

LEGISLATIVE COUNCIL.

Wednesday 8th May, 1946.

The Council met at 2 p.m., His Excellency the Governor, Sir Gordon Lethem, K.C.M.G., President, in the Chair.

PRESENT:

The President, His Excellency the Governor, Sir Gordon James Lethem, K.C.M.G.

The Hon. the Colonial Secretary, Mr. W. L. Heape, C.M.G.

The Hon. the Attorney-General (Acting), Mr. F. W. Holder.

The Hon. the Colonial Treasurer, Mr. E. F. McDavid, C.B.E.

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

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

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

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

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

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

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

The Hon. Peer Bacchus (Western Berbice).

The Hon. J. W. Jackson, O.B.E. (Nominated).

The Hon. T. Lee (Essequibo River).

The Hon. A. M. Edun (Nominated).

The Hon. V. Roth (Nominated).

The Hon. C. P. Ferreira (Berbice River).

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

The Clerk read prayers.

The minutes of the meeting of the Council held on Friday, the 3rd of May, 1946, as printed and circulated, were taken as read and confirmed.

ANNOUNCEMENTS

PRIVATE DISCUSSION ON TRANSPORT BILL.

The PRESIDENT: With regard to the first item on today's Order Paper, the resumption of the debate on the Transport Bill, I received a report from the Colonial Secretary last Friday and I discussed the matter and took the advice of the Executive Council yesterday. We decided that the best thing to do would be to have a private meeting with the Unofficial Members of Council, which might conveniently be held this afternoon. I will therefore adjourn Council at half past three for the purpose of discussing the line of action I should like to put before Council.

BIDDING AT AUCTIONS BILL.

As regards the resumption of the debate on the Bidding at Auctions Bill the Attorney-General has just informed me that further legal points arise, and that the Commissioner of Local Government, who is interested in the Bill, is quite agreeable to the Bill standing over. It will probably not be ready until after the prorogation of the Council, and therefore will not come up until the convocation of the next session.

ORDER OF THE DAY.

SHORTER HOURS FOR LICENSED
PREMISES.

The PRESIDENT: With regard to the motion in the name of the hon. Nominated Member, Mr. Critchlow, I should like to say that Government has put forward both the majority and the minority reports of the Committee because there are certain points of controversy and argument, but of course Government supports the majority report.

The suggestion has been made that a motion of this kind should have been brought by a Government Member. I do not agree with that view. It is in entire accord with my own policy of bringing Unofficial Members into executive matters as much as possible wherever the opportunity offers. Where a Member is the Chairman of a Committee or, for example, of a Legislative Council Advisory Committee, it appears to me entirely proper that he himself should have the responsibility, if he wishes to move the motion. In the present case the Member is a Member of the Executive Council and the Chairman of this particular Committee, and I think it quite proper and in accord with the constitutional development I would like to see, that he should move the motion himself. I now call upon the hon. Nominated Member to move his motion.

Mr. CRITCHLOW: Sir, I beg to move:

That with reference to Legislative Council Sessional Paper No. 2 of 1946, this Council is prepared to consider the recommendations contained therein.

I can assure the Council that I have consulted and many proprietors have consulted me on this question, and have not only expressed their opposition to the shift system but they have forwarded a petition against it. In a letter

to Government the Chamber of Commerce has pointed out the hardship that would be suffered by the proprietors of liquor stores which open at 7.30 a.m., close around 11 a.m., open again at 1.30 p.m. and close at 4 p.m. They point out that the proposal that liquor stores should open at 9 a.m. would not suit them because groceries are permitted to sell liquor. I do not know whether anything can be done by way of fixing separate hours for liquor stores. The proprietors refer particularly to groceries in Georgetown and New Amsterdam which sell liquor. I do not know whether we could make special legislation with respect to groceries. In Trinidad the spirit shops are not opened until a very late hour, and are closed during the day for a couple of hours, opening again and closing at 6 p.m. There are many so-called clubs in this country which sell liquor, and in view of the social welfare work which is being carried out with a view to improving the morals of the young people of the Colony, I do not see any reason why spirit shops should be permitted to remain open until late at night. In England the spirit shops are opened at 11 a.m., close at 2 p.m., re-open at 5 p.m. and close at 10 p.m. They are permitted to be open for a certain number of hours on Sunday, probably on account of the climatic conditions, but we need not follow their example in that respect, because climatic conditions in this Colony are not the same.

As regards area it is a recognized principle all over the world that there should be different hours of opening for certain areas. For example, Water Street is dead after 6 o'clock, but around Albouystown and beyond Camp Street business has really begun at that hour. For that reason shops in those areas should be allowed to open later.

On public holidays the employees in spirit shops work from 6 a.m. until 1 p.m., working continuously for 7 hours

without overtime pay. Those hours were too long and it was suggested that on public holidays spirit shops should open at 8 a.m. and close at 12 noon. As a matter of fact the Committee felt that on certain holidays spirit shops should not be opened at all. For instance they are not permitted to be open on Sundays but people secure sufficient liquor on Saturdays to serve them on Sunday. The Committee recommends that spirit shops should not open at all on holidays. If people want liquor on holidays they should procure it the day before.

I would like to emphasize that our young men visit so-called clubs and such places where they consume liquor and commit offences which they might otherwise not commit. If we desire to improve the morals of our young people something should be done to limit the opportunities for the purchase of liquor. I know that my suggestion will be strongly opposed by those directly interested in the liquor trade, but we must consider the good of the community as a whole. I am appealing to the Council to support the shorter hours we recommend. After all the spirit dealers would not lose anything by it. Shops which sell foodstuffs are compelled to close at an early hour of the day. Why should spirit shops be allowed to sell liquor up to late in the evening? The spirit dealers contend that the introduction of the shift system would necessitate the employment of more people. I trust that the Council will support the hours recommended.

Mr. LEE: In seconding the motion, and as a member of the Committee who signed the majority report, I desire the Council to view this question in the light of the majority report. The majority of the members of the Committee consider that liquor is not a necessity, except in cases of illness, but that even if it is a necessity for some people they would be able to purchase what they require within the hours recommended by the Committee. Some of the owners of licensed premises in

Georgetown and New Amsterdam object to the hours recommended by the majority of the Committee, but why should we permit alcohol to be sold at 7 o'clock in the morning? The minority report says that the spirit shops would lose trade, and the proprietors have suggested a four-man shift of 13 hours. It is inhuman to keep a person at work for 13 hours. No employer who expects honest work would do so. If by limiting the hours of opening as the Committee suggests, we reduce the amount of drink consumed by the young people of the Colony. I think it would be a very good thing.

We were asked in our terms of reference "to consider and report on the extent, if any, to which it is desirable to shorten the hours during which licensed premises may be open." We feel that the hours we have recommended (44 and 46 hours per week) are as long as those premises should be permitted to keep open. We have gone further than that by suggesting that in the case of hotels and certain clubs the Governor in Council should have the right to vary the hours recommended, provided that no employee works more than 44 hours per week under the shift system. We have considered every aspect of affording the proprietors of spirit shops, hotels and clubs facilities for meeting the public, and we feel that the hours recommended will enable them to do so.

Mr. THOMPSON: I regret that I have to strike a discordant note in that I cannot support the motion. The Committee was appointed with definite terms of reference—to suggest how the hours during which licensed premises may be open may be shortened in the interest of the health of the employees. I find that the Committee has not met as a Committee, and I am wondering whether Government desired a round-robin procedure, or that the Committee should

meet and carefully consider the question so as to advise Government. When persons accept appointment to Committees they should fulfil their obligations by meeting as often as possible, but we find this Committee making the admission that they did not meet even once as a Committee. In paragraph 14 of the report it is stated:

14. My Committee regrets that they could not submit a Report earlier, due to the difficulty of holding formal meetings with all the members present, except on one occasion when all members were present except the Honorable C. P. Ferreira.

I do not think that is good enough; the report should be sent back to the Committee. If members appointed to a Committee cannot fulfil their obligations by meeting together and submitting a report that is worth while, I am not prepared to support the motion. In the circumstances I do not propose to take part in any discussion of the report. My feeling is that it should be sent back to the Committee.

Mr. ROTH: As a member of the Committee in question I take very strong objection to the remarks of the hon. Member to the effect that the members of the Committee have not carried out their responsibility. Is the hon. Member in a position to state whether the members of the Committee saw the written evidence submitted to them? It is all very well for him to say that he cannot accept the report of the Committee because the members have not carried out their duty. I am afraid that the report is rather unfortunately worded, because it gives the impression that the members of the Committee never met at all. That is not quite correct, and I think the Chairman will substantiate that. It is true that we were all never able to meet together, but that does not alter the fact that every member saw all the correspondence, and individually and in pairs we discussed the matter with the

Chairman on several occasions. I can only say that I stand by the report which I signed.

Mr. de AGUIAR: I regret that so soon after a very lengthy discussion on this item I have been called upon today to speak again on a subject of this kind. Of course I realize that the motion before the Council is merely a resolution to the effect that this Council would be prepared to consider—I emphasize the word “consider”—I emphasize the word “consider”—the recommendations of the report contained therein. Perhaps, I might have been content to leave the matter right there and wait until we have reached a more definite stage, but lest we continue to make errors in what I regard as a very important matter I crave the indulgence of this Council just to make a few observations on the report itself. I am sorry I had not the benefit of hearing what the hon. Mover of the motion had to say on it, and I heard very few of the words of wisdom from the hon. Member who, I believe, seconded the motion. But I can sum up the whole discussion thus: It seems the whole Committee, with all due respect to them, did not consider the matter in the light that they ought to have done. They, perhaps, allowed themselves to be influenced by what they heard or probably by their own sentiments. If I have listened to the Sec-
 onder of the motion correctly, it seems that they did not even give the study to the subject which, I am sure, it deserves.

In the course of his remarks the hon. Member said he could not understand an employer wanting to work an employee more than forty-eight hours a week. Has the hon. Member forgotten that in 1944 this Council prescribed the number of working hours for these same employees and the number of those hours is limited by the Licensed Premises Ordinance. No. 24 of 1944, to forty-eight, and that there are certain conditions stated in the Ordinance so

as to implement the carrying out of the Ordinance? I ask this question because, looking at the report, one of the recommendations is that all employers should be compelled to put up a notice board stating the names of each and every employee, their status on the premises and the hours of opening and closing of the premises. All those provisions are already in the existing law, and I know from my own experience that the law is being complied with. At the spirit shops in all the places I know, if you go there now you would find a notice board as prescribed by law. If it is not done, it is an offence and the employer can be prosecuted. There is a notice board which prescribes the name of the employee, his number of working hours per week and the number of hours per day during which that particular employee has to work. When you find recommendations like that burdening a report of this kind, it seems to me one is absolutely correct in arriving at the conclusion that the Committee members themselves did not grasp fully the work they were asked to do. The whole trouble has arisen over this fact. Let us put the picture before this Council and before the public. If Members wish the public to know what it is all about, I would tell them.

The whole trouble has arisen over the existing opening and closing hours of spirit shops. These shops have to open, I think, 64 or 68 hours per week. I am not quite sure of the actual figures. Under the law to which I refer—the Licensed Premises Ordinance, No. 24 of 1944—an employee can only work not more than 48 hours per week. The employers found that if they had to work the same employees for a longer number of hours than prescribed by the Ordinance they would be liable to a penalty under the Ordinance. On the other hand they were permitted to open their premises for longer hours than that prescribed by the said Ordinance. What did they do? They evolved a shift system which is not new. I have heard

it advocated here in this Council. We know it is not new. It is not new in any undertaking where the number of working hours per day per man is greater than that prescribed by the Ordinance or the employer wishes that employee to work. If it is necessary to carry on that undertaking for longer hours per day than that prescribed by law, or it is desired by employer or employee, it naturally follows that a shift system has to be evolved in order to carry on that undertaking. In this particular case a shift system was introduced and, I would like to say that I am authorized on behalf of an association to say the shift system is working satisfactorily from the employers' point of view. But it seems to me where the grouse comes in is that the employees do not like the idea of a shift system. They are no longer the dictators of the employers, and that is where the trouble has arisen. Although the Government has met them by prescribing a shorter number of working hours per week, they are not satisfied with that and have been clamouring, agitating and getting behind certain labour organisations, and, I believe, the Churches also to request this Government to introduce legislation so that the number of opening and closing hours of spirit shops should be reduced in order to conform to their ideas. If the Government should accede to that, then it seems to me a very important principle is involved. I am not going to deal with that principle to-day. I shall wait for another occasion. I do want to say that a very important principle is involved.

What I have risen to say most emphatically is this: The law having provided that the number of working hours of these employees be fixed at 48 hours is too much or too little rather than to approach Government to reduce the number of opening and closing hours of licensed premises.

Mr. LEE: To a point of correction! I would like the hon. Member when quoting anything to do so correctly. He referred to Ordinance No. 24 of 1944—

Mr. deAGUIAR: I am sorry. It is No. 22 of 1944. As a matter of fact I know in some cases — and certainly I know it is in my own case— that in working out the shift system the employees do not even work 48 hours a week. I think in one case they work 44 to 46 hours. I merely mention that to show that when Members of this Council get up here and raise the parrot cry of working employees for longer hours, without any knowledge of the subject, they are only begging the question; they are only looking for sympathy, and they ask for sympathy in a form that they will get none at all from me, none whatever. I have always maintained that any attempt to prescribe certain hours for the opening and closing of spirit shops in Georgetown and New Amsterdam and even elsewhere in the Colony is the most retrograde step for the entire community. I make that statement because I know that it exists at the present moment in the country districts, and I know too the harm that is being done in those districts where the shops have to close certain hours during the day. Any Member who goes around the country districts as I do should know the same thing, and I say once more that by reducing the number of opening hours of these premises in the City of Georgetown you will not only introduce a very important point of principle to which I shall refer on another occasion when the time arrives, but it is the most disastrous thing that can be done for the community. It is all very well and fine for an individual who is content to have a glass of lemonade not to know the value of a glass of whisky and soda. I would like to assure the hon. Member who spoke that it is a very welcome

drink indeed. As a matter of fact only the other day I was told by one who is an authority on the subject “Do you know that in every glass of whisky and soda you have 60 calories?” Ever since I heard that story I have endeavoured to increase just a little bit the calorie content in my system.

As I said at the beginning, I do not know how far this motion before the Council would take us. It is all right just so where you are going to consider this thing later on, the Government having sensed the feeling of the Council here in the form of an amendment of the existing law, but I would advise that before Government take steps to introduce an amendment of the existing legislation the whole matter should be carefully gone into further than it has been. I would like to say this in conclusion: The whole report or the meat of the report is bad. The hours fixed there are just not understandable by me as one familiar with the trade. Some of the suggestions put up, I must admit, I really do not follow very well. I cannot understand for example, the same Committee suggesting that you can have a shift system in a hotel or a club but not in a rumshop. I cannot understand that logic at all. If the shift system is good for a hotel or club why is it not good for a rumshop? Why should we deprive the poor man of going to a rumshop for a drink at the hours best suited to him? Why should shops in one part of Georgetown be closed from 1 p.m. to 3 p.m. and be reopened from 3 p.m. to 7 p.m.? Have the members of the Committee discovered that the people drink more rum between 1 and 3 p.m., and because that is so and because it is not good for them we must close the rumshops between those hours? I would like to know why. I cannot understand it. If it is to draw a red herring across the trail, my answer is the law

is already there that the employees should not work for more than 44 hours a week.

I think I must come to the same conclusion as the hon. Nominated Member, Mr Thompson. Perhaps, he went a little bit too far in what he suggested, but what he had at the back of his mind was this: They knew nothing about it and just drafted the report. I do not know whose point of view it is. Probably it is the point of view of somebody else other than the members of the Committee. If that is the position this Council is going to find itself in, if Members of this Council are appointed to a Committee and they are going to be guided by things they might have heard, and not from a reliable source, and they are not going to meet and thresh them out and hear other points of view but some time after draft a report of this kind, then it seems that this Council cannot and, I hope, never will support it. The position is too peculiar for words.

Mr. FERREIRA : I was one of those Members appointed to this Committee, a committee which apparently agreed to what we have heard. I would like at the outset to state quite clearly that in respect of paragraph 14 of the majority report which says:

“My Committee regrets that they could not submit a report earlier, due to the difficulty of holding formal meetings with all the members present except on one occasion when all members were present except the Honourable C. P. Ferreira.”

I beg to suggest that statement is incorrect. I would remind the Chairman and other Members that at the very first meeting when we were given a stenographer who wrote three lines I was present and other Members were also present except the hon. Member for Essequibo River. At that meeting it was made abundantly clear to me that certain Members had arrived there

with fixed ideas, fixed commitments, and argument of any nature was of no avail. In other words, further meetings except to get a decisive vote were absolutely unnecessary. At that first meeting I can say quite truthfully that we were two in favour of a shift system and two against the shift system, and we were told to meet again with the object of getting the fifth Member to write a majority report. I contend you can select from this Council another Committee of five and get them to write a majority report, but let us be frank about it. Of the five Members of this Committee three were Labour Members who stated their policy quite clearly. They were definitely in favour of, and seemed to have committed themselves to, the spirit shop employees.

Mr. LEE: To a point of correction! I would like to tell the hon. Member for Berbice River that I have relatives and friends who own spirit shops.

Mr. FERREIRA : I never contended that. The hon. Member is a lucky man. There were on that Committee three Labour Members and three teetotallers at the same time. One Member had acquired what I term “backdoor” experience of the delivery end of the counter. I do claim that I know something about it, but I do object to the excuse made by the hon. Mover that my interest conflicts with my better sense of judgment. My interest is very small and that certainly will not make me put in a report what I honestly think is not correct. What I would draw the Council’s attention to is this: We started off with it is necessary to have a continuous service in the hotel trade. Why is it necessary to have a continuous service in the hotel trade and not in the rumshop trade? Like the last speaker it is apparent that those who can afford to pay a little extra for liquid refreshment are entitled to better treatment. Why should that

be? I maintain, and logically too, that if a system is necessary for one class of persons it is also necessary for all classes. Further on we have the suggestion of clubs. We know these clubs have sprung up overnight. Those are places over which the Police have little control. I am not blaming the Police as it is almost impossible to bring home a conviction against them, but those are sources of trouble

As regards the rural areas no recommendation has been made. I would like to point this out to all Members of this Council. Since these new closing hours have been introduced in the country districts, I say without fear of contradiction—and it is known to several Members from the country districts—that in every village you have at least one house or canteen in which is sold as much or more rum than at the shops. In some villages you have five and on the Corentyne Coast the situation is worse. I am not exaggerating these facts. They are well known to Members of this Council. That is the state of affairs that will be brought to Georgetown. Unless the Police have absolute control, and that is impossible, you are just going to turn the City of Georgetown into a worse condition than the country districts.

As regards the question of eight hours a day, that matter has been already mentioned by the last speaker. It is well known that employees at present do not work more than 44 hours a week. The law is there and, if it is not carried out, it is up to the Police Department to enforce the law. I feel that employees have a right to protection as any other person. I feel that if the law is there, it should not be violated. Give justice to all. As regards the shift system we read this statement in paragraph 10 of the report:

“Honourable C. P. Ferreira was of the opinion that the shift system should be optional to the proprietors of Retail

Spirit Shops, but the majority of the Committee did not agree with him. The Ministers' Fraternity memorandum supported the abolition of this system, and whatever differences and doubts might have hindered a decision in any of the other members' minds were removed by this memorandum.”

It is gratifying to me to note the lofty influence that the Ministers' Fraternal exercises on the Members of this Committee and it is my sincere hope that the Ministers' Fraternal will continue to guide and direct the steps of those Members in other respects. What I suggest is that the statement is pathetic if not puerile.

On the question of Liquor Stores, I desire to say a liquor store is not like a retail spirit shop. You do not have to go through the form of applying for a licence before a Board. In fact the procedure is very formal. You pay your money and get a licence. We have a case to-day in New Amsterdam where someone took out a liquor store licence and immediately divided the premises into two and used one part for a cookshop. In other words, all you have to do is to have a liquor store licence and defeat the law. As regards the suggested hours for liquor stores and recognised groceries in Water Street—to open from 9 a.m. to 1 p.m. and again from 3 p.m. to 7 p.m.—I think it is much better for the Member who seconded the motion to say that a mistake was made rather than to attempt to justify what is crass ignorance. We have had, too, the point brought out of the protection of youth. I would like to ask the question, whether the youth is being led away in the spirit shops, or the hotels, or the clubs. The Committee should be aware of conditions before venturing a recommendation, because if this Council really wants to put a stop to the selling of liquor, then this law must apply to clubs, spirit shops and hotels and the Police must have complete control over the illicit trade in what is known as bush rum, which

you can buy in New Amsterdam. Then you might have a Minors (Prohibition Act, when you would have some Members saying you must not interfere with the liberty of the subject.

This majority report should not be seriously considered by this Council. The Members who have signed this report should be frank enough to admit their mistake. In short do we want to curtail the present hours, if so, why? Are the employees fairly treated, if not, can we remedy that? I submit, and the law is there, they are being fairly treated. If we are going to cut down on the sale of liquor, then I must suggest that the spirit shops should not be the only liquor selling premises to have their hours of business curtailed. I am asking Members of this Council to consider this matter. There is only one thing to do, and that is to send this matter back for further consideration, and when we have a report that makes sense it can then come to this Council and we have a further discussion on it. It is unfair to ask the Council to accept something like this.

Mr. EDUN: While listening to the remarks of the hon. Member for Central Demerara (Mr. deAguiar) and the hon. Member for Berbice River (Mr. Ferreira) I was reminded of the saying that a lawyer can make white black and black white, and that when a lawyer has a bad case all he has to do is abuse the other side. I am going to examine what those Members have said and compare it with what their spiritual leaders have said, and ask them when they go to confession tonight to speak the truth and not hide it from their confessors. Both Members happen to be members of the Roman Catholic Church, and I am going to ask this Council to consider a statement from His Grace the Roman Catholic Archbishop of Guiana.

Mr. deAGUIAR: I rise to a point of information. I do not know the individual to whom the hon. Member is referring.

Mr. EDUN: Whatever the title is I am not in a position to know, but the point is that we have here a statement issued by the Ministers' Fraternal, among whom, I think, is the Head of the Roman Catholic Church.

Mr. FERREIRA: That is not so.

Mr. EDUN: I am very much perturbed when Members begin to denounce their spiritual Heads.

Mr. FERREIRA: To a point of correction. I have never denounced my spiritual Head.

The PRESIDENT: There is no necessity to interrupt the hon. Member.

Mr. EDUN: The question of spirit shop hours has a history in itself. I well remember that a Committee was appointed by Government with the Commissioner of Local Government, Mr. M. B. Laing, as Chairman, who happens also to be the Head of the Social Welfare Organisation. That Committee threshed the matter out thoroughly, but there was a sharp division of opinion. As a member of that Committee I had expected the Head of the Social Welfare Organization to side with us, and had he done so the whole matter would have reached finality. However, the Chairman made a report and subsequently another Committee was appointed. The Deputy President happened to be the Chairman of that Committee, but in a communication from the Colonial Secretariat it was stated that he felt that the matter was so important that unless a full attendance of the members of the Committee could be assured no useful purpose would be served by convening a meeting of the Committee. The Chairman of that Committee found that he could not get the co-operation of the members appointed, and the Committee had to be abandoned. Subsequently Government appointed yet another Committee consisting of the

Hons. H. N. Critchlow (Chairman), T. Lee, Vincent Roth, C. P. Ferreira and myself. We were to report on a specific matter—"to consider and report on the extent, if any, to which it is desirable to shorten the hours during which licensed premises may be open."

In conformity with those terms of reference the members of the Committee met and discussed the various aspects of the liquor business in order to arrive at a solution of the problem. When the hon. Member for Central Demerara (Mr. deAguiar) and my friend on my right tried to confuse the issue by bringing in the question of the shift system they simply did not know what they were talking about. There was no question of the shift system involved at all. Government was satisfied that it was in the interest of social welfare and morality that licensed premises where liquor is sold, should have their hours of opening shortened. I consider that we have done our duty in submitting this report, but one member was guilty of the sin of trying to interrupt the work of the Committee. I refer to the hon. Member for Berbice River (Mr. Ferreira), who never wanted to attend meetings of the Committee, and whenever he attended he had no time to sit and discuss the matter with us. Now he wants to lay the blame on the majority report. I know that those two hon. Members are serving their own ends, and if I were in their places I would retire from this Council rather than come here and try to serve the interests of my own business against those of the inhabitants of the Colony. They ought to be ashamed of themselves; the boot is on the wrong foot. The time has come when this ideal of social welfare must be practised, not only preached, and practised from the pulpit, and among the trade union leaders, and by Members of this Council also.

As regards the question of losing a few dollars in business, they ought to think more about the community than

of their own ends. I have been told that a Member of the Council, who owns a spirit shop mentioned that a rumshop is the poor man's club. I hate to think that there are more people of the type of that Member in this Colony who think that a rumshop is a club for the poor man. If hon. Members visited the country districts and saw the inroads being made by alcohol against the social welfare of many people they would be ashamed to sell a gallon of rum. Whenever I have been I have found this rum drinking ruining this country, but instead of suppressing it we are trying to foist it on the community against the will of the majority. What have the Churches said on this question? I am going to quote from a letter from the Rev. Norman Birnie, M.A., Moderator of the Church of Scotland in British Guiana, addressed to the hon. Mr. Critchlow, and dated 25th July, 1944. That minister, a man of God, wrote that letter in the interest of the Ministers' Fraternal, and this is what he wrote:

"We trust that, even at this late hour, you will be able to bring it to the notice of the parties concerned that churchmen representing a very large body of opinion within the Colony are much perturbed at the proposal to continue what we consider to be a lamentable state of affairs, and that success will attend your efforts to reduce the number of hours during which the spirit shops may be open to the public."

Here is a man of God preaching against this evil, but I have heard here this afternoon two hon. Members sneering at a matter of this nature.

Mr. FERREIRA: I never sneered at a man of God or anybody. I object to that statement.

Mr. EDUN: Those were the words the hon. Member used—that members of the Committee used the Church and the trade unions to foist their will on the Government. There is only one course open to this Government, and that is the democratic procedure. The

will of the majority in this report must succeed. If hon. Members wish to throw it overboard then they must answer to their consciences and to their God. In this case we have done a signal duty to the people of the Colony in submitting this report. Although I have been an obstinate opponent of the drink system all along, I find that when there are no regular channels for obtaining drink illicit trade is carried on, but since the Ministers' Fraternal have used their influence in this matter in order to bring home the serious state of affairs as regards drink, I think it is the duty of this Government to practise social welfare in order to save our people from themselves. I quote further from this important Christian document:

"The proposed employment of additional assistants in the shops would not in the slightest remedy the present situation as we see it, where the spirit shops are open for longer hours in this Colony than anywhere else of which we have knowledge."

The Rev. Mr. Birnie is a much travelled man.

The PRESIDENT: What are you quoting from?

Mr. EDUN: The letter from the Rev. Norman Birnie to the hon. the Fourth Nominated Member (Mr. Critchlow).

Mr. deAGUIAR: And the statement is challenged. That is only a statement by somebody. I challenge the accuracy of the statement.

Mr. EDUN: This is a document which was sent to Government; it is in their files. The authenticity of this document cannot be challenged.

Mr. EDUN: That may be the hon. Member's opinion, but he ought to examine himself. The hon. Member for Central Demerara ought to admit that

men of the type of the Rev. Mr. Birnie, who have dedicated their lives to the interests of their own people from Scotland, England, and all over the world, trying to establish right in the hearts of thousands of people, and seeing conditions in this Colony better than the hon. Member can ever hope to see in his office or perhaps in his own home, have stated these things. To sneer at those Churchmen and trade union leaders as the hon. Member has done, is the unkindest reference I have ever listened to in this Council. There is only one regret I have this afternoon, and that is that I cannot put my hand on a copy of the report of the Spirit Shops Employers' Association in which it is publicly stated that violation of the law was a common thing in practically every rumshop. I have taken the opportunity to bring the matter to the notice of the Police and the Labour Department. I would have preferred, and I hope still to send that report to the Colonial Secretary in due course in order that some action might be taken.

The hon. Member who submitted the minority report and wants to belittle the majority report, knows perhaps more than I do that he is incapable at any period of his life to challenge what we should do in a matter of this kind. If the hon. Members for Central Demerara and Berbice River had a sense of proportion, or placed any ethical value on this Council's functions, they would never have dared to stand up here and fight an issue of their own, but would have retired gracefully, because it is a well known fact that they are both owners of spirit shops, and naturally would endeavour to damn the report of the majority of the Committee. It is in their interest to do so. The hon. Member for Central Demerara made the statement that the majority report is begging for sympathy. There is no question of begging for sympathy here at all. What passed through our minds,

what we saw in other documents, and what we discussed among ourselves has been put in this report in order that Government might know what is our attitude towards this question. Even though we did not meet, provided our signatures are appended to the report, what right has any Member to question whether we met or not? It pained me to hear the views of the hon. the Seventh Nominated Member who is supposed to be a Christian and a follower of the Canadian Presbyterian Church. I wish to compare his statement with that of the Rev. Mr. Birnie.

Mr. THOMPSON: I regret that the hon. Member cannot appreciate the statement I made. He should try to understand.

Mr. EDUN: It is certainly a painful episode in the history of this rum business that Government has all along been more concerned about revenue collection from rum than about the welfare of the people. That was the case years ago, but I see much light now. I see how this Government is endeavouring gradually to wean our youths from this rum-soaked economy, and to let us have a clean British Guiana in which we will not expect to secure revenue from the vices of our fellow men. It pains me to think that the hon. Member for Central Demerara will never be able to see the other angle. Being directly interested in a spirit shop, he will not be able to see the other side, but standing as I am here watching at the revenue and at the welfare of my own people more than anything else, and seeing how their morals are deteriorating day after day because of the increase in the rum trade, I think I am in a better position to advise Government as to what should be done, and the best thing in this case would be to adopt the majority report. I think it is the duty of Government to accept the majority report, and having done so Government should endeavour at once to

amend the law. In the case of the rural districts it would be quite easy, because the Governor in Council could easily change the hours, but in the case of the urban districts it would involve an amendment of the law. In the interest of the social and religious welfare of the people of this Colony I think it is the duty of Government to accept the majority report and carry out the reforms recommended.

Mr. PEER BACCHUS: My recollection is that a Bill was introduced in this Council to implement the majority report, and the question to be decided was the working hours of the employees. Those hours were debated at length in this Council and it was decided that a 48-hour week for the employees would be reasonable. That legislation has been enacted, and I think it is only proper that those concerned in the spirit trade should evolve a shift system whereby their employees would not work longer than the hours fixed by law. The present proposals border on prohibition. I think the hon. mover should have been bold enough to propose prohibition right away because from the experience gained as a result of the closing hours in the country districts I think it is sufficient that this Council should decide that those hours are not in the best interest of the masses. They have resulted in an increased consumption of liquor throughout the country districts.

There is no exaggeration in the statement of the hon. Member for Berbice River (Mr. Ferreira) that since the closing hours in the country districts have been enforced there are many more unlicensed rumshops than licensed ones, and I am certain that they are selling far more rum than the licensed shops. Therefore the suggestion that the limitation of hours in the towns would reduce the consumption of liquor is not justified by the experience gained in the country districts. It would not improve the morals of the

youths because I think they would be able to obtain liquor more easily. I speak subject to correction, but I think there is a law which prohibits rum-shops to sell rum to youths under a certain age.

But, sir, in these unlicensed shops there is no such law enforced, even youths can get in there and have all they want to drink. If it is in the interest of the youths, if it is in the interest of less consumption of liquor in the town, I say that the proposal before the Council would not have any of those effects. It would be the other way around. I think the existing law on the Statute Book should remain, and the time is coming, and very soon, when we have to think of revising the closing hours because they are not having the desired effect.

The PRESIDENT: We have now come to the hour I propose to adjourn. We have no immediate pressing business and this discussion may continue for a short time and adjourn by 4 o'clock. It seems to me the issue is perfectly simple. This Committee was appointed to consider shorter hours for licensed premises and it made certain recommendations. There is no finality about this at all. Should we pass this resolution, it all depends on such a Bill as the Law Officers might bring forward. My own feeling is that Members having expressed their views, it is for the Law Officers to attempt to bring forward a Bill, but it is desirable to pass the resolution. If the resolution is rejected, then we do not go forward to the Bill. That is Government's view. We should pass the resolution and proceed to the Bill. Members are agreeable that to attempt to get a decision now is to continue for a few months.

Mr. WOOLFORD: I do not think that is possible at the moment. I do not think Members are fully aware of the hon. Member's motion. It is not

printed in the Order Paper. There is an amendment. I do not think he has given notice of it. There are important words added at the end to which I called hon. Members' attention when I presided on the last occasion. The motion reads:

"That with reference to Legislative Council Sessional Paper No. 2 of 1946, this Council is prepared to consider the recommendations contained therein."

Then these words were added "to shorten the hours during which licensed premises may be open." The danger about that addition is this: If you look at the report itself it deals, for instance, with clubs, and if you look at the definition of "licensed premises" under Ordinance No. 22 of 1944 clubs are not included. I do not wish to speak on the motion at length. The report cannot be accepted as a whole because it is entirely contradictory to the present law, and it is not an investigation of clubs by that Committee. I have an idea it was to shorten the hours during which intoxicating liquor should be sold on licensed premises.

Mr. LEE: The terms of reference are mentioned in the report.

Mr. WOOLFORD: The circumstances in which spirituous liquors are sold in the clubs were not in the terms of reference. So I found myself when I was appointed Chairman of this Committee which, I may mention, was a Select Committee of this Council. I pointed out to someone that you cannot have a Select Committee, unless this Council itself gives it power, summoning witnesses from representations constantly being received. I found the public entirely ignorant of the idea of the appointment of the Committee and a good many people were making suggestions. I felt that if I was to continue to function as Chairman I should have extended powers. It is not quite correct in saying that the Com-

mittee could not obtain the co-operation of its members. I do not wish that statement to remain unchallenged. What I felt was that there was considerable difficulty in the limited nature of the terms of reference if, from what I saw of the representations made, certain members of the public wanted to make recommendations under those terms. For instance, one of the recommendations made was that we were to close spirit shops on all sugar estates, and I found some difficulty in reconciling that recommendation in view of what was going on. I said at the time that this Committee with its limited power of investigation was likely to find many difficulties. I see that has found its way into the report. I respectfully say that it will take some time for further examination of the Committee's report because of those difficulties. Further examination without inviting further discussion on the report is needed for the reasons I have submitted.

Mr. SEAFORD: I do not propose to speak on the morality or otherwise of rumshops. One thing is clear to me. I notice that the recommendation is that the hours for retail spirit shops to be opened should be from 9 a.m. to 1 p.m., remain closed until 3 p.m., and then to be opened again from 3 p.m. to 8 p.m. You have liquor stores connected with provision stores, and they both open at the same time in the morning and close at the same time in the afternoon. It is proposed to open them from 8 o'clock in the morning until 7 o'clock in the evening, if they are combined. If Government is prepared to accept that, it is accepting something that is not practical. I do not see how it is possible to carry out the recommendation. I do not know how the hon. the Attorney-General can draft anything to cover that.

Mr. CRITCHLOW: I wonder whether every Member has finished speaking. I had understood that we were to adjourn at 3.30 o'clock and take something else.

The PRESIDENT: I think no other Member wishes to speak!

Mr. CRITCHLOW: If no other Member wishes to speak I would reply. In replying I would like to mention that if it is not intended that clubs should be reported on, then that recommendation can be withdrawn from the report.

Mr. WOOLFORD: When I spoke, I did not really finish my remarks I was hoping to persuade Council to postpone consideration of the motion. As regards the mention made about clubs I only pointed out one of the difficulties in the matter. I can speak at length on the so-called clubs mentioned in the report. It is a very important matter so far as Georgetown is concerned. Perhaps you do not know about them. One of the pressing needs is an investigation as to how far these clubs open and conduct their business in the way they do. Anybody can go into them when the rumshops are closed and obtain drinks. I will ask you to postpone consideration of the motion because this is really an important aspect of the motion.

The PRESIDENT: You want another Committee to report next year.

Mr. CRITCHLOW: No, sir; to make further examination as suggested.

The PRESIDENT: With your present Committee?

Mr. CRITCHLOW: Yes, sir.

The PRESIDENT: When I look back on the last years I spent in a smaller Colony and I consider the number of hours that I spent on this question of liquor trade, my only hope is that I would live in a Colony as when I lived in Antigua where there is no such thing as opening and closing hours of spirit shops. The only way you get liquor is by going to a Magistrate and getting a special

certificate. I thank myself for the time I spent there. This Committee has had much trouble since the appeal to get it sit. Certain Members will not sit with other Members. Now we would go on rolling away the time if the hon. Mover wishes to examine the matter again. The only sense I see in it is that the general proposition is to shorten the hours. Let us say so and leave it to the Law Officers to prepare the Bill.

Mr. CRITCHLOW: I want to press my motion now, but as Your Excellency wants to adjourn I will give way.

The PRESIDENT: If you get through now I would put the question.

Mr. CRITCHLOW: I would like to reply. As regards why there should be a difference between the hours of business of hotels and spirit shops, I would like to say to hon. Members, particularly those who have travelled and will appreciate what I say, sometimes you land in a country at one or two o'clock in the morning; the place is very cold and you need a drink. You go to a hotel and get your drink. That is why we say there should be some difference made in the hours of hotels and those of spirit shops. It is done that passengers on landing here at any time can get a supply of drinks, especially when the weather is cold. As regards the hours, you will find that in the Ordinance the hours are from 7.30 a.m. to 8.30 p.m. We suggest that those hours be reduced to from 9 a.m. to 7 p.m. All over the world, even in Trinidad, the spirit shops do not open before the people have turned on to work but after they are at work. They do not open until 11 o'clock when the people come out from their workplaces for luncheon, and then close at 1 p.m. They again open at 5 p.m. and close at 10 p.m. In Trinidad the shops open

for much shorter hours than those here, and so there is nothing wrong in reducing our hours.

I cannot understand some Members suggesting that this is a retrograde step and it would be disastrous to shorten the hours. When I was a boy spirit shops opened from 6 a.m. to 11 p.m. except Saturdays when they closed at midnight. Those hours have been reduced and no one has suffered as a result. The same thing has occurred in the case of the groceries and retail provision shops. They used to open until late in the evening but now they close at 4 p.m., and every body is satisfied and the employees have more leisure time. It is rather surprising that the hours we suggest are being condemned. Your Excellency can see who are the Members opposing these hours. I did not go to the Ministers Fraternal. They came to us; they sent a letter and came personally to me and asked that the hours be reduced. Not only the employees but the majority of employers agreed that there should be shorter opening hours and also a shift system. They have signed to it. Many sent and called me, and I explained it to them. The opposition, Your Excellency will see, is by people who I anticipate will oppose the recommendation. It is for this Government to please the Christian Ministers and also to help the community by having shorter hours of business for retail spirit shops.

The PRESIDENT: I think, the hon. Member is very persuasive. My advice is to pass the resolution and leave the baby to the Law Officers.

Question put, and the Council divided and voted:

For: Messrs. Roth, Edun, Lee, Austin, Critchlow, Dr. Singh, C. V. Wight, the Colonial Treasurer, the Attorney-General and the Colonial Secretary—10.

Against: Messrs. Thompson, Ferreira, Jackson, Peer Bacchus, de Aguiar and Seaford—6.

Did not vote: Mr. Woolford—1.

The PRESIDENT: The motion is adopted by 10 votes to 6. It is adopted

even without the official votes. We had undertaken to adjourn at 3 o'clock and so we will resume in about two minutes for that special discussion. I adjourn the Council to tomorrow at 2 p.m.