

LEGISLATIVE COUNCIL

FRIDAY, 21st FEBRUARY, 1947.

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

PRESENT.

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

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

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

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

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

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

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

The Hon. Peer Bacchus (Western Berbice).

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

The Hon. V. Roth (Nominated).

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

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

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

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

The Clerk read prayers.

The minutes of the meeting of the Council held on the 20th February, 1947, as printed and circulated, were taken as read and confirmed.

ANNOUNCEMENT.

PROCEDURE OF BUSINESS.

The PRESIDENT: We cannot proceed with items 2 and 3. I suggest that the hon. the Attorney-General start with item 6 with the permission of Members, and then after the Council has filled up a bit I would like to take item 7 this afternoon before moving on to the important Bill—item 4.

ORDER OF THE DAY.

PUBLIC HOSPITAL GEORGETOWN AND MEDICAL DEPT. ADVISORY COMMITTEE

Mr. JACOB: On behalf of the hon. the Sixth Nominated Member (Mr. Raatgever) I beg to ask the questions listed on the Order Paper.

The COLONIAL SECRETARY (Mr. Parkinson, acting) laid over replies to the questions as follows:—

Q. 1—What action, if any, has Government taken to discipline those employees of the Public Hospital, Georgetown, whose negligence a Coroner's Jury on 9th November, 1946, found responsible for the death of one Selwyn Spencer?

A.—Disciplinary action in accordance with the Colonial Regulations has been taken against the persons concerned.

Q. 2—If no action has yet been taken, does Government propose to take any, and if so what is the nature of such action?

A.—See answer to Question 1.

Q. 3—What steps, if any, is Government taking to safeguard against a recurrence of such negligence?

A.—Special instructions have been issued regarding the checking of drugs; and a new system of labelling and the use of bottles of distinctive size, shape and colour has been introduced to avoid further confusion between different kinds of drugs.

Q. 4—When is Government appointing an Advisory Committee to the Medical Department?

A.—The question is under active consideration.

SUSPENSION OF STANDING RULES AND ORDERS.

The PRESIDENT: With the approval of Members the hon. the Attorney-

General will ask for the suspension of the Standing Rules and Orders so as to deal with item No. 6 on the Order Paper.

The ATTORNEY-GENERAL (Mr. Holder) : I beg to move that the Standing Rules and Orders be suspended in order to enable me to deal with item No. 6—the Appropriation Bill, 1947—and take it through all its stages.

Mr. CRITCHLOW seconded.

Question put, and agreed to.

Standing Rules and Orders suspended.

ITEMS DEFERRED

Consideration of items 2, 3 and 5 on the Order Paper deferred.

APPROPRIATION BILL, 1947.

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

A Bill intituled "An Ordinance to appropriate the supplies granted in the current session of the Legislative Council."

I only have to point out it is the usual Bill, and the Objects and Reasons are set out in the preamble.

Mr. CRITCHLOW seconded.

Mr. JACOB : I anticipated this Bill would have been introduced with the usual formality and, I think, Government anticipates it will be passed with the same usual formality. I am opposing this Bill. I protest most strongly against Government's attitude up to the present time, and I shall give some of my reasons for doing so. This Bill seeks to give the Governor and the Colonial Treasurer the right to spend \$15,844,218. It is true that these two Officers are guided by certain legislation empowering them and this Council to spend \$1,791,249, thereby leaving \$14,052,969. It is true this Council passed that vote, but when the Budget was introduced I protested and asked this Government to consider carefully the appointment of a committee that will do work not only in this Council, not only by looking at the papers, but one that will go to the various places, see the works that are going on and see further that the works are being carried on in accordance with the

plans and specifications, that the people entrusted to carry on the works on those plans and specifications are doing the work in a proper manner, that the paysheets presented are for work performed in accordance with the plans and specifications, and that the persons presenting those paysheets are the persons receiving the money. I was hoping that this Government would pay some attention to those details, which have been stated here over and over again and which I stated here a few weeks ago, but no, I am sorry to say, this Government is contented with the formal approval and the formal passing of legislation giving Government authority to do what it pleases. And what is more, you have a most unstable Government with responsibility on no one. Each Government Official comes, goes on leave and then retires, and so we go on *ad infinitum*. The time has come—I am not going to be personal to any Officer—when all Colonial Governments and all persons who are responsible for the peoples of the Colonies must see that moneys are properly spent and the taxpayers get value for those moneys. Unfortunately in this Colony it is not so up to this moment.

Only yesterday I noticed another farce enacted here to appoint a Finance Committee, and what is more to put at the head of that Committee the Colonial Treasurer as Chairman. Your Excellency knows the Finance Committee was tried here during Sir Gordon Lethem's regime and what happened. That Finance Committee did not work. Is this new one going to work with the Colonial Treasurer as Chairman? So far as I know, it will not work. I will not co-operate with it and I will do everything possible to obstruct it in every way. I make that statement because Government is not prepared to co-operate with the people in a proper manner to see that moneys are properly spent—spent with the object of giving the people some relief in the purpose for which they are being spent. So I say, while this Government is to be given formal approval to spend this money, what guarantee have I got that these amounts in this Bill will be spent in accordance with the wishes of those people who are putting up this money? Let me give a few instances. We have here an item on page

54 of the Draft Estimates—item 66—“Special Grants to Local Authorities in Drainage Areas to reduce rate assessments, \$61,211.” That amount is put on these Estimates under the Head “Miscellaneous—(b) Subventions, etc., other than Municipal” to give relief for wasteful expenditure, definitely wasteful expenditure. Year after year these wasteful amounts of expenditure are put on the Estimates, and what has this Council to do? Nothing, as the money is spent, value is not received for it and the people are burdened and then the amount is written off. There is another item—item 70—“Special Grant to the Drainage and Irrigation Board in lieu of rates for maintenance of incomplete schemes in drainage areas, \$72,530.” I am tired speaking to the Government, writing to the Government, about matters of this kind. Only yesterday I received a letter from the hon. the Acting Colonial Secretary. I think I am going to read it with your permission, so that it should remain on record in this Council—

“32/2/6, 1

19th February, 1947.

Sir,

I am instructed to refer to your letter of the 27th January forwarding representation with regard to drainage rates from certain proprietors of the Mahaicony Creek District.

I have gone into this matter quite carefully in consultation with the Authorities directly concerned, and I am unable to agree that the proprietors and farmers in the district have derived no benefit from the drainage works carried out by Government.

Government, however, proposes to undertake a general review of Drainage and Irrigation rates in the near future, and your correspondents' representation will be given due consideration.”

This is not satisfactory to me. It may probably be satisfactory to those concerned. We shall await what reaction it will have. But I recall distinctly going to that area, seeing the people, writing letters to this Government actually inviting the Colonial Secretary and pointing out that the work was not being carried out according to plans and specifications and according to the proprietors' wishes and that the position should be reviewed. Government undertook to do so and said

the position was reviewed and the work done in accordance with the proprietors' wishes. A communication was sent in to Government a few weeks ago pointing out that the work was not done in accordance with their request. Their representations have all been ignored, and now rather than the works being an aid to them they are hindrances. The satisfaction I have got is that the thing will be gone into, but Government does not agree that the people will not benefit. Government never admits its mistakes. The fact is the rice production in that area has not increased. Let those who know speak. The rice production will continue to decrease, and not only that but cattle-rearing too will decrease in that district. I make this statement so that it may remain on record, and at some future time interested administrators coming here will see what has happened and profit by the gross carelessness and violent mistakes made in the past. No one seems interested. No one seems concerned about these matters. Year after year the Estimates go up from \$10,000,000 to \$12,000,000 to \$15,000,000 and may reach \$20,000,000 soon. I hope the Estimates will reach \$100,000,000 and we will get value for it.

Half of the money we are asked to give authority to appropriate will not be beneficially spent not only in regard to works but in regard to salaries as well. It is true we have some very excellent officers. There is no doubt about that, but they can be counted on the fingers of one hand. The majority are absolutely useless, totally unsuited and unfit for this Colony, and the sooner they retire or are bundled out the better it will be for all concerned. I make these statements after very careful and mature consideration, and I am sorry to say that I have to make them here to-day. I feel compelled to do so in view of what is going on and what is proposed to go on. When is this Government going to take Unofficial Members into its confidence and appoint them to responsible positions? Only today a question was asked when an Advisory Committee will be appointed for the Medical Department, something which had been promised three years ago. It was always under consideration. When a matter is considered and put into effect I find that it is nothing

practical, nothing substantial, nothing progressive. That is what I find. Then the type of people who are consulted, the type Government finds almost every time, is the uninitiative, the incompetent and unprogressive.

I gave an instance of the irrigation and drainage rates and I supported it by representations made to the Secretariat and the reply sent in connection with them. There are other amounts. Take Public Works — Extraordinary, \$500,000. That amount was only put down. I think the details were supplied. Immediately this thing goes through, as it will go through today, what will happen? The Director of Public Works with his officers will have the right on the Governor's warrant, supported by the Colonial Treasurer, to spend this \$500,000. It does not matter how it is spent. It is true the Advisory Committee is there looking after the Public Works Department. I do not want to make very strong criticism about it now. I have already said, it is not the type of Committee that should look into that. That Committee is not doing the work it should do. The Members do not want to offend those concerned; they do not want to take too active an interest and have no time to do so, some for personal reasons and others for probably personal and family reasons. That Committee is not the best committee for public works, and I am not at all satisfied. I am not prepared to allow that Committee to handle this \$500,000 without proper details being supplied to this Council at some future time. I shall raise the matter at another time.

Under "Colonial Emergency Measures" the sum of \$1,286,000 has been voted. Unofficial Members asked Government to appoint a Committee to go into the Control System here and to see how the Commodity Control Department works. A promise was made, I think I am right in saying so. I do not know what is the position at the present time, but there we have a large sum of \$1,286,000 to be spent, and it is generally acknowledged throughout the Colony that apart from Price Fixing, apart from Marginal Profit, there are other features about this Control that want going into almost immediately. What is Government doing about that?

Then we have the Colonial Development and Welfare Schemes with a vote of \$1,610,907. Only recently we have been told that the estimate for these schemes was originally about \$6,000,000, and it was increased to \$9,000,000. These schemes when completed will probably cost more than \$12,000,000. I am not at all satisfied that proper care is taken in the expenditure of this large sum of money year after year, during the last few years, this year and possibly next year. Unless a plan is made now to see that these amounts are properly spent we will have greater waste in the future. And so, sir, I say the more I look into the details of this Schedule here for \$14,000,000 odd, the more I am convinced that more active and progressive steps should be taken by Government to safeguard the taxpayers' money.

I must say a word or two to my hon. colleagues here. The majority of the Members here are in favour of what is going on. There can be no doubt about it. Certain Members have certain views about not increasing taxation. Certain Members have other views about not increasing expenditure. But it is time the Unofficial Members pledge themselves to do some active work in regard to the supervision of expenditure, and it is only in that way we can hope to have a reduction of taxation. Once you have the Budget and you have approved of the expenditure, you must raise the money to meet that expenditure, and I urge on my brother Members here to be a little less selfish and to think of devoting more time to public business than about going into these estimates and opposing as strongly as possible individual amounts while the Estimates are passed with expenditure that can be avoided and expenditure that will be a thorough waste. I know it is a hard job to do. Immediately certain Members are told certain things they say "Oh, we have not the time." Government knows that too. Rather than face the problem Government sits back and smiles. "The people have no time, what are we to do?". Government says. And so with inefficient, incompetent Officials, with no responsibility the majority of them, the result is we have expenditure growing year after year.

I am going to record my protest against the Bill. I am not supporting it,

and I hope that active steps will be taken to safeguard the spending of such large sums of money, particularly on schemes that will be unproductive and on schemes that will be of no practical benefit to those who Government thinks will benefit by those schemes. There are several of those schemes. I am not going into the details as we have gone into several already. I urge that something practical be done to safeguard this money.

Mr. RAATGEVER: I would like to support the hon. Member for North Western District with regard to the very high expenditure of this Colony. I agree with him that steps should be taken to reduce it as early as possible. I would like to remind Government that I have tabled a motion calling for the appointment of a Committee to go into the whole matter and see what steps can be taken to reduce expenditure in 1948 and subsequent years. I am asking that early consideration be given to the appointment of that Committee and, if necessary, outside members of the public be asked to sit on that Committee also.

I do not know whether I am in order to refer to two matters that were un-animously recommended by the Unofficial Members. One was the putting back of the Personal Allowance to the Clerk of this Council, which his predecessor had been in receipt of for years and which he had been in receipt of for some time. A promise was given by Government to go into the matter and see if it should be put back or two increments be given on the present emoluments of the officer. The other matter was the House Allowance for Magistrates. You promised, sir, to give consideration to providing houses in Georgetown for Magistrates. I would like to know, if I am in order, whether these matters have received Government's attention and whether they are included in the Budget proposals before us today.

With regard to the schemes under Colonial Development and Welfare Vote I would also like to join Mr. Jacob in his remarks. It is something that is causing me great concern. As a member of the main Development Committee I am shocked to find that schemes that were already approved by this Council and

schemes to be approved will cost over \$9,000,000 out of the \$12,000,000 we are receiving from Colonial Development and Welfare source, when they were estimated to cost \$6,000,000 originally. I view this matter not only with concern but with alarm. It seems to me that if these schemes are continued the \$12,000,000 this Colony receives from the Colonial Development and Welfare Act will not be sufficient to carry them out to completion, and the taxpayers of the Colony will have to put their hands further into their pockets and find the money for this purpose. It seems to me that a Committee should be appointed at once to investigate these schemes and decide which of them will be economical and whether they should be continued. The uneconomical ones should be discontinued immediately. This is a very serious matter and, I think, steps should be taken at once to give effect to my recommendation, if not I am afraid that the already over-taxed inhabitants of this Colony will find themselves in worse financial chaos than they are at the present time. I urge on Government the early appointment of a Committee to investigate all schemes already started or Government proposes starting, before any further work is proceeded with on these schemes.

The PRESIDENT: As regards the last speaker's enquiry about the last motion he tabled, it is now before the Executive Council and we will give an answer as soon as we can. The hon. Member would recall that I did offer during the Estimates debate to appoint a Standing Economic Committee but it did not receive favour, although from what the hon. Member for North Western District said the motion is only what I originally suggested. However, I also said the Departments had recently within the last three months been subjected first of all to a strict review by the Treasurer, then the Estimates of Expenditure came in for some drastic pruning by a sub-committee of the Executive Council followed by Unofficial Members deliberating amongst themselves and asking the Heads of Departments to go before them. So you will see that the Heads of Departments for the last three months have been through the grill very effectively. Whereas I think it will be

most useful to have a Committee appointed to go into the Estimates of Expenditure before any further estimates are prepared for 1948, my own personal view is it is a little early to subject the Heads of Departments to further investigation and enquiry into a matter on which they have spent so much time and into Estimates which have been voted. However, that is my personal view. The hon. Member has tabled a resolution and it will be debated at the appropriate time. As regards the remarks made by the hon. Member for North Western District, well, it is quite easy to stand up and say that everything Government does is inefficient but, actually the hon. Member says so with his tongue in his cheek because in private conversation with me he very often says something quite different. When he goes—

Mr. JACOB: I do not like to interrupt, but I think I made it clear when I said "the majority". I said that there are some excellent officers, and that qualifies it.

The PRESIDENT: When the hon. Member goes himself and sees a big scheme like Bonasika he finds some good in it, and I would like those hon. Members who have some doubt about these big schemes to go and visit them. I paid a visit to the Torani scheme recently, and until then I had no idea of its size. One cannot just understand all by merely reading what is on paper. When hon. Members see the schemes personally, they will have a different view. The hon. Member for North Western District—and he will forgive me for saying so, perhaps,—is suffering, I think, from a bad attack of hubris, and he can look that word up in the dictionary. I do not propose to answer him in any detail, but I will say that I think every balanced Member sitting around this table can appraise the value of the widespread and — I would say — scattered attacks of the hon. Member for North Western District.

GEORGETOWN MAGISTRATES' HOUSE ALLOWANCE

The hon. Nominated Member (Mr. Raatgever) has just asked Government two questions, one relating to a Personal Allowance for the Clerk of the Council and the other to House Allowance for

Magistrates in Georgetown. As regards the latter, I would say that no decision has been reached, but my own view is that no Magistrate should be required to remove from the country and be put to additional expense by virtue of having to come to Georgetown and lose his House Allowance. I would not go further than that now, as I would like to speak to the Attorney-General further about the matter. He was away in Barbados when the subject was first raised.

CLERK OF THE COUNCIL

As regards the recommendation relating to the Clerk of the Council, I am sure hon. Members would not mind if he remains here while it is being discussed. I have gone into the matter very carefully, and I find that the recommendation was made under a misapprehension. I have therefore asked the hon. the Colonial Secretary to explain the position to hon. Members so that the misapprehension may be removed.

The COLONIAL SECRETARY: I have gone into this matter very carefully, and it is necessary to go back briefly, in order to explain the position, to 1944 when the Estimates for 1945 came up for consideration. In the 1945 Draft Estimates provision was made for the reintroduction of an Allowance of \$240 per annum for the Clerk of the Council. Originally, as hon. Members know, there was one Clerk for both the Executive and the Legislative Councils, and he was paid an Allowance but that was dropped. In the 1945 Draft Estimates provision was made for the reintroduction of this Allowance, the reason being that the Clerk of the Legislative Council at the time was a relatively junior Class II Officer in receipt of a salary of less than \$1,440 a year which was thought to be quite inadequate for this post. When the matter came before the Council the view was expressed that a more responsible and senior officer should be appointed to the post and we should do away with the idea of any personal allowance. It was also decided that the allowance of \$240 should be split between the Clerk of the Legislative Council and the Clerk of the Executive Council, giving them \$120 per annum each. While it was agreed in the course of the discussion that Government should try to appoint a more senior officer

to the post and so do away with the necessity for having the allowance, it was inconvenient at the time to appoint a more senior officer, and so it was agreed that he should get the allowance until he reached \$1,680 on the scale. Mr. Crum-Ewing, the present Clerk of the Legislative Council, reached \$1,680 in the scale on January 1, 1945, and so ceased to draw the allowance from that date. He has not, in fact, lost anything since 1944, except in so far as the desire of this Council is concerned. He has now been promoted to the grade of a Senior Clerk. This is a substantial promotion, and I imagine that he has passed over about 24 other officers in his class and grade. On January 1, this year, he reached the maximum in the Class I scale, so that on promotion he was at the minimum of the scale for Senior Clerks which happens to be the maximum of the scale for Class I Clerks, and so he gets no immediate benefit.

It is the practice in the Service—well recognised—that where an officer is promoted from one grade to another and where the maximum of the lower grade and the minimum of the higher grade are the same, unless he has served for one year at least at the maximum of the lower grade, he goes into the higher grade at the minimum. That is a recognised practice. We have considered this matter very carefully and it was referred to the Appointments and Promotions Board, and they agreed with the view I have stated. It is considered that there are no grounds for giving Mr. Crum-Ewing preferential treatment. The hon. Nominated Member (Mr. Raatgever) referred to the case of Mr. Gray in my office, but Mr. Gray's position was rather different. He drew a Secretariat allowance—\$20 per month—which is drawn up to the grade of a Senior Clerk. The Principal Clerk does not draw any. Mr. Gray had been drawing a Secretariat Allowance for 6 years, but on promotion to a Senior Clerkship he lost that allowance. At the same time, his contribution to the Widows and Orphans' Fund increased, so that in effect he loses money by the promotion.

The PRESIDENT : The point is that when this recommendation was made hon. Members were under the impression that

the promotion of the Clerk of the Council would cause him to lose \$12 per month, but that is not so. I cannot but support what the hon. the Colonial Secretary has said—that to grant this request will mean discriminating in favour of an officer, because the Members of the Legislative Council who have seen him working think he should be better paid. If hon. Members feel that the Clerk of the Legislative Council, whose position is an exceptionally responsible one, has been doing his work well they should say so. I am glad to hear it, and it will be recorded to his credit. In the past the post was held by an Assistant Colonial Secretary, but it is out of the question to revert to that now. If you have an efficient officer—as this Clerk is—his services will be recognised in due time, but not because you see him every day and because he writes you—or because you telephone him—you must feel he should be given special treatment. There are many other officers doing responsible work—perhaps we might call them back-room boys—but they have not got the personal touch as an officer in the position of the Clerk of the Council. We will record the fact that you have expressed appreciation of this officer's work and he will not suffer by that appreciation, but for the reasons explained by the hon. the Colonial Secretary I cannot accept the recommendation made by hon. Members. I have to state that flatly; I have made up my mind that I cannot accede to the request. As regards the question of House Allowance for Magistrates in Georgetown, however, that is acutely different and I have not made up my mind on it as yet.

Mr. RAATGEVER : I do appreciate Your Excellency's remarks, but I am sorry Your Excellency did not inform us of your position before and that we had to take the trouble to ask.

The PRESIDENT : The hon. Member has delivered himself into my hands. I was not going to make a statement openly at all. I was going to tell the hon. Member in Finance Committee, but he raised it here himself.

Mr. RAATGEVER : At the same time I would like to mention that I have had 35 years' experience in dealing with

officers of the Civil Service and, I think, the Clerk of this Legislative Council is one of the most efficient Civil Servants it has been my pleasure to meet. I make that statement in view of what Your Excellency has said about meeting the Clerk personally.

The PRESIDENT : I will repeat that I am glad to hear those remarks. They will be on record. The Clerk is sitting here and he will also be pleased to hear them. They will do him no harm.

Question put, and agreed to.

Bill read a second time.

COUNCIL IN COMMITTEE.

Clause 2—Treasurer to depray expenses of Civil Government.

Mr. JACOB : I would like to take the opportunity here to refer to Your Excellency's remarks about the Bonasika scheme. It is true I went there, but it is quite clear to me that my point of view is hardly ever appreciated by the Chair. If Your Excellency thinks that by going there and looking at the work for a few hours I am satisfied, I would say now that I am not.

The CHAIRMAN : I do not say you are satisfied; I say you would be better able to appreciate what is going on if you pay personal visits to the schemes. I do not think the hon. Member can ever be satisfied.

Mr. JACOB : There again, my candour is never appreciated. I am fully satisfied that certain things are well prepared, but that is not all. I said that certain things were going on, but when I went there I found those things correct—I was even invited to see certain things—and that is because the visit was expected.

The CHAIRMAN : Would the hon. Member like to pay a surprise visit to Bonasika ?

Mr. JACOB : That is what is required.

The CHAIRMAN : You are welcome, and you can go to Torani at any time.

Mr. JACOB : These schemes involve millions of dollars and they have to be

gone into carefully. You have got to look at all the plans and specifications. I say quite openly that I am quite satisfied that large quantities of stock that should have gone to Bonasika never arrived there and yet the Colony paid for them. But how am I to prove that ? — and that is why one has to be careful in making these statements. We have had cases in the Supreme Court relating to these things, and yet we find Government doing nothing. Government will not permit Unofficial Members of this Council to inquire into those things

The CHAIRMAN : I would let the Chairman of the Public Works Advisory Committee answer you on that.

Mr. JACOB : I regret to say what I have already said and that is, I will not believe a single statement from him regarding the Public Works Advisory Committee. I am not a private detective. The responsibility for all these things is Your Excellency's, but you are not going to have this responsibility forever—we are not going to allow the taxpayers' money to be wasted indefinitely. It grieves me to think that hungry and half-naked people have to subscribe this money, and when we say here that we are willing to assist you, Your Excellency will not permit it. I have no personal interest in this matter; I can give up tomorrow and leave this Government to wallow in the mess it is in, but this is my country. The majority of the Officers here have no responsibility whatever; particularly the imported Officials; they just come and get all they can and then go back out of the country, but the time will come when the Colonial Governments must make a check-up and give the people on the spot an opportunity to look into these matters.

Mr. C. V. WIGHT : I did not intend to say much, but this question of personal remarks has arisen once again. The hon. Member who has just taken his seat has been asked not to make them, but he continues to do so. One hon. Member said the other day that he could control him, but I said he could not do so for any length of time, and my prediction has come true. I would just take this opportunity to tell the hon. Member for North Western District that if he does not believe any-

thing I say about the Public Works Advisory Committee, I would reciprocate and say I do not believe anything he says—and I think that is the majority decision of this Council. It is all very well for him to “slap and dash”—to give this diatribe and have this continual clanging of the bell—saying everything is wrong, that there is fraud in the Public Works Department and so on—but human ingenuity has not invented a gate or a lock against fraud. Fraud continues everywhere, and as long as human beings exist—as long as the material greed for money, shared no less by the hon. Member for North Western District than by others, exists—there will always be fraud. But, one should not blame every member of the Public Works Advisory Committee for what happens as though they are all a pack of criminals. The hon. Member has never told any member of the Public Works Advisory Committee how to stop the fraud and this waste of money that he is always complaining about. I speak for the whole Committee—and the other members can tell you themselves—when I say that we meet every fortnight and investigate everything that comes before us. The hon. Member for North Western District says he is not a detective and that he can only make remarks which, however, he cannot substantiate because he cannot find the proof; but he should realise that the members of the Public Works Advisory Committee find themselves in the same position. If the hon. Member is so desirous of having an investigation and letting us see what merit there is in his complaints, let him state them specifically—let him put them down in black and white—and they will be examined by a microscope if possible.

Mr. PERCY C. WIGHT: As a member of the Public Works Advisory Committee, I also desire to take strong exception to the statements made by the hon. Member for North Western District. I do not think he has confidence in anybody, but I do not see why hon. Members should sit here and allow him to make misstatements without correcting him. Only yesterday I told him that when he gets on his feet he makes statements without thinking. I do not think the statements he made about the Public Works Department are statements one should make. He should

remember that we are on the Advisory Committee giving of our best without any consideration whatever.

Mr. JACOB: I appreciate the remarks of the last speaker, but I do not appreciate the statement about giving service without any consideration whatever. Almost every Member of this Council says that, but I think the time is past when Government should accept service of that nature. It is not expected in the best regulated countries in the world, but yet we want people in this half-starved country to give service without consideration. I am not saying that the service is not proper, but it is not the best thing to have now. As regards the remarks made by the Chairman of the Public Works Advisory Committee (Mr. C. V. Wight), I have given him oral information as well as information in writing about a certain matter and he deliberately went about it in the wrong way. That is why I mentioned what I said just now—that it is a waste of time to give him information. I believe I also mentioned the matter to several other Members, and I repeat that the time has come when Government should make a check-up and see whether it is the best thing to get people to give service without consideration. It is not done in any other place, and why it should be done here I do not know. I am prepared to give service without consideration, but it is quite clear that the time has come when we should consider the question of giving remuneration for services rendered.

Clause 2 put and agreed to.

Council resumed.

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

The COLONIAL TREASURER seconded.

Question put, and agreed to.

Bill read the third time and passed.

ESTABLISHMENT OF A STANDING
FINANCE COMMITTEE.

The COLONIAL TREASURER: With the approval of the Council I would like to

move the following motion which represents item 7 on the Order Paper :—

“That, with reference to Message No. 13 dated the 20th of February, 1947, from His Excellency the Officer Administering the Government, this Council approves of the establishment of a Standing Finance Committee of the Council and authorises with respect thereto the inclusion in the Standing Rules and Orders of the Council of the rules as set out in His Excellency's Message.”

There is but little that I can add to what is set out in Your Excellency's Message as to the need for a Standing Finance Committee. It is true that attempts were made in the past to establish a Committee of this nature, but this is the very first time that we have tried to put it on a firm and formal basis by introducing the necessary provision in the Standing Rules and Orders of the Council. In a neighbouring Colony—Trinidad—a Committee of this nature has been operating with the greatest possible success for over 25 years, and the Rules which have been incorporated in the Message for the approval of this Council have been largely adopted from the Standing Rules and Orders of the Legislative Council in Trinidad. I do not wish to say very much about the Committee itself. Hon. Members themselves realize that it is really essential for us to have an instrument of this nature to consider all matters of financial policy and to do so speedily and in much greater detail than is possible in this Council itself. In so far as consideration of Supplementary Estimates is concerned, it will be possible when we have this Committee for Heads of Departments to come and not make formal speeches such as is done here, but to give the background to the proposals which are indicated in the votes for which they ask. Sometimes it is the background more than the vote itself which is so essential in order to explain the reasons, the whys and wherefores, and it is not often possible for the whole of the background to be publicly stated in all its aspects.

Look at the proposals. Rules 1, 2 and 3 are really formal and set out the establishment of the Committee. It is suggested that this Committee should meet at a stated time on a stated day each month—Rule 3—and I can assure hon. Members that there will be sufficient material to

occupy the Committee at least once a month. It also provides that emergency meetings can be called at any time on giving 48 hours' notice to Members. In every case Members will be supplied beforehand with the agenda to be discussed. In the proposed Rule 4 it is stated that the quorum of the Committee shall be nine Unofficial Members and the Chairman who is supposed to be the Colonial Treasurer. The reason for nine, I find it difficult to explain. Nine seems to be a significant figure to take, because in this Council with 21 Unofficial Members, nine of them with the three Officials of Government form a quorum of twelve. I need not explain that is a suitable sort of figure to take, when the quorum of this Council itself is nine Unofficial Members. Although the quorum is put at nine, when the Committee functions, if this motion is approved by this Council, many more than nine will attend its meetings.

The main Rule is No. 5, because that says :

“All proposals involving expenditure from public funds shall be considered by the Finance Committee before they are submitted to this Council for consideration and approval.”

The only exception is in cases where an *ad hoc* committee has already considered a proposal by Government. Members will at once realize what that means. Let me illustrate it. There is at present in being a Main Development Committee and a number of sub-committees of that Committee which are giving consideration to plans of development and the expenditure to be incurred on such plans. After an item has been carefully considered by a body of that nature, it would seem to be redundancy for the proposal to go before the Finance Committee for consideration, seeing that it has already had careful consideration by Members of this Council in that body. A proposal of that nature will come directly to the Legislative Council. As an illustration, take for example the recent decision to proceed with the building of a new Queen's College. That, I understand, was carefully considered by the Education Committee, reconsidered by the Main Development Committee and finally approved and the recommendation sent to the Government. In a case of that nature it will

come directly to this Council without the necessity of going to the Finance Committee.

Rule No. 6 says : *"Every proposal involving expenditure from public funds which has been approved by the Finance Committee shall be submitted for the consideration and approval of the Council."* That may be redundant, but this Council must consider every proposal requiring financial appropriation. It just makes it quite sure that where a proposal has been carefully considered it should not be withdrawn without a full debate in this Council. It ensures that every motion which has gone before the Finance Committee comes to the Legislative Council. Then there is the other side of it, where a proposal has not been approved by the Committee. It may be that Government desires to obtain the full opinion of the Council; it may be that at the meeting of the Finance Committee at which the matter was discussed certain Members interested in it were not present to vote and the Members themselves do not wish to be deprived of the opportunity of debating it in the full Council. The second part of the Rule says : *"Where a proposal which has not been approved by the Finance Committee is submitted to the Council for consideration the Council shall be specifically notified of the fact that the Committee did not approve the proposal."* That ensures that it is known the matter, whether it is a controversial one or not, did not receive majority support of the Members in the Finance Committee.

The last Rule is formal. It states : *"The minutes of every meeting of the Committee shall be presented to the Council by the Chairman and be laid on the Table."* I have every hope that the Finance Committee so constituted in accordance with the Rules and Orders of this Council will function satisfactorily. I feel certain that Members will be prepared to give it full support when it is established and will co-operate with Government in carrying out its affairs and advising on financial matters, but I would urge on Members to accept the motion, approve of it and give the Committee their full co-operation.

Mr. THOMPSON : I am prepared to support this motion to the Message. It

will be remembered that in open Council I asked for this committee. The only suggestion I desire to make is that instead of two days' notice I ask that it be amended to three days—72 hours—for the reason that sending it by post it may not reach those of us resident in the country in time. I do accept the motion and I am prepared to give the Committee every support. I am serving not for what I want to get but for what I can accomplish. Oft-times silence is golden, and I am not prepared to waste words in any matter with which I am satisfied. On any Committee on which I am appointed to serve I give conscientious and wholehearted service. We can never please everybody. Some time ago I had to say we need not send for experts because I find some Members are furnished with excellent information, but so rotten is their mode of approach that their whole case is spoiled. I hope this Committee will enable Members to have full responsibility. I endorse the Message and am prepared to give the Committee every support.

Mr. ROTH : I am quite prepared to give this new Finance Committee a chance to see how it works. I only hope that it will have a longer life than the last one which was set up two or three years ago. I sincerely hope so, but I have my doubts. The great trouble is, several hon. Members do not find it convenient to attend the meetings or, if they attend and do not agree with the majority, they reserve their right to state their views in the full Council, so that not very much time is saved. I hope this Committee will be more successful than its predecessor.

Mr. JACOB : I think Government has a majority support in this matter. I have intimated that I am opposed to it. I am opposed to it and shall not support it. To begin with, you are asking for a quorum of nine Members. It is difficult at times for this Council to be constituted with three Official and nine Unofficial Members. Sometimes we are just eight, nine or ten Members present. We have had experience with the previous Finance Committee which had no quorum. Members met and, after discovering there could be no meeting as a suitable or proper number of Members were not present, the whole

thing fell through. Government has now come forward with Standing Rules for this Committee to work by. Rule No. 4 is going to kill the Committee before it starts.

Regarding the Chairmanship, the Unofficial Members met during the last Budget Session and were able to carry on with their own chairman. At times we had only nine Members present and at other times as many as fourteen present. The Colonial Treasurer was asked to be present on all occasions and the Heads of Departments were also asked to come along. The then acting Colonial Treasurer gave the Committee very valuable support, and the result was we did very valuable work. Immediately the substantive holder of the office came along he felt it was unconstitutional for him to attend a meeting of Unofficial Members. Now he is to be installed as Chairman and he has every confidence that this Committee will work. As far as I am concerned, I am sure this Committee will not work. It will really be a repetition of what is said of this Council — certain Members want merely to sit down and examine papers and vote. We want something more substantial than that. This is just going to burden the Members from the country to come to Georgetown and attend here once or twice a month to do something that will have to receive formal approval of the Legislative Council. This is not child's work. I am not in favour of burdening Members. I am in favour of relieving them of burden.

I had an interview with the hon. the Colonial Secretary and the Director of Education last month, I think it was, and I made certain suggestions regarding the competency of these Boards and Committees. They are a hindrance. While Sir Gordon made certain observations here and outside this Council, in a letter which he sent to the Chairmen of the three Advisory Committees he wrote: "Are we making progress backward or forward?" I am certain we are making it backward. I am opposed to this Committee.

Mr. RAATGEVER: I am entirely in agreement with the formation of this Committee. It is a step in the right direction. I have no objection to sit under the chair-

manship of the hon. the Colonial Treasurer who, I think, is one of the most capable officers in the Service. But I think Rule No. 6 can be amended. I do not think it is right that where a matter is thrown out by the Committee it should be brought before the Legislative Council as a whole. After the Committee has discussed a matter and arrived at a decision, then it may be overruled by the Legislative Council. If Members feel a matter which has been brought before them in the Committee is not deserving of support, I do not think it should be put to the Legislative Council to overrule that decision. I do not agree with it.

Mr. FERREIRA: I am supporting the formation of this Finance Committee because when we had a Finance Committee in the past, I consider, it did very useful work. It was unfortunate that some Members, because they found that things did not go their way in the Finance Committee, took the right to which they are entitled to speak voluminously on those matters when they came before the Council. But that is no reason why such a Committee should not be formed. That is no reason why this Committee as suggested will not be doing extraordinarily good work. Meeting informally the Committee will get through its business much quicker and above all it will result in the prompt despatch of Government business. I know that when we have very important work of emergency, with this Committee we should be able to give Government the O.K. to carry on and the approval of the Council given formally at its next meeting. For that reason I am supporting the proposal.

I am merely supporting the Colonial Treasurer to be Chairman, because having all the facts at his disposal he is best equipped for the post. I do agree with the suggestion put forward by the hon. Nominated Member, Mr. Thompson. I can see no reason for Government's objection to it. I also agree with the last speaker, the hon. Nominated Member, Mr. Raatgever, in regard to Rule No. 6. It seems to me that if this is a Committee of Members of this Council which has the confidence of this Government, should it turn a financial proposal down it should not be brought

into this Council unless at a later stage the Finance Committee feels it should go to the Legislative Council, otherwise we will only be wasting time on the Committee.

Mr. de AGUIAR : I seconded the motion and that was an indication of my approval of it, but I would like to make a few observations especially in view of the remarks which came from some hon. Members. I regard this as a step in the right direction, and I would like to remind hon. Members that the reason why the previous Committee fell through was it had no status whatever. Introducing this measure I want to be very careful that this Council does not subordinate its right to any person or body. I entirely agree that Rule No. 6 should be allowed to remain as it stands. All matters approved by the Finance Committee should find their way back to the Legislative Council for proper approval. This Committee is to give an opportunity to Members to make full enquiry into Government's expenditure. It is much easier to get information in the Committee than to get up here and ask question. I believe that, as the result of the discussions in this Committee, we will save a lot of time when matters come before this Council. I only have to remind those hon. Members who said not very long ago when the Estimates for 1947 were being considered, how easy it was when we came into Council to get the Estimates through after we had met informally. It was possible to get information and satisfy ourselves, with the result that when we came into the Council it was over in a very short time. So, I think, I am right in saying it is a start in the right direction, only the attempt is now being made to give it some kind of status.

I want to say that the Chairman of this Committee should be the Colonial Treasurer. He is the principal Financial Officer of this Government. He is the person charged with the responsibility of examining Government accounts. I think he is the only person who will be able to give information to this Committee on all financial matters that come from the various Departments. He is a Member of this Council and, I think, that alone entitles or qualifies him to be Chairman of this

Committee. I think we should give it a trial. I venture to suggest to the hon. Nominated Member, Mr. Roth, that he will see that this Committee will have a much longer life than the previous one which had no status at all.

Mr. VEERASAWMY : I do not propose to say much except to support the change in the notice from 48 hours to 72 hours to meet the wishes of Members resident in the country. I am in favour of the Colonial Treasurer being Chairman. As has been mentioned by the last speaker, he is the most suitable person for the chairmanship of this Committee. But this is the chief reason why I have risen. I cannot support the hon. Member on my right (Mr. Raatgever) as to the deletion of any part of Rule No. 6. This Council cannot lend, and has no reason to lend, any of its powers or to delegate them to this Committee.

Mr. C. V. WIGHT : Constitutionally the Legislative Council is the supreme body and, therefore, as such it must override any Committee appointed, even a delegated committee of the constitutional body itself. This is the body which must pass all legislation and financial measures. With regard to the question of proper approval raised by the hon. Member for Central Demerara (Mr. de Aguiar), I do not think the word "proper" is quite correct. The approval given in Finance Committee is proper approval for the Governor in Council to proceed on. Whatever approval given there is of some assistance.

As regards the remarks of the hon. Member for North Western District (Mr. Jacob), one of the reasons, in my opinion and in the opinion of other Members, for the failure of the previous Finance Committee is the fact that the discussions were not published in the newspapers for persons to see what the hon. Mr. C. R. So-and-So said and what such hon. Member did not say. If the newspapers would only occupy their time much more profitably by giving us better news than that, they would become the best papers in the Caribbean. With all due respect to hon. Members it is a serious taunt that the public should listen to the clamour, diatribe, abuse, the constant "ego" note, the one song, the

one clangor of the balderdash, which make up our newspaper reading

As regards the chairmanship of the Committee, the Colonial Treasurer is the only man obviously who can be Chairman of the Committee. Why it should be thought that the Colonial Treasurer by virtue of his office being in the Chair would be able to persuade the other Members, I do not know. On the other hand, perhaps, the Chairman of that Committee is going to be quite important and the Colonial Treasurer, who holds the keys of the financial chest of the Colony, should be relegated to the dump and not be able to carry the keys in his waist. I do not agree with some of the other chairmanships the hon. the Colonial Treasurer holds, but I do think it is his proper place on this Committee. It is an ideal one in which he should function. Until we have a proper Ministry system we should not insist for executive control in Committees. I do not think we can come into this legislative body and assume executive control, unless we have certain Officers of Government to guide us along administrative lines. I support the motion in its entirety.

Mr. JACOB: May I ask the hon. Member who has just taken his seat to explain his query of the right of the hon. Member for Central Demerara to say this Council should give proper approval? The hon. Member believes this should be a "Star Chamber" committee to decide and spend money without giving an account to the taxpayers. Is that what the status is to give?

Mr. C. V. WIGHT: I do not think there is any need for me to answer that. Only I will let the hon. Member know that I do not think he is in a position to say he knows what a "Star Chamber" committee is.

The PRESIDENT: The Legislative Council is the sovereign body to give assistance to Government and to approve of matters Government wants immediate action on. Government has promised that in no case, unless in the greatest emergency, I take it, will it commit itself without first informing Members of this Council. By this method Government can immediately inform Members of Council and ascertain

the views of the majority of them. I think the hon. Members who have spoken about Rule No. 6 have had its reason very clearly explained. It is because this body is the sovereign body. I would like to meet the supporters of this motion in all their suggestions, and I would like to hear from the hon. the Colonial Treasurer what he would agree to. I do not think I can meet the hon. Nominated Member, Mr. Raatgever, and the hon. Member for Berbice River (Mr. Ferreira) as to any amendment to Rule No. 6.

The COLONIAL TREASURER: First of all I would like hon. Members to know how grateful I am for the response this motion has been accorded by the majority of Members of Council and particularly for such personal reference to myself that has been made. As regards the comment of the hon. Nominated Member, Mr. Thompson, I think I have Your Excellency's permission to say that the hon. the Attorney-General will be instructed to alter the Rule from 48 to 72 hours' notice. There is no objection whatever to that. Speed is essential, but nevertheless we should try to meet Members who do not live so near Georgetown as other Members do. The debate turned very much on the question of Rule 6. I am not a lawyer, but I seriously think it will be *ultra vires* for this Council to enact statutory Rules and Orders which will delegate these functions to a Committee and also prevent a proposal which goes before that Committee from coming back before this Council. That will be the effect of changing the Rule and, I think, it will really be *ultra vires*. The same consideration apparently applied in Trinidad and they have overcome it in this way. They have stated that no item of expenditure when approved by the Finance Committee will be submitted for the consideration of the Council unless a motion to that effect has been moved after notice was given in accordance with the Standing Orders. In other words, when a proposal is put before the Finance Committee, the fact that the Committee goes through it does not preclude Government from putting a motion to the Council, but it ensures that due formal notice is given to all Members of the Council by a formal notice that the proposal will be put before the Council.

In preparing this motion I took into consideration the need for speed and expedition. It seemed to me that that would be a long-winded procedure and, therefore, I suggested it would meet the case if we said that the Council would be specifically notified and if it is stated that the proposal went before the Finance Committee and had been disapproved. That would give notice that it is a controversial measure and would make hon. Members get on their toes, looking at the matter from the point of view raised by the hon. Nominated Member, Mr. Raatgever. He is a keen Member of this Council, but yesterday he was not present. Let us assume that a matter went before the Finance Committee and that he could not attend and that the proposal was approved by a small majority vote—let us say 6 to 4—and one Member was likely to throw the measure out completely by that slight majority in Finance Committee—I think it would be dangerous in the extreme—and I say *ultra vires*—to prevent Members of this Council from considering it subsequently. Lastly, I would like to mention in reply to the hon. Nominated Member, Mr. Roth, who was a bit optimistic, that I am going to rely on him to attend these meetings.

Mr. RAATGEVER : I appreciate the explanation given by the hon. the Colonial Treasurer but, at the same time, it seems to me that it would be a waste of time to bring forward an item of expenditure for the consideration of the Council if the Finance Committee has already voted against it. I take it that the object in establishing the Finance Committee is to save time and to get approval from Members of the Council for expenditure that Government desires to undertake speedily. I do not see that any time would be saved, however, if we leave clause 6 as it is. I appreciate the point made by the hon. the Colonial Treasurer that it would be *ultra vires* to provide that a matter should not come before this Council if it has been already disapproved by the Finance Committee, but I will still vote against it.

The COLONIAL TREASURER : I must explain one thing further and that is, it would only be in rare instances that any item disapproved by the Finance Com-

mittee would come before this Council again. I should also say that in the vast majority of cases the Finance Committee would be the end of the matter, but there might be an item of paramount importance—either to Government or to an Unofficial Member—and you cannot deny either the Government or that Member the right to bring it before the Council again. As regards ordinary items for financial provision—items on supplementary estimates—the moment the Finance Committee disapproves of them they will be taken off at once.

Mr. JACOB : That means, in effect, that you will be delegating the powers of this Council to the Finance Committee and that if they reject any proposal you do not intend to bring it back to this Council. That is what I understand the hon. the Colonial Treasurer to say. As I have already stated, this Finance Committee will be a sort of "Star Chamber" business—no publicity to be given to its meetings or anything of the kind.

The PRESIDENT : I think the hon. Member is just trying to be funny. I do not like this expression—"Star Chamber." He has used it before, but he has not the faintest impression of what it means. The hon. Member for North Western District (Mr. Jacob) was the leading Member in this respect; he asked me on more than one occasion in the past to get a matter through without publicity.

Mr. JACOB : I said the Committee should have an Unofficial majority but that alone is not sufficient.

The PRESIDENT : The hon. Nominated Member, Mr. Raatgever, has spoken against bringing matters in this Council after disapproval by the Finance Committee, but the secret of working on this Committee will not be on the letter of the Rules but, as reasonable men seeing with the same eye, in the spirit of the Rules, and I think that with the hon. the Colonial Treasurer in the Chair we need not have any fear that unnecessary matters previously discussed in Finance Committee will come up again in this Council, nor need any Member fear that if he is unable to attend a particular meeting and he subsequently wants something to be brought up he will

not be given an opportunity to do so. We have to rely on both sides, and I think that it is only by relying on the good sense of the Government and the Unofficial Members that things will be done properly. As regards the amendment of Rule 6 the hon. Nominated Member (Mr. Raatgever) may put up a motion.

Mr. RAATGEVER: I accept your explanation, sir.

Motion put, and the Council dividing voted as follows:—

For: Messrs. Veerasawmy, Raatgever, Thompson, Ferreira, Roth, Peer Bacchus, Percy C. Wight, Luckhoo, Dr. Singh, Critchlow, de Aguiar, C. V. Wight, the Colonial Treasurer, the Attorney-General and the Colonial Secretary—15.

Against: Mr. Jacob—1.

Motion adopted.

LICENSED PREMISES (AMENDMENT) BILL, 1947.

The ATTORNEY-GENERAL: I beg to move the second reading of the following Bill:—

“A Bill intituled An Ordinance to amend the Licensed Premises Ordinance, 1944, with respect to the opening and closing hours of licensed premises and for other purposes connected therewith.”

It will be within the recollection of hon. Members that a Committee was appointed to go into this question — to consider and report on the extent, if any, to which it is desirable to shorten the hours during which licensed premises may be opened. That Committee was appointed on October 25, 1945, and it reported in December of the same year. The Members were Messrs. Critchlow (Chairman), Ferreira, Lee and Roth, and it will be within the recollection of hon. Members that a majority report and a minority report were submitted. It is the object of this Bill to carry out the recommendations as contained in the majority report, by amendments to the Licensed Premises Ordinance, 1944, (No. 22 of 1944). Clause 2 of the Bill seeks to repeal and re-enact Parts I and II of the Ordinance which deal

mainly with the opening and closing hours of hotels, taverns and retail spirit shops in both urban and rural areas. It is sought to extend the hours during which hotels may be open, but at the same time provision is made for employees to work in shifts. Retail spirit shops in urban areas, which may now be kept open for a continuous period daily, will be required to be closed for a period extending from two to three hours each day. Georgetown will be divided into two areas for the purpose of the second opening period. The opening and closing hours of retail spirit shops in rural areas will remain the same as at present. The hours relating to taverns have not been altered, as these depend on the arrival and departure of trains or vessels. Liquor stores, in which no liquor is sold for consumption on the premises, will remain as at present subject to the hours of opening and closing provided by the Shops Ordinance, 1944, (No. 5 of 1944) and will not be affected by this Bill. The alterations in the hours of opening and closing of hotels and retail spirit shops necessitate a revision of the First and Second Schedules to the Ordinance which is effected in clause 5 by their repeal and re-enactment.

In view of the extended hours of opening of hotels, sub-sections (2) and (3) of section 16 of the Ordinance will no longer be required and these it is proposed to repeal by clause 3. The power under sub-section (3) to revoke a permit granted under sub-section (1) of the said section 16 is not considered necessary. Clause 4 seeks to insert in the Ordinance a new section—27A—giving the Governor in Council power to vary or revoke any Order made under the Ordinance, and by clause 6 it is sought to insert a new Schedule in the Ordinance in which the hours of the shifts applicable to hotels are set out. So far as the Committee's recommendations in connection with clubs are concerned, paragraph 5 of the report deals with that. That has not been dealt with in this Bill as clubs are not licensed premises and are not subject to the Ordinance which the Bill seeks to amend. That will be dealt with by amendment of Chapter 269. With those observations I beg to move that this Bill be read a second time. Hon. Members have considered the report and there was

a debate in connection with it some time ago.

Mr. CRITCHLOW seconded.

Mr. FERREIRA: I would like to make a few comments, although I have spoken before on this matter. A minority report was submitted by me as a member of the Committee but, nevertheless, Government saw fit to accept the majority report with the result that we have this Bill before us today. I quite agree that the working hours of a man should be limited to a reasonable time and that the services of every employee engaged in the various industries should be protected, but what I want to ask is why should this Government intentionally or unintentionally take steps which, instead of helping those legally engaged in the spirit trade, will deliberately encourage the illicit sale of spirits throughout the Colony and particularly in the rural areas. There are some hon. Members around this table who are familiar with conditions in the rural districts and who have no interest in the spirit trade. They can tell Your Excellency—and I hope they will—that these early closing hours encourage the illegal sale of liquor by people who run what are more or less canteens. I can assure you, sir, that in one district alone there are no less than ten of these illegal places.

In New Amsterdam the hours during which spirit shops are open are from 9 a.m. to 1 p.m., and 4 p.m. to 9 p.m. For trading during those hours they pay a licence of \$480 a year each, and are not permitted to run a shift system, while a hotel only pays \$120 a year and yet it can run a shift system. I want to know where the fairness comes in. Further, in New Amsterdam you have places like cake-shops and cook-shops selling liquor at night, and you also have cinema bars—I was in one of them recently—open while a show is supposed to be on and selling liquor. I do not see why this Bill seeks to upset the legal sale of liquor by spirit dealers who have to pay a very high licence indeed. I may cite also the case of public holidays on which spirit shops can only trade from 7—10 a.m. I think the hours should at least be from 7 a.m. to 12 noon. As regards the proposed opening hours of 6.30—10.30 a.m., and 3 p.m. to 9 p.m.—for Saturdays

and on Christmas Eve—I would suggest a change in the latter period and that it should start from 2 p.m. (instead of 3 p.m.) with the closing hour at 8 p.m. In the country districts 8 o'clock is late at night, and people much prefer to do their buying and get home early. I therefore ask Government to accept the suggestions I have made.

The PRESIDENT: I would like to state this clearly. Some hon. Members have been expressing opposition but, surely, what the promoters of this Bill really desire to do is to reduce the consumption of rum. There is no good really in talking about this Bill in terms of inconvenient hours for trading and all that. Hon. Members have got to make up their minds as to whether they want less rum consumed or not. It is not a question of the working hours of people in the rumshops; the object of this Bill is to reduce the consumption of rum.

Mr. FERREIRA: I am amazed at your statement, sir. I am hearing it for the first time. If that is so—that you want to reduce the consumption of rum—then you should reduce the licence for spirit shops.

The PRESIDENT: I may be wrong, but I would ask the hon. Nominated Member, Mr. Critchlow, to reply to that. He has been the father of this Bill.

Mr. CRITCHLOW: The hon. Member for Berbice River is mainly concerned about the closing hours in the country districts, but the object of this Bill is to protect our youths. Quite recently we heard a Magistrate remark that the youths in New Amsterdam are drinking more rum than water. The Ministerial Fraternal has also asked us to do what we can to stop this increased consumption of rum on the part of young people, and I appeal to hon. Members to support this Bill which has that as its object. I am not against a change in the evening hours, however—as suggested by the hon. Member—for spirit shops in the country districts.

Mr. de AGUIAR: I want to begin by saying that I am against this Bill, and I hope that the argument I am going to use will convince even the most ardent sup-

porter that the basis of this measure is unsound. I will take the Council back to what occurred some years ago. But, first of all, I am surprised to hear that the intention of this Bill is to reduce what I will describe as the number of drinking hours.

The PRESIDENT: The hon. Member must have heard me saying so in another place. There has never been any confusion in my mind, and that was the point raised when the hon. the Attorney-General and others were discussing this matter with Sir Gordon in this Chair. There has never been any doubt in my mind that the people who wanted this Bill wanted to reduce the consumption of rum.

Mr. de AGUIAR: I was referring particularly to the remarks which fell from the lips of the hon. Nominated Member, Mr. Critchlow. I wonder whether he interpreted the terms of reference of the Committee in that light. I recall the day when the Committee was appointed under the Chairmanship of the then Attorney-General, and I recall also that a committee of spirit shop proprietors and employees was formed. The recommendations of that committee were only accepted in part and, as a result, another committee was appointed, the personnel of which included employers and employees. A Bill subsequently came before the Council and the working hours of employees were reduced. It was found as a fact that the working hours of the employees in those premises were too long, and the result was that the Licensed Premises Ordinance was amended and the working hours were restricted to 48 hours per week. Since then, this 5-man Committee was appointed. On it I saw three Labour leaders—I did not know they were looking for a reduction of the drinking hours—and there were also the hon. Nominated Member, Mr. Roth, and the hon. Member for Berbice River (Mr. Ferreira). We have now heard that the object is to reduce the number of drinking hours.

I have heard Your Excellency state more than once, and I am going to confirm what you have stated, that in your view the number of hours should be restricted. But, I think, Your Excellency would recall that I did not share the same opinion. If

we are to accept that the number of hours should be reduced, all I am going to say is it would not take a man eight hours to get drunk. He can become drunk in ten minutes; it only depends on the potency of the liquor taken, the quality of the liquor. If we want to protect him, the best thing is to close these places altogether. Let us go in for a bit of Pussyfootism. Let us try and have the sad experience that the U.S.A. had, for example. Let us keep away from people something that they want and give them the opportunity of obtaining it in the best way they think. Let them make bush rum, for example. I see, sir, a great danger if a Bill of this kind is passed. I came here with the intention of saying that if the main object behind this Bill is to reduce the number of working hours, proper means, I think, should be found in the existing Ordinance for that. If it is thought that 48 hours per week is too long, you can reduce the number of those hours, but we are deceiving ourselves and this Government would be deceiving itself if it honestly believes that by closing these shops—let them wait until nine in the morning to open and close at one, reopen at three and close at seven—would prevent these youths that the hon. Nominated Member referred to from getting drunk. We are deceiving ourselves. If they want to get drunk they do not have to go into a rumshop to do so. I challenge any member of this community to deny that if ten persons are found drunk on the streets of Georgetown at any time it is doubtful whether three of them came out of a rumshop. I know where they came from. I have seen them.

I am inclined to believe that the majority of people of this country have a mistaken idea—perhaps I should say mistaken ideas—of rumshops as a whole. They seem to forget that under the Licensing Laws there are certain conditions which a rumshop proprietor has to comply with and, I venture to suggest, which no private individual in his own right has to do. I can have 50 cases of rum in my own house, for example, and it does not matter to anyone at all. It will be quite all right. The Police cannot charge me as long as I have a proper permit showing that I have purchased it from a rumshop

intended for my personal use. I do not see that anyone can prevent me from having that quantity of liquor in my own home. We are deceiving ourselves. What surprises me is this: All the congestion we hear about, the Printers cannot get through the Voters' Register; yet they seem to be able to find the types to print these documents. Our elections are being held up, yet the Printers seem to be able to get the paper, the ink and the labour to print a thing like this. I am going to accept the view that the Government regards this Bill as being far more important than the Register of Voters. I am going to accept the view that this Bill is far more important to Government than other necessary things.

The ATTORNEY-GENERAL: It is very clever but it does not necessarily follow it is so. It is very specious argument. There is no cogency in that whatever.

Mr. de AGUIAR: I am sorry I have to give occasion to the hon. the Attorney-General to rise from his seat. It is not often I do so, and the fact that I have done so on this occasion rather makes me feel there is something in it. That is my view of the matter, if the Government wants to bring about this idea and to tackle the subject from the wrong end. I have asked over and over again for a re-examination of the Intoxicating Liquor Licensing Ordinance because that is the only legal machinery in this Colony which can be used to tighten up the various defects, if there are any. I have been asking that for the last fifteen years, and I regret that up to the present I have not been able to gain any headway in that request, but I find that instead of a re-examination of that Ordinance, which will tighten up the defects, Government is tinkering with the subject. I am going to suggest seriously that if Government's intention is to reduce the consumption of rum—and I challenge the statement—I think the best thing for Government to do is to appoint another Committee to examine the possible effect on revenue, having regard to the fact that we have budgeted for \$1½ million in 1947 as revenue from this source. I would like to see this Committee examining that question, so as to put up an alternative avenue

of revenue if the consumption of rum happens to fall to the extent apparently Government desires. I cannot understand Government blowing hot and cold. It wants the consumption of rum reduced and wants \$1,500,000 revenue from it. I do not think the two points can bear examination.

I know what we are drifting to. I have said it before and I want to repeat it again. We are gradually drifting to a leisured state. Some people think it is the best thing for any community, but others think it is abominable. I belong to the latter view. If this Government thinks that by introducing legislation of this kind we are going to improve the inhabitants of this Colony, all I can say is that Government is deceiving itself. We cannot protect our youths in this way—and that is an answer to the hon. Nominated Member, Mr. Critchlow—by closing rumshops in the middle of the day and closing them, perhaps, a little earlier at night. As I have said before, it does not take them all that time to go out of the way if they want to do so. I do not know what I am supposed to think in view of what was stated. If the sole object behind this Bill is to protect our youths, then we are going to be called upon to waste a lot of time. You close the rumshops at 7 o'clock at night and you have to look for those youths in the highways and byways of the town. The hon. Member for Berbice River (Mr. Ferreira) tells us what happens in the rural areas. He is perfectly correct. Within two miles of a rural district that I am personally acquainted with there are two licensed premises and roughly sixteen of the canteens to which he referred, and liquor is sold not between 9 o'clock in the morning and one o'clock in the afternoon and again between 4 o'clock in the afternoon and 7 o'clock at night but at all hours every day and every night, Sundays included. That is the way we are trying to protect our youths.

I will not even deal with the bush rum side of the story. I should imagine that is too well known to Government. But I am going to suggest to Government seriously to pay more attention to the remarks made here with regard to the illicit sale of rum. What will be the result

of legislation of this kind? You have the officers who are charged with the responsibility of carrying out legislation of this kind doing this: If a man opens his business premises in the country a half hour after closing time to receive goods he has purchased, he is being prosecuted. That is the only result you will get from having this kind of legislation. In my constituency during the last month, I have been informed, not less than a half dozen such prosecutions have been made. That is what you get. The Police Officers are attacking legitimate traders merely because they open their premises a half hour after closing time in order to receive goods purchased in Georgetown which had arrived late. I do not know if the Police want the goods to remain on the road and be damaged or stolen.

Quite frankly I honestly do not think that Government proposes to burden us with this Bill. I cannot accept that. I do not think it is the intention of Government to proceed with the Bill in this form. The whole thing is so wrong that I do not know what is going to be the ultimate fate of it. I suppose, as the Bill is before us, we have to discuss it, but I do not know in view of the remarks made by the last speaker and myself that Government still prefers to put the Bill up and see what will come out of it. In this form it is impossible to accept it.

I will give another illustration. Take the clause dealing with hotels. If I interpret that clause correctly, when a hotel closes at 10 o'clock at night, the only person to be on the premises should be the watchman. Surely that could not be intended at all. I am positive that was not meant. Am I to understand the intention is, when a hotel closes at 10 o'clock for the sale of liquor the only person to be there must be the watchman? What is to happen to the inmates? As a matter of fact a resident of a hotel has the right and is entitled at any hour of the night, if he wants a drink to get it on the premises. I do not know if the intention is to prevent that resident from having his drink at any hour he wants it. Surely that is not so. I do not want to suggest that this Bill should go back to a Committee because there had been so many committees sitting on it.

As regards this last report, I must say, the Ministers' Fraternal must have got hold of the members or the members are suddenly becoming very religious-minded and are taking a lot of interest in our youths. I would like to know whether Government proposes to put a policeman at the door of a spirit shop whenever it is open to prevent youths from going into it. I think this Bill is bad. I cannot find anything good in it. I am not going to deal with the rights of proprietors. That is not involved. I am not going to deal with the rights of employers as, I understand, that is not involved.

Mr. VEERASAWMY: When I first joined this Council I looked on the last speaker as a model. Whenever he got up to speak he would always be so impressive, but unfortunately this is the first time I have heard him so unconvincing, and that is only because he seems to be particularly interested in opposing this Bill. I am supporting this Bill. Government should feel proud when it reads in the newspapers tomorrow that a Bill has been introduced by Government to reduce the consumption of rum. But, sir, I am sorry to say this Bill, as it stands without recommendations as to Clubs, will not stop what is intended. I heard what the learned the hon. the Attorney-General said, but I am endeavouring to point out that this Bill will be nothing more than a very valuable piece of ornament in the homes of individuals until the Clubs Ordinance has been amended. I can show you how ridiculous the situation will be. All I have to do is to go out and form a club with about 20 persons paying a half-penny a month, and I can keep my club open at all hours of the day and all night. Sometimes I am ashamed at the individuals who approach me in my chambers for advice and assistance as to how to form a club. The most I can tell them is "Go and get some members and form a general club." The illicit trading in rum in the City of Georgetown is a positive scandal.

There are times when I cannot help admiring the hon. Member for North-Western District (Mr. Jacob) when on his legs endeavouring to impress Government on many matters that are wrong, but, perhaps his method of expressing himself and his frequent reminding of Government

of past mistakes lose him some support. But it is a scandal that in the City of Georgetown and in the Colony there is so much illicit rum trading. I am one who stood up here and increased the Police Force of British Guiana, and it was only because of the illicit sales of rum which should be tightened up by this Bill that I was in favour of it. There is too much rum drinking. It is very sad to see it amongst the females, especially of the poorer classes. I am not commenting on those who can afford it. The results are seen in the Courts. I am supporting Government in this thing, and I do ask Government to see that as early as possible every effort is taken to stop it, so that we may have something we can all feel proud about as we will be making progress in the direction desired.

Mr. THOMPSON : I am supporting this Bill. When the Committee submitted its report I took objection without expressing myself one way or the other. Nevertheless that does not relieve me of the impression or desire to have such a Bill coming forward as has been brought now. I live in the rural areas. I know what obtains there, but at the same time I am not going to say that illicit trade in rum is more prevalent there than in the City of Georgetown or in the town of New Amsterdam. The hon. Member for Berbice River (Mr. Ferreira) told us that because of Early Closing in the country districts canteens are established. I have found that in New Amsterdam where the rumshops are open all the time, we have far more cases before the Magistrate of bush rum selling than in the rural areas. We have those cases coming up there daily and umpteen bottles of bush rum are unearthed. When it comes to the argument that because of Early Closing this illicit trade has sprung up, I say it was there already. I am thinking of the employees. They should be given consideration, and that is the one point that has weighed very heavily with me. These men have to leave their homes daily, and certainly I would like them to have the benefit of being with their families for some time. For that reason I am supporting the Bill so that these employees will certainly have a little more time with their families instead of having to be away from home

at all hours. As regards the youths, we only have to look at some of them and see how their vitality is being sapped by this rum drinking at all hours. I think if you reduce the hours they would certainly have a little more time at home for rest than they get at present.

Mr. de AGUIAR : I do not wish to interrupt the hon. Member. It is the late hours at night, and that is after the spirit shops are closed. I want to emphasize that.

Mr. THOMPSON : I say, if you give them one hour's rest earlier it would be to their benefit. I am saying if you close the shops earlier the youths would get home earlier. That is the point I am making. So far as the hours are concerned, I favour the holiday closing, so that the employees can have the same facilities as those of other shops. They should be able to have some pleasure with their families, but to have a man working on a Christmas Day or such other days while others are privileged to be at home is not right. I am saying that equal facilities should be given these employees.

So far as the arguments go on this Bill, I find that self is more prominent than consideration for the masses or anything of that sort. In so far as a person getting drunk in a rumshop as against getting drunk in a restaurant or any other place, one gentleman was bold to tell me that it is better to see a man coming out of a rumshop drunk than from a restaurant or any other place. We have to consider the health of the population. We have to consider the youths of the country, and if this Government does not succeed in getting the youths to throw aside the bottle at least it should be commended for its effort to lessen the consumption of rum. It is not that we are going to have the whole thing carried through in a day. It takes time, and as we get along we will be able to find out our difficulties. I think it is a valuable Bill. I support it and I congratulate Government in making an effort at least. The intention is healthy, and if it does not succeed at once, the intention to stop excessive drinking would redound somewhat to the credit of Government.

Mr. PEER BACCHUS : I am prepared to lend any assistance to Government in

so far as the abuse of rum drinking throughout the Colony is concerned. But I am afraid this Bill before us will not achieve the object and, therefore, I do not think that this Bill will receive my support. If we are to profit by experience, we have had introduced throughout the country districts the Early Closing of shops a year or more, and the experience gained in its operation should be put into practice. I feel certain that the Police Department knows it very well, that because of restriction in the closing of rumshops throughout the country districts instead of rum drinking reducing it has increased. I think, sir—in fact I feel certain—that these conditions were reflected in the revenue received last year. The revenue collected on rum last year exceeded that of the previous year by over \$40,000, and that to my mind shows very clearly that the restriction placed on the opening hours of the spirit shops in the country districts has increased rum drinking. It also supports the popular belief that whenever goods are controlled the control creates a shortage.

The point, I am making, is that preventing one from quenching his thirst at a particular time will not prevent one from drinking more rum. One would take the precaution to secure even far more than one would have consumed if the shop was open all the time and one was allowed to purchase whenever one wanted. I desire to support the hon. Member for Berbice River (Mr. Ferreira) as regards the presence of canteens in various parts of the country districts. I have not forgotten the question of an increase in the manufacture of bush rum. I will be disappointed to hear that the Police do not know that in every village one can procure as much rum as one wants from private individuals and not from rumshops. Nothing has encouraged this illicit trading in rum more than the control of the opening hours of spirit shops. I would also suggest to the Ministers throughout the Colony that their energies be used in the right direction to prevent the youths from falling into vice and to help them to be of benefit to the community in which they live. As I have already stated, I am willing to support any measure for a reduction in the consumption of rum, but I am

certain that this measure will have an effect the other way around.

Mr. JACOB: I do not intend to say anything on this Bill because I think it should be passed almost immediately, but I would like to make one or two points as a result of remarks made by previous speakers. I think it is generally admitted that the social standard of the people in this Colony should be improved and that their standard of living should be raised. If it is felt—and I accept Government's statement in the matter—that by reducing the opening hours of spirit shops the consumption of rum would be reduced, then I support this measure. Looking at the revenue figures in the Estimates for 1947, I see that although \$1,700,000 was received from rum duty in 1945 the estimated figure for 1946 was \$1,700,000 while for 1947 it is put down at \$100,000 less. That tends to show that Government does not intend to collect as much duty in 1947 as it did last year, and that Government wants the consumption of rum reduced. Then there is the question of a natural increase through increased population, and I cannot fully appreciate the argument of the hon. Member for Western Berbice (Mr. Peer Bacchus) that there was an increase in the local consumption of rum because Government collected \$40,000 more revenue from it last year than it did the previous year. It is very probably a case where more rum was taken out of bond last year in order to save paying increased duty in 1947. Therefore, while rum-drinking is increasing in certain parts of the Colony it seems to me that every effort must be made to reduce it. It will not be reduced to any great extent, however, because we have to bear in mind that the population of the Colony is increasing also.

I agree that Government should reduce the number of opening hours for spirit shops and see what effect it would have. I am afraid I could not understand the hon. Member for Central Demerara (Mr. de Aguiar) when he said that by closing the shops in certain areas at a certain time by law the Police prosecuted the proprietors for receiving after that time goods which arrived there during that time. I would like to say, however, that the Police seem to be going out of their

way to harass certain people, putting them to much inconvenience and causing them to lose time and money. If a shopkeeper in the country district opens his premises merely to receive goods from the City, I do not see why he should be prosecuted. That seems to be a rotten idea, and I hope the Police will find better work to do. I also hope the hon. Member for Central Demerara will make strong representations in that matter in another place and at the proper time.

As regards the Bill itself, I will say that unless we get the co-operation of the public we will not achieve our desire to reduce rum drinking. On the whole, I think this Bill merits the support of this Council and I hope, it will be passed. I also agree with the hon. Nominated Member, Mr. Veerasawmy, that the Clubs Ordinance should be amended. I think that if we want to stop rum-drinking on the very large scale that it is reaching, we have to check up on the rumshops, the hotels and the clubs. I think, however, that if we close the rumshops too early people would get their liquor sold by taking it to other places. Even private homes can dispose of rum illegally, while we cannot prevent its sale at the many clubs that are to be found about the place.

The PRESIDENT : I would just like to say in answer to various hon. Members that, as I understand the position, we wish to shorten the opening hours in order to reduce the consumption of rum. Certain hon. Members have stated that people should be allowed to drink as much rum as they want, but then this legislation will not have the desired effect. If we do not want to reduce the consumption of rum we would simply be wasting time. In many countries—in the United Kingdom, for instance—it has been proved quite conclusively over a period of 20 years or more that reducing the number of hours during which people can get liquor has, in effect, reduced the consumption of liquor, and the very same argument used today in this Council was used by proprietors in England but, nevertheless, the measure succeeded in reducing the consumption of liquor. I

am sure about that. I do feel we should endeavour to reduce the consumption of rum as there is, undoubtedly, too much rum drinking in British Guiana. I think we should also give an undertaking that we will follow up this Bill with another Bill referring to clubs. In fact, in the face of what I said on December 6, 1946, I think we cannot delay with this Bill and that, as clubs are excluded from it, it seems that we ought to get a Bill which deals with clubs as well. However, the hon. Nominated Member, Mr. Critchlow, pressed me to the core that we should bring this Bill forward and, I think, it should be passed. I think, it will give some weight to his efforts. I will now proceed to put the motion for the second reading of the Bill and will state that Government Members may vote as they wish.

Motion put, and the Council divided and voted as follows :—

For : Messrs. Veerasawmy, Thompson, Roth, Jacob, Dr. Singh, Critchlow and the Attorney-General—7

Against : Messrs. Ferreira, Luckhoo, de Aguiar and the Colonial Treasurer—4.

Did not Vote : Mr. Peer Bacchus and the Colonial Secretary—2.

Motion carried.

Bill read a second time.

MEETINGS OF FINANCE COMMITTEE

The PRESIDENT : Before we adjourn I would like to say that the hon. the Colonial Treasurer has asked me to invite the attention of hon. Members to the first meeting of the Finance Committee which, he has suggested, should be held next Thursday at 2.30 p.m., and subsequently, on the last Thursday in each month. Is that agreeable ?

I will now adjourn the Council *sine die* as the hon. the Attorney-General is not certain that he has any other business for next Friday.