supporting the Bill, the Press in reporting the debate ought to have stated that, and so let the public see what has been done in a limited way for the Civil Service is something that is done in a much wider way from the time that Sessional Paper was adopted in this Council. I feel that I have been unfairly treated in this matter by the Press, and I ask Your Honour to draw the attention of the Press to these inaccuracies. It has been said that the cruellest lies are often told in silence.

Mr. Speaker: The subject of inaccurate press reports has engaged the attention of the Council on several occasions. I have endeavoured on

several occasions to point out many inaccuracies—failure to construct simple sentences, egregious mistakes in the spelling of ordinary English words and punctuation among other things.

The Press complains that the Government has induced the best reporters to leave their employment and, as far as the Legislature is concerned, some of the best reporters are to be found reporting proceedings in the Law Courts. In my opinion, this Legislature is a more important body and should have had the priority in the selection of official reporters. The main object of having law reports in our Criminal Courts is to report the summing-up of the judges in criminal trials in those Courts.

Mr. Cummings: I am very grateful to you for taking notice of this complaint. On my part, I would like to emphasise that Your Honour is dealing with the report—I am dealing with the public and I am not blaming the reporters. It may be in the editing, but I only wish to invite the attention of Members that I am not blaming the reporters here. I would just like to leave it open to that extent. No one is responsible. Thank you very much, sir.

Mr. Telle: Sir, I just want to crave your indulgence. I think the public is entitled to an accurate publication and I think the G.I.S. was at one time willing to make summaries of these reports. I hope that you will be willing to invite them to consider it again.

Mr. Speaker: No one is preventing the G.I.S. from making summaries of the day's proceedings. They were prevented from discussing legislation before the Bills had been introduced in the Council.

ACQUISITION OF LAND (LAND SETTLEMENT) BILL

Sir Frank McDavid (Member for Agriculture Forests, Lands and Mines): I beg to move the second reading of the Bill intituled:

"An Ordinance to repeal and re-enact the acquisition of Land (Land Settlement) Ordinance."

In moving the second reading of this Bill I ask your indulgence and that of hon. Members to occupy more time than is normally allowed the mover of a motion. The Bill is not a lengthy one nor are its provisions in themselves unusually complex. However, the measure represents a vitally important aspect of Government's policy with respect to land and agriculture and I conceive it to be desirable, and indeed to be my duty, to take this opportunity to give a full exposition of that policy and of the action being taken to give effect to it as well as to provide hon. Members with the background history of this Bill before I explain its principles and objectives.

I propose therefore to subdivide my address into three main parts. Firstly, I shall make some remarks on the general concept which underlies legislation of this character. Next, I shall deal with the policy and programme with respect to land and agriculture which the Government has been energetically pursuing during these past three years. And lastly I shall attempt a full statement of the historical background of the Bill with an explanation of the principles embodied in its provisions.

I have here with me one of my most treasured books; it was presented to me by Mr. Macaulay, lately head of the I.C.A. Mission in British Guiana. The title of the book is sim-

ply 'Land Tenure'. But it is, in fact, a symposium of the proceedings of the International Conference on Land Problems which was held at Wisconsin, U.S.A. in 1951. The papers collected in this book reveal that these problems exist and present a challenge similar in character and complexity in a great many countries. And it was because this stir of land reform throughout the world was commanding increasing attention among political scientists and agricultural economists that this international conference of representatives of 40 nations was held. Its purpose was to secure benefit from presentation and comparison of the various legislative measures and technical methods being adopted for the solution of these problems. These methods, of course, vary greatly from country to country.

In the case of land re-distribution, for example, they vary from the one extreme under some totalitarian regimes where land is expropriated without compensation (and even with liquidation of the owner) to the other extreme in other countries where the land-owner is compensated by payment of actual market value or assessed value for taxation. In the case of control of land utilization, they vary from the extreme now presented by the U.S.A. where subsidies are paid for putting land out of beneficial use, to the other extreme in the U. K. where the land-owner is arbitrarily deprived of his land if he does not farm it properly in accord with prescribed strict agricultural standards. I mention all this in order to emphasize that our problems here in British Guiana are not singular and what we propose to do is by no means new.

Let me refer to another book I have with me. It is the report of the

[Sir Frank McDavid]

proceedings of the 6th Session of the West Indian Conference held at Puerto Rico in 1955. I was fortunate to be one of the British Guiana representatives at that Conference. May I, Sir, be permitted to quote. This is what the Conference had to say and what it recommended with respect to Land Problems in the Caribbean Region —

The idea that land is the concern of the entire community is recognised in a number of countries and has found expression in legislation for the development and protection of natural resources. The Conference recognised the existence of different systems of land law which might modify the application of this concept, but felt that the use of the land should not be regarded solely as the concern of one man or one generation.

Proper land use should be interpreted as that which will ensure optimum sustained productivity. In order to give practical effect to this concept, it will be necessary to enact legislation which will provide for the following:

- (i) security of tenure for individuals who rent or lease land in order to enable them to undertake sound long-term development of such lands;
- (ii) authority to promulgate and enforce regulations designed to prevent any misuse of land which is likely to prove detrimental to the interest of other land owners;
- (iii) authority for appropriate agencies to enter upon and/or to acquire land for purposes of planning or carrying out measures designated to serve such interests of the community as soil or water conservation, irrigation, drainage, roads and water supplies;
- (iv) authority to acquire for agricultural development in the interests of the community lands which are being destructively misused, lands which are in disuse to the evident detriment of the community, or extensive areas of potentially productive agricultural land which are so sub-divided as to preclude their efficient use for farming;
- (v) authority to regulate the fragmentation of agricultural land;
- (vi) control of the alienation of valuable or potentially valuable agricultural

land for agricultural use and for the control of development which might prejudice the interests of the community, with special reference to maintaining effective soil or water conservation;

(vii) effective deterrents and penalties for owners of straying stock and for persons who indulge in indiscriminate burning of vegetation.

Participating governments should recognise the need for creating facilities for simple and inexpensive acquisition of valid titles by small land 'owners.'

Special consideration should be given to the problem presented by lands which are in a state of disuse because they are held in trust or in joint ownership by a number of individuals, who not only resist partition, but also refuse to grant rights for agricultural use to any one of the joint owners.

There is need for advice on the principle and practice of revising the rentals of long-term agricultural leases in the light of changing economic conditions.

The Conference recommended:

"37. That Governments of the area accept the concept that the use of land must be regarded not only as the business of the owner but also as the proper concern of the community as a whole and to provide legislation to give practical effect to this concept. Where the interests of landlords and/or tenants conflict with those of the community, the interests of the community should prevail."

The West Indian Conference, is, as hon. Members are doubtless aware an arm or instrument of the Caribbean Commission and that body later circularised all the participating Governments in August, 1955, and again in September, 1956, with respect to this Resolution of the West Indian Conference. The British Guiana Government was pleased to be in a position to report to the Caribbean Commission that its own policy and action it proposed to take were generally in conformity with the principles enunciated by the West Indian Conference.

With respect therefore to the general concept underlying this legislation, this then is the text and summary of the whole matter. Let me once again repeat these pregnant words of the Resolution of the West Indian Conference.

"That Governments of the area accept the concept that the use of land must be regarded not only as the business of the owner but also as the proper concern of the community as a whole, and to provide legislation to give practical effect to this concept. Where the interests of landlords and/or tenants conflict with those of the community, the interests of the community should prevail".

This is not "socialism" nor "communism" nor any other "ism". It is a doctrine which is inherent in the circumstances and necessities of our time. Nor is it altogether new. Even the term "freehold" connotes only in a limited degree a sanctity of personal ownership. A man does indeed hold his land free but the holding may be subject to the communal needs of the society and the times in which he lives.

I pass on now to deal with Government's land and agriculture policy and the action being taken to give effect to it.

Quite recently we have heard a lot about the lack of any Government policy in these respects. This is utter nonsense. I have never ceased to be surprised at the alacrity with which in British Guiana, misrepresentations of this character are seized upon by the ignorant, the uninformed, the credulous and the mischievous in our midst—so much so that what is false quickly becomes taken for granted as truth, and truth itself is buried under a mountain of fiction. I have attained an age and a stage in my career as a public servant when I find it unnecessary and indeed impossible

to harbour feelings of animosity or bitterness, but I do sometimes reflect with cynical amusement on these things.

I ask hon. Members to go back with me just a little way into recent history. In 1949, as Financial Secretary, I moved in the Legislative Council the Resolution adopting British Guiana's first Five-Year Development Plan. In 1952, again as Financial Secretary, I persuaded the then Governor that the time had come for us to have our policies and plans reviewed by, and to obtain expert advice through, the International Bank for Reconstruction and Development. In the result the Bank organised and sent to British Guiana the expert Mission whose valuable report, issued in 1953 and titled "The Economic Development of British Guiana" has become the basis of our policies and plans for economic and social development.

Hon. Members, I am sure you recall that the Mission endorsed the policies and plans already in effect and recommended their incorporation in a new Five-Year Plan. Members will also recall that at the commencement of the work of this present so-called Interim Government and Legislature in 1954 Government decided to introduce a provisional Two-Year accelerated Plan to be followed by a new Five-Year Plan when the financial resources available to us under the new Development and Welfare Act and from possible United Kingdom loans become known.

With the concurrence of the then Financial Secretary, Mr. Fraser, I was entrusted by the Governor with the duty of moving the Resolution in this Council approving the Two-Year Plan. That Resolution passed in March 1954 exactly 3 years ago, is important in

[Sir Frank McDavid]

the context of what I am now about to say. It reads:-

"That with reference to the Report on the Economic Development of British Guiana by the Mission organised by the International Bank for Reconstruction and Development, this Council approves in principle of the expanded and accelerated development programme for the years 1954 and 1955 presented to Council on 11th February, 1954, and of the financial arrangements for its implementation."

I spoke at great length on that Resolution and in the course of my remarks I emphasized that the basis of our policies and plans was the report of the Mission which had been accepted in principle by Government. I emphasize "in principle" because there would, of course, be modifications in many details.

I quoted at length with approval, extracts from that report in order to tie in policy with the programmed expenditure as proposed in the Plan. With your approval, Sir, I should like to make a few quotations again from this Report in order to refresh the minds of hon. Members and also, I hope, to sustain their faith in their own decisions. In doing so, I shall make a few remarks to indicate what progress in execution of policy has in fact been made.

In the section of the Report dealing with Land and Agriculture, on page 52, they recommended a policy and programme which Government accepted with the concurrence of this Council. I hope I will not tire the Council but I think it is important that I should itemize those recommendations and try, where necessary, to show how they compare with the actual progress achieved at the present time. Members will, I think, be pleased to see how closely our actual

work and accomplishment parallel the policy which we embarked upon when we adopted this Report. Under "Principal Recommendations" the Report states:

"The mission recognizes that practical improvement of agriculture is not to be accomplished solely by the establishment of a few broad policies, but to a large extent by attention to the specific details upon which successful farming depends. Many suggestions are offered in the technical report (II A) on Agriculture, for the improvement of individual crops, water control, credit operations, marketing, research and extension. The principal recommendations are those listed below:

A. Reclamation Projects

1. Every effort should be made to complete the proposed irrigation and drainage schemes in the Boerasirie and Corentyne systems as rapidly as technically feasible in order to bring additional acreage under cultivation in the coastal zone."

I think most people are now aware that this magnificent work in the Corentyne hinges upon the scheme which was propounded by the late Mr. Case. This scheme will draw water from the Berbice River into the Canje river in order to supplement the irrigation water available for the whole of that section of the Corentyne. Members also may not be aware that this particular project—I am referring to the Torani Canal—is perhaps one of the biggest water control projects in this part of the world. It is upon that that the whole of the land operations at Blocks I and II and III and also the water supplies of the adjoining sugar estates are based.

When last I visited Torani I was particularly impressed by the work that has already been accomplished, and I asked the very efficient Engineer in charge of the works, Mr. Drury, to give me a date when the canal might be opened ceremonially.

in the hope that such opening will take place before this Council is dissolved. Unfortunately Mr. Drury, having examined the structure of the regulator gates and computed the time the concrete will take to set, hit upon a date, and the date he suggested to me for the ceremonial opening to which all of us will be invited, was the 13th of August. (*Laughter*). I explained to him the somewhat embarrassing situation which would be created if he stuck to that date, and I invited him to hurry. I still hope there will be time for us to attend some ceremonial opening while we are still officially Members of the Legislature, in order to take part in that ceremony.

To go back to my text, I do feel very enthusiastic about this particular scheme, and I think Members ought to be too. Connected with the Blocks I and II, together with the remaining part of the Block III scheme, an immense acreage is being reclaimed and I hope, will soon be brought into cultivation. When I say soon I mean in three or four years.

As regards the Torani canal, the estimate of the water which will be derived by gravity passage between tides is very encouraging. I do not wish to state the figure because it might convey nothing to Hon. Members, but I have been very pleased to hear from the engineers of the possibility that a greater supply may be obtained, and, what is more, that by the erection of a battery of pumps at the Berbice river end we could hope for a larger supply of water going through into the Canje—in which case the empoldered back lands of Blocks III, 10,000 acres of which are designed for cattle pasture might also be furnished with a guaranteed supply of water. I do hope that by having more water the whole of the back lands of Block III might be drained and irriga-

ted, so that the remainder of this very large area might become available for cultivation.

As regards the Boerasirie — I wonder if Hon. Members know the immensity of the job undertaken there?

Mr. Luckhoo : I am sorry to interrupt the hon. Member. May I enquire if the 10,000 acres of cattle pasture may be reduced and more acres placed for agricultural purposes?

Sir Frank McDavid : What I am referring to are the back lands of Block III comprising some 27,000 acres of which 10,000 acres are allocated as cattle pasture. The amount of water that is available—the estimated amount of water that would pass through into the Canje through the Torani waterway is inadequate at the moment to supply first the sugar estates, secondly the frontlands of Block III already allocated and under occupation and cultivation and thirdly, the development of Block I and II, and particularly if the remainder of III of 17,000 acres also is put in. There would be not enough water for the whole of this vast area. What I do express is the hope that by some means more water will be obtained in order that the remainder of Block III would ultimately be brought under cultivation.

Mr. Luckhoo : Thank you.

Sir Frank McDavid : I had expected the Hon. Member to criticize me for straying so far from the actual Bill. I think this measure is so important that the whole of the Land Policy and Programme of the Government should be stated. That is why I speak at such length even to the extent of repeating some of the things Members may already know. I will have no other opportunity of reviewing the whole situation

[Sir Frank McDavid]

before Council dissolves and Hon. Members will therefore pardon me for it.

As regards the Boerasirie, that is also a magnificent project. It is very clear that the Sir Lindsay Parkinson firm is doing an excellent job. I was delighted to hear some weeks ago that some 7,000 acres of land on the right bank of the Essequibo River will be ready for the commencement of internal works so that the lands may be made available for cultivation. I hope the Departments concerned would soon get themselves into a position to tackle this work.

That was the first recommendation of the World Bank Mission and it has been, and is our policy to concentrate on the reclamation of large areas of what are now swamp lands. That is really the meat of our land programme—the reclamation of these large areas of swamp lands.

The second item of this programme reads as follows—

“Engineering studies for future reclamation projects to be undertaken after 1958 should begin promptly in view of the complex character of such studies. The most promising areas for future schemes appear to be in Berbice, south of Providence, embracing about 80,000 acres, and south of Crabwood Creek, with a further 50,000 acres. Additional study may also indicate that an extension of the Boerasirie scheme south of the Bonasika and south of Wales would be feasible”

I have nothing to say on that. It is quite true that the staff of the Drainage and Irrigation cannot now find the time to make these studies. So far they do not have the staff to engage in engineering studies of projects of such magnitude. The third paragraph states:

“For the next five years agricultural development should centre on that part of the coastal strip now under rice, sugar

and coconut cultivation, together with an extension of rice growing in the coastal backlands and the reclamation of riverain lands for mixed farming. Extension of cattle ranching in the interior should take place in the Ebini downs and in the Rupununi; government technical and financial assistance will be needed to increase beef cattle production in these areas.”

Hon. Members know that is exactly what we have been doing. As regards Ebini, I think Dr. Fraser can support me in the view that that particular project is going very satisfactorily indeed. Hope is given us of further economic development through this cattle farm. The representatives of important English cattle farm interests visited this country recently and they were impressed with what they saw there.

The Land Settlement and Tenure section of the Mission's recommendation item 5—reads as follows :

“A comprehensive land settlement programme should be drawn up for the Boerasirie and Corentyne areas, with emphasis upon mixed farms of appropriate size; provision should be made for land purchase and clearance, roads, housing, farm implements and draft animals as needed.

Hon. Members have the duty today of adopting this Bill for giving effect to the latter part of this policy. I should perhaps take the opportunity here just briefly to mention what is happening in connection with Land Tenure. Hon. Members must have wondered what happened to that item which has been appearing on the Supplementary Order Paper in my name for many months, that is Item 1 under the caption “Not to be proceeded with at this meeting”. It is a motion in my name asking the Council to approve of certain government decisions in regard to Sessional Paper No. 1 of 1956 which concerns a report of the Land Tenure and Registration of Titles Committee. Hon. Members would remember that

that Report was an extremely good one. The membership of that Committee was composed of important people in the community — Mr. R. S. Persaud (Chairman) with Messrs. C. V. Wight, Edward De Freitas, Vincent Roth, W. A. Macnie and others. They made valuable recommendations one of which was to set up a tribunal in order to facilitate the granting of titles. We had intended that legislation should be drafted and introduced to give effect to that. In the meantime, however, another committee has been set up to consider this question of Land Registration and Titles with special reference to the question of the adoption of a new system of Land Registration in this Colony. Hon. Members must have heard that this Committee of lawyers is under the chairmanship of Mr. Edward De Freitas, and Mr. Clark, the new Land Adviser, is associated with this Committee. They are working very hard not only with the view of producing their report but to draft the necessary legislation in connection with it. Consequently, the work of this second Committee embraces the whole of the legislation which would have been necessary to give effect to the recommendation in the report of the first Committee and I shall therefore have to ask leave to withdraw that motion. It is feared that the work of the Committee will not be completed in time for the legislation to be passed by this Council before it is dissolved.

As regards the first part of this item of policy in the Mission's report His Excellency has seen quite recently the detailed plans which have been prepared for Blocks I and II. He is extremely enthusiastic about them. At

his last public appearance—that was at the Agricultural show at Port Mourant — he described the plans as exciting and asked that copies be publicly displayed both in New Amsterdam and at the District Commissioner's Office in Berbice. I would like hon. Members also to inspect this plan which covers the whole of the area and embraces all the necessary internal roads, water control arrangements, farm and housing sites for three separate settlements. Consequently, we are very far ahead in this plan for the use of those areas in Blocks I and II. I hope that actual work on the execution of these plans will shortly commence.

In so far as Boerasirie is concerned, we have not started any planning for settlements there, because the engineering plan for the internal work has not commenced. I will ask hon. Members to take the opportunity in Finance Committee of inspecting this plan for Blocks I and II of which I have spoken.

The recommendations in the Mission's Report continues:

6. Practical information for this purpose should be obtained by establishing pilot settlement projects: a large-scale project on the riverain lands south of Lookout on the Essequibo River, a smaller one south of Georgetown; and others for larger farms (up to 100 acres) on the Corentyne backlands."

We have, of course, already started on such projects in connection with the riverian lands at Mara on the Berbice River and at Garden of Eden on the East Bank, Demerara. Incidentally, as Members know we have been, through a Working Party, taking steps to recover Crown Lands under lease or licence which are not being properly used or adequately used.

"7. Land-use and soil surveys should be started in the coastal and riverain

[Sir Frank McDavid]

areas to prepare for additional drainage, irrigation and settlement projects, and in the interior to select areas suitable for later agricultural development."

Now, what have we done? During these last three years we have taken opportunity of assistance presented by the ICA Mission and obtained the services of their technicians to help us with the soil surveys on the coast. Soil surveys have been carried out on the Corentyne and considerable work has been done in the Boerasirie area. Now, I wonder how many Members recall that we have also started a complete soil survey of the interior of this Colony, with the aid of the Imperial College of Tropical Agriculture? So that we have done our best to comply with this particular item of policy.

"Continuous study should be made of new coastal reclamation projects in the 'Hutchinson' programme, with a view to putting them into effect after 1958; the mission believes that five years of engineering study will be needed before additional projects can be undertaken on a sound basis."

The point I have already made clear is that our inability to secure adequate staff has prevented us from going ahead with engineering studies in this direction.

"C. AGRICULTURAL CREDIT

9. An agricultural credit department should be established within the proposed British Guiana Credit Corporation to supervise or extend both short and long-term credits for such purposes as land settlement, rice mills, coconut planting, copra driers, livestock and fisheries".

Well, I need not tell Members what is happening about that; only, I would like to take the advice of the hon. Member, Mr. Tello, who told this Council that its Members do not "sufficiently blow their own trumpet" —

I think those were his words. One of the first tasks entrusted to me by His Excellency the Governor, Sir Alfred Savage, was the devising of the structure of the Credit Corporation in relation to the old Co-operative Credit Banks, and I myself undertook as a labour of love the preparation of the preliminary draft of the Credit Corporation Bill, and it was ready before Dr. Duthie came to this Colony. I was also entrusted with the task of piloting that Bill through the Legislative Council, so that I did play an important part in carrying out this item of policy.

NOW UNDER "D", PROCESSING MARKETING

"11. Price controls and subsidies on imported food-stuffs should be removed as rapidly as circumstances permit, in order to encourage production and marketing of domestic foods."

Everybody knows what we have done, and everybody knows or should know that supplies of domestic food products have increased. Of course, when there are shortages everyone hears of them, but when things are running well, no sounds are made. It is satisfactory that supplies of beef and poultry are adequate while supplies of pig products have reached the level where not only local requirements are satisfied but we have embarked on exports.

"12. Government rice mills and driers should be built, as now planned in the Corentyne area and at Anna Regina; these should be regarded both as an addition to regional milling capacity and as a spur to modernization of the private mills through credits made available for the purpose."

Well, we have constructed the Anna Regina mill and now we are engaged on completing the plans and financial arrangements for the proposed factory on the Corentyne.

"13. The Georgetown abattoir should be modernized."

Well, of course, that is a matter for the Town Council.

"14. A milk pasteurization plant should be installed at Georgetown."

The milk pasteurization plant is being installed and I hope there will be a ceremonial opening of it before this Council dissolves.

"15. An ice factory and cold storage plant should be established in Georgetown for better handling and marketing of meat and fish."

I wonder how many Members have taken the trouble to visit the establishment of the Marketing Division in Charlestown where we have set up the wholesale fish marketing centre. All I will say is, that Dr. Hickling, the Secretary of State for the Colonies' adviser on Fisheries, has been good enough to tell me how pleased he is with the whole set-up.

Now for the last section of this sector: "E", Research and Extension Services:

"16. Existing agricultural experiment stations should be strengthened and additional stations established in the coastal belt, the northwest and the interior. The network should include:

- a. The major agricultural station on the coast, as planned.
- b. A rice division at the Central Agricultural Station.
- c. An expanded station at Hosororo, in the North West District.
- d. A new station at Potaro.
- e. Cacao trial plots at the Potaro-Mazaruni station.
- f. Improved livestock stations at St. Ignatius and Ebini, in the Rupununi and Intermediate savannahs.
- g. A pilot project for riverain land clearance."

All of those things have been done or are in the process of being done. The Central Agricultural Station at Mon Repos with its important rice breeding section and the allied experimental work at M.A.R.D.S. are going ahead well.

"17. Research programmes, at appropriate stations, should include studies of diversified crops, improved rice yields rice varieties and other crops suitable for spring farming, fertilization, crop rotation, plant disease, technical and economic problems of mechanized farming, savannah cattle ranching, breeding of beef and dairy cattle for local conditions, and fish culture."

Here again, as Members know, we are carrying out that particular recommendation on policy to the full. In addition, we have included jute and cotton as crops, to be studied. Lastly,

"18. The agricultural extension service should be broadened for more effective transmission of research results and improved techniques to the farmers themselves."

As to that, we have joined the Eastern Caribbean Farm Institute and, as Members know, our students are now coming back trained as instructors and are being assigned posts in all the rural areas.

I have tired the Council with all this to emphasize that not only do we have broad policies but also a very detailed plan and programme with respect to land and agriculture which we have been energetically pursuing these last three years. I think Members should be satisfied that they have taken part in something that is revealing results.

I now come to the history of this Bill which is before the Council today. The present law relating to the

[Sir Frank McDavid]

compulsory acquisition of land for land settlement purposes is contained in the Acquisition of Land (Land Settlement) Ordinance, Cap. 180, Vol. IV — formerly Ordinance No. 14 of 1943. I am not going to deal with it in any detail, but I shall try to trace the history of it. That Ordinance derives from a minute sent down by Sir Gordon Lethem, that most wise and far-seeing Governor way back in 1943. This is what he wrote in that minute:

POWERS OF LAND ACQUISITION

"I wish to confirm the verbal request I made some weeks ago that we should consider amplifying Government's powers for land acquisition. In my last colony we did this by expanding the definition of 'purpose' to cover land settlement, housing, etc. and I imagine this may be the simplest way here. If I remember correctly the proposal that Government should exercise powers of acquisition where justifiable was preferable to any particular form of taxation designed to cause the relinquishment of land not beneficially occupied, I think in Mr. Benham's memorandum. In any case the future seems to me to demand that Government be in a position to initiate land settlement and housing schemes in places where conditions make it desirable rather than only where land comes into Government hands by accident on sale by owners."

That was written as far back as 1943, and it was as the result of that Minute that we passed the Ordinance which is now chapter 180. Under that law the power to take land compulsorily relates back to the use of the other Ordinance, Chapter 179, which is the Acquisition of Land for Public Purposes Ordinance. Consequently, the basis of compensation which has to be used is essentially the market value of the land. That is the position now. It is the law that the Government has the right at any time

to acquire any land for land settlement purposes compulsorily, by using the Acquisition of Land for Public Purposes Ordinance, but in following that procedure the compensation to be paid must be the market value.

In the immediate post-war period another Ordinance was passed in respect of housing. I refer to the Housing Ordinance of 1946 which is now Chapter 182, and that Ordinance gives power to the Government to acquire land compulsorily for housing, slum clearance, or for re-development of areas. There the more modern formula which was developed in England in the post-war period was used. Under that formula compensation is determined by reference to the 1930 value of land, plus a percentage to be fixed by the Governor in Council. That formula is included in the Housing Ordinance. I do not think that the power to acquire land compulsorily under that provision in the Housing Ordinance has ever been used, nor indeed has the power under the Acquisition of Land (Land Settlement) Ordinance been used.

I now come down to the position in 1955. In May, 1955, the Land Settlement Advisory Committee reported to me that consideration should be given to providing by law power to acquire land with compensation payable other than by market value. It was pointed out that market values were rising steeply; that the very fact that Government itself was in the market for land was causing a further acceleration in the artificial value of Land. That was in May 1955. It was a recommendation or proposal by the Land Settlement Advisory Committee. I do not want to unduly tie the hands of Members who were on that body, but I should like to say that the Land

Settlement Advisory Committee included in its membership several Members of this Council — Mr. Macnie, the Rev. Mr. Bobb, Mr. Lord and Mr. Jallal. I think there was one other, Mr. Sugrim Singh. I do not want to imply that that request was the unanimous recommendation of everybody. I do not know, but it was nevertheless a recommendation from the Land Settlement Advisory Committee.

At that time Government was negotiating for the purchase of three estates — Mara, Garden of Eden, and an estate in Leguan called Henrietta Vrouw Anna. Following on this recommendation I took prompt action and presented to the Executive Council the draft of a Bill to amend the Acquisition of Land (Land Settlement) Ordinance in order to provide the power to pay compensation on the basis analogous to the formula which exists in the Housing Ordinance. That is to say, that compensation should be based on the 1939 value, plus a percentage to be fixed by the Governor in Council. As Members probably remember, that Bill was introduced in this Council on the 23rd of July, 1955 and given its first reading on the 1st of August, and there the matter rested for a very long time. Differences of opinion arose; there was some controversy, and rightly so, over the fact that the criteria for fixing compensation were vague—that nobody knew on what basis the Governor in Council would fix the percentage to be added to the 1939 value. What happened was this: It was arranged that I should have a discussion in England at the Colonial Office with the Governor, and I went to England with that on my agenda among a

number of other things. As it happened, when I got there in September, 1955 Sir Alfred Savage was no longer Governor, and Sir Patrick Rensson took part in the discussions at the Colonial Office. In the course of these discussions which covered all aspects of our land problems I proposed that the formula of the 1939 value should be abandoned and replaced by a new formula based on economic value. It was then left to the Colonial Office to send out a report with their comments. It was also agreed that the new Attorney General, Mr. Campbell Wylie, should have an opportunity to make his comments on this proposed legislation. All of that took time. I should very much like to be permitted to read to the Council a short paragraph from the Minute by Mr. Wylie on this particular matter. As Members know, Mr. Wylie was particularly versed in land tenure and related matters. He had great experience of similar problems in New Zealand where conditions analogous to what is now taking place in British Guiana did exist, and this is what he wrote:

“The reasons behind the bill are well known and there is no need to repeat them. However, it is worthy of mention that, after only a few weeks in the Colony, I feel that it must be clear to any unbiased observer that some such action to control the price of land is essential. Clearly, this colony is destined to have mainly an agricultural economy for generations to come. Consequently, its future prosperity will depend upon its ability to produce agricultural produce at costs which will enable it to compete in world markets. Experience in other countries with an agricultural economy (and I speak of personal experience in my own country) shows that booming land values can be the greatest menace such a country can face, especially if it is still at the development stage with land being acquired at these values by would-be farmers. It bid fair to cripple most of the farming industry in New Zealand in the depression, forcing the Government to take drastic action which paid

[Sir Frank McDavid]

scant regard to private rights. It is a menace that must be tackled on all fronts, of which this paper illustrates only one—the acquisition of land for settlement projects. In this case, there are two further grounds for justification—the one mentioned in the paper, viz, that Government's own development plans are causing owners to put up prices, and the other that increases in price of the properties in which Government is interested, is really only in the nature of a speculative profit. These are the properties that are not being properly worked, and the owners are looking for the increased value, not out of any improvements or other efforts on their part, but purely as a speculative profit. To prevent this element entering into farming costs in a country which is going to depend upon the efficiency of its agricultural industries, is clearly in the national interest. This is a case where, in my opinion, the national interest overrides the private interest and I think that this provides sufficient justification for paying less than the present market value, especially when the bill makes ample provision to ensure that the owner is likely to suffer any actual financial loss on his property being acquired. In any case, there is the precedent in connection with land for housing. I suggest that this new instance concern the national welfare much more vitally than housing did".

Mr. Wylie was completely in favour of this Bill, and it was agreed that he should re-draft it so as to provide for the inclusion of the new formula for compensation based on the economic value of the land. I may say that the comments of the Colonial Office on this matter did not reach us until May, 1956. I am telling hon. Members all this because there has been some criticism over the fact that we have delayed proceeding with this Bill for so long. But there were circumstances over which we had no control. Mr. Wylie had, as I said, undertaken to redraft the Bill, and wanted very much to frame it on a model from his own country, New Zealand, and he wrote to New Zealand for copies of various laws, regulations and case precedents. In

the meantime he got involved in constitutional matters and was later, as Members know, transferred. The papers from New Zealand arrived in December, 1956 after Mr. Wylie had left British Guiana and as a result the present Bill was prepared by the acting Attorney General, Mr. Farnum, in collaboration with myself and the new Land Adviser, Mr. Clarke. I should mention that the first Bill lapsed with the close of the 1955-1956 session. It was however reintroduced in the new Session and withdrawn when this present Bill before the Council was introduced by me last month.

There is just one other matter I should mention to complete the historical record and that is, that although it had been at first proposed that the purchase of the three estates I have mentioned should wait until this measure became law so as to use it perhaps as a test case, it was considered by Government desirable that urgent action be taken. Mara and Garden of Eden were therefore purchased by negotiation at what was considered a reasonable price. The price of Mara was \$50 per acre and that of Garden of Eden \$70 per acre.

At long last I come to the present Bill. I have asked the Clerk to circulate a paper of amendments, and I understand that has been done. When commenting on the Bill I shall do so in relation to the printed Bill together with those amendments which have been tabled this afternoon.

As hon. Members will observe in the Statement of Objects and Reasons the purpose of the Bill is to repeal and re-enact the existing Chapter 180 to which I have already referred. I want to emphasise again and again that the power exists now to acquire any land compulsorily for land settlement purposes, but that power can only be exercised through

the existing Acquisition of Land for Public Purposes Ordinance and, therefore, payment of compensation is now related to the market value of the land.

There are three important new principles which are included in this new Bill before the Council. The first is that the compensation formula in this Bill is now the economic value of the land determined on an assessment of its productive value in relation to the net annual income that can be derived from the beneficial utilization of the land for agriculture. The basis of compensation is therefore changed from the market value to the economic value of the land.

The second new principle in this Bill is the power which it seeks to give to the Governor to appoint a Commission consisting of two or more persons to investigate and report whether it is or is not in the public interest that any land proposed to be taken should be acquired compulsorily for land settlement purposes. As I have already tried to emphasise the power now exists in the law by which the Governor in Council can acquire compulsorily any land on the initiative and determination of the Governor in Council. The new principle which this Bill seeks to introduce is that the Governor in his discretion should have the right to appoint a Commission to investigate whether or not it is proper and in the public interest that any land should be so taken. The Bill goes on in a sub-clause to say that if the Commission reports that it is not in the public interest so to do, it shall not be lawful for the land to be taken. This second principle is therefore a new safeguard

which the existing law does not have. Under the existing law the Governor in Council can make a decision to take any land compulsorily, provided the compensation be assessed at the market value and the Legislature provides the money to pay the compensation. Under this Bill the Governor is given discretionary power to appoint a Commission to say whether any land should be taken or not taken compulsorily. If they report against it, the land cannot be acquired compulsorily. hon. Members will realize that is a very great safeguard which does not exist in the present law.

The third new principle in the Bill is this: The land can be taken from the owner on lease. Under the present law compensation must be paid for in cash as a lump sum. Under this Bill there is power if the Governor in Council so determines, to take the land compulsorily on lease and to change such lease into an outright purchase if they deem this desirable later on.

Those are the three new principles which are embodied in this Bill. Before I deal with the Bill in detail, I just want to refer to two important aspects of the Bill. I must emphasize that the main purpose of this Bill is not to acquire land which is not in beneficial utilization. The Bill does not state that in so many words, but if hon. Members examine the amendments which relate to the powers and functions of the commissioners they will see that one of the criteria to which regard must be paid to their investigation is the extent to which the land is or is not beneficially occupied. Now, while as I have said there is clearly no intention that land which is already in occupation and use should be acquired for land settlement there may be occasions when such

[Sir Frank McDavid]

land has to be taken. In fact, it may form part of a whole area, and where it is appropriate, the owner should give up ownership so as to allow a properly organized scheme to take place. I repeat that the main object is to take land which is not in beneficial use or requires improvement which the owner cannot himself carry out. The second aspect which I want to mention is this. The only criticism I have seen in public print is to my mind a grotesque and wicked twist of the objects of this measure. I should have thought that everyone would realize that the whole object is to take land which is not being used, and usually land in the form of large estates, improve it and distribute it to small farmers. Surely, that must be apparent to every thinking person, and yet this ridiculous contributed article which appeared in the Press recently seeks to represent that what Government is trying to do is to take away the land of the small man. If opposition can sink to such depths of infamy, then it is no opposition at all. I hope hon. Members will not be influenced by such stupid criticism. That is why in my opening remarks I explained the underlying concept for legislation of this character: it is land reform in the interest of the small farmer.

Will hon. Members bear with me for a little longer while I run through the clauses of the Bill? I think it is important to do so. If Members look at clause 2 of the Bill they will see that the term "land settlement scheme" is defined. That is done in order to make clear that land settlement scheme includes not only the

establishment of organized land settlements but the process of securing land and re-distributing it to individuals without necessarily creating an organized development scheme. So that definition was put in to make assurance doubly sure. Clause 3 is merely repetition of what is the existing law. It relates to the procedure of land acquisition for public purposes. Under clause 4 I wish to draw hon. Members' attention once again to the power of the Legislative Council to act as a 'brake' on any arbitrary action of the Governor in Council in taking land because the procedure lays down that the land can only be taken and will only vest in the Colony if the money for paying compensation is already provided in the estimates. Consequently, the Legislature has got some control over arbitrary acts which may be taken by the Government—they can just refuse to vote the money, or if the money has already been provided in a block vote they can certainly find opportunity for making objection to any action which the Government is taking. They can enforce their prohibition against any arbitrary act of the Governor in Council.

Now, under clause 5 as proposed to be amended, I just want to explain to hon. Members the effect of the clause as it stands and what the amendment seeks to do. As I have said, the whole procedure refers to the acquisition of lands for public purposes. Section 18 of Cap. 179 sets out matters that have to be taken into consideration in assessing compensation. That section carries four important matters which the Court has to take into consideration in fixing compensation. They are:

"(a) the market value of the land at the time of awarding compensation;

(b) any damage sustained by the person interested at the time of awarding compensation by reason of severance;

(c) the damage (if any) sustained by the person interested at the time of awarding compensation by reason of the acquisition injuriously affecting his other property or his earnings.

(d) if in consequence of the acquisition he is compelled to change his residence or place of business, the reasonable expenses (if any) incidental to the change;”

In regard to (a) this Bill seeks to remove the application of that provision and substitute the productive value instead, but what is left is (b), (c) and (d). Those would still be applicable in any action in respect of land which is taken compulsorily for land settlement. So that is if this Bill is passed the economic value of the land, plus all those other matters which I have just read, will be taken into account. Members will further appreciate that, by virtue of the provisions of (b) of clause 5 of this Bill, in addition to the economic value of the land compensation must also include the market value — I repeat market value — of any buildings, plant, machinery on the land having regard to the general condition, state of repair and fitness for use of such buildings, plant and machinery. Consequently, I hope Members will realize that in framing the Bill we have tried to be equitable and to base compensation on the true economic worth of the land plus some additional compensation for severance, damage, expenses by reason of change of residence and so on and also the full market value of other assets apart from the land itself.

I also want to draw Members' attention to the provision in paragraph (a) of clause 5. This paragraph provides for an alternative to the formula for compensation, and that is, the price paid for the land, exclusive of any buildings, plant and

machinery on the land, by the person who owned the land on the 1st of July, 1955, whichever is the greater. The first thing to remember is the reason for that date. That is the first day of the month, when the first Bill was published in the Gazette, and consequently people had noticed that the Government was about to introduce legislation of this nature. The reason why a date is put in is to defeat any attempt at artificial sales in the meantime. The object of the provision is to give any individual who has actually bought land which is being taken an opportunity to secure, as an alternative, compensation equivalent to the price he actually paid for the land, which is of course quite a fair concession. It means that no one who has actually bought land, and who was the owner of that land on the 1st of July, 1955, can lose part of his capital through compulsory acquisition of the land if the amount he paid for the land is greater than the compensation worked out on the formula. He is entitled to claim the full amount paid for it.

I have already dealt in some way with the question of the Commissioners. I want Members to appreciate that what is intended by this Commission is a high level body. When we were discussing the question of the appointment of Commissioners it was made quite clear among members of the Government that the investigation which would have to be made in the case of important estates (let us be frank about it—sugar estates for instance) would have to be one conducted by people who knew what they were about. They would be investigating something which might have a serious effect on the economy of the country. People might see a plantation with some unused

[Sir Frank McDavid] land, but that is no reason for saying that it ought to be taken away. There may be very good reason why it should remain in the ownership of the particular person or company. There may be even good prospects for later economic development of that land in some way, and it would be better that it should remain under the ownership of the particular individual. Consequently, what is intended is that the Commission should be composed of people of experience and high calibre. I myself have been thinking of persons like the Land Adviser to the Development and Welfare Organisation, or like the head of the Social and Economic Department of the University College of the West Indies, Dr. Huggins and our own Land Adviser, Mr. Clarke. Those are the kind of people who, I think, should be appointed Commissioners.

I have already referred to clause 7 which gives Government power to lease land compulsorily, and I would now ask Members to look at clause 8 which is also new although I did not refer to it in my opening remarks on the new principles included in the Bill. Clause 8 seeks to include a prohibition on the subletting, sale or the mortgaging without the consent of the Governor in Council of any land which, having been acquired compulsorily, is re-sold or leased to an individual by Government. The reason for that is obvious, because if Government is taking land away compulsorily and re-distributing it, Government must prevent its re-sale and a continuation of an artificial level land prices. The object behind this is to keep down this artificial level of the price of land in British Guiana which is likely to cripple our agricultural

economy. I do not know if Members are aware of it, but some of the prices I have heard paid for agricultural land are simply staggering, and just cannot be made to work. For instance, land in Leguan has been sold at \$600 and \$800 per acre. I received a letter last week from someone who had to pay \$350 per acre for land on the right bank of the Essequibo river, and probably not good clay soil at that. Land on the Demerara river has been purchased by the Demerara Bauxite Company, admittedly in very special circumstances, at \$400 per acre. Members will realize that that cannot possibly go on if we are to keep our agricultural economy stable. We must make every effort to bring down prices by removing the speculative element which exists because Government itself is about to embark upon land purchase.

In this clause there is also a prohibition against land acquired compulsorily and distributed by Government being taken into execution and re-sold for debt. Such land can only be taken into execution for a debt owing to the Colony or the Crown or guaranteed by the Colony, or for a debt owing to any statutory body. That is also a new principle introduced for the same reasons.

I think I have dealt with as many of the points in the Bill as I need to. There only remains the Schedule which sets out in detail the principles for arriving at the productive value of land and I do not intend to go very fully into that at the moment. If the Bill passes to the second reading and we go into Committee I shall take the opportunity to explain the Schedule a little more fully. All I need to say now is that the formula for arriving at the productive value is in essence very simple. You take what the average efficient farmer can do in

respect of a particular area of land and put on the one side his working expenses, the cost of his own employment, the cost of the employment of any other person — all his working expenses except his rent, and on the other side you put the value of his produce calculated at the prices in force at the time of the acquisition, and strike a balance, and the difference is the nett annual income.

In arriving at the capital value you capitalize that annual value by reference to a fixed rate of interest— 6 per cent. by merely dividing the annual income by six and multiplying by one hundred and you get the capital value. That is the prescribed formula for compensation. Of course, if the land has to be improved then you estimate the cost of improvement and deduct it from that. I should also mention that there is a minimum in the Schedule. In the case of rice land, or potential rice land, the minimum is the basic rent which is applicable to that land under the Rice Farmers (Security of Tenure) Ordinance. Just as an illustration — the basic rent which is generally applicable in the Colony for rice land is \$10 per acre. It is \$12 in Essequibo, but the general level is \$10 per acre, and consequently, the capitalized value of such land is \$166.66 per acre. So that you can start with that as the minimum compensation value for normal rice land. That is the minimum which can be paid.

As I have said, I would like to go into this more fully in committee because I do not think it is necessary that I should include any detailed explanation in the discussion on the second reading which, as Hon. Mem-

bers know, is only on the principles of the Bill.

Now I want to say this: that if this Bill is passed into law Government would take very prompt action on it. It is contemplated that we shall select—we have already selected — certain areas on the river banks mostly on the Berbice River and the Essequibo River for action under this Bill. I have already indicated one estate for action under this measure — Vrouw Anna in Leguan. Let me be quite frank, with this Legislation in being, this question of surplus sugar lands may be taken up and tested. There are indeed surplus sugar lands although very much less in extent than some people appear to imagine and the question as to whether or not it is in the public interest for the Government to have any part of those lands for land settlement is one that ought to be investigated. I am quite sure that action will be taken promptly after this Bill becomes law.

I now invite the Council to pass the motion for the second reading of this Bill. But before I take my seat, I would like to add that it is my firm conviction that this measure is indeed one that is bound to have a place on our Statute Books, if not now then in the immediate future, and possibly at that time in a more severe character. I am convinced that it has to be done. I am also convinced that it is the duty and responsibility of this Government and this Legislature to do it now. I do not think that we should allow ourselves to be open to the charge of lack of courage in facing up to a responsibility which is so clear and so obviously for the benefit of the increasing numbers of the rural population of this country. I therefore

[Sir Frank McDavid]

most sincerely commend this Bill to the Council.

Mr. Cummings: I beg to second the motion but I want to make it clear that I intend to speak on it at a later stage.

Mr. Speaker: I should like to know whether hon. Members would like to take the adjournment now. Otherwise, we will proceed with item 3—the third reading of the Dangerous Drugs (Amendment) Bill.

Sir Frank McDavid: With the concurrence of hon. Members, I would suggest that we adjourn the debate at this stage in order to afford Members time to consider the Bill. After all, I have said quite an ear-ful today and I think they should have some time to consider these proposals.

Mr. Speaker: That is what I am saying. If any Member proposes to speak on the Bill he need not do so now, because he would have time to do so later.

Mr. Luckhoo: I think Members on the "floor" would welcome the opportunity of an adjournment in order to study the very detailed and careful speech which the hon. Mover of the Bill has made. As a matter of fact, I think that in order to do full justice to the Bill it would not be easy for us to speak today—without an opportunity to familiarize ourselves with all the points, so as to make any comments or constructive criticism.

Mr. Speaker: I think Members would have an opportunity to do so, as the adjournment will be taken shortly. I would have liked Members to state briefly, however, whether they desired to have an adjournment

and to speak later. We need not take any vote in the matter; I would like to know whether there is any opposition to the Bill. I think I can say from the silence of Members that there is practically no opposition.

Mr. Luckhoo: May I ask if it is possible for Members to secure a copy of the Bill with the amendments that have been read? It is a little difficult to put these amendments in as they stand.

Mr. Speaker: We will take what we have before us; I think we have all the material necessary for us to proceed. Members will have an opportunity to consider the Bill before we resume the debate on the motion, but I do not know if it is possible to supply copies of the proposed amendments at this stage.

Sir Frank McDavid: May I make one comment on what Mr. Luckhoo has said? I do not think it would be possible for a copy of the reconstructed Bill to be circulated at the moment, with all the proposed amendments, as suggested, but I could promise the hon. Member (Mr. Luckhoo) to have the amendments written in on strips of paper as they have been proposed, and supplied to him for his own information as a personal favour.

Mr. Speaker: The debate on the second reading of the Bill will be adjourned. We will now proceed to item 3 on the Order Paper and I should like to know whether any Member would like to speak.

Mr. Cummings: I have brought the Deputy D.M.S. here, but I was under the impression that we were going to proceed with items 1, 2 and 3 in that order.

Mr. Speaker: Yesterday we reached the stage where we were considering the Moneylenders (Amendment) Bill (now item 4).

Mr. Cummings: The Financial Secretary would not mind if we proceed with that Bill now. I should have thought that the items would have been put in that order—as they were before.

Mr. Speaker: Then we can proceed with item 4—the Moneylenders (Amendment) Bill.

The Financial Secretary: I do not think we can finish the second reading of this Bill today, and we might also not be able to reach the Committee stage today.

DANGEROUS DRUGS (AMENDMENT) BILL

Council resumed the debate on the motion for the third reading of the Bill intituled:

“An Ordinance to amend the Dangerous Drugs Ordinance”

Mr. Cummings: Yesterday, certain Members requested that the Bill be deferred as they were not quite satisfied, from the way I understood their remarks, as to the number of patent medicines that might have been affected by these amendments. I have consulted my advisers, however, and have been told that it is only one particular drug—tincture anodyne—that this Bill would affect. I was asked how this restriction would affect the importation of the other drugs concerned and I was told that very few, if any, of the persons who used this drug would. Therefore, I now beg to move the third reading of this Bill.

The Financial Secretary: I beg to second the motion.

Mr. Luckhoo: I was under the impression that the point Members were making was that the list of patent medicines usually imported would be adversely affected by this restriction. My hon. friend (Mr. Correia) who represents an area in the interior was concerned because this might, in some way, prevent people there from receiving the normal supplies of drugs and patent medicines which they have to depend upon. They wanted an assurance that that was not the case.

Mr. Speaker: It has been pointed out that only one drug would be affected.

Mr. Cummings: I do not know if the hon. Member (Mr. Luckhoo) understood my last remarks, but this particular drug—tincture anodyne—is the drug we have in mind.

Mr. Speaker: I think it is used for smoking. At any rate, I think that with the explanation given we ought to proceed.

Question put and agreed to.

Bill read a third time and passed.

LABOUR (AMENDMENT) BILL

Mr. Speaker: We will now proceed with item 2—the third reading of the Bill intituled:

“An Ordinance to amend the Labour (Conditions of Employment of certain Workers) Ordinance.”

Mr. Cummings: I should like to correct a statement I made yesterday—that the term “Charwoman” was taken from the old Labour Ordinance. I had thought so, but I do not see it here today. I have discussed the matter with the Commissioner of Labour, however, and he is satisfied that no hardship would be caused if

[Mr. Cummings]

people who worked in restaurants, hotels and so on were to be looked upon as charwomen, because a charwoman is a person who comes in and sweeps and so on. I feel, therefore, that no misunderstanding will be caused by this Bill. It is only in deference to Your Honour's knowledge of the law that it has been decided to make a change.

Mr. Speaker: I do not think the term "Charwoman" in this Bill means the same thing it does in the English Acts. The two meanings cannot be compared with each other and, for one thing at least, charwomen in England do not work by the week. I think the expression "charwoman" is entirely foreign to British Guiana. So far as I know, a charwoman in England is a person who comes in just to sweep and clean but I do not know whether the term as used in this Bill is intended to mean such a person. The person the Bill is referring to might not be a charwoman, but if Members of this Council agree to adopt the term it would be their responsibility. I only wish to emphasize that in the Oxford dictionary the word "charwoman" means a "woman hired by the day for house-work". There is no other definition given; that is the sole definition but this Bill provides for payment "per week" and there is no definition of "charwoman". I do not like the expression.

Mr. Luckhoo: The Bill would probably make the person it intends to refer to into a "charlady."

Mr. Speaker: How will the "charwoman" in this Bill be defined when a charwoman works "per day"? I think we should describe the person the Bill intends to provide for. The definition "charwoman", as given in

the dictionary, has been laid down for years.

Mr. Cummings: The expression has been used here to refer to sweepers and cleaners who work in hotels, restaurants, hotels, cookshops and so on, and I do not think there will be any difficulty in fitting them into the well-known definition of "charwoman". It has been unanimously decided in Finance Committee that these persons should receive a fixed minimum wage per week and that is what this Bill is seeking to provide. I am grateful for the observations Your Honour has made in this respect, but I do not anticipate any difficulty on the part of those who would administer the law in this Colony. I will, however, refer to the matter once more in Finance Committee.

Mr. Speaker: It could be stated (in the Schedule to the Bill) that a charwoman is "a casual employee" in any of these places—hotel, restaurant, cookshop, etc. Let us leave the question for consideration later.

Mr. Cummings: Very well, Your Honour.

Bill deferred.

ADJOURNMENT.....

The Chief Secretary: Before the adjournment is taken, Sir, I should like to mention that there will be an important conference next week, and I would suggest that this Council be adjourned until Wednesday next. On that day opportunity will be taken to proceed with the second reading of the Land Acquisition Bill.

Mr. Speaker: Very well; Council is adjourned to 2 p.m. on Wednesday next, April 10.