

# LEGISLATIVE COUNCIL.

*Wednesday, 8th June, 1932.*

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, Major W. Bain Gray, M.A., Ph.D. (Edin.), B. Litt. (Oxon), (Acting).

The Hon. the Attorney-General, Mr. F. J. J. F. McDowell (Acting).

The Hon. P. James Kelly, M.B., Ch. B., Surgeon-General.

The Hon. F. Dias (Nominated Unofficial Member).

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

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

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

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

The Hon. B. R. Wood, M.A., Dip. For. (Cantab.), Conservator of Forests.

The Hon. S. H. Bayley, General Manager, Transport and Harbours Department.

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

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

The Hon. E. F. McDavid, Colonial Treasurer (Acting).

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

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

The Hon. J. Eleazar (Berbice River).

The Hon. A. R. F. Webber, F.R.G.S., (Western Berbice).

The Hon. J. Gonsalves, (Georgetown South).

The Hon. A. E. Seeram (Eastern Demerara).

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

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

The Hon. F. J. Seaford (Nominated Unofficial Member).

The Hon. C. Farrar (Nominated Unofficial Member).

## MINUTES.

The minutes of the meeting of the Council held on the 7th June, as printed and circulated, were confirmed.

## PAPER LAID.

The following document was laid on the table:—

Report of the Chief Commissary for the year 1931 (*Colonial Secretary*).

## GOVERNMENT NOTICES.

Dr. KELLY (Surgeon-General) gave notice that he would move the following amendments to the Hospital Fees Regulations:—

1. That the following paragraph be added to Schedule I:—

### CONSULTING OUT-PATIENTS.

9. Any person desiring to consult a member of the staff of any hospital other than the medical officer in charge of the out patients' department shall be required to produce a recommendation either from a private medical practitioner or from a medical officer in charge of a district or Government dispensary. Such consultation shall be charged for at the rate of \$1 to \$5 according to the means of the patient, unless the latter produces in addition to the recommendation a certificate of poverty or pauperism on the approved form. If the person is admitted to hospital as a result of the consultation the above fee shall be waived.

2. That Schedule VI. be amended by substituting the word "Officers" for the words "Medical Department Staffs" in the first line of paragraph 2 (1) thereof and by the addition of the words "including Alms House" at the end of the same line and at the end of the third line of paragraph 2 (2).

Mr. McDAVID (Colonial Treasurer) gave notice that he would move the follow

ing amendments to the Appropriation Bill when the Committee stage was reached :—

1. In the first and second lines of the preamble for “five million five hundred and twenty-two thousand six hundred and fifty-three” substitute “five million five hundred and thirteen thousand one hundred and eighty-nine.”

2. In the last two lines of the preamble for “three million five hundred and fifty-seven thousand five hundred and twenty-five” substitute “three million five hundred and forty-eight thousand and sixty-one.”

3. In the third and fourth lines of clause 2 for “three million five hundred and fifty-seven thousand five hundred and twenty-five” substitute “three million five hundred and forty-eight thousand and sixty-one.”

4. In Schedule at Roads (Extraordinary) for \$23,600” substitute “\$17,700”; at Public Works (Extraordinary) for “\$14,255” substitute “\$10,691”; at the sub-total for “\$3,673,750” substitute “\$3,664,286”; at the grand total for “\$3,557,525,” substitute “\$3,548,061.”

#### UNOFFICIAL NOTICE.

Mr. SEERAM gave notice of the following questions :—

1. How many Educational Officers are employed by Government ?

2. How many of these are employed in :—

(a) Essequibo.

(b) Demerara (excluding Georgetown).

(c) Berbice.

3. How many persons have been prosecuted throughout the Colony for the past five years for employing East Indian children ?

(a) Of nine years of age ?

(b) Of twelve years of age during school hours ?

4. When will Government proclaim the Education Ordinance of 1932, in the *Official Gazette*, in order that the said Ordinance may be operative ?

#### ORDER OF THE DAY.

##### TAX BILL.

THE COLONIAL SECRETARY (Major Bain Gray) : I move that “A Bill further to amend the Tax Ordinance, Cap. 37” be read the first time.

Dr. KELLY seconded.

Question put, and agreed to.

Bill read the first time.

Notice was given that at the next meeting of the Council it would be moved that the Bill be read the second time (*Colonial Secretary*).

##### POST AND TELEGRAPH BILL.

THE ATTORNEY-GENERAL (Mr. McDowell) : I move that “A Bill to amend the Post and Telegraph Ordinance, Cap. 185, by making provision for the grant of licences for wireless broadcast reception sets” be read the first time.

Mr. DIAS seconded.

Question put, and agreed to.

Bill read the first time.

Notice was given that at a subsequent meeting of the Council it would be moved that the Bill be read the second time (*Attorney-General*).

##### PATENTS BILL.

THE ATTORNEY-GENERAL : I move that “A Bill to amend the Patents Ordinance, Cap. 62, with respect to patents granted in the United Kingdom” be read the first time.

Mr. DIAS seconded.

Question put, and agreed to.

Bill read the first time.

Notice was given that at a subsequent meeting of the Council it would be moved that the Bill be read the second time (*Attorney-General*).

##### DESIGNS REGISTRATION BILL.

THE ATTORNEY-GENERAL : I move that “A Bill to amend the Designs (United Kingdom) Registration Ordinance, Cap. 61, with respect to the registration of designs in the United Kingdom” be read the first time.

Mr. DIAS seconded.

Question put, and agreed to.

Bill read the first time.

Notice was given that at a subsequent meeting of the Council it would be moved that the Bill be read the second time (*Attorney-General*).

## APPROPRIATION BILL.

Mr. McDAVID (Colonial Treasurer): I move that "A Bill to appropriate the supplies granted in the last session of the Legislative Council" be read the first time.

Major CRAIG seconded.

Question put, and agreed to.

Bill read the first time.

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

## PETROLEUM BILL.

Mr. D'ANDRADE (Comptroller of Customs): I move that "A Bill further to amend the Petroleum Ordinance, 1930" be read the second time. The purpose of this Bill is to amend the definition of the expression "Licensed Building" in section 2 of the Petroleum Ordinance, 1930, in conformity with section 6 of that Ordinance as amended by section 5 of the Petroleum Ordinance, 1932, and, secondly, to amend the penal clause of section 5 of the Principal Ordinance as enacted by the 1932 Ordinance so that it should apply to any contravention of the section in respect of the storage of all petroleum and not only in respect of ordinary petroleum as at present. In regard to the first amendment section 6 of the Principal Ordinance was amended by section 5 of the Petroleum Ordinance, 1932, to allow of all licences in respect of licensed buildings being issued by the Director of Public Works instead of by the Governor. Through an oversight the definition "Licensed Building" in section 2 of the Principal Ordinance was not amended to read "Director of Public Works" and the object of this clause is to put that right. The second amendment is to the penal clause at the end of section 4 (3). That section provides for the storage of ordinary petroleum not exceeding 100 gallons in a warehouse or licensed building, and in certain circumstances, subject to such conditions as the Inspector-General of Police may impose, in quantities not exceeding 1,500 gallons. It also provides for the storage of dangerous petroleum in quantity not exceeding one gallon. In

sub-section (4) the word "ordinary" should not appear, because the sub-section applies to both dangerous and ordinary petroleum. When the Committee stage is reached I shall move a further amendment of which notice has been previously given.

Mr. BAYLEY seconded.

Question put, and agreed to.

Bill read the second time.

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

Mr. D'ANDRADE: I move that the following be inserted as clause 4:—

4. Section twenty-seven of the Principal Ordinance is hereby amended by substituting the word "or" for the word "nor" in the fourth and fifth lines thereof.

Question put, and agreed to.

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*).

## RETENTION OF ASSISTANT CONSERVATOR.

Mr. WOOD (Conservator of Forests): Pursuant to notice I move:—

That, with reference to Officer Administering the Government's Message No. 13 of 19th May, 1932, this Council approves of a sum of \$1,317 being provided under Head X.—Forest Department, Sub-head 1b, 2 Assistant Conservators of Forests (\$2,640 to \$3,720 by \$120) in excess of the Estimate for 1932, in order to allow of the services of Mr. J. R. Lockie being retained until 31st December, 1932.

The Message has been before the Council for some days and I think hon. Members have read it. Perhaps it would be best if I tried to explain the reasons for this Message. During the debate on the Estimates last year the number of Assistant Conservators of Forests was reduced by one and at the time I explained that I did not think it would be possible to carry on with so small a staff, but it was not easy at that particular time on what was a motion which I had to deal with without any notice, occurring as it did in Committee, to explain very clearly why that would be. In the light of the

working of the Department since this happened it has become clear that it is going to be extremely difficult to carry on without this officer. At the present time there is one officer on leave. There is also one officer on duty and there is Mr. Lockie who is under notice of retrenchment. The result is that when Mr. Lockie goes—and he was due to go a few weeks ago—it will leave me with one Assistant, and that is all to carry on the work of the Department. That position could have been temporarily overcome by refusing to allow the officer who has gone on leave to go on leave, but unless all leave is to be stopped in the Department for the rest of time the situation must recur at later stages. I was satisfied with the urgency of private affairs for which the officer applied for leave, and had he not gone this year he would not have been able to take the course at the Forest Research Laboratories at the time when our own timbers were being tested there, which I thought it desirable he should do. The position of the three officers then was that one's leave would be a year overdue and the other two due for leave. A year afterwards every officer would be entitled to leave and that position would accumulate for a long time. With only one Assistant it is extremely difficult for me to carry on. The work going on has to be supervised by trained men, especially in the early stages when it is new, and at the same time we have to carry on what I regard and think hon. Members will regard as the minimum work done from headquarters.

A number of years ago, shortly before the Department was formed, difficulties arose in Holland over the importation of greenheart. There were substitutes on the market and substitutes had been sold in Holland. These substitutes had failed very badly when put to use and the result was that there were great fears amongst buyers in Holland that when they were buying what was alleged to be greenheart they might get some substitute, not necessarily from this Colony but a neighbouring Colony which produces another tree which when translated into English means greenheart. There was some diminution in the quantity of greenheart bought in consequence and arrangements were made for a system of branding and certification as to type and quality in this Colony. That

system has been elaborated with the co-operation of buyers abroad and it has reached the stage where the arrangement now is that exporters of greenheart from this Colony in the majority of cases instead of being paid according to the ordinary European trade custom, which is four months after delivery and which would make it very difficult for people who ship only a few shipments a year to finance their operations, on the certificate of the Forest Department the Brokers on the other side instruct the Bank to pay against the receipt of documents. That system has been carried even further than that. In certain instances where it would have been difficult for shippers from this side to finance themselves to the extent of the whole shipment before they were paid we have made arrangements with the Banks and Brokers on the other side, and as shipments are being assembled at regular intervals we have inspected and issued certificates in respect of the quantity of timber assembled on the beach sometimes several months before the shipment is due to arrive, and the proportion of the value of that timber is paid by the Banks on our certificate. I have always regarded that side of the work for exporters to finance their shipment as having first call on the services of the Department, and with these inspections sometimes involving an absence from headquarters overnight or even two nights the situation has already arisen where it is extremely difficult to find an officer. The time of inspection is dependent on the tides, and we are often asked to inspect at short notice when an officer may not be available or is sick, and the situation has already arisen on one occasion where it was only by chance it was possible to make an inspection that was urgently required, the chance being that I happened to be at Onderneeming and was able to do the inspection on my way back, otherwise it would have been impossible for us to provide an officer at that time. Under these circumstances I am appealing to the Council to let this officer be retained until the 31st December.

Major CRAIG seconded.

Mr. CRANE: My alarm about this matter arises from the fact that the Council in considering the Estimates thought that this office should be abolished and struck it out, leaving a sufficient sum to enable the officer to be given six months' notice.

I do not know that the Conservator of Forests went into mourning for the striking out of that office. He might have disliked the reduction of his staff and may be an individual who does not show his dislike to any very great extent to the Council. I certainly gathered that he would have been able to carry on with this one officer less.

Mr. WOOD: It is possible that the hon. Member is mixing up the retrenchment of a Surveyor with the retrenchment of a Conservator who was retrenched at short notice in Committee. I do not think I had a Poker face but I can assure the hon. Member that my face was no reflection of my feeling.

Mr. CRANE: The matter with which I am more concerned is the opinion of the Council for the necessity of this officer. In striking out this office the Elected Members did not act on the principle that they did not want the Forest Department. They accepted the position Government put forward that it was necessary, but they considered that the Department could be carried on with one less Assistant Conservator of Forests. If this application related only to a further six months one might not have much to say about it as apparently is necessary, because although the application is to retain the services of the officer for another six months the Conservator says that from his point of view at least he would be unable to carry on in the next and the following year without this officer. It is therefore clear that Government next year will come back to the Council and ask us to retain this officer. If I am told that extraordinary arrangements have to be made for the second half of this year, that we will not incur any great expenditure and that the salary will be met from some other source, one may be tempted to give his assent to this proposal. But on nothing short of a threat on consideration of the Annual Estimates next year the Council will be asked to restore this officer permanently.

THE PRESIDENT: I do not think there is any suggestion that it will be necessary to include this officer in the Estimates next year. All that we are asking now is that the officer be retained to the end of the year owing to arrange-

ments having to be made consequent on another officer being now on leave. What may occur in respect of 1933 I cannot say.

Mr. CRANE: I contend that an officer should not be entitled as of right to go on leave if the exigencies of the Service do not permit it. We ask Government to tell us whether this is not an attempt to get back the item on the Estimates. The plea about more greenheart is not to my mind a substantial one. Until I am convinced that there is a large number of exporters of greenheart whose business is held up by reason of the fact that they cannot get their timber branded I cannot accept the statement as to the necessity for the additional man.

Mr. WOOD: I did not say that anybody has been held up yet. The officer's services have been available. The danger is coming when he is gone.

Mr. CRANE: I do not think there is any justification for keeping this officer and I resent this official rounding up to keep the officer on the Estimates. The Lands and Mines Department must co-operate with the Forest Department in these matters, and a Surveyor with a little coaching from the Forest Department should be able to do the mechanical work of marking timber for exportation.

Mr. WEBBER: I rise to oppose the motion. My benevolent interest in the Forest Department is well known. I take a personal interest in the Department and appreciate the work it has done, but this is not playing fair with the Colony or with this Council. It is an endeavour to circumvent a solemn motion carried in the Council. This is not the time for any attack on the Department. The argument put forward by the Conservator of Forests does not appeal to me. This is a period to mark time and to digest what has been done by the Department already. The reason given for the retention of this officer is the marking of timber. The Conservator forgets that he has got a vote for spectacles for his Department. Bovianders are employed to tell his officers what the timbers are. I plead with Government not to use its majority to upset the decision of the Council.

Mr. SEERAM: I am opposed to this motion on the ground of the principle

involved. If the motion is carried it must be characterised as flouting the decision of the Council when it was fully representative. While the reasons given appear to carry some weight they will be recurring reasons for the retention of the officer.

THE PRESIDENT: I am sorry that the hon. Member thinks this is an attempt to flout the Council. It is nothing of the kind and is only to enable the Department to carry on until the end of the year.

MR. SEERAM: Is Government going to give an undertaking that after the end of the year the services of the officer will no longer be required?

THE PRESIDENT: In reply to the hon. Member for Demerara River I said I had no idea what would be done next year and I can give no undertaking.

MR. ELEAZAR: I think Government is divorcing itself from the good offices of the Electives generally by bringing forward this motion. This motion is to undo what a full House carried after a tremendous amount of debate. The question then was whether the whole Department should go, and when Government could not help itself it decided that certain officers should go but at least they should have six months. Government has brought this motion before the House now when several of the Elected Members are on leave and it says it does not know what is going to happen when December comes. Members might be inclined to vote for the motion if they are told that the officer will be retrenched at the end of the year.

MR. AUSTIN: When I came into the House this morning I intended to vote for the motion but now that Government is unable to give an undertaking that the post will be abolished at the end of the year I am afraid I must vote against it.

MR. FARRAR: I have always been in favour of the Forest Department and its retention. I formed that opinion long before the Department was established and I have not had any reason to change that opinion. Several Members have hinted that they consider that the Department should be abolished, but failing that they want to see it cut down. I am afraid that if the cheeseparating policy

which is being pursued is continued you will not see the Department very much longer. If the Conservator of Forests considers that he must have certain men to carry on the work of the Department and we decide that we know better than he does about his own Department, we are running very great risk of ruining the Department and must accept responsibility for any failure that occurs. It has been stated that the Conservator of Forests agreed to do without this officer. He has explained that it was information given on the spur of the moment and that he now finds he cannot do without him. The question is a very real one. I have had to deal with dredging concessions in the Potaro for the operation of which men were brought from abroad. It is essential after a long period in the interior that such men should get leave out of the Colony, and unless you have others to take their place the work is bound to stagnate. A point has been raised with regard to the value of the work done by the Department at the present time. I do not think that is a fair criticism at a time when we all know that every industry is suffering from the world's economic depression and there are no buyers because there is no money. There is a danger that unless the Department is enabled to carry on its work it will go back and we shall ultimately be without a Forest Department. We have a very highly paid Conservator of Forests and if his staff is to be greatly depleted there is hardly any use for him. A point has been made too with regard to the ability of Bovianders and others to examine timber. I do not think that certificates of these men would be accepted.

MR. WEBBER: What I said was that the Department had asked this Council to vote money to employ Bovianders to tell its officers what the names of timbers were. A Boviander would not give a certificate but he would identify the timber for the Assistant Conservator who would give the certificate. Any officer can give that certificate but the information is given by the men employed by the Department.

MR. WOOD: The sincerity of Government and my sincerity has been, as far as I gather, somewhat impugned in this matter. It is quite clearly the belief of some Members that because Government is unable to

give an undertaking that the officer named will not be on the Estimates next year it therefore follows that it will be. I endeavoured to make my own position perfectly plain: that in my opinion it may be most difficult to carry on without this officer not only this year but in future years. That does not mean that Government is necessarily going to insist on this officer being employed after this year. It would be telling no secrets to anybody if I say that I shall certainly ask Government to put him on the Estimates next year. That is my opinion, but the policy of next year's Estimates has not been decided yet. If the question of retention of the officer is brought up in connection with next year's Estimates it will be brought up in a House that is not depleted, so I do not think the sincerity of Government can be impugned in that way. The hon. Member for Western Berbice gave us an old joke of Bovianders passing the word on what timbers are, but the position that the hon. Member claims does exist does not exist and never has existed. The hon. Member for Demerara River with reference to one point he was making suggested that the retention of this officer is like employing a highly paid surgeon or specialist to bandage a scratch which could very well be done by a nurse. What has been suggested by hon. Members is that the dispenser or the nurse should make the diagnosis and the surgeon-specialist should issue the certificate. The point about the certificate is not whether somebody else can do it as well or not but whether buyers abroad would accept it.

Mr. CRANE: We never suggested that the certificate to be accepted should be given by a Boviander or anybody else who is not a recognised Government agent. I suggested that someone belonging to the Department of Lands and Mines, a responsible person, should do the work of marking timber for exportation.

Mr. WOOD: When an expert goes into the forest of a new country for the first time and is dealing with hundreds of species of trees to the extent that botanical expeditions from Kew find 50 new species hitherto unrecorded, if that expert is in a position to get the flowers to work out the flora he can determine what the scientific name of a particular tree is, but he cannot by seeing the tree alone say it is

a specific tree and he has to ask somebody the local name of that tree. I never intended to convey to the Council that the marking of timber was the only work on which this officer was employed. What I think I said was that I always felt that exporters had the first call on the services of the Department for that work. The fact that our staff stands depleted has made it necessary that the Lands and Mines Department should undertake some of that work, and we have arrangements with that Department which are working smoothly and will enable them to do some of that work. The officers of that Department are quite competent to pass timber, but if it is to be done consistently by other than the Forest Department it leads to questions arising on the other side. That question has arisen in the past and it will arise in the future.

THE PRESIDENT: There is one point which I should like to emphasise. The effect of this motion will be that the officer will be unable to leave at the end of July so as to get in before the end of the year four months' leave due to him. He was to retire at the end of July. To enable him to have the leave due to him he would have had to leave the Colony on the 1st May. There was a good deal of work to be done which it was very essential to get done. All we want is to retain the officer for a few more months to do that work, and during that period the officer will have the leave he is entitled to, but as far as Government is concerned his pay and employment will cease on the 31st December. The Conservator is going to endeavour to save this amount out of his estimate.

Mr. CRANE: I think we ought to be told definitely whether the Estimates are going to be exceeded, or what is going to be the financial position.

Mr. WOOD: The financial position is that the money will be saved from the existing Estimates of the Colony, but exactly under what heads it is impossible to say at the moment. My own estimates are under scrutiny for me to try and save the amount on them.

THE PRESIDENT: I can give an undertaking that this item will be saved on the total Estimate, but it is hoped that the

Conservator will be able to save it on his Department's estimate. Whether he can save the whole \$1,300 is not known.

Mr. WEBBER: I move an amendment to cover the retention of Mr. Lockie's services until the 30th September. I think that would do justice to Government and to the officer and enable him to get 90 days leave.

THE PRESIDENT: I don't think that will help the matter one way or the other. The officer is entitled to four months' leave.

Mr. CRANE: I suggest giving the officer four months' leave and such time as the Conservator of Forests says it is necessary to retain his services.

Mr. BRASSINGTON: I understand the Conservator of Forests to say it is essential that he should have the services of the officer until the middle of July. If he is retained until that date four months' leave will carry him until the middle of November while the proposal is to vote money to the end of December. I was prepared to vote against the motion but I am not going to split straws over six weeks.

THE PRESIDENT: The question of date is merely one of convenience. If the officer leaves at a date to enable him to take his four months before the end of December that will be done.

Mr. WOOD: There are 21 days' passage which do not count for leave, so that will bring it to close on the end of the year.

Mr. CRANE: I suggest that the motion be amended by substituting the words "for four months and twenty-one days from the 31st July, 1932" for the words "until 31st December, 1932."

THE PRESIDENT: I am willing to accept that amendment, but I do not see how it will help the question. Anything not spent up to the 31st December will be saved.

Motion as amended agreed to.

#### SUPPLEMENTARY ESTIMATES.

THE COLONIAL SECRETARY: I move the motion:—

That, with reference to Officer Administering the Government's Message No. 14 of the 30th May, 1932, this Council approves of the additional items of supplementary expenditure for the year 1931, shown on the attached\* Schedule, which have not been included in the Supplementary Estimates (First, Second and Third) for that year passed by the Council.

Dr. KELLY seconded.

The Council resolved itself into Committee to consider the schedule item by item.

#### SUPREME COURT.

Mr. CRANE: I ask Government to be good enough to supply certain information to the House, if it is not possible now on the next occasion we meet. There has been a persistent rumour that two witnesses in a trial last year cost the Government \$500. Somebody whose business it was to dispense with those witnesses when the session was over forgot that they were in Georgetown with the result that \$500 had to be paid to them. I would like to know who was responsible and what the figure is if it were not \$500. I also ask Government to consider whether it is in the best interest of the Colony that criminal cases should be tried in a single Court instead of as before when two Judges presided and got rid of jurors and witnesses as early as possible.

THE ATTORNEY-GENERAL: From information supplied me there seems to be some mistake. There have been some rather heavy witnesses expenses, chiefly due to cases from the Mazaruni and Essequibo, but the largest sum paid to any witness was \$125. Witnesses are not kept waiting through only one Court sitting. Cases are arranged for hearing and witnesses are warned to attend in time for their case.

Mr. CRANE: I am satisfied with the statement of the Attorney General, but I am not satisfied with the accuracy of the information given to him.

THE CHAIRMAN: Government is very exercised over the cost of witnesses and steps are being taken to reduce it in future. I think instructions have been issued already in regard to the matter.

\* Not reproduced.



## DEPARTMENT OF AGRICULTURE.

Mr. CRANE: Is there any truth in the rumour that a disease has been brought into the Colony from Brazil as a result of the policy of allowing a limited number of cattle to come over the frontier?

Professor DASH (Director of Agriculture): It is true that some disease is reported in the Rupununi area, but there is nothing to indicate that it is anything new. None of the animals has yet reached the coastal belt.

THE CHAIRMAN: I understand from information received that the outbreak of this disease is on a ranch in an area considerably south of where cattle had been introduced over the Brazilian border. The District Commissioner is now on his way to town and I presume is bringing what information he can. Every precaution is taken to quarantine animals and prevent the disease reaching the coastlands. We had a similar disease there last year and on the information we have it is no more serious now.

The Council resumed and adjourned for the luncheon recess.

## HOSPITAL FEES REGULATIONS.

Dr. KELLY (Surgeon-General): I beg to move that "Regulations as to the terms and conditions upon which patients may be treated as out or in-patients in any public hospital, and the recovery of expenses from persons who have improperly received gratuitous treatment" be approved. These regulations are made under section 4 (2) of the Public Hospitals Ordinance, Chapter 187. The main alterations to the existing regulations are the inclusion of fees charged for general and special medical treatment in the schedules. Otherwise the main amendments consist, first, of the inclusion in regulation 3 of the Immigration Agent General and the Senior Immigration Agents in New Amsterdam and Suddie and persons specially authorised by the Governor to issue pauper certificates. Regulation 4 is an amendment omitting Town Overseers and Sanitary Inspectors from the list of persons authorised to issue poverty certificates as it is not considered necessary that they should issue them. The next main change is in regulation 12 in respect

of paying patients. There Government Officers by giving a guarantee on behalf of themselves or their relatives can get treatment in hospital, deduction being made as guaranteed from their salary. Regulation 13 permits the Governor in Council to alter the rates charged in the various schedules, also on special grounds in exceptional cases to allow a patient to be treated in any ward of any hospital at rates recommended or thought necessary, otherwise the fees chargeable are enumerated in the various schedules, and when the schedules are reached I propose to move certain amendments.

Professor DASH seconded.

The Council resolved itself into Committee to consider the regulations seriatim.

Mr. CRANE: The persons mentioned in regulation 3 are not quite the same as those in regulation 4. I would like to know whether there is any reason for the distinction.

Dr. KELLY: The reason is that there has been a certain amount of abuse in giving pauper certificates instead of poverty certificates. The authorisation means that a large number can only give certificates for poverty patients.

Mr. CRANE: I don't quite understand the distinction. In regulation 4 Judges of the Supreme Court are included. Why should a Judge not be equally concerned in a certificate of a pauper patient as of a poverty patient? Members of the Executive Council or Legislative Council are similarly omitted from regulation 3. Registered Medical Practitioners are included in both. I don't see why certain classes of persons should be included in both and others excluded. It seems to me that both certificates should be given by the same class of individuals. Even the Mayors of Georgetown and New Amsterdam are not qualified to give certificates under regulation 3.

Dr. KELLY: There is no outstanding reason why a difference is made in the persons authorised to issue pauper and poverty certificates. In practice a large number of persons whose names appear in the regulations never issue certificates at all. We have followed practically the

regulations which exist now, and there might have been some reason why the differentiation was made. The policy is rather to restrict the number of persons authorised to give pauper certificates because these certificates we know by experience are given too freely.

Mr. CRANE: For the convenience of the public the persons indicated in regulation 4 are the proper persons to issue a certificate. There have been complaints of inconvenience to people in obtaining certificates.

THE CHAIRMAN: There is a difference between a pauper patient and a poverty patient. People who are authorised to certify pauper patients are able to ascertain whether applicants for certificates are paupers or not. A different class of persons are dealt with as poverty patients and those are people who should be certified by the people in regulation 4. I see no reason why a Judge should necessarily certify a pauper patient. He would not have the possibility of enquiring into the matter, and the same thing applies to Members of the Executive Council. It seems to me that a pauper case requires far more investigation than a poverty case and a larger number of people certify poverty patients than pauper patients. There is no doubt convenience in the differentiation and that differentiation must have been seen when the lists were formed. I think the hon. Member will find that there is some justification for it.

Dr. SINGH: The names mentioned in regulation 3 are those of people who specially come in contact with the people and are the best judges, whereas those mentioned in regulation 4 do not.

THE CHAIRMAN: That is exactly my point.

Regulation 9—Hours of attendance.

Dr. KELLY: I move that the words "Surgeon-General" be substituted for "Resident Surgeon."

Question put, and agreed to.

Regulation 12 (1)—General conditions governing treatment of paying patients.

Mr. CRANE: I move an addition to this regulation to read:—

(c) Any person who satisfies the Resident Surgeon that he is the owner of immovable property in the Colony of the value of not less than five hundred dollars may guarantee the payment of any hospital expenses to be incurred by another person who requires treatment at a public hospital.

Mr. SEERAM: I appeal to Government to include in the special conditions to Government Officers on the Fixed Establishment officers not on the Fixed Establishment.

Dr. KELLY: What is likely to happen is that officers with large families would be most quick to come forward and give a guarantee which eventually they could not fulfil, and in the case of termination of their services Government would suffer loss. This particular recommendation was put up at the instance of the Colonial Treasurer. He deliberately specified that the guarantee should relate only to officers on the Fixed Establishment knowing the difficulty that might arise with officers on the Unfixed Establishment.

Mr. SEERAM: With one class of employee deprived of treatment meted out to another it is creating a distinction that would be conspicuous.

THE CHAIRMAN: I think the hon. Member's point is met by (3). I know that the Surgeon-General uses his discretion very widely, and I cannot imagine that a member of the Civil Service who is not on the Fixed Establishment and applies for admission to hospital of either himself or his family would be turned away because he could not give a guarantee.

Mr. CRANE: I agree with the hon. Member for Eastern Demerara that the regulation should not be restricted to officers on the Fixed Establishment. An officer is entitled to treatment in a public institution as any person who is not on the Fixed Establishment. This is class legislation when the explanation is that the man off the Fixed Establishment is going to take advantage of it. The excuse is a reason why an amendment should be made. I formally move that the words "On the Fixed Establishment" be deleted.

Mr. SEAFORD: If this privilege is to be extended why should it be extended only

for the benefit of servants of Government? If firms in Water Street are prepared to give a guarantee why make a distinction?

Mr. DIAS: The hon. Member seems to be under some misapprehension. People in Water Street would come under (1) (b), which applies to anybody.

Mr. SEAFORD: I admit that, but I see no reason for any distinction between a Government servant and anyone who is not a Government servant.

Mr. DIAS: People in any part of the Colony can by satisfying the provision of (1) (b) gain admission to any hospital. When it comes to Public Officers the idea was to let a man be a surety for himself. All the other requirements call for the payment of money in advance or the production of a guarantee. An officer on the Fixed Establishment can be his own guarantor by signing a form by which the Colonial Treasurer can make a deduction from his salary every month. If he becomes guarantor for somebody else the Treasurer can make the deductions in the same way. There is a distinction in the case of an officer who is not on the Fixed Establishment in that he might quit the Service at any time and no guarantee would avail Government anything. In the case of an officer on the Fixed Establishment his salary, lump sum bonus and pension are a guarantee for his liability.

Mr. CRANE: If there is a loss once in a way let it fall on the Civil Service.

Mr. McDAVID (Colonial Treasurer): This is merely an attempt to allow Government Officers to guarantee themselves. It is to permit an officer to authorise the Colonial Treasurer to make deductions from his salary. The Treasurer usually deals with officers on the Fixed Establishment and that is why it is restricted to officers on the Fixed Establishment. It is not intended to benefit one class of officer at the expense of the other but merely to authorise the Treasurer to make deductions and prevent the officer from going outside to furnish guarantees.

THE CHAIRMAN: The position is that we are constantly asked to advance money to Civil Servants for various purposes. When an officer on the Fixed Establishment asks for an advance he can

do so on his own showing because Government has security against it. When an officer is not on the Fixed Establishment and asks for an advance he gets it but he has to give collateral security. This regulation is only extending that principle. With regard to the reference to Water Street, I take it that if any firm makes arrangements for one of its officers to be treated in hospital it would make arrangements to deduct the cost of such treatment from his salary monthly in exactly the same way.

Mr. CRANE: I am not concerned with the financial expediency but with one class of officers being entitled to consideration which is denied another class. If an officer has need for treatment in hospital he should be entitled to the same consideration.

Dr. KELLY: This regulation is in the nature of an experiment. It does not relate to patients who come under the 25 cents rate. That type of patient usually pays or gives a guarantee. It applies to the class of officials who go into the 50 cents ward and in a great number of cases the \$1.50 ward. These people run up a considerable bill. There is another aspect when I say this regulation is in the nature of an experiment. In quite a few instances patients going into the hospital, knowing that they can get treatment "on tick," would go into a ward which their social or financial circumstances do not permit. The result would be that employees who clearly on their salary should elect to go into a ward commensurate with that salary by going into a more expensive ward would run up big bills, and with the large number of people taking advantage of it there would be heavy accounting to be done. This refers to the type of officials who mostly go into the \$1.50 ward. If the scope of the regulation is very much widened I see a large amount of accounting by the Hospital and Treasury and I do not think it is a wise thing to go too far.

Mr. CRANE: This is intended for the big bug, not the small bug, and it is class legislation. People will say we are making laws to suit ourselves. This applies to the small class of privileged persons who ought to save money because they earn more than the poor man does. There

should be no restriction and the provision should be general. The accounting difficulty is not a matter with which we are concerned.

THE CHAIRMAN: Government is not wedded to this regulation and I am quite willing to withdraw it. It will work a hardship on certain members of the Civil Service on the Fixed Establishment. Government was only trying to assist a very deserving class.

Mr. CRANE: I am not opposed to it but opposed to limiting it to those on the Fixed Establishment.

THE CHAIRMAN: I propose to put the hon. Member's amendment.

Mr. WEBBER: To do half of the Service justice is better than to do the entire Service an injustice. Take the senior officers of the Transport Department who for good reason have not been placed on the Fixed Establishment. Government never dismisses any man of that status without a gratuity of something like three months' salary, and I cannot imagine that an officer of that standing will run up such a tremendous bill in hospital as to be beyond any *ex gratia* gratuity. What is the alternative of a subordinate? If you do not accept him as a paying patient are you going to accept him as a pauper?

THE CHAIRMAN: In that case he comes under (b).

Mr. WEBBER: The proper person for him to get to sign the guarantee is his employer. These officers must get their guarantee from Government. I do not describe this as class legislation because I can see a glimmer of Government's reason for excluding the lower ranks of the Service, but it does not accord with our ideas of Government's conception. We urge that this privilege should be extended to the junior ranks of the Service. Limit a man to his class and station but give him everything you possibly can in his misfortune.

THE CHAIRMAN: Government entirely sympathises with the views expressed that any privilege which can be granted to one class of the Service should be granted to another. This is not a question of privilege, but in this particular case Gov-

ernment is the custodian of public money. When a firm in Water Street guarantees one of its employees it is its own money it is dealing with. In this particular case if an official not on the Fixed Establishment is in default Government is in a different position. This is surely a business matter and we have some guarantee. With the ordinary monthly servant we have no guarantee, and he is in the same position as any other member of the community and can get a guarantee signed by some person. I am sure that an officer not on the Fixed Establishment would have no difficulty in getting a personal guarantee to satisfy the Resident Surgeon, but in any difficulty he is in no worse position than other members of the public. I think it would be inflicting a great hardship on officers if the regulation is eliminated.

Mr. GONSALVES: The smaller man is an asset to the State and Government should help him.

THE CHAIRMAN: I would like to meet hon. Members because I think there is a great deal to be said for their arguments. I should like to consider whether we cannot introduce another sub-clause to meet officers not on the Fixed Establishment. I think hon. Members will appreciate that so far as Government is concerned there is a very great difference in the guarantee of payment by an officer on the Fixed Establishment and one who is not. I think the point can be met and will defer the regulation for that purpose.

Regulation deferred accordingly.

Schedule 1—Rates to be charged daily for general paying patients treated in public hospitals according to the accommodation provided.

Dr. KELLY: I move the insertion of a new item, the object of which is to prevent the hospital staff from being used sometimes by people who seek treatment or advice:—

9. Any person desiring to consult a member of the staff of any hospital other than the medical officer in charge of the out-patients' department shall be required to produce a recommendation either from a private medical practitioner or from a medical officer in charge of a district or Government dispensary. Such consultation shall be charged for at the rate of £1 to £5 according to the means of the patient, unless the latter produces in addition to the

recommendation a certificate of poverty or pauperism on the approved form. If the person is admitted to hospital as a result of the consultation the above fee shall be waived.

Mr. WEBBER: I appreciate this innovation, but I cannot understand, if I want to go there and pay \$1 or \$5 for a consultation, why I should be driven out and told to bring a certificate from a medical officer.

Dr. KELLY: The point is that the medical staff of the hospital are there for institution work and the hospital is not intended to compete with private practitioners. The hospital exists for the treatment of in and out-patients and the medical staff are not there for general consultation purposes. If a medical practitioner has a patient and wishes that patient to get further advice from a member of the staff of the hospital he should send a letter. Incidentally, this money goes to revenue. A member of the staff is not intended to be consulted by the general public unless a practitioner wants him to do so.

Mr. WEBBER: I do not see why I should be compelled to take a certificate to the hospital. That is my objection.

Dr. KELLY: The principle underlying it is meant for the general public. It is not intended for the staff to be worried by people from outside, and it might happen that if a man is very popular we would have a lot of his time taken up with consultation. At present a good number of the public consult surgeons of the hospital and there is no authorisation to get anything from them. Another reason for getting a letter is that it would lessen the number of people who go to the hospital.

THE CHAIRMAN: We are all agreed that anybody should be able to go to the hospital on payment of a fee and consult any medical officer he wants, but we cannot have a person on a pauper or poverty certificate claiming the right to be examined by a specialist. The schedule will be deferred for further consideration.

Schedule deferred accordingly.

Schedule III—Rates to be charged for X-Ray examination and electrical treatment.

Mr. CRANE: There is a persistent complaint that the X-Ray Department

is charging too much for its services. X-Ray examinations are becoming one of the cardinal methods of discovering diseases and we want, if possible, to establish up-to-date treatment outside the hospital. It is not possible for a private practitioner to instal X-Ray mechanism in his own surgery and the public ought to have the services of the hospital on reasonable terms. It being a public Department we ought not to keep it as a money-making concern but offer the maximum benefit it can afford to the public. I suggest that some of these charges be reduced and that this schedule be held over for consideration for that purpose.

Mr. WEBBER: The fees are too much on the high side and I think they should not begin higher than \$2.50 or \$3.

Dr. KELLY: I don't think these fees are too high. 90 per cent. of X-Ray work is done on hospital patients and anyone in hospital pays half of these fees. Films are \$1 and \$2 apiece, and there is the cost of chemicals, electric light and things of that kind. In London the charge for an X-Ray examination is three guineas and not less than two guineas. It is only occasionally a person goes to the hospital and wants an X-Ray photograph taken of his body.

THE CHAIRMAN: I will consult the Surgeon-General on the schedule and it will be held over.

Schedule VI.—Special rates applicable to certain Government Officers and other employees.

Dr. KELLY: I move that this schedule be amended by substituting the word "Officers" for the words "Medical Department Staffs" in the first line of paragraph 2 (1) and by the addition of the words "including Alms House" at the end of the same line and at the end of the third line of paragraph 2 (2).

THE CHAIRMAN: I think Medical Officers and the Sanitary Staff should have some privilege at the hospital. The schedule will be held over.

The Council resumed and adjourned until Tuesday, 14th June, at 11 o'clock.