

LEGISLATIVE COUNCIL

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

THURSDAY, 5TH AUGUST, 1954

The Council met at 2 p.m. His Honour the Speaker, Sir Eustace Woolford, O.B.E., Q.C., in the Chair.

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, O.B.E. (acting).

The Hon. the Attorney-General, Mr. G. M. Farnum (Acting).

The Hon. the Financial Secretary, Mr. W. O. Fraser, O.B.E.

Nominated Members of Executive Council :—

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

The Hon. P. A. Cummings (Member for Labour, Health and Housing).

The Hon. W. O. R. Kendall (Member 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. G. H. Smellie.

The Hon. R. B. Gajraj.

The Hon. R. C. Tello.

Deputy Speaker;—

Mr. W. J. Raatgever, C.B.E.

Nominated Officials :—

Mr. W. T. Lord, I.S.O.

Mr. J. I. Ramphal.

Nominated Unofficials;—

Mr. W. A. Phang.

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

Mr. W. A. Macnie, C.M.G., O.B.E.

Mr. C. A. Carter.

Rev. D. C. J. Bobb.

Mr. H. Rahaman.

Miss Gertrude 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. H. H. Tross (acting).

Absent :—

Mr. T. Lee—on leave.

Mr. E. F. Correia—on leave.

Lt. Col. E. J. Haywood, M.B.E., T.D.—on leave.

The Speaker read prayers.

The Minutes of the meeting of the Council held on Thursday, 22nd July, 1954, as printed and circulated, were taken as read and confirmed.

ANNOUNCEMENTS

LEAVE FOR THREE MEMBERS

Mr. Speaker : I have to announce that the hon. Mr. Lee and the hon. Mr. Correia who are leaving the Colony tomorrow, have been granted permission to be absent from the meetings of the 5th and 6th of August.

I have also to announce that Lt.-Col. Haywood has been granted two weeks' leave of absence from the 31st of July.

REPORTS AND DOCUMENTS

The following documents were laid on the table:—

(i) By the Financial Secretary :

The Minutes of meetings of the Finance Committee held on the 8th, 9th and 16th of July, 1954.

(ii) By the Member for Communications and Works :

Notice No. 1086 published in the *Gazette* of the 10th July, 1954, notifying a correction in the Schedule to the Air Mail (Rates of Postage) (Parcels) Order, 1954 (No. 32) which was laid in Council on the 17th of June, 1954.

GOVERNMENT NOTICES

INTEREST ON CREDIT CORPORATION LOANS

The Financial Secretary gave notice of the following motion:—

Be it resolved:

That this Council approves the interest on all sums provided or allocated to the British Guiana Credit Corporation under the provisions of Section 20 of the

British Guiana Credit Corporation Ordinance, 1954, whether such sums are provided from the proceeds of loans or otherwise being charged at a rate of 3% per annum for a period of three years from the date of the establishment of the Corporation.

UNOFFICIAL NOTICES

ABOLITION OF CAPITAL PUNISHMENT

Mr. Luckhoo gave notice of the following motion:—

Be it resolved:

That this Honourable Council recommends to Government that a Select Committee be appointed forthwith to enquire into and report on the abolition of capital punishment and with terms of reference that permit recommendation of changes in the law of murder, in and for the Colony of British Guiana.

ORDER OF THE DAY

POST AND TELEGRAPH (AMENDMENT) BILL

Mr. Kendall : I beg to move the first reading of the Bill intituled—

“An Ordinance further to amend the Post and Telegraph Ordinance.”

Mr. Farnum seconded.

Question put and agreed to.

Bill read a first time.

SUMMARY JURISDICTION (OFFENCES) (AMENDMENT BILL)

Mr. Farnum : I beg to move the first reading of the Bill intituled—

“An Ordinance further to amend the Summary Jurisdiction (Offences) Ordinance with respect to the power of a Court of Summary Jurisdiction to impose corporal punishment.”

Mr. Smellie seconded.

Question put and agreed to.

Bill read a first time.

WHIPPING AND FLOGGING
(AMENDMENT) BILL

Mr. Farnum: I ask permission of the Council to withdraw the Bill in my name, intituled:

"An Ordinance to amend the Whipping and Flogging Ordinance with respect to its application to Juvenile Offenders."

It has been found that the Bill is in conflict with an existing Ordinance, and it is therefore advisable to withdraw it until a later date.

Mr. Speaker: Is it the wish of Members that the hon. Member be allowed to withdraw the Bill?

There being no objection, the Bill was withdrawn.

CINEMATOGRAPH (AMENDMENT)
BILL

Mr. Cummings: As I indicated on the last occasion when we sat, the Attorney-General and myself have been considering certain amendments to this Bill, intituled:

"An Ordinance further to amend the Cinematograph Ordinance with respect to the granting of licences."

We are not yet finished, and I ask that the second reading be deferred.

There being no objection, the second reading of the Bill was deferred.

AUXILIARY FIRE BRIGADE
(AMENDMENT) ORDINANCE

The Chief Secretary: I rise to move the second reading of the Bill intituled:

"An Ordinance to amend the Auxiliary Fire Brigade Ordinance, 1952."

The Attorney-General seconded.

The Chief Secretary: This Bill is quite a straightforward one, its object

being to remedy certain defects in the original Ordinance which was passed in 1952. The second Clause provides for the substitution of the word "every" for the word "Any" in Section 7 of the original ordinance; otherwise the sense of this Section of the Ordinance will not be changed. Clause 3 of the Bill alters the provision for a member of the Brigade reporting his absence. Previously, it was such that he had to obtain special permission in order to leave Georgetown. He has now merely to notify the Superintendent that he is leaving Georgetown. Clause 4, again, relates to drafting errors being remedied. Clause 5 provides for remedying by compensation loss of earnings by a member of the Brigade due to illness contracted or bodily injury sustained as a result of serving with the brigade.

Hon. Members might be glad to know, now that I am dealing with this, that I am informed by the Superintendent of the Fire Brigade that this auxiliary company which was formed two years ago is a very flourishing concern and it has 26 members. A second land company is about to be formed, and there is also a fire float company which has put in very useful service in fighting fires, and I gather that members are all keen and working well.

Question put, and agreed to.

Bill read a second time.

COUNCIL IN COMMITTEE

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

Clause 3— *Amendment of section 13 of the Principal Ordinance.*

Mr. Speaker: I was wondering what would happen if several members of the Brigade got permission to leave

[Mr. Speaker]

Georgetown simultaneously without others knowing, and their services were needed.

The Chief Secretary: The object is for the Superintendent to know how many members of the Volunteer Service are absent.

Clause 3 passed.

Clause 4— *Amendment of section 15 of the Principal Ordinance.*

Mr. Luckhoo: I see in this Clause the close of quotation marks, but no opening. There should be opening quotation marks before the word "guilty" in sub-clause (b). This is a small matter, but we had better be correct.

The Chief Secretary: I am obliged to the hon. Member for drawing attention to this.

Clause 4 passed.

Clause 5— *Amendment of section 16 of the Principal Ordinance.*

Mr. Ramphal: I rise to suggest that the word "may"—relating to the provision that the Governor in Council may grant compensation to a volunteer in cases of injury or loss of earnings, makes it discretionary, while in my view, it should be a matter of right. I am suggesting to the hon. mover of the Bill that the word "may" be replaced by the word "shall".

The Chief Secretary: I think the intention is that the Governor in Council would decide whether in each case the circumstances were such as to justify the grant of compensation. The amount of compensation would be subjected to legislation. In effect the Governor in Council would grant compensation in such cases where it has been shown that the injury was as a result of service.

Mr. Ramphal: I am very grateful to the hon. the Chief Secretary for his explanation. I take it that the Government will always do what is right—but we don't always have the Government we may really want. My contention is that where a member of the brigade, through no fault of his own contracts any illness, I take it that Government will then proceed to give something, but "may" appears to be only in respect of granting compensation. However, I am willing to be guided by the Chief Secretary in this.

Mr. Luckhoo: If it is obligatory I can see us facing a number of claims and court actions by people claiming to be entitled within the meaning of this particular clause. Whereas, if it were to remain discretionary it would be for the Governor in Council to go through with it without recourse to law. So often in Workmen's Compensation cases one finds a number of people claiming that in the course of their employment they were injured, and quite often the facts do not bear out these allegations. As quite rightly, put, one has to depend on the *bona fides* of the Governor in Council in what it has to do.

The Chief Secretary: The Governor in Council will, in fact, act in a *bona fide* manner.

Clause 5 passed.

Title and Enacting Clause

The Attorney-General: May I suggest a slight amendment—the substitution of a colon-dash for the full-stop after the words "Enacted by the Legislature of British Guiana".

Question put, and agreed to.

Title and enacting clause passed as amended.

Council resumed.

The Chief Secretary : I beg to move that the Bill be now read a third time and passed.

The Attorney-General seconded.

Question put, and agreed to.

Bill read a third time and passed.

SUPPLEMENTARY ESTIMATES—
MARCH-MAY, 1954

The Financial Secretary: I beg to move the following motion—

“Resolved, that this Council approves of the Supplementary Estimates for March and April/May, 1954, which have been laid on the table.”

The supplementary schedule covers expenditure amounting to \$610,012. That expenditure may be broken down into three categories — Re-votes, \$100,000; Loans, \$54,353 and Recurrent Expenditure, \$454,820. Of this Recurrent Expenditure, Cost of Living allowances represent a sum of \$294,789. This increase was necessary on account of the cost of living having gone up 11 points as the result of the removal of control on ground provisions. The Schedule of Expenditure has been carefully gone into by Finance Committee and, as far as I am aware, there are no contentious matters in Schedule. I move that the Council accept the Schedule.

Mr. Ramphal seconded.

ADDITIONAL SCHOLARSHIPS

Mr. Sugrim Singh: May I ask the hon. Mover if in these supplementary estimates any provision is made for extra scholarships, and if so what is the amount involved.

The Financial Secretary: No provision is made in this schedule for additional scholarships, but provision has been made in supplementary estimates

passed a few weeks ago, which I shall be bringing forward in two or three weeks' time. The provision made in that schedule is for \$1,008 for the award of 54 additional County Scholarships. The amount covers only provision for the term commencing in September and ending sometime in December, but when all scholarships have been fully awarded which would be at the end of five years the total cost would be something like \$15,000.

Mr. Sugrim Singh: I wish to congratulate Government on this — what I may describe as — magnanimous gesture in accepting the principle of having these 24 additional scholarships. I think it is very timely, Sir, and I want to say that these extra scholarships have been long overdue. I must reiterate that if there is something which the small man has been crying for all along, it is these scholarships. But, Sir, I cannot only congratulate Government and omit my hon. friend, the Hon. W. O. R. Kendall, whose idea it was to place before this Council in rather trying times, if I may say so, these scholarships. If I may digress a minute, up to that point it was W. O. R. Kendall. There was an “S” missing, and then he became Minister of Communications and Works. That missing “S” has been supplied by those 24 extra Scholarships and now as Minister of Communications and Works my colleague is W. O. R. Kendall. We cannot omit him in this.

As a school teacher of nearly 12 years' experience I want to place before this Council — there are other Members here who are teachers and can bear me out — that in the primary schools we come across excellent material, children whose parents are unfortunately poor. They try at these scholarship examinations but on account of the paucity of the scholarships awarded they fail to secure one of them.

[Mr. Sugrim Singh]

They are turned away and, perhaps, that is the end of them, promising though they may be. These 24 extra scholarships are to some extent an incentive to the parents of these poor children who go to our primary schools and, I am sure, who win these scholarships and get into a recognized secondary school will win other scholarships and be able to rise to greater heights. My own view is, I would like to see in this Colony free education for all. It may be a dream, but I hope that in the passage of time we would reach that stage in our public affairs.

I know as a teacher that valuable talent is going down the drain — to use the phrase of my hon. friend, Mr. Macnie — because parents are unable to put their children in secondary schools, and there is no other opportunity for them. I wish to make one other point before I take my seat. I trust that this money will be well spent by Government even if after five years it costs \$15,000. As a Member of this Council I say it is money well spent and I trust that in the future Government would make this a feature. That is, next year we may see our way to make available some more extra scholarships and so place before these unfortunate children who, due to no fault of their own cannot take advantage of higher education, an equal chance to rise and achieve their objective.

Mr. Bobb: I would like to endorse the remarks made by my hon. friend in respect of the very kind gesture on the part of the Government in awarding these additional scholarships, and also to express my appreciation of the reference made to the person with whom the idea of the additional scholarships originated. I wish to refer to something that unhappily has recently come to my notice. I think it is of interest to this honourable Council if what I am going

to say is true, and that something ought to be done about it. I fully realize that we must be careful in increasing expenditure. My good friend a few moments ago said that when expenditure is in a good cause we need have no fear. My information is, that over 30 years ago a certain sum was allocated to each Government County Scholar for books and personal allowance — \$35 for books and \$125 personal allowance for five years. My information also is, that within the last ten years the ordinary school fees have increased and naturally the increase became a charge on Government so far as these County Scholars are concerned, but there has been no commensurate increase in the book and personal allowances. I have not had time to investigate the figures given to me, but they were given to me by somebody whose word I can take.

It seems to me surprising that after 30 years we cannot give our County Scholars more than 48 cents per week pocket-money for five years and more than \$7 per year for books. Surely in both instances the value of books and of pocket-money has gone up considerably. I hope, if that is true, the situation would be corrected. I would very much like to draw the attention of the hon. Member for Education and the hon. the Financial Secretary to this observation which I bring to this Council. It does not appear to me commensurate with the step which is being taken now to increase the number of scholarships to allow the allowances to remain the same after so many years. In view of the high rising cost and prices, especially the price of books.

The Chief Secretary: I will look into the question raised by the hon. Member and see what can be done.

Question put, and agreed to.

Motion carried unanimously.

REMOVAL OF CONTROLS

Mr. Speaker : The hon. Member, Mr. Luckhoo showed me one motion of which he gave notice, but I see he has another motion.

Mr. Luckhoo : There are two motions that I gave notice of.

Mr. Speaker : I only saw one.

Mr. Luckhoo : I did not show Your Honour the other one.

Mr. Speaker: The other is a very important motion. It deals with the removal of Controls. Do you mind giving formal notice tomorrow?

Mr. Luckhoo : I used the plural when I gave notice. Because it is such an important motion I wish to have it debated with the least delay. May I enquire what is the procedure? Have I to show it to Your Honour before I give notice?

Mr. Speaker : In some cases it is advisable to submit a motion before.

Mr. Luckhoo : I think Your Honour would agree I was within my right when I rose and gave notice of motions, Your Honour has referred to one, but I was referring to both motions at the time.

Mr. Speaker : I never heard motions and I only saw one. I give the hon. Member the right whether he has it or not, but it is one of those motions which are very controversial.

Mr. Luckhoo: I do not think Your Honour would find it very controversial in this Council. The removal of Controls would have very much support from the Members of this Council.

Mr. Speaker: I have looked at it. In practice since I have been appointed Speaker I do not like any motion to be laid on the table until I have seen it. There is very good reason for it. I would be glad if the hon. Member would reconsider the form of his motion in the interval. I suggest that he should do that.

Council was adjourned until 2 p.m. the following day, Friday, 6th of August.