

LEGISLATIVE COUNCIL.

Tuesday, 28th March, 1933.

The Council met pursuant to adjournment, His Excellency the Governor, SIR EDWARD DENHAM, K.C.M.G., K.B.E., President, in the Chair.

PRESENT.

The Hon. the Colonial Secretary, Mr. C. Douglas-Jones, C.M.G.

The Hon. the Attorney-General, Mr. Hector Josephs, K.C., B.A., LL.M. (Canada), LL.B. (London).

The Hon. T. T. Smellie O.B.E. (Nominated Unofficial Member).

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

The Hon. J. S. Dash, B.S.A., Director of Agriculture.

The Hon. R. E. Brassington (Western Essequibo).

The Hon. E. F. Fredericks, LL.B. (Essequibo River).

Major the Hon. J. C. Craig, D.S.O., M.E.I.C., Director of Public Works.

The Hon. W. A. D'Andrade, Comptroller of Customs.

The Hon. Q. B. de Freitas, M.R.C.S. (Eng.) L.R.C.P. (London), Surgeon-General (Acting).

The Hon. J. Mullin, M.I.M.M., F.S.I., Commissioner of Lands and Mines.

The Hon. F. Birkitt, Postmaster-General.

The Hon. L. G. Crease, M.A. (Oxon), Director of Education (Acting).

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

The Hon. N. Cannon (Georgetown North).

The Hon. A. V. Crane, LL.B. (London) (Demerara River).

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

The Hon. J. Eleazar (Berbice River).

The Hon. J. Gonsalves (Georgetown South).

The Hon. V. A. Pires (North Western District).

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

The Hon. Jung Bahadur Singh (Demerara-Essequibo).

The Hon. G. E. Anderson (Nominated Unofficial Member).

The Hon. M. B. G. Austin (Nominated Unofficial Member).

The Hon. Peer Bacchus (Western Berbice).

The Hon. W. S. Jones (Nominated Unofficial Member)

MINUTES.

The minutes of the meeting of the Council held on the 24th March, as printed and circulated, were confirmed.

MEMBER SWORN.

The following Member took and subscribed to the Oath:—

Mr. E. F. McDavid, Deputy Colonial Treasurer.

ANNOUNCEMENTS.

RETENTION OF ASSISTANT CONSERVATOR.

THE COLONIAL SECRETARY (Mr. C. Douglas-Jones): I am the bearer of the following Message from His Excellency the Governor to the Council:—

MESSAGE No. 10.

Honourable Members of Legislative Council,

In accordance with the decision reached in Legislative Council in the discussion of the Estimates I put before the Secretary of State the proposals then approved with regard to the continuance of Mr. Lockie's services in the Forest Department and suggested that the appointment should be made on the conditions therein proposed.

2. The Secretary of State has, however, informed me that the Treasury is unable to agree to any immediate payment of gratuity to Mr. Lockie on his re-engagement, and it is con-

sidered that he should not be required to accept further employment on a non-pensionable basis which might be prejudicial to him hereafter but that he should be retained on the pensionable establishment and informed that no promise can be given him that at the end of 18 months he may not have to be retrenched.

3. Now that Mr. Lockie has returned to the Colony the Department will be in a position efficiently to carry out its normal duties and give full attention to the important experiments now being carried out in regard to the seasoning of timber for which a free grant of \$25,000 has been given to the Colony from Imperial Funds, and for which it is clear that additional staff is essential in the Forest Department.

4. The arrangement now approved by the Secretary of State will involve the Colony in no additional expenditure while it will be relieved of immediate charges in respect of gratuity and cost of passages.

EDWARD DENHAM,
Governor.

8th March, 1933.

GOVERNMENT NOTICES.

SEA DEFENCE RATES.

THE COLONIAL SECRETARY gave notice of the following amendments to the Sea Defence Bill:—

PART V.

RATES FOR 1933.

33. There shall be raised levied and collected rates for the year nineteen hundred and thirty-three as provided in this part of this Ordinance.

34.—(1) The Board shall on or before a day to be appointed by the Governor-in-Council (hereinafter referred to as "the appointed day") publish in the *Gazette* and a newspaper and submit to the Governor-in-Council an estimate of the expenditure and the proposed rates and the estimated revenue for each district for the year nineteen hundred and thirty-three.

(2) On or before the expiration of one month from the appointed day the Governor-in-Council shall after consideration of the proposed rates finally fix and sanction the rates for each district for the year nineteen hundred and thirty-three and for that purpose may alter or amend the proposed rates.

(3) Sub-section (3), (4), (5), (6), and (7) of section nineteen of this Ordinance shall apply with regard to rates for nineteen hundred and thirty-three.

35. Rates for nineteen hundred and thirty-three sanctioned by the Governor-in-Council shall be published by the Board in the *Gazette* and a newspaper on or before the fifteenth day of June nineteen hundred and thirty-three and on publication in the *Gazette* shall be binding as from the first day of January nineteen hundred and thirty-three.

36. Rates for the year nineteen hundred and thirty-three shall be payable in two instalments, the first of which shall be paid on or before the thirty-first day of July and the second on or

before the thirty-first day of October nineteen hundred and thirty-three.

37. All moieties of rates for nineteen hundred and thirty-three shall bear interest at the rate of six per centum per annum from the last date for payment up to the date of payment or enforcement.

38. The provisions of Part IV. of this Ordinance as to the mode of collection and payment of rates and the powers and duties of the Board and the Auditor shall apply to rates levied under this Part of this Ordinance.

TAX BILL.

Mr. D'ANDRADE (Comptroller of Customs) gave notice of certain amendments to the Tax Bill when in Committee at a later stage.

POST AND TELEGRAPH.

Mr. BIRKITT (Postmaster-General) gave notice that at the next meeting of the Council he would ask leave to introduce and have read a first time:—

A Bill to amend the Post and Telegraph Ordinance, Chapter 185, with respect to the use on private premises of approved types of franking or postage meter machines.

UNOFFICIAL NOTICES.

TELEGRAPH OPERATORS.

Mr. FREDERICKS gave notice of the following questions:—

1. How many young men are employed as telegraph operators in the Telegraph Service?
2. Where are they stationed?
3. What is the salary paid to each of them?
4. Is there any grade of promotion immediately above operators to which they can be promoted?
5. What is the qualification for such promotion?
6. What is the relation of the Mechanicians Shop to the Telegraph Department?
7. Is there a scheme that proposes to place telegraph operators in the Mechanicians shop?
8. What is the Mechanicians shop? Who is in charge of it? What is its daily routine of instructions?
9. When did this scheme come into operation?
10. Is such a transfer punishment or promotion?
11. If promotion, what is the increase in salary?
12. Is it true that telegraph messages are sometimes despatched half an hour or longer after they are handed in?
13. Has any change taken place in the manner of transmitting messages which occasions these delays?

JUDGES AND MAGISTRATES.

Mr. ELEAZAR gave notice of the following motion:—

WHEREAS the reduction of the number of Judges and Magistrates has led to considerable public inconvenience to persons having business before the Courts of the Colony ;

AND WHEREAS such inconvenience may result in grave and serious miscarriage of justice, and also a loss of public confidence in the administration of law and justice :

Be it Resolved,—That immediate steps be taken to appoint a third Judge and one additional Magistrate, with the view to restore public confidence as well as to facilitate the business of the Courts.

QUEEN'S COLLEGE.

Mr. CRANE gave notice of the following motion :—

THAT this Council is of opinion that early steps should be taken to implement the recommendations of the Majority Report of the Queen's College Curriculum and Scholarships Committee laid on the table this present session and accordingly respectfully requests His Excellency the Governor to take the said Report into consideration for the purpose of bringing the new system into operation according to the tenor of the said Report, thereby raising the standard of education at Queen's College.

DISMISSALS FROM MENTAL HOSPITAL.

Mr. ELEAZAR gave notice of the following questions :—

1. How many persons have been dismissed from the Mental Hospital from the year 1929 to the present time ?
2. What is the length of service of each ? For what offence was each dismissed ?
3. What was the salary received by each of these persons at the date of his or her dismissal ?

ORDER OF THE DAY.

TAX BILL.

The Council resolved itself into Committee and resumed consideration of "A Bill further to amend the Tax Ordinance, Chapter 37."

Clause 2—Amendment to section 11 (1) (g) of Chapter 37.

THE ATTORNEY GENERAL (Mr. Hector Josephs): The object of this clause is to add a new paragraph (viii) providing for certain exemptions from duty with regard to immovable property. The paragraph as it stands is not properly worded and I move that the following paragraph be substituted :—

(viii) a defined portion or defined portions of immovable property which is held by two or more owners in undivided shares is or are transported by the owners of such property to one or more of such owners respectively.

Amendment agreed to.

Clause 3—Amendment to proviso (b) to section 45 of Chapter 37.

Mr. D'ANDRADE: (Comptroller of Customs) Consideration of this clause was deferred to enable me to obtain information with regard to the tonnage of intercolonial vessels trading to this port. The "Golden West" was mentioned. I have ascertained that originally she was 119 tons net register but before leaving Canada for the West Indian trade she was altered to a net tonnage of 74 tons. There is only one vessel now trading with the Colony exceeding 100 tons, "Thelma," which brings petrol and other oils from Trinidad and returns with cargo from this port. It is proposed that the clause should be amended to read :—

(ii) in the case of any ship of not more than two hundred tons net register which has brought cargo shipped at a West Indian port in so far as the cargo is discharged from the ship on to but not further handled on the wharf by the members of the crew.

If the clause is amended as suggested I am certain all that is desired will be accomplished, viz., only intercolonial trading vessels will be allowed to discharge cargo with their crew and the crew will not be allowed to handle cargo when put on the wharf.

Mr. AUSTIN: The idea was to make the net tonnage 100 tons and I understood that was accepted. Apparently it is now to be 200 tons. I still maintain that is far too high. Government is endeavouring to protect a certain class of workers, and quite rightly so, but this clause affords no protection to the stevedores who are just as much entitled to protection. Cargo from Liverpool is transhipped at Barbados to schooners so as to prevent steamers of larger tonnage bringing that produce. I suggest that we reduce the tonnage to 100 tons.

Mr. CRANE: The amendment does not seem to have accomplished the object which I had in view. The suggestion was that the employment of the crew should be limited to discharging cargo over the

side of the ship to the wharf. The amendment as worded does not properly express that intention. I move that the amendment be further amended by the substitution of the words "may be discharged over the side of the ship upon the wharf by members of the crew" for the words "is discharged from the ship on to but not further handled on the wharf by the members of the crew."

THE ATTORNEY-GENERAL: I have no objection to the amendment proposed by the hon. Member.

THE COLONIAL SECRETARY: After the hon. Mr. Austin suggested that the tonnage should be reduced to 100 tons the matter was further considered by the Comptroller of Customs, who, I understand, considered that 200 tons is a reasonable register. The matter might be further considered, although I think the provision to limit the discharge of cargo would meet the case.

Mr. D'ANDRADE: The amendment suggested by the hon. Member will not have the effect he hopes it would. Cargo transhipped at a West Indian port is brought here by vessels under 100 tons and there is very little likelihood that there will be trade with vessels over 100 tons. There is only one vessel over 100 tons, which, as I stated, brings petrol and other oils from Trinidad.

Mr. AUSTIN: I am not satisfied but I won't press it.

Mr. ELEAZAR: I am sorry that the hon. Member is not pressing it. We are not concerned with its effect other than that it should benefit the people of the Colony.

The Committee divided on the amendment of the Comptroller of Customs as further amended by the hon. Member for Demerara River and voted:—

Ayes—Messrs. Jones, McDavid, Crease, Birkitt, Mullin, Dr. De Freitas, D'Andrade, Major Craig, Brassington, Professor Dash, Dias, Smellie, the Attorney-General and the Colonial Secretary—14.

Noes—Messrs. Peer Bacchus, Austin, Anderson, Dr. Singh, De Aguiar, Pires, Gonsalves, Eleazar, Wight, Crane, Cannon and Fredericks—12.

Did not vote—Mr. Woolford—1.

Clause 4—Licence duty for the manufacture of sweets and compounds.

THE ATTORNEY-GENERAL: Clause 4 was drafted for the collection of different duties and it is desirable to substitute a new clause. I therefore move the substitution of the following:—

4. Every manufacturer of sweets and every compounder shall pay for his licence under the Bitters and Cordials Ordinance a duty of ten dollars.

Mr. CANNON: Since the last meeting I made enquiries about this tax and I am sure Government is going to experience great difficulty in collecting it. I am assured that if there is to be a tax at all it should be in the form of a licence and not on the liquid gallon. Is Government satisfied that this duty can be collected?

THE ATTORNEY-GENERAL: The tax in clause 4 is not a duty on the stuff to be manufactured but a licence duty on the manufacturer thereof.

The CHAIRMAN: The point of the hon. Member relates to clause 5.

Clause 5—Amendment to section 5 (1) of Chapter 37 as enacted by section 4 of Ordinance 29 of 1931.

Mr. D'ANDRADE: Clause 5 is to be amended to provide that the excise duty shall be paid before the issue of the licence. The amendment is to renumbered the clause 5 (1), to add the word "liquid" between the words "per" and "gallon" in (ii) (c), and by the addition of the following as sub-clause (2):—

(2) The following is substituted for sub-section (2) of section five of the Principal Ordinance:—

(2) The duties imposed by this section shall be paid to the Colonial Treasurer before the permit under section eleven of the Bitters and Cordials Ordinance as amended by section three of the Bitters and Cordials Ordinance, 1932, is issued

Mr. CANNON: The principal manufacturers of this article have large stocks on hand and there is no revenue to be derived. Why burden us with this provision?

Mr. DE AGUIAR: I move that in paragraph (ii) (c) the word "liquid" be inserted between "per" and "gallon" to make the intention clear.

Amendments agreed to.

Mr. WIGHT: I move the insertion as clauses 7 and 8 of the following:—

7. The following is substituted for section forty-seven of the Principal Ordinance other than the proviso to the section:—

47. The proprietor of every entertainment, other than a race meeting or athletic sports, or an agricultural, industrial or horticultural exhibition approved by the Governor, shall take out a licence for each occasion and pay a duty of two dollars:—

8. Section forty-nine of the Principal Ordinance is hereby amended by the insertion of the words "or agricultural, industrial or horticultural exhibition approved by the Governor" between the words "games" and "but" in the fourth line.

By this amendment organisations like the Workers' League will be relieved of paying this tax on tickets sold. I understand that the amendment has the approval of the Colonial Secretary and it therefore needs no further elaboration.

THE ATTORNEY-GENERAL: There is no intention of changing the duty and I suggest that it should be \$4 instead of \$2 as proposed in the amendment.

Mr. CRANE: I want to suggest another exemption which I think the House will regard as highly desirable. It is the addition of the words "or an entertainment for pupils by persons registered as *bona fide* teachers in manner directed by the Governor-in-Council." There are a number of people who make a living by going from house to house teaching music and annually hold an entertainment in order to place the merit of their pupils before the public. These entertainments are usually attended by the parents of the children and their friends and the money paid for admission is used for strengthening the teaching organisation. A young lady was recently called upon by the Commissary to pay the licence of \$4 and to deposit \$5 against the duty to be levied.

THE CHAIRMAN: If these entertainments are given for an educational object they are already exempt.

Mr. CRANE: The Commissary thinks differently about educational purposes. In that case I think the proceeds will have to be appropriated to educational objects to come within the exemption.

Mr. ELEAZAR: A person has come to me and asked if he should pay the licence

for an entertainment and I told him "Go and give your entertainment and don't let the Commissary know" (Laughter). I did not think I was doing the wrong thing. Even entertainments for religious bodies are made to pay the tax. They have been told they must pay and appeal to Government for a refund. That tends to discourage entertainments. I don't think that was intended but it turns out in practice.

THE CHAIRMAN: I think the hon. Member for Demerara River has brought out an important point of interpretation. The case of a teacher may obviously be an educational purpose. I would like to give effect to the suggestion but I think difficulties will arise. I shall direct that a circular be issued that entertainments of this kind given by teachers to show the ability of their pupils should be regarded as for educational purposes.

Mr. CRANE: I would prefer that an order be given to the Commissaries Department and if the Commissary is satisfied that the entertainment is given for that purpose and no other the licence be not collected.

THE CHAIRMAN: I give an assurance that a standing order will be given to admit all such cases.

THE COLONIAL SECRETARY: I think we should be careful about this amendment. I understood that the intention of the hon. Member for Georgetown Central was that an agricultural, industrial or horticultural exhibition approved by the Governor shall take out a licence for \$2, but the variation suggested by the hon. Member for Demerara River is going further than Government was prepared to go. I do not think it is an amendment that Government can accept. I think the hon. Member's point of view can be met by adding "educational" before "agricultural." It would then come into the same category of entertainments which the Governor can exempt from the tax. I move that in clause 47 after the words "athletic sports" there shall be added "or an educational, agricultural, industrial or horticultural exhibition approved by the Governor."

THE ATTORNEY-GENERAL: I am afraid I cannot accept the amendment of the Colonial Secretary. I must take full

responsibility for the amendment moved by the hon. Member for Georgetown Central. There happens to be in our statute book an Entertainment Ordinance, Chapter 104, and that Ordinance describes the character of entertainment. That Ordinance provides elaborate machinery under which the Commissary or the Colonial Treasurer collects this specific duty. All that the Tax Ordinance does is to provide for the collection of duty or exemptions from duty. When the hon. Member proposed his amendment it appeared to me better to put it in more legal form than that put into the Tax Ordinance, and I therefore took the responsibility of altering the language in section 47 to fit in with Chapter 104 where entertainments have a defined meaning. I think the case can be met by instructions to the Commissary with regard to the interpretation of the word education.

Amendment put, and agreed to.

THE CHAIRMAN: The same interpretation will be taken of section 49 and instructions will be issued to the Commissary.

The Council resumed.

Notice was given that at the next meeting of the Council it would be moved that the Bill be read the third time (*Mr. D'Andrade*).

APPROPRIATION BILL.

Mr. McDAVID (Colonial Treasurer): I move the second reading of "A Bill to appropriate the supplies granted in the last session of the Legislative Council." This Bill when enacted gives formal authority for the appropriation for 1933 of the total amount of the Estimate approved by the Council. \$5,357,937, of which sum the amount already approved by law is \$1,799,133, leaving the amount of \$3,558,804 now to be authorised. The heads of expenditure comprising this sum are set out in the schedule.

Mr. CREASE seconded.

Mr. CRANE: In the details of the Estimate there is an item "Loans-in-aid, \$1,104,000." It is absolutely necessary that we should get a definition of the

various sums of money which from time to time have been obtained from the Imperial Government and described as grants-in-aid, loans-in-aid, unemployment relief grants and other expressions which may change from time to time without our knowing exactly the position. I always understood that there were three different funds which were being expended in the Colony, viz., loans to the Colony to be repaid at some future time; grants for the relief of unemployment which were gifts out of the bounty of the Mother Country; and grants-in-aid to our current expenditure. The term "Grant" appears to have been altered from time to time and included in the Estimate as "Loans-in-aid." I should like to know what that particular item covers and to get a definite pronouncement upon the status of these funds. It is all the more necessary that we should know what we owe and what we do not owe, what is given to us and what is lent to us, in view of the despatch laid on the table a week ago in which it is stated that the policy of His Majesty's Secretary of State for the Colonies is that those who are seeking the reform of this Colony cannot hope to obtain it until the receipt of assistance from the Imperial Exchequer has become unnecessary. That is not an isolated pronouncement. It was also made in the House of Commons in answer to a question in November last when the Secretary of State said:

"I concur in the decision of my predecessor that so long as the Colony is in receipt of a grant from the Imperial Exchequer His Majesty's Government must continue to exercise effectual financial control."

Without being charged with ingratitude for the assistance afforded us we ought to be told the extent to which we are indebted. Since constitutional reform depends upon the liquidation of our indebtedness we ought to know how much we owe and when it would be possible for us to expect some greater control in the administration of our own affairs. If it is not within the knowledge of Government, we ask whether the sums given us to balance our Budget is regarded as in other Colonies as pure grants or loans to balance our Budget. We ought to have an opportunity of saying that we would not have a loan one year and balance our Budget by some other means.

THE PRESIDENT: The remarks made

by the hon. Member are pertinent and I am very glad they have been made. I had hoped when this session was opened that I would have been able to make a statement to the Council setting out fully the financial position on the point raised. The whole position has been put before the Secretary of State but I have not yet received a reply. As soon as I get that reply, which I am expecting at any time now, I will make a full statement to the Council. The position with regard to these grants or loans is that in the first instance they were referred to as Imperial grants. In 1930 and 1931 they were referred to as grants but they are now referred to as loans-in-aid, but no interest is claimed in respect of these advances. We are anxious that they should be treated as loans which we can repay. With regard to unemployment relief, the advances have been free grants to the Colony and have not to be repaid. With regard to the Colonial Development Fund schemes, the majority of those were loans but in some cases were in the nature of free grants. The hon. Member is quite correct in saying that we ought to know exactly where we stand with regard to these advances from the Imperial Treasury, and I have laid the matter before the Secretary of State with a view to determining our position in respect of loans-in-aid.

I am glad to say that the position at present on the working of the estimate of this year shows that if conditions remain as they are and continue to be satisfactory throughout the year we may be in a position where loans-in-aid may not be any longer necessary. I must make this proviso: unemployment relief must depend on the amount we can devote to public works extraordinary. Unemployment relief represents what the Colony would spend if it were in a financial position to keep a number of people employed who ordinarily have been employed by the Public Works Department or on large labour works in the Colony. There would have been no work for artisans and labourers if it had not been possible to provide for them through public works by Government. In regard to unemployment relief Government is taking the position of every employer in finding employment for men who were in employment in the past and for whom in the interest

of the country it is very desirable that employment should be found. Government is also affording a measure of assistance for the unemployed, and unless we are able to put forward a Budget which will provide for considerable public works which will give employment, we are obliged to get some assistance from the Imperial Government for the relief of unemployment. It will be for the Council to determine when it is considering the Estimates for 1934 whether it can provide for unemployment relief, or must still depend on special grants for this purpose. The statement I propose to put before the Council will show the position, which I hope will be found satisfactory to this Council and the people of the Colony. I think we should be very grateful to the Imperial Government for the way they have come to our aid, whether by grant-in-aid or loan-in-aid, and granted without condition, without interest or any statement as to when it should be repaid. It is with that money we have been able to restore the financial position, and had we not received this assistance we could not have hoped to obtain the revenue we did last year.

Mr. ELEAZAR: Sir, I have to thank you for the statement you have made. There is some hope of getting something from which one might be able to understand exactly what the position of the Colony is with respect to the Constitution. Your remarks are still more hopeful if, and when, that position does come. We hope that at no distant date we shall be at least free from the shackles by which we are held by the present Constitution. The logical conclusion was that we would always be in their debt, therefore your explanation has relieved our anxiety immensely.

Question put, and agreed to.

Bill read the second time.

The Council resolved itself into Committee and considered the Bill clause by clause without discussion.

The Council resumed.

Notice was given that at the next meeting of the Council it would be moved that the Bill be read the third time (*Mr. McDavid*).

PUBLIC OFFICERS (INSURANCE) BILL.

THE ATTORNEY-GENERAL: I move the second reading of "A Bill to amend the Public Officers (Insurance) Ordinance, Chapter 201, by giving authority for the transfer of policies of life insurance or the payment of the proceeds thereof in certain cases to married officers who have retired on pension from the service of the Government." The object of the Bill is in the principal clause which provides:—

2.—(1) Where a public officer, whose life is insured under the Principal Ordinance has retired on pension from the public service without children, his wife being alive at the date of his retirement, if it shall at any time appear to the Governor in Council on the application in writing of the officer and his said wife that, having regard to the circumstances of the officer and his wife, it would be in their interests that the Principal Ordinance should cease to apply to any insurance on the life of the officer, the Governor may by order so declare and may direct the Colonial Treasurer to transfer to the officer and his wife any policy of insurance on his life and to pay over to them the proceeds of any such policy and any increase thereon.

The Principal Ordinance applies to a good many officers who came into the Service before 1923. That Ordinance provides that a public officer must have his life insured and there should be an abatement of a portion of his salary for the benefit of his wife and children. Provision is also made in the Ordinance for the transfer of a policy to an officer on retirement who has no wife or children alive. In the Ordinance there is no power to deal with a policy of insurance or the proceeds thereof other than as the Ordinance provides if a man has a wife. Occasionally great hardship arises where there has been a husband and wife only and no children and there is no likelihood of there being any children. It has happened that these people get into very difficult circumstances, and it may well be that if the proceeds of the insurance can be paid to them on their joint direction they will be relieved considerably of the hardship in their old age. The object of clause 2 therefore is to give to the Governor in Council power, in special cases where the circumstances of the officer and his wife appear to warrant it, to direct that the provisions of the Principal Ordinance shall cease to apply. That will only be in cases where there are no children as defined in the Bill. Clause 3 is a re-enactment of section 11 of the Ordinance. That section was amended in 1928 but it

has been discovered that in the revision some words have been changed, and not only do they not express the will of the Legislature as embodied in the law but it is difficult in some part to know exactly what is expressed. Opportunity has been taken to re-enact sub-section (2) of section 11 so that the meaning of it shall be clear.

Professor DASH seconded.

Question put, and agreed to.

Bill read the second time.

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

Clause 2—Cap. 201 to cease to apply to any insurance of an officer after retirement under certain circumstances.

Mr. CANNON: It has been suggested to me that there is a certain amount of hardship at present prevailing in respect to the age of girls. I am asking whether Government could not make the age of girls 18 instead of 21 years.

THE ATTORNEY-GENERAL: We are following the rule with respect to pensions of all children. We already have that provision in the existing Ordinance.

The Council resumed.

Notice was given that at the next meeting of the Council it would be moved that the Bill be read the third time (*The Attorney-General*).

SAVINGS BANK BILL.

THE ATTORNEY-GENERAL: I move the second reading of "A Bill to amend the Savings Bank Ordinance, Chapter 48, with respect to the amount that may be deposited in a financial year." In the original Savings Bank Ordinance the maximum amount that could be deposited was \$1,500. In 1915 that was raised to \$2,500 and in 1927 it was further raised to \$8,000. Beyond any of those amounts in the Savings Bank no interest is payable. Owing to the present economic situation generally Banks have reduced the amount of interest which they pay on deposits from 3 to 2 per cent. Government is not following that example. What Govern-

ment is doing is to limit the maximum amount on which interest will be paid in respect of deposits for any one year of \$1,000. Interest will still remain at 3 per cent. but you cannot get interest on more than \$1,000 on deposits for a single year. Supposing a depositor now has the maximum amount of \$8,000 in the Savings Bank he is entitled to interest of 3 per cent. on that amount, but for the year 1933 he cannot deposit more than \$1,000 and in respect of that sum he will be paid 3 per cent. While it is a fact that the investments with respect to the Government Savings Bank allow this, it is clear that if some such provision were not introduced the Government Savings Bank would naturally be flooded by depositors who would be anxious to get a larger amount of interest than they can get from the Bank. The Bill is to come into effect as from the 1st January, 1933.

Mr. DIAS seconded.

Mr. CANNON: May I ask what is the rate of interest the Colony pays in England on advances?

Mr. McDAVID: Our advances from the Crown Agents are always at Bank rates, which happen at the present time to be 2 per cent.

Question put, and agreed to.

Bill read the second time.

The Council resolved itself into Committee and considered the Bill clause by clause without amendment.

The Council resumed.

Notice was given that at the next meeting of the Council it would be moved that the Bill be read the third time (*The Attorney-General*).

SEA DEFENCE BILL.

THE COLONIAL SECRETARY: In moving the second reading of "A Bill to make better provision for the maintenance and construction of sea defences," I think it would be of some assistance to hon. Members to appreciate the fundamental principles of the Bill if I were briefly to refer to the past history of sea defences. I do not think there is any problem with

which this Colony or the Council has been engaged which has caused more concern and anxiety over so long a period. For 90 years prior to 1883 the history of sea defences may be briefly described as a continuous fight between the landed proprietor and the sea, in which the proprietor was usually defeated. To the old planter the sea defences were a matter of routine. If the sea-dam broke he built it up again, and if it would no longer bear patching and broke over the public road, nothing was left but to retire the road. Government first seems to have become concerned with the erosion of the foreshore by sea action in the year 1794, when it was reported that the sea-dam in front of Fort William Frederick was washing away, and the following year a great deal had to be done to strengthen it. In 1810 trouble began between the War Office and the Colony over the maintenance of sea defences. The Fort Lands, now called Eve Leary, being then the property of the War Office, the Colony refused to contribute to the protection of these lands, and the War Office had to repair and try to keep them in order. In 1844 there was a good sandy beach in front of the Fort and Camp House. In 1846 this beach was washed away and in January, 1847, began a series of complaints of the encroachment of the sea. Kingston village and the City of Georgetown became threatened. In 1849 the Military Authorities determined to build a breakwater. The work was commenced but had little effect, for in December, 1853, the spring tide destroyed 180 feet of the sea wall and 960 feet of dam in front of the Royal Engineers' establishment. Eve Leary, Thomas, Kitty and Bel Air became affected. During the ten years 1844-1853 £71,000 was expended on the Fort and sea-dam without appreciable result. In January, 1855, further damage was done to the defences, and in February the military land and Kingston were inundated. I may here quote from what Rodway writes in this connection as rather interesting having regard to some of the difficulties with which we are faced to-day:—

"This inundation made a great impression—the old people still date events from the year of the flooding of Kingston. The "Gazette" reported that Camp House was abandoned, its stables and cow-sheds swept away. The public road was flooded twice a day; the sea thundered over and through the breaches; the City was in danger

the Light House liable to be undermined; Kingston a swamp and the coast from Pln. Thomas to Ogle covered. A local poet broke forth into a string of verses on the lines of Ingoldsby. This is a sample:—

“ Be sober I must, and with gravity tell
 What sad havoc and ruin all Kingston
 befell
 How the sea swept away all the dam and
 its smouses
 Made canals of streets, Noah’s Arks of the
 houses
 How some bridges blew up, how some
 houses came down
 And together went wandering over the
 town.”

That was the position in 1855. The first law dealing with sea defences in this Colony was passed in 1883, as Ordinance No. 2 of that year, entitled “An Ordinance to secure the maintenance of the sea, river, and outer dams of the estates.” The proprietor was held responsible for defence under this Ordinance and he was given authority to petition the Governor-in-Council for a loan to defray the expenses of permanent works, or for an order authorising the Public Works Department to execute permanent works the cost of which was charged to the estate. Provision was made for the execution of defence works to protect one or more estates or a district. Plans and estimates of cost were prepared by the Public Works Department and were decided upon and carried out. The “cost of execution and of the maintenance thereof shall be repayable by the proprietors of the estates situated in the district intended to be protected in such proportion and in such manner as the Governor-in-Council may seem meet.” Between 1883 and 1891 very considerable difficulty was experienced. It also coincided with the time of depression in sugar and proprietors could not afford to defend their estates; in fact, the price of sugar was so low that a great number of estates were abandoned. In 1891 the Combined Court authorised the raising of a loan of \$20,000 to the East Berbice Sea Defence Commissioners, who were established under an Ordinance passed in 1890. The loan and interest were to be repaid by an annual assessment of plantations and pieces of land, which were specified. That is as far as I can trace the first occasion that Government came to the assistance of the sugar estates’ proprietors and others in the maintenance of their sea defences. In 1906 the principle of establishing sea defence districts was introduced by an

Ordinance (No. 7) entitled “An Ordinance to make provision for the maintenance of the sea defences of the East Coast of Demerara.” The control of the sea defences was placed in the hands of Commissioners, in whom the defences were vested and of whom the Colonial Civil Engineer was the Chairman, and three other persons elected by the proprietors of estates and villages within the declared district. The cost of all works, both annually recurrent and extraordinary, was to be borne by the estates in the district.

We now come to 1913 and the passing of the Ordinance of that year, which is the Ordinance on the statute book at the present time. It has been amended from time to time. In 1923 by resolution of the Combined Court it was decided to make sea defences—their construction and maintenance—a Colonial Question. Just prior to the passing of that resolution there had been introduced into the Combined Court a Bill in regard to which there was a considerable amount of difference of opinion and controversy, so much so that Sir Wilfred Collet informed the Colonial Office that he did not intend to proceed with the measure. I think it is a pity that the Bill was not proceeded with because much of the difficulties would not have occurred. That is a brief historical summary of the history of the sea defences and legislation in connection therewith. It is only in comparatively recent years that State assistance has been given to proprietors, and even as late as 1919 the principle of levying rates was recognised. It would perhaps have been better had the State come to the assistance of proprietors sooner. Looking back in the light of history, I think we all admit that had Government come to the assistance of the proprietors when they most needed it some estates which were then flourishing would be in existence to-day.

The Council adjourned for the luncheon recess.

THE COLONIAL SECRETARY: Prior to the adjournment I was endeavouring to outline the history of the sea defences to assist us in considering this Bill. Experience has proved that the arrangements whereby the construction and maintenance of sea defences was a charge upon Colonial revenues is unsatisfactory both to Government and to those interested. Govern-

ment has been unable, due to decreasing revenue and the general depression, to provide the funds necessary to cover the cost not only of maintenance but of reconstruction and the provision of new defences which have from time to time been necessary. But for the timely assistance afforded by the Imperial Government in granting funds for relief of unemployment the position on the West Coast would have been deplorable—\$208,000 of Imperial grants have been spent there during the last two or three years—and I do not think that proprietors quite appreciate the great assistance which they have received.

The next step was the employment of Mr. Case by certain estates' proprietors to visit the Colony in 1931 and to report on the existing condition of these defences. I think hon. Members are aware that one of the main complaints of the sugar proprietors was that the groynes and other sea defences which had been built by the Case Coast Corporation had not been adequately maintained and therefore the results which were expected to be obtained from those sea defences had failed. We all know that year after year the Director of Public Works and his successor pressed for more money for the maintenance of the sea defences, but as the finances of the Colony became more involved and the world depression increased it was increasingly difficult to find adequate funds for the maintenance of sea defences. Constant criticism has been made of Government. The whole burden of maintenance and construction of sea defences had been placed on the Government by the resolution to which I have referred and it was purely the financial position of the Colony that prevented sufficient money being spent on the maintenance of those defences. However, the visit of Mr. Case was of extreme value in more ways than one, and you, sir, appointed early last year an Advisory Committee to examine the recommendations of Mr. Case and the proposals for financing them. The Committee held several meetings and is still in being and I hope that Committee will be succeeded by a Board for the appointment of which this Bill provides. The Committee has recommended that a Board with statutory powers should be established, and that it should be responsible for the maintenance and control of sea defences and the financing of works connected therewith. In that we

are reverting to the policy when Sea Defence Commissioners were appointed in 1906, and a very close examination has convinced me that the only satisfactory method of dealing with this very difficult problem, in which so many interests are involved, is that statutory powers should be given to the Board appointed for such purpose.

When we come to an examination of the Bill hon. Members will find that it makes provision for the creation of such a Board with the power to raise money annually by rates on land in declared sea defence areas. The imposition and collection of rates is provided for, and it is expressly stated that in no case shall the rate exceed 50 cents per empoldered acre. The Bill also provides for a contribution of \$50,000 per annum, which is about the average sum that has been voted by Government during the past years and shall not be increased except by a vote of the Legislative Council, in respect of the expenses of maintenance of the sea defences. As regards the cost of carrying out the work recommended by Mr. Case, the estates' authorities on the West Coast have agreed to subscribe a maximum rate of 50 cents per empoldered acre for a period of years towards construction and maintenance and thereafter for maintenance at a rate per acre to be assessed by the Board to a maximum of 50 cents per acre. The programme recommended by Mr. Case has been adopted in full, and a good deal of the work has been already carried out. It has been possible considerably to reduce the estimates of cost furnished by Mr. Case, due to a suitable and less expensive type of groyne having been devised by the District Engineer on the West Coast, Demerara. That is to our advantage. Whether the recommendations of Mr. Case are going to be successful or not only time will show. I have no doubt hon. Members have heard that difficulties are being experienced on the West Coast. The new groynes are not creating the accretion that was hoped for and, in fact, have caused some scour. There again there is some difference of opinion. During the past few months we have had extraordinary weather and the wind has come consistently from an unusual quarter, *i.e.*, almost due north instead of from the north-east. It is assumed that the wind action on the

groynes at the present moment will not show any marked effect, but we are coming to the calmer period of the year when it is hoped that the foreshore will be made up and the value of the groynes will be apparent.

We come now to the Bill. Clause 2 has two divisions. It is desirable and necessary to define what empoldered land means. The definition given in the Bill has been drawn in consultation with the representatives of the sugar estates and I think meet the case. The terms used in the definition of backdam and sideline-dam are well known definitions of certain works which are necessary where land is empoldered, so I do not think there will be any difference of opinion as to what is meant. The next definition inviting attention is "Sea Defence." What "Sea Defence" actually means is defined. In the past there has been some doubt as to what sea defence actually was, but in the definition and in the Ordinance itself we have endeavoured to define precisely what sea defence is.

Part I. of the Bill provides for the creation and establishment of the Sea Defence Board. Clause 4 deals with the constitution of the Board, and it will be noticed that the idea of representation is provided for to those who are interested and most closely concerned with the problem of sea defence. The Governor will appoint the Chairman of the Board, who will, of course, be one of the persons designated in the clause. Clause 5 provides for the appointment of a Secretary to be approved by the Governor-in-Council; and clause 6 gives the Governor in Council power to make by-laws to regulate the proceedings of the Board.

Part II., although it is a very short portion of the Bill, is of considerable importance. It is advisable to point out here that the power given in clause 7 (2) will not be exercised arbitrarily, but the Governor-in-Council will normally act upon the advice of the Board and the districts referred to are set out in the First Schedule of the Bill. It has been represented that it is possible for the Governor-in-Council, without the actual advice of the Board, to vary the boundaries of a district. There must be some control over the actions of the Board, and the highest body in the land, the Governor-in-Council, is the correct

body to exercise that control, but it is most improbable that the Governor-in-Council will take any arbitrary action in such an important matter as altering or varying the boundaries of any sea defence district without the advice of or without consulting the Board. I think the Council can rest assured that no arbitrary action of this kind will be taken by the Governor-in-Council without full advice and upon the recommendation of the Board.

Part III. provides for the maintenance, management and construction of sea defence. Clause 8 provides the procedure by the Board preliminary to construction of sea defence. Clause 9 provides the procedure where the Governor-in-Council approves of construction to be defrayed out of the funds of the Board, and in the case of the cost having to be provided by the Legislative Council for the submission of the plan and estimate to the Council for sanction and provision of the money. By clause 10 every order for the construction of a sea defence made by the Governor-in-Council in pursuance of clause 9, together with a description of the sea defence as shown in the plan, shall be published in the "Gazette" and a newspaper and a copy of the plan shall be open to inspection. Clause 11 provides for works of emergency. If any sudden calamity occurs and immediate works are required the Governor-in-Council may order the Board to take immediate action and the Board would be indemnified for any action it takes under an order of the Governor-in-Council, but we sincerely hope that no serious inundation will happen. Clause 12 prescribes that all sea defences shall be the property of the Crown. That has been a provision for some time. Clause 13 is consequential on clause 12 and provides that whenever a sea defence becomes the property of the Crown the Board shall deposit a plan thereof in the Deeds Registry. Clause 14 lays down how works are to be executed. Clause 15 states definitely what portions of the sea defence necessary for the drainage of any estate or local authority are to be maintained by the proprietor or local authority.

Part IV. deals with the financial conditions. Clause 17 provides how the costs and expenses of construction and maintenance of sea defences are to be defrayed. Clause 18 makes provision for the payment

of annual rates, as may be fixed by the Board and sanctioned by the Governor-in-Council for the district, not exceeding 50 cents per acre of empoldered land, and for the contribution in each year from general revenue for the use of the Board of an amount equal to one-half of the estimated expenditure of the Board, the amount to be contributed not to exceed \$50,000 in any year unless the Legislative Council shall vote an amount in excess thereof. In the Conference which took place with the representatives of the sugar planters they laid it down as a condition that villages should pay the same rate as sugar estates, or rather that all lands should pay the same rate. We know that at the present time these villages cannot undertake any further obligations than they have already, therefore the sugar proprietors very wisely and very considerably agreed that, for the present at all events, the contributions by the sugar estates should be made in addition to the \$50,000 provided by Government as a contribution to the funds of the Board. In the Estimates for 1933 there is provision in this connection. In anticipation of the passing of this Bill, and also the acceptance by the Council of the proposal that the villages should not be required to pay their assessments, provision has been made in the Estimates for this year of a sum of \$5,788 to meet the assessments of the villages. On further consideration of this Bill it was also decided that it would be a good thing for the Governor-in-Council to have power to exempt empoldered land from payment of the rate. It might happen that land although empoldered is unoccupied and of no particular value whatever and should not bear any cost in this connection, therefore provision is to be made that such land should be exempt. It has also been considered whether estates that mainly depend upon the cultivation of rice and coconuts and other crops can bear the same rating as sugar estates. It has been accepted that they cannot and it is proposed that the rate to be assessed on estates cultivating rice, coconuts and other crops than sugar should pay one-half the rate that sugar estates are assessed at. That is a concession by the sugar planters and I feel sure it will be appreciated, and it will be a valuable concession, especially at the present time, to producers of rice and coconuts.

It may not have been the right moment

to introduce any further charges or burdens on land had it not been absolutely necessary to do so, and I hope any consideration of that nature will not delay the passage of this Bill, because it is essential that the Bill should pass so that the works in hand and the programme Mr. Case has drawn up shall be completed. It would only mean more expense not only to Government but to the estates proprietors if there is any unnecessary delay. It is therefore desirable that the Bill should go through, and I hope the concessions to which I have referred will be accepted by those concerned. Clause 20 makes provision for the publication before the 30th November in each year of all rates sanctioned by the Governor-in-Council. The Board is charged with the duty of preparing its estimates and its rate of assessments for each sea defence district before the end of each year so that everyone will have sufficient notice of what their obligations will be during the ensuing year. Clause 21 deals with the annual payment by the Georgetown Town Council of the sum of \$2,500. That is the sum now contributed by the Town Council to maintenance of the sea defences in Georgetown. Clause 22 prescribes that the rates may be paid in two half-yearly instalments if in excess of \$25. Clause 23 provides for interest being charged on rates from the expiration of one month after payment becomes due. By clauses 24 and 25 rates will be collected by the District Commissioner. Clause 26 provides procedure for the enforcement of rates not exceeding \$100. Clause 27 is rather important; it protects tenants and other persons whose immovable property is levied on for rates. Clause 28 makes the signature of the Secretary of the Board *prima facie* evidence of the amount due for rates. Clause 29 deals with rates on Crown or Colony land not occupied by the Crown or Colony. Clause 30 gives the Board a preferential lien for rates due. Clause 31 provides that the Board may purchase at execution sale an estate taken in execution for non-payment of rates; and clause 32 for the keeping of books and accounts.

Part V. deals with offences and has been adapted from past legislation and Part VI. is miscellaneous. I now come to the further necessity to move in two new clauses to the Bill. It was realised after the Bill was printed that no provision was made for levying the rates for 1933. If

the money is to be provided for Mr. Case's programme, which extends over three or four years, it is necessary to raise funds this year for that purpose, therefore a new clause will have to be inserted in the Bill to make provision for the collection. The main objects of the Bill are two-fold, firstly to provide in an equitable manner for the division of the burden of these very important works which mean so much not only to the sugar proprietors but other owners whose land is constantly menaced by the sea, and, secondly, to give to those mainly interested a large measure of control and a voice in what should be done. The second object is also most desirable. It is following on the principle that was laid down some years ago but unfortunately not continued. It is essential in matters of this kind that those particularly interested, and whose advice and experience will be of the utmost value, should be able to place that advice and experience at the disposal of the Board in determining what is to be done. I trust that the measures outlined in this Bill will prove a satisfactory solution of a very difficult problem that has engaged the attention of the Government and the people of the Colony for the last 100 years. In conclusion I desire to express my personal thanks, and the thanks of Government, to those gentlemen who have assisted in the deliberations of the Sea Defence Advisory Committee. Their advice and assistance have been of very great advantage. In this connection I specially mention the name of Mr. F. J. Seaford, who was always ready whenever I called upon him, in season and out of season, to discuss knotty points and with the greatest goodwill endeavoured to find a solution. I also thank the members of the Sugar Producers' Association who gave unflinchingly of their large experience. I have pleasure in now moving the second reading of the Bill.

Mr. SMELLIE seconded.

Mr. AUSTIN: I am sorry that Mr. Seaford is not in his place to-day as he had a lot to do with this Bill, as the Colonial Secretary stated, and would have given us some assistance. Ever since his arrival in the Colony the Colonial Secretary made it no secret that he disliked the resolution under which sea defences were made a Colonial Question. In my opinion the money to be collected by this Bill can be collected in the form of an assessment

under the existing Ordinance. It seems to me that whereas in the past a number of proprietors of prosperous estates were willing to contribute to the sea defences they will not now have to pay anything at all. The Bill as presented to the Council does not represent altogether what was agreed to by the sugar planters when the matter was discussed. There are two points I should like to refer to. Clause 7 (2) gives the Governor in Council power to (a) vary the boundaries of a district; or (b) reduce or increase the number of districts. This seems to me a very large power. It means that the Governor-in-Council has absolute power to incorporate one district in another. When we come to this clause in Committee I propose to move in a proviso. Clause 19 (3) says "The Governor-in-Council may fix, subject to the maximum rates, different rates for different classes of estates in any district," and (4) "The Governor-in-Council may by order exempt any estate or village from the payment of any annual rates or any part thereof." That takes the matter out of the hands of the Board who will have to deal with it. There is one other point: that of the appointment of Mr. Case to pay periodical visits to the Colony with the idea of supervising work carried on and giving us the benefit of his advice in a matter on which he is considered to be an expert. I think the Colonial Secretary should give the sugar planters some undertaking that the contribution will go towards paying Mr. Case's expenses in supervising sea defences.

Mr. CRANE: I want to refer to one or two features of the Bill which affect the public from my point of view, and I do not propose, except in so far as they affect the public, to dabble in what would be claimed to be the affairs of the sugar proprietors and the Government. The villagers and the general taxpayers are involved in this new arrangement and I want to point out those features which, to my mind, were not fully considered or, if they were, are nevertheless going to exert a very painful influence on the public at large. In clause 8 provision is made for taking possession of land for sea defence purposes, and persons authorised by the Board will have power to enter on such land (i) to make all necessary surveys and take all necessary levels; and (ii) to do all

other acts necessary to the making of the plan and estimates. Those plans in due course will be approved by the Governor-in-Council, who will approve of the construction of the sea defence works, after which an order will be made to proceed with the works. On publication of the order the land taken for the construction of the sea defence becomes the property of the Crown. The plan of the sea defence will then be deposited with the Registrar and for the first time an opportunity will be afforded those concerned to protest against undue interference with their private rights. Those who produce this Bill did not consider that private property was worth anything at all when they decided that the rights of a private owner should be effectually vested in the Crown. I submit that you cannot possibly permit legislation of this sort to be enacted by this House. Not only is it proposed to vest in the Crown private property when it is not likely that anyone knows what the Crown decides to take over, but we are told that no compensation is to be given to any person in respect of any right, title or interest in relation to sea defences. Whilst everyone is always willing to make concessions for a common benefit, a clause which says ruthlessly that one shall have no compensation for anything you take in relation to sea defences is a barbarous provision. On the West Coast it might become possible to remove buildings and other valuable structures for the purpose of defending the Coast against invasion of the sea. The definition of sea defence is very comprehensive. When you come down to the operative part of the Bill and say that nobody is to have any compensation in respect of any right, title or interest, it is going too far in interfering with the rights of private individuals. The Bill should be amended to provide for due notice to be given to persons of land to be acquired for sea defences.

Part IV. from my point of view, and I think from the point of view of every Elected Member, is highly objectionable. It resembles the Forest Trust Ordinance. Clause 18 makes a statutory appropriation of a sum not exceeding \$50,000 annually. Does this mean that the Council will be given an opportunity of discussing this appropriation, or does it mean that whatever sum appears on the Estimate the Government will be authorised to pay out of general revenue? Is this a specific sum,

or are we to have a sum brought before the Council to be discussed annually? The Electives demand that all sums be voted annually for any purpose whatever, and that they should be subject to discussion as to the propriety of their application. This is a subtle means of undermining the Constitution of the Colony further than it has already been undermined. If the Board is to spend any money that money must be authorised after due discussion in this House. The mover made the statement that the villagers are unable to meet any further liability. It is well known that the villagers are unable to meet the assessment for water supply. They are in arrears and to involve them in this scheme when they cannot carry their present burdens is to suggest a gross absurdity. To say that the villages are not excluded but that the Governor-in-Council may exempt them from the payment of any annual rates is like pronouncing a death sentence with a stay of execution. Is it possible that after a year or two Government will call upon the villagers to carry out their undertaking under the Ordinance? If it is not intended that the villagers should pay these rates it ought not to be enacted that they should be assessed. I should like to hear that the villagers were consulted and that they, like the planters, have given their consent and knew that at any time they may be called upon to bear further impositions. The imposition on both planters and villagers is just, but it is impossible for the villages to meet it at the present time, and I see in this provision an attempt to get this burden on the people. I do not like the provision in clause 19 (3). It savours of class legislation, but I am not going to oppose it because it is thought that some estates are able to pay more than others. Georgetown already contributes as general taxpayers and the Town Council is being asked further to pay \$2,500. Clause 26 is initiating a very vicious policy. If an estate neglects to pay its assessment all the Board has to do is to seize anybody's house on that estate and leave it to the tenant to make a claim against the estate. Clause 33 is extremely wide. The object of it is to prevent damage to the sea defences and a provision of this sort is absurd. In clause 44 I should like to see some provision included for laying on the table of the Council regulations framed by Gover-

nor-in-Council. It is only as representing this Council that the Governor-in-Council is vested with that legislative power. This Bill is the child of the Colonial Secretary. It has taken him six or seven years to bring forward the infant and I hope he will not be surprised if it is criticised.

Mr. ELEAZAR: When I received this Bill and read it I asked myself the question: Where is the necessity for this Bill? A friend asked me the same question and a Member of this House made the same observation. I submit there is no necessity for it. The villages have not been consulted. There was a time when the Government would not be moved to assist the planters to maintain the sea defences of the sugar estates. As a result Bel Air is a howling wilderness. The villages that are so pauperised have been brought to that stage because they were doomed to maintain their own sea defences, and it was not until the public roads and the railway lines behind them were threatened that Government was moved to make sea defences a Colonial Question. Is this the time to throw additional burdens on the people of the country? I say "No." Government cannot place the villagers on the same plane as the sugar planters even though you exact from them less. While we have every confidence in your clemency and honesty, sir, you will not be always here and we must guard against any invasion of our rights. I agree with the hon. Member for Demerara River that Government cannot take away people's private lands and not award them compensation. Clause 19 (7) says that when the total sum payable for rates in respect of any estate

would be less than 25 cents, then in every such case the amount payable shall be 25 cents. You are not always going to incur the same expenditure and I do not see why it should be not less than 25 cents.

THE PRESIDENT: That does not mean that the rate will be 25 cents. If the least possible sum had to be 23 cents the amount need not be 25 cents. Its relation is to the total amount.

Mr. ELEAZAR: My point is that we cannot fix the rate per acre for all times, because there may be times when you will require a higher assessment and others when a smaller assessment will suffice. The people in the river districts contribute to sea defences, but when there is erosion in those districts and the people ask for help they are told there is no river defence and they can be given no relief. For making a cut to protect his land a man is to be liable to a fine of \$100, and in the case of a second or subsequent offence to a fine of \$250. For taking house materials across a sea-dam a man was prosecuted. On the Corentyne Coast there are many small proprietors. Are they to be prosecuted for carting away a few loads of shell from their property without the permission of the Commissioners? On that Coast most of the people are cattle-owners. Not only are their cattle to be subject to impounding but they are liable to a fine and may be mulcted in damages. The Bill is unnecessary, it is oppressive, and it affects persons who have never had a word in the making of it.

The Council adjourned until the following day at 11 o'clock.