

STATE COUNCIL

MONDAY, 21ST SEPTEMBER, 1953

The Council met at 2 p.m., His Honour the President, Sir Frank McDavid, C.M.G., C.B.E., in the Chair.

PRESENT

His Honour the President, Sir Edwin Frank McDavid, C.M.G., C.B.E.

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

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

Mr. R. B. Gajraj.

Mr. P. A. Cummings.

Mr. U. A. Fingall.

His Grace the Archbishop of the West Indies, the Most Reverend Dr. Alan J. Knight.

Mr. G. L. Robertson.

Clerk of the Legislature—Mr. I. Crum Ewing.

Assistant Clerk of the Legislature—
Mr. I. R. King.

His Grace the Archbishop read prayers.

The minutes of the meeting of the Council held on Monday, the 24th of August, 1953, as printed and circulated, were taken as read and confirmed.

ANNOUNCEMENTS

MR. LUCKHOO'S ABSENCE

The President: Hon. Members, I have the following announcements to make. Our colleague, Mr. Luckhoo, has notified me of his inability to attend

this meeting owing to an engagement, which is of some importance, in the Supreme Court, and I have given him permission to be absent from this meeting. He may be able to take his seat later on this afternoon.

COUNCIL'S REPLY TO QUEEN'S MESSAGE

I have to announce the receipt of a letter from the Chief Secretary forwarding a copy of a telegram from the Secretary of State to the effect that this Council's Resolution No. 1, in reply to Her Majesty the Queen's most gracious Message on the occasion of the opening of the Legislature, had been laid before Her Majesty the Queen.

UNDESIRABLE PUBLICATIONS (PROHIBITION OF IMPORTATION) (REPEAL) BILL.

I have also to announce the receipt of a letter from His Honour the Speaker enclosing the Undesirable Publications (Prohibition of Importation) (Repeal) Bill, 1953, and informing me that the State Council's amendment to clause 2 of the Bill for the deletion of the word "wholly" has been agreed to by the Honourable House of Assembly, but not the amendment deleting clause 3 of the Bill. I will acknowledge receipt of His Honour the Speaker's letter and notify him that this Council has been informed of the decision of the Honourable House of Assembly.

CUSTOMS ORDER IN COUNCIL No. 56 OF 1953.

Hon. Members, I wish also to refer to Resolution No. VIII of the House of Assembly passed on the 4th September, a copy of which was forwarded to me by His Honour the Speaker on the 11th September, for the consideration of this Council. A copy of the Resolution is being tabled today. I should explain that under section 9 of the Customs (Consolidation) Ordinance, 1952 (No. 69) every Order made by the Governor-

[The President]

in-Council under section 8 of that Ordinance shall, after 4 days and within 21 days from the date of its publication, be submitted to the Legislative Council to be confirmed, amended or revoked by Resolution, and on publication of the Resolution in the *Gazette* the Order expires. But if the Order is not submitted to the Legislative Council within 21 days for confirmation it *ipso facto* expires.

Order in Council No. 56 of 1953, which has been amended and confirmed by the House of Assembly by Resolution No. VIII of the 4th September, to which I have already referred, was published on the 22nd of August, and the period of 21 days following the date of its publication for submission to the Legislative Council under section 9 expired on the 11th of September. Since the Order has not been confirmed by both Chambers before that date, the Order has *ipso facto* expired. I shall so inform the Speaker of the House of Assembly.

PRESENTATION OF REPORTS AND DOCUMENTS

The Clerk read the following list of Reports and documents which have been laid on the table:—

The Plan for a British Caribbean Federation agreed by the Conference on West Indian Federation held in London in April, 1953, together with an explanatory Memorandum.

The Anna Regina Rice Mill Operating Account for the year ended 31st December, 1952, together with the Balance Sheet and Auditor's certificate thereon.

The Report on Government Land Settlement Schemes and Government operated Estates as at 31st December, 1952.

The Annual Report of the Probation Service for the year 1952.

The Report of the Director-General of Colonial Audit on the Accounts of British

Guiana for the year ended 31st of December, 1951, together with the Governor's comments thereon.

The Spirits (Capacities of Packages) Regulations, 1953.

A Statement of Scholarship (and other training) Awards including leave extensions to public officers for study purposes—1952 to date.

The Report of the Rice Farmers (Security of Tenure) Committee.

The Annual Report of the Department of Local Government for the year 1952.

The following Resolutions passed by the House of Assembly:—

Resolution No. VIII passed on the 4th of September, 1953, amending, in terms of Section 9 of the Customs (Consolidation) Ordinance, 1952 (No. 69), Order in Council No. 56 of 1953, which was passed by the Governor-in-Council on the 14th of August, 1953 and published in the Official Gazette of the 22nd of August, 1953.

Resolution No. IX passed on the 10th of September, 1953, placing on record sincere thanks to the Members of the Legislature of Jamaica for their kind invitation to send two representatives of the Legislature of this Colony and their wives to participate in the welcome being given to Her Majesty the Queen on the occasion of her visit to that Island in November next.

Resolution No. X passed on the 11th of September, 1953, approving the Spirits (Capacities of Packages) Regulations, 1953.

Resolution No. XI passed on the 11th of September, 1953, requesting that strong protests be sent to the Secretary of State for the Colonies, the U.N. Human Rights Commission, the Government of Bermuda and the Legislatures of other Caribbean Colonies against the practice of racial discrimination in Bermuda and urging that steps be taken to secure its discontinuance.

NOTICES

INTRODUCTION OF BILLS

The President: I give notice of the introduction and of the first reading of the following Bills intituled:—

"An Ordinance to make provision for the supply of water to certain rural areas and for purposes connected therewith."

"An Ordinance to amend the Local Government Ordinance, 1945 by continuing in force for a further year the Register of Voters for the village of Bartica, in the county of Essequibo for the year ending the thirty-first day of October, nineteen hundred and fifty-three."

"An Ordinance to amend the Rice Farmers (Security of Tenure) Ordinance, 1945.

SPIRITS (CAPACITIES OF PACKAGES) REGULATION.

and also of the following motion—

"Be it resolved that this Council approves the Spirits (Capacities of Packages), Regulations 1953, which have been laid on the table."

I propose at a later stage to move the suspension of the relevant Standing Rules and Orders in order to enable discussions of the three Bills of which I have just given notice to take place, and also possibly with the consent of the Council to take the first two Bills through all their stages today. If there is time, I shall also ask leave to move the resolution of which I have given notice.

ORDER OF THE DAY

WORKERS' STRIKE IN SUGAR INDUSTRY

His Grace the Archbishop (Dr. Knight): Before you proceed, Mr. President, with the Order of the Day I am obliged to draw your attention and the attention of hon. Members of this Council to a very grievous state of affairs in the Colony by reason of a major stoppage of work in one of our major industries. I would like to address the Council on this subject and also to present a motion for the consideration of the Council. I therefore ask permission to move the suspension

of the relevant Standing Rules and Orders for this purpose.

The President: I take it you will move a motion to that effect.

His Grace the Archbishop: Yes. I move that the relevant Standing Rules and Orders be suspended to enable me to move the motion.

Mr. Gajraj seconded.

Question put, and agreed to.

Relevant Standing Rules and Orders suspended.

His Grace the Archbishop: I beg to move the following motion:-

"Be it resolved that this Council views with grave anxiety the present disastrous stoppage of work on the Sugar Estates and, without seeking to pass judgment upon the matter in dispute, urges all concerned to renew their efforts to end the strike, the continuance of which, in one of the main industries of the Colony, must inevitably have an adverse effect upon the general economy, and cannot fail to cause privation and suffering increasingly to thousands of people and not least to the sugar-workers themselves and to their wives and children;

"Further, that this Council regrets the fact that certain Ministers of the Crown in the Colony have been actively engaged in various parts of the country in promoting and sustaining this strike, and that they continue to do so;

"And further, that this Council being convinced that such action by these Ministers of the Crown is a grave danger to the Constitution, a direct threat to the peace and security of the citizens of the Colony and the negation of good and responsible democratic government, respectfully asks His Excellency the Governor without delay to request the Secretary of State after due enquiry to take such action as he may deem fit to ensure confidence in the Government and the proper and efficient working of the Constitution as promulgated by the present Order in Council made on the 1st day of April, 1953."

[His Grace the Archbishop]

Sir, I intend to speak very briefly at the moment in introducing this motion to the Council, but would like to have an opportunity of saying a word or two in reply at the end of the debate if that appear to be necessary. The resolution, which I have submitted to the Council this afternoon, is in two parts. The first part deplores the existence of stoppage of work in one of the main industries of the Colony and expresses sympathy with those who are suffering in consequence. At a time like this we cannot but view with very grave concern indeed the general situation affecting, as it does, not merely one industry or even one great and important industry but the general economy of the whole Colony and the welfare of all its peoples. I feel bound myself to express—and I feel sure that Members of this Council would agree with me in expressing—sympathy to all who are suffering either directly or indirectly as the result of this strike. It is an essential principle of Democracy that one should think of people not in the mass but as individuals. One should not think of workers merely as workers or of any section of the community merely as a section of the community but of the rights and feelings of each individual who goes to make up that community, and although we must sympathize with the men who have gone on strike and who may be able to tighten their belts for what they may believe or may not believe to be a good cause, our greater sympathy goes out to the women and children who have no direct part in it but are the principal sufferers in a time like this.

The second part of my resolution refers to a matter which I consider to be of great constitutional importance. My knowledge may be limited—indeed it is—but I have never known any democratic country at any time faced with

a situation, such as we have before us today, in which certain Ministers of the Crown not only act in a partial manner as between the disputants in an industrial dispute but themselves have been actively engaged in permitting and fostering this strike. I think it would be agreed that there is placed upon a citizen in a democratic country when he holds a certain position in the community a certain limitation upon his freedom of action. I feel, for example, that Members of the Legislature are to some extent restricted in their actions in certain fields by reason of their membership of the legislative body.

Far more do I feel that Ministers of the Crown by reason of responsibilities committed to them in and for the State are very definitely limited in their actions in certain directions. So far as my knowledge carries me, it appears that in all democratic countries, no matter what might be the political opinions prevailing, it is assumed that the Ministers of the Crown, once they take the oath as Ministers and assume those positions of trust in the community imposed by the responsibilities of office, should conduct themselves in a responsible manner, considering that they are entrusted by the people with the government of the country in their hands and, as the final power, to preserve peace and security for all citizens.

Therefore it appears to me, Sir, that if the Ministers of the Crown, or indeed any Minister of the Crown, become partial in a matter of this kind and are actively engaged themselves in fostering disputes, then they have forfeited the confidence of the country; and — what is more — they have left the State in jeopardy, because there is no one else to take their place as the final authority for the final responsibilities of the Government. Whether those Ministers to whom I refer are conscious

the same way as I am, of those responsibilities to which I have just referred, I cannot tell, but as a citizen of this country I cannot myself refrain from expressing great disquiet at the situation which has developed as a consequence of their actions.

We are committed at all times in this country, as in all other democratic countries, to maintain peace and security. It is our duty, so far as we are able, to maintain normal life and promote production in the major industries, and to safeguard the social and economic life and structure of the community. It appears to me that so long as Ministers of the Crown can be permitted to act as certain hon. Ministers have undoubtedly acted in the last few weeks and are still acting, then the very security of the State is threatened. This I explain in my motion, and my final paragraph recommends, Sir, that this Council should ask His Excellency the Governor without delay to request the Secretary of State after due enquiry to take such steps as he may see fit to ensure confidence in the Government which is now seriously undermined, and to promote proper and efficient working of the Constitution as promulgated by the present Order in Council made on the 1st day of April, 1953.

I would like before I sit down to emphasize, as strongly as I may, that if there are people in this country whose confidence in the Constitution is gone, I do not share their views in that respect: I still believe in the Constitution. I prize the Constitution and I am determined as a Member of this Council to do everything possible to uphold and maintain it, and to see that it works, and works efficiently. I do not suggest for one moment that the present Constitution is something perfect but, as I have already said

in this Council, it is better than the last one. I would emphasize and underline the fact that I am not suggesting that external authority should do anything to interfere with the Constitution. On the contrary, the Secretary of State should be asked to act after due enquiry to ensure that the Constitution, which we now have, shall be preserved and made workable. With these remarks I hope that the motion I have just moved will be received favourably by the Council as a whole and passed.

Mr. Cummings: I rise to second the motion so ably moved by His Grace. I was aware of the fact that His Grace proposed to move this motion, consequently I gave some consideration to the matter. It seems to me that I ought to make my position abundantly clear at the outset. Like His Grace, I believe that the Constitution can work—I feel we must make it work—and anything that I say should not be interpreted as any effort to have this Constitution suspended or to point in any way towards retrogression. I look forward to a more liberal Constitution, but I feel, that this Council would be lacking in its duty if it did not take serious consideration of the present situation.

I am reliably informed that the weekly pay lists of the Sugar Estates, which are now closed, amount approximately \$500,000.00—that is money circulated among the people of this Colony. I am told by people who have investigated this matter that about 40 per cent. of that figure finds itself into the Government revenue. For years the revenue of this Colony has depended to a large extent—a sad state of affairs, but nevertheless a fact—on the Sugar Industry. To have that industry completely paralysed for a period—I think it is about three weeks now—is to my mind a very serious state of affairs. It is true

[Mr. Cummings]

that the Labour Ordinance, I think it is Section 6, provides for the appointment of an Advisory Committee whose terms of reference will be to enquire into any industry or trade dispute in being. But I feel that if the newspaper reports are accurate — I have no official information of ministerial interference in these strikes but there are widespread rumours in the community—there must be some investigation as to the part played by Ministers in the furtherance of this dispute. But let me pause to say, that a man is innocent until he is proved guilty. Assuming that the reports and the rumours are well founded, it seems to me His Excellency would be tied if he acted under the Labour Ordinance. I say, with all respect, that this is a matter for His Excellency's consideration but, in my opinion, it would be confined to a trade dispute. It seems to me the two things — the trade dispute and ministerial interference—are inextricably bound up in this situation. Consequently a Committee appointed should have in its terms of reference power to enquire into the attitude of the Minister or any Minister with regard to this dispute.

Now, in the *Official Gazette* of the 30th May, last, there appeared the text of a despatch from the Secretary of State for the Colonies on the subject of Ministerial Responsibility and Conduct, parts of which, I shall, with your permission, Sir, quote:

"Sir, The occasion of the institution of a new Executive Council under the Constitutional Instruments for British Guiana provides a suitable opportunity for me to address you on certain matters. a proper appreciation of which I regard as being of fundamental importance at this particular time to the people of the Colony."

I shall not read all, Sir.

"...The Constitution provides, amongst other things, that Unofficial Members of the Executive Council, while so charged

with the administration of any Departments or subjects, will be styled 'Ministers,' In the course of their ministerial duties Members will be called upon, both individually and collectively, to deal with and to take decisions upon a wide variety of subjects touching almost all aspects of the life of the community;"

This is important:

"and situations will no doubt rise from time to time where they may find that their public duties affect or even conflict with their personal and private interests. Situations of this nature could arise in a number of ways and I need mention here only the more obvious contributory factors, such as the nature and extent of a member's private business activities, his financial interest in particular companies or schemes, or his activities and interests as an official of a trade union."

An extract from another paragraph reads as follows:

"The question also arises where, in the case of Unofficial Members of the Executive Council, those Members should at the time of their appointment or election to Executive Council, divest themselves for the period of membership of that body of any other outside interests which might conflict with their public responsibilities."

A further extract states:

"I believe that this matter is one which is best left to the sanction of public opinion and to the development of custom and usage under the Constitution. The subject is, nevertheless, one of cardinal importance in the development of a healthy system of government, and is therefore, to be borne carefully in mind of all those whose task it will be to work for development along these lines."

The Secretary of State went on to state that in the United Kingdom some definite rules had been laid down which might be of assistance in the working of the new Constitution in British Guiana.

"These rules are based on custom and usage of the Constitution, and any serious infringement of them, even though not punishable by law, would incur the drastic penalty of dismissal from office.

It may be appropriate, at this juncture in the Colony's progress toward self-government."

said the Secretary of State,

for me to give the following summary of the rules which govern Ministerial conduct in the United Kingdom:—

- (a) All directorships held by Ministers must be resigned except honorary directorships in connection with philanthropic undertakings and directorships in private companies which deal wholly or mainly with family affairs or interests and are not primarily engaged in trading. A similar rule applies in the case of Ministers who hold official positions in trade unions."

To me, Sir, if the reports are correct, it is a deliberate violation of the ethics upheld over a period of years by a Constitution for which we ought to have the highest regard. And, if there is no machinery or instrument by which we can actively correct this state of affairs, then, it seems to me, our only recourse — our only duty — is to pass the resolution moved by His Grace for the intervention of the Secretary of State. In taking my seat I wish again to emphasize this fact: It is because I am so jealous of the Constitution—it is because I am so anxious that we should have a more liberal Constitution—that I am, among other things, so carefully concerned with the alleged behaviour of Ministers — Ministers defying not only ethics as set out in a State document—but Ministers defying that which is logical to reason and commonsense. I therefore have great pleasure in seconding this motion.

The President : Does any other member wish to speak to the motion?

Mr. Gajraj : I rise to support the motion which is before the Council. Unlike the hon. seconder of the motion, I did not have any previous notice of it

but, nevertheless, it is the type of motion which I feel the State Council should certainly have before it at a meeting like this, to give public expression to what has been worrying thinking members of this community over the last few weeks. There is no doubt that the first part of the motion will receive the approbation of every right-thinking Guianese. The hon. seconder of the motion has referred to the amount of money which has been lost to this Colony as a result of the stoppage of work on the sugar estates. He has also expressed his regret — and I think it is a regret which all of us who have an interest in this Colony share — that so much of the economy of this country depends so largely upon this one industry, but however much we might wish to see a diversification of industry and however much we might congratulate the Minister of Labour, Industry and Commerce on his desire to see a number of industries contribute to the economy of this country, we must, nevertheless, appreciate that for the moment we are faced with the hard fact that sugar, bauxite and rice contribute by far the largest portion of the revenue of the Colony.

When a major industry like sugar has to cease operations, then not only do the people who directly look forward to employment in that industry suffer, but in the final analysis loss of revenue from any one industry affects the business of the country as a whole and people in all walks of life feel the reaction of such a slump. I can assure you, Sir, that if hon. Members of this Council take a casual walk through the business centre of Georgetown they would be convinced that the spending power of the people has been reduced to less than 50 per cent. If they go into the stores they will find them empty of shoppers, and it is not that the people would not like to buy, but because there is no circu-

[Mr. Gajraj]

lation of money business has slumped and practically come to a standstill. I am very happy indeed that His Grace, in framing this resolution, has said that we do not wish to pass judgement upon the action of these Ministers, but I feel that we, as responsible citizens in this community, must express our unbounded regret at this stoppage of work which has imperilled the happiness of the people concerned, and we know that if it continues and extends and stretches the patience of these people then, certainly, it would imperil the peace of this country. We must take cognizance, therefore, of this very serious state of affairs. As you have so often said, Sir, and as the public itself knows, our powers in the Legislature are limited. Nevertheless, I think it is a right and a duty which we owe to the people as a whole that we should make our comments on this situation within the legislative framework of this Colony, so that due notice would be taken of the feelings of those people who might not have proper representation in the Lower House.

On the question of the actions and attitude of certain Ministers, I feel certain that no one would deny that when an individual accepts the onerous responsibilities of a Minister, he is expected, where he is a member of, let us say the commercial community, to divest himself of all attachments to business concerns, whether in the form of directorships or otherwise. Similarly, if he is interested in trade unions, he should divest himself of any office he might hold, because when one becomes a Minister of the Crown he becomes part and parcel of the Government of this country. As His Grace so clearly put it, he becomes one of those who would finally pass judgement on problems that would arise. No greater problem faces this country at the pre-

sent time than that occasioned by the stoppage of work in our major industry—sugar. I have seen that public opinion has been expressing itself in the Press on this matter, and nearly everywhere the same question has been asked—that where Ministers of the Crown, by their speeches and by their actions, show partiality towards the claims of the workers, then how could they sit and arbitrate and pass judgement? As His Grace has said, by such action they have removed themselves from that important position. In other words, they have left open wide the gates of Government in British Guiana.

I want to say, Sir, that quite a number of the Members of our Government are young people and I do feel that youth must have its chance. There is a great deal that youth can do and has done—when one reads the history of other countries of the world—but youth needs to be tempered by the experience of those who have lived longer and perhaps have had more opportunities to deal with such problems. I feel that perhaps the words of the Members of this State Council might have some sobering influence in tempering the heat and the great ambitions which youth might have. I look forward—as many of my colleagues in this Council do, perhaps—to the day when this country will receive self-government within the Commonwealth, when another Executive Government will be found with members holding important offices of trust and responsibility and, by reason of greater experience, giving proper service to the country. I still feel that if the Members of the present Government look at things in what I feel is the right way, they can give this country good government and leadership. They have some splendid ideas, but the fault lies in their methods of

approach. The methods they adopt to carry out those ideas are full of holes and are always likely to induce criticism.

I feel, like the hon. Mover and seconder of the motion, that it has now become necessary to take action so that some of the Ministers be given definite directions as to the obligations laid upon those holding Ministerial responsibility — laying down what are their rights and also putting in as clear a manner as possible what are their responsibilities. I have much pleasure in supporting fully the motion moved, and I want to say that I regret very much that circumstances have reached this stage—where it has become necessary for this State Council to move such a motion.

Mr. Raatgever: I too would like, most wholeheartedly, to support the motion so ably moved by His Grace and supported by other Members who have spoken. I think all the responsible citizens of this Colony deprecate what has happened—where we have had Ministers of Her Majesty's Government joining in creating disorder and strife in this country of ours where, within recent years, we have accomplished so much for the people. I say "accomplished so much" and I mean it. I mean that the standard of living of our people has increased considerably within the last five years and is far ahead—and I say this authoritatively — of many other Colonies in the West Indies. It has been my very great privilege to travel officially about the West Indian islands in recent years, and to be associated with the great leaders of this area—Bustamante, Grantley Adams and Albert Gomes.

I think that the standard of living of the people of our Colony has increased to a much greater extent

than in the West Indian islands, and it is regrettable to find that some of the Ministers of the Crown—people to whom we are supposed to look for guidance—are causing the people of this country to lose wages to the extent of something like \$500,000 weekly for the past few weeks. What has passed is gone; that money has gone and can never be replaced. Very many of these workers have had to pledge whatever jewellery they had in order to get money to buy food for their children. The money obtained by the pledging of jewellery will soon be gone, and possibly the jewellery will be lost to them. No amount of money they may earn in the future will be able to replace the wages they have lost.

I support the motion wholeheartedly and I would like to congratulate His Grace for bringing it forward. I think it is something that every decent-minded person in this Colony will appreciate.

Mr. Fingall: I cannot say very much as regards the strike, but on the motion which is before us I will say a few words. In their speeches so far hon. Members have criticized the Ministers, and I am rather surprised that no hon. Member thought it fit to congratulate the Minister of Labour on the statesmanlike manner he has displayed in this dispute. There is an old saying that "nobody knows where the shoe pinches except he who wears it." Without a cause there is no effect. The workers on sugar estates have grievances, and I fail to see how Ministers could encourage 30,000 people to leave their jobs and make such sacrifices if they did not have a cause for doing so. They are prepared to make the sacrifice because, to them, it is worth their while. To achieve anything in this world sacrifice is necessary, and the sugar

[Mr. Fingall]

workers are apparently pledged to make the necessary sacrifice. I think we should not make criticisms against the Ministers who have a duty to this country to perform. I think the workers should have our sympathy.

Mr. Robertson : I would like to say that I am in agreement with the first part of the motion, especially with the words "urges all concerned to renew their efforts to end the strike." With no other part of the motion can I agree. The second part of the motion is based on reports going around the country and appearing in the newspapers, in which there is no truth. There being no truth in the second part of the motion I do not see any reason for the last part which calls for an investigation by the Secretary of State. As my colleague, Mr. Fingall, has said, it is "only he who wears the shoe knows where it pinches."

The hon. Member, Mr. Raatgever, said that the standard of living in British Guiana is higher than in any part of the West Indies. With that statement I disagree. Our standard of living may be higher than that in Jamaica where there are 100,000 unemployed persons, but we cannot say that it is higher than in Trinidad. When we talk about the standard of living of the people I know the way in which it is assessed in this country. It is assessed in the manner in which Mr. Kendall attempted to do in the Lower House by referring to the number of radios and gramophones owned by ordinary people, but he did not remember to say how many of those machines were in the pawnshops. To arrive at a correct assessment of the standard of living we must go into the rural areas and on the sugar plantations and see

the "sweat gangs" at work. That is the only way to understand why the workers are on strike. They have a grievance. They struck because they found themselves being oppressed all the time.

I heard only last night the views of an individual whose knowledge of the production of sugar is confined to putting it into his tea. Yet he told me that cane-cutters were earning \$20 to \$30 per week. He did not know that a cane-cutter leaves his home around 3 o'clock in the morning and does not return until about 10 o'clock in the night. A man who works for \$20 or \$30 per week is a very strong man. We do not hear about the fellow who works for only \$10 or \$15 per week. The long distances sugar workers have to travel to and from the cane fields take half the energy out of them. In effect they have to pack two weeks' labour into one week in order to earn \$20 or \$30 per week.

This strike was called by the workers themselves. It was not called even by the Executive of the Union. I was at the conference and I remember that when the Secretary of the Union said "Let us wait a little longer" the workers nearly "ate her head off." They said "No, we are going to strike now." They were the people who wanted to go on strike. Today they are on strike and I think it is right that they should be supported. What is really happening is this: It started as a strike but we are seeing that the powers are trying to make it a political struggle, and as such it has turned into a class struggle. I only hope that every worker in this country will realize that we are in the midst of one of the greatest class struggles in the history of this country. I do hope that the strikers will hold out. The big bosses have the money to fight. The workers have not got money but they

have the power of labour. They are realising daily that they have that power, and they are going to use it. You can be sure of that. If they do not use it today the time is not very far off when they will use it.

They are not demanding anything but their just rights. Let them have their rights. They are asking for standardization of work; they are asking for better working and living conditions. They are asking for the abolition of the cut-and-load system, and for the abolition of the Wednesday week-end. Let us come together and talk it over, and see what can be done. If somebody is too high up let him climb down. I have seen something of what is happening. The G.I.W.U. has climbed down but the Sugar Producers say "Go back to work and we will commence negotiations seven days after." The G.I.W.U. had asked that negotiations should begin 24 hours after a return to work, which is the labour practice throughout the world. The Sugar Producers objected to this, and a little later the G.I.W.U. climbed down by suggesting that negotiations should be started after four days, but Mr. Macnie, The Managing Director of the Sugar Producers' Association, said "No"

Mr. Macnie: I must object.

The President: I am sorry the debate has become a personal dispute between one side and another. It was never intended to try the dispute here. As His Grace, the mover of the motion, said, we should be very careful not to attempt to try the dispute here without the evidence. That is not our function at all, and I hope the hon. Member will avoid going into the details of the dispute.

Mr. Robertson: Yes, Your Honour. I think I will deal with the second part of the motion in which it is stated that

Ministers are going around encouraging the people on strike to carry on the strike. I do not know that there is anything in our Constitution that prevents a Minister from being an executive of a trade union, or compels him to relinquish his trade union connections. If there is nothing in the Constitution, as the hon. Member, Mr. Cummings, has said—

Mr. Cummings: I did not say there is nothing in the Constitution.

Mr. Robertson: If there is anything in the Constitution that prevents a Minister having any connection with a trade union I am almost sure that since they have become Ministers they would have been aware of it. Therefore I am in absolute disagreement with the second part of the motion, and all that follows.

The President: Before I ask His Grace to reply, there are just a few brief comments I would like to make on my own behalf. I want to endorse the expression of sympathy which fell from the lips of the hon. Mover. I think it is a terrible tragedy indeed, quite unnecessary suffering, in my view, has been caused so many people. It is a terrible thing to me to hear—and I repeat it—that a Minister of the Crown told the people not to go back to work but to eke out an existence, at a time like this when it is quite possible for them to work for a living. I wish to emphasize our heartfelt sympathy in this matter.

There is another thing. It is most unfortunate that the receipt and publication of the Report of the International Bank Mission, which we had all been looking forward to with such eagerness and hope, should have synchronized with this event in this Colony's history. I do not know if hon. Members around this table have been following the sections of that Report

[The President]

which have been published in the Press. I know that the printed copies have not yet been made available to Members. If they have been reading them they would appreciate that one of the main themes of that Report is that this country should endeavour to maintain—in the words of the Report—

“A favourable political and economic climate” in order to attract the capital which is so absolutely and vitally necessary to keep this Colony on its feet.”

I have said, during my remarks here on the motion in reply to His Excellency's Address with a due sense of my responsibility, that it would be impossible to improve and even to maintain the standard of living of the people of this country in the coming years unless there is further capital investment here. That is absolutely so because of the increasing population. And it was to that theme the International Bank Mission addressed themselves, and they emphasized we should do our utmost to maintain a situation in which capital would be attracted and confidence maintained in this country both locally and abroad. To me it is a terrible tragedy, as I said, that the publication of that Report should synchronize with a series of events which, I am perfectly sure, have shattered confidence in this country both abroad and to a large extent in the Colony itself. I can hardly say how disappointed and beaten I am that that should have happened. There has been some talk about ministerial responsibility for what has gone on. I wish I could agree with the hon. Member, Mr. Robertson, that there was doubt that there has been ministerial action in connection with what has happened. I wish I could agree with the hon. Seconder of the motion in his very cautious and very guarded remarks to the effect that there were rumours about this.

I think, as the motion says, it is a fact and I would like to endorse that and to emphasize that fact by saying that the Minister of Health and Housing and the Minister of Communications and Works took a prominent and active part in inciting this strike. I would add that the Deputy Speaker and two other Members of the House of Assembly also took a very active part in instigating it and keeping it alive. Those are facts which can be denied, if possible. But I want to say something further in connection with a Government organization of which I am the Chairman—the British Guiana Rice Development Co. Ltd.—and whose principal place of operation at Mahaicony is known as Burma. I want to say that the Minister of Education has made that one of his week-end resorts for the purpose of starting a new Union at that undertaking thereby bringing about the possibility of a similar strike in the organization which Government owns and controls. I would not have mentioned it but for the fact that one of our Members assumes there is doubt about what is going on. I do hope that the activities of that particular Minister would not lead to trouble. It would be another tragedy if by that quite unnecessary intervention there were strikes or trouble during the harvesting in that particular quarter.

I do not think, hon. Members, I have much more to say except that I fully support the motion which has been so ably and timely moved by His Grace the Archbishop and seconded by my colleague.

His Grace the Archbishop I do not want to make another speech but just to make one or two remarks in reply. I want to underline for the information of the Council the phrase in the motion which makes it clear that we do not seek to pass judgment on the matter in dispute. I am very sorry

indeed that my hon. Friend, Mr. Robertson, has tried to use this opportunity in a manner which I did not intend in the motion. With regard to whether Ministers have or have not specific instructions or specific limitations placed on them under the Constitution, I would say that if they have not, no doubt the Secretary of State for the Colonies would consider whether or not the time is not ripe for such limitations to be made. That is a matter for the Secretary of State to decide. We can safely leave that in his hands.

As my last remarks, let me refer to the very old simile of the body. The body has many members and all the members have not the same office. It may well be the function of some members of the body to take up a cause which they believe to be a good cause whether industrial or otherwise. I am maintaining that is not the function of that particular member known as a Minister of the Crown who has another function altogether, and who, therefore, puts the whole Constitution in jeopardy if he attempts to be partial and mixes himself in activities which prevent him from fulfilling his proper functions in the State. In those words I have much pleasure in moving the motion exactly as I read it, which was so ably seconded by my hon. Friend, Mr. Cummings, and supported by other Members.

The President : Before I put the motion, I should have said the document from which Mr. Cummings read is the formal despatch from the Secretary of State for the Colonies addressed to His Excellency the Governor which forms part of the instructions which have been issued in a booklet entitled "Procedure in the Ministerial System". The booklet was issued confidentially to each Minister for his guidance. I have got one myself.

The question in terms of the motion put, and the Council divided and voted as follows—

For :	Against :
His Grace the Archbishop	Mr. Fingall
Mr. Cummings	Robertson
„ Gajraj	2
„ Macnie	
„ Raatgever	
The President	

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Motion carried.

GEORGETOWN TOWN COUNCIL (SPECIAL POWERS) (WATER SUPPLY) BILL.

The President: Hon. Members, there is no business on the Order of the Day and, as I have said, I now move the suspension of the relevant Standing Rules and Orders in order to enable me to introduce and have taken through all its stages the first of the three Bills of which I gave notice this afternoon.

Mr. Raatgever seconded.

Question put, and agreed to.

Relevant Standing Rules and Orders suspended.

The President I beg to move that a Bill intituled:—

“An Ordinance to make provision for the supply of water to certain rural areas and for purposes connected therewith”

be read a first time.

Mr. Gajraj seconded.

Question put, and agreed to.

Bill read a first time.

The President: Hon. Members, I beg to move that this Bill be read a second time. I don't think I need say

[The President]

much about it,—the subject is well-known. The Mayor and Town Council of Georgetown seeks authority to supply Kitty and Alexanderville Village District, Lodge Village and the Housing Estate at Plantation Bel Air with water, as the existing supply is inadequate to meet the needs of the inhabitants.

There is only one remark I wish to make. Many persons have been taking credit for action in connection with this matter over a long period and since the Bill was passed in the House of Assembly. I well remember myself, the debate in the old Legislative Council quite recently, when a motion was introduced seeking to get the Government to approve of a loan to the Kitty Village District in order for them to erect overhead tanks to meet the Village's water supply requirements. At that time controversy waxed high over the question of the amalgamation of the Local Authority of Kitty with the Municipality of Georgetown, and somehow or other this question of the supply of water became confused with that particular issue. I remember that during the debate, while I completely disagreed with the proposal for overhead tanks I was all in favour of water being supplied by the Municipality, and I recommended that action should be taken to connect Kitty with the water supply of Georgetown.

I went further, and said that this very necessary idea and proposal should not be confused with the question of amalgamation, and what was necessary was an agreement between the Municipality of Georgetown and the Local Authority of Kitty to supply and accept the water at an agreed rate, and thereafter *ad hoc* legislation to authorize the Georgetown Town Council and the Georgetown Sewerage and Water Commissioners to provide that supply.

Well, I am very glad to see that following on that debate this *ad hoc* measure giving this authority to the Georgetown Town Council and the Georgetown Sewerage and Water Commissioners has at least seen the light of day and is now to be put on the statute books. I will say no more. If any points arise, I will deal with them in committee. I beg to move the second reading of the Bill.

Mr. Macnie seconded.

Mr. Gajraj: I rise to support this Bill and my few remarks will be concerned with the fact that certain people, or a number of people have been claiming credit for this very excellent gesture. Now, as hon. Members know I have been connected with the Georgetown Town Council and the Georgetown Sewerage and Water Commissioners — parties which took part in the negotiations—and it is only fair to the members of those bodies that the records should be set straight, and at least in this State Council, some reference should be made to the parts played by those bodies, and also to the Village Council which has done its part.

Chapter 86 of the Laws of British Guiana known as the Georgetown Town Council Ordinance confers a number of powers on the corporation of the City of Georgetown. Among those powers is that to provide those people living within the municipal limits with a regular and steady supply of water for sanitary and domestic purposes.

The City authorities have done so for over a century—getting its supply of raw water, in conjunction with villages and plantations on the East Coast and East Bank of Demerara, from the large conservancies stretching to the Lama head. The city's water supply until a few years ago was the brown coloured, untreated Lamaha water, which was used for washing and for

sanitary purposes, while for drinking purposes, rain water was collected in vats. The need for clarifying and purifying the raw Lamaha water was recognized by the Georgetown Town Council many years ago, and plans were prepared: submitted to experts for advice and revision, and after innumerable delays an application for Colonial Development and Welfare assistance to the extent of £50,000 was granted to the Georgetown Town Council on the then estimated cost of £100,000 on what has been known as the Georgetown Potable Water Supply Scheme. Due to the increase in the cost of materials the original estimate proved wholly inadequate and the final cost turned out to be nearer £200,000 so that the ratepayers of Georgetown have had to provide three quarters of the cost instead of half as originally planned.

Now, the planning for provision of potable water for the city the Town Council realised that there would be need for larger quantities of water as the population of the city increased, and they also visualised that the time would come when adjacent and contiguous areas would find the need for enjoying some, if not all, of the city's amenities. In order to provide for this additional anticipated demand, therefore, provision was made for the extension of the capacity of the Potable Water plant by the erection of additional filter beds and in fact foundations were laid for five such additional filter beds. It will be readily appreciated, therefore, that the City authorities and the Sewerage and Water Commissioners have shown commendable foresight in this matter and before the actual completion of the Scheme realised that with the continuous rise in the city's population the reserve capacity of the plant would be reached in a few years' time, and began seeking estimates of cost and delivery of material which

would be necessary to increase the plant capacity by building five additional filter beds.

While the building of the City's Potable Water Supply plant was proceeding the pressure of the increasing population made itself felt in the suburban areas of Kitty, Campbellville and right on to Lodge and La Penitence. The same amount of water to be divided among thousands more people soon brought on a crisis and by that time, the beautiful, clear, pure water flowing through the taps in city homes and yards was a natural temptation, and the people in those outlying areas demanded of their village leaders a solution to their water problems.

Then began negotiations by the Kitty and Alexanderville Village District for water from the city's reservoirs. The City authorities appreciated how necessary water is, and way back in 1950 when negotiations began, pointed out that they were precluded by law from supplying water outside of the city limits. I recall in 1951 when I was honoured by election as Mayor of the City, pointing out to the Chairman of Kitty that the only way we could have extended our water mains to Kitty under the existing legislation was for Kitty to become part of Georgetown. The other alternative was to amend the law and grant powers to the City Council to supply areas outside the Municipal limits with water. By early 1951 another important plan for relieving housing congestion and shortage had completed the first step. On the Ruimveld Company Path the first building known as the Decanting Centre was finished, but before it could be used, a piped water supply was necessary. Application was made to the Town Council which body felt that sympathetic though it was, it could not legally do so. Sir Charles Woolley, our former Governor discussed the matter with me, and subsequently the Council granted the application for

[Mr. Gajraj]

water on several grounds, among them, that the Scheme was a Government one, and that it was to benefit persons from the city who would be temporarily removed to Ruimveldt until they could be permanently housed again within the city. It was also understood that when the opportunity presented itself Government would make suitable amendments to the existing legislation. Since then many more buildings at the Decanting Centre have been connected to the City's water mains.

Meantime, our easterly neighbours in Kitty spurred on by the need to implement their artesian well water supply decided to build overhead tanks and instal electric pumps in order to provide greater pressure to their gravity distribution lines. Government was asked by the last Legislative Council to lend Kitty \$32,000.00 to implement the scheme. The technical officers both on Government side and the Sewerage and Water Commissioners were of the opinion that the scheme was not an economical one, and that in any case as soon as a number of new tapings were made from the street mains, the pressure of water would reduce, and the final result would be no better than the first. It was in these circumstances that the Chief Engineer of the Sewerage and Water Commissioners endeavoured to work out a compromise, to provide city water to Kitty to be pumped through the village's existing supply mains during certain hours, after the peak demand from city users had dropped. There were several conferences with Government and it was agreed that the proposals put forward by the Sewerage and Water Commissioners be implemented, and that in the same way water be provided to the new housing scheme at Bel Air Park, and the Lodge Village area, while Government on its part undertook to introduce amending

legislation giving the City authorities this power. This final decision was made in January this year, and the only outstanding point for settlement was the price at which the water would be supplied to Kitty. The Sewerage and Water Commissioners recommended on the 24th of February a price of 17 cents per 1,000 gallons, but on further reflection agreed to the Acting Financial Secretary and Treasurer's request that it be reduced to 15 cents per 1,000 gallons. So far as the City authorities were concerned, therefore, everything was set and arranged for them to deliver city water to those suburban areas, and we merely awaited the official word and the passing of enabling legislation.

I am glad to see that that Bill is now before us, and happier still to see that the present Government is carrying out the pledges of its predecessor in this respect. There is, however, one slight, though important amendment which I shall propose in Clause 2, and to which I shall refer later—when we reach it in Committee stage. Anticipating the passing of this Bill and bearing in mind the crying need for this additional water supply, the City authorities have already connected Lodge Village to our mains, and it is expected that before this week is out, pure water from the City's reservoirs will be flowing through the mains of Kitty Village. But, Sir, I desire to impress upon my hon. colleagues that, helpful as the proposed efforts will be to the areas in question, they are not and cannot be the solution to the problem. They will constitute only a partial answer; a first step, so to speak.

The real solution lies in the extension of the present plant facilities as well as mains to serve all of that area to the east and south of Georgetown, embraced in the Greater George-

town plan, and to provide such facilities not part-time, but on a full-time 24-hour basis. This means an expenditure of approximately half a million dollars, based on the comprehensive scheme prepared by Mr. Bentley, Chief Engineer of the Sewerage and Water Commissioners. Government — the past Government — was well aware of the proposals put forward by the City Council in the all-embracing plan to extend the City's limits and provide the necessary amenities without creating undue hardship on any of the areas involved.

The City Council has had applications from the owners for incorporation into the City of the Government property of Campbellville, the Decanting Centre and a portion of La Penitence, as well as the new housing estate at Bel Air Park, but since incorporation into the City acknowledges obligation to provide the areas with amenities of urban standard, and since also it would only be an economic proposition to service the entire Greater Georgetown area as a single unit, the City Council, late last year, informed Government that it could not consider fragmentary incorporation. There the matter lies. The files with those proposals are now in the possession of our new Ministers, and I feel sure that they will appreciate a reminder that this problem is an urgent one. It is necessary that it be tackled with the least possible delay and I do, personally, look forward to some early and favourable decision.

We have learnt recently that the British Government has decided to extend C.D. & W. aid to schemes started with such funds. I urge our Government to make immediate application for an additional grant to help pay for the extension of our potable water plant which is so plainly and urgently necessary, and I feel certain that if properly

presented such application will qualify for the necessary assistance. That is so far as the facts can be related in regard to the work done over a period of time to enable these rural areas to obtain a supply of water and provide better amenities of life. There is one point I referred to a little earlier in my remarks—where I said I would move an amendment to a certain portion of this Bill — and that portion is to be found in clause 2 (2). As it stands at present this sub-clause reads:—

“(2) The Minister may, by Order published in the *Gazette*, alter or amend the Schedule to this Ordinance by adding any new area thereto or removing any area therefrom.”

I certainly do agree that power should be given to the Minister to add any new area to those which might appear in the present Schedule, because one looks forward in a humanitarian way to assisting as many people outside the municipal limits of Georgetown as we can possibly help, but I do fear that the giving of power to the Minister whereby he could remove any area which might be agreed upon in the first place, is a provision which the Georgetown Town Council, the Sewerage and Water Commissioners, and all public and self-respecting bodies would not wish to see remain in the Bill. The whole purpose of the Bill is to enlarge the area for the supply of this water, and we do not wish to see any unilateral action on the part of any Minister. We should remember that when this provision becomes law it would remain so for all who occupy the honourable position of Minister of Local Government. My object in asking the State Council to remove this provision whereby the Minister would be able to remove an area from the Schedule and thus prevent it from getting water, is to protect a public service from being subjected to political pressure,

[Mr. Gajraj]

Personally, I do not like to have to say so, but with events as we see them shaping in this country, we must take more than passing notice of all legislation which comes before us. There might come a time when the people of a particular area might not vote along the political pattern of the Party in power and pressure might be exercised on it in such a case, whereby a public service—a very urgent and necessary public service—would be terminated unnecessarily. There would be a right for the residents of any area to tell the Georgetown Town Council and the Sewerage and Water Commissioners at any time that they had made other arrangements and did not need any more water: and therefore there is no need for legislation giving the Minister power to terminate the service to any particular area.

On the other hand, if one of the areas obtaining service fails to pay its charges at the appropriate time, the supply of water might be terminated until the matter is settled. But, to leave it in the hands of the Minister—with power whereby he can, by publication in the *Gazette*, make it compulsory and mandatory for the Georgetown Council and the Sewerage and Water Commissioners to cut off a supply of water—is not advisable, as that power might be unwisely exercised. I hope my colleagues will agree with me, and when the proper time comes I shall move the deletion of the words in question. Once again, I have pleasure in seconding the motion for the second reading of this Bill.

Motion put, and agreed to.

Bill read a second time.

COUNCIL IN COMMITTEE.

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

Clause 2—*Power of the Council to supply water beyond the City limits.*

Mr. Macnie: The hon. Member, Mr. Gajraj, has dealt very fully with the history of this matter as regards recent years. I happen to know something about it also, and I am very glad it has been possible for a connection to be made with Lodge Village for the supply of water. I am also very glad to know that the connection with Kitty will soon be completed. I think there is one point that must be remembered and that is, unfortunately it is not possible to give any of the areas that would be added a full-time service. My understanding of the matter in another body of which I am a member, is that the service will be from 6 or 7 p.m. until early the next morning. I agree that “half a loaf is better than none”, but this service will not solve the problem of the people at Kitty and the other areas concerned. I gather that one of the reasons why they cannot get a full-time service is the question of filter equipment but, be that as it may, with the potable water supply which we have now in the City, a lot of people are not repairing their vats and other receptacles when they get into disrepair, the aim being, I think that they should eventually disappear.

The point I am leading to is this: I am not in contact with the technical people on the subject, but it is obvious that the consumption of water in Georgetown is increasing rapidly. We are all very glad that it has been possible to supply some water to Kitty and Alexanderville, and the Lodge Village Districts, and we hope that the day is not far off when we will be able to give them all the water they require. The hon. Member, Mr. Gajraj, referred to the question of extending the filter equipment, but I hope that the question of availability of the water

to go into the filter tank has not been overlooked, because we all have recollections of the serious drought in this Colony in 1925-26. I gather that there are wells to supplement the reservoir, but in the event of a severe drought like the one referred to, as a result of which the Lamaha conservancy practically ran dry, I wonder whether there would be sufficient water to supply those areas fully, and also the growing population in Georgetown, especially when we consider that large numbers of vats and tanks have been removed in the City. I do hope that the question of increasing the water supply is not being overlooked, because no one should make the mistake of thinking that the days of drought are passed.

Mr. Gajraj: For the information of my colleague I may say that the question of the availability of water in the conservancy has definitely not been overlooked. He has referred to the drought of 1925-26 but I think Mr. Raatgever will bear me out when I say that the storage capacity of the reservoirs has been greatly increased since that time.

Mr. Raatgever: It has been more than doubled.

Mr. Gajraj: It is true that the consumption of water in Georgetown has increased, but the Sewerage and Water Commissioners anticipated that. At the present rate of consumption it is estimated that Georgetown is using 4½ million gallons of purified water daily. Fortunately, the capacity of the plant is greater than that, and it is that surplus we are placing at the disposal of Kitty and Lodge villages, but in the agreements made with the Local Authorities of those villages there has been introduced a precautionary clause whereby the supply of water to those areas will be conditional on the Georgetown supply not being inter-

fered with. So that in the event of drought and the volume of water available being less than anticipated; those areas which are not part of the City would be cut off before there is any restriction of the supply in Georgetown.

The Chairman: I did not want to intervene, but as a prospective resident of Kitty I am alarmed at that statement. It is no consolation whatever to the inhabitants of Kitty. I do not think it would even console the inhabitants of Georgetown to know that, in the unfortunate event of a scarcity of water, their thirst would only be relieved by cutting off the supply to Kitty with whom they would be contracted under the Ordinance. I do not think the situation is as alarming as the two Members who spoke on the matter would seem to indicate. It is true to say that the capacity of the reservoir and its means of supply through canals has been greatly enlarged since the last drought. I think some large canals were constructed, which leave me personally in little doubt that the supply of water will meet the needs of Georgetown and, indeed, Greater Georgetown for the supply of potable water as well as ordinary domestic water which has hitherto been supplied. There was another point which I cannot remember at the moment.

Mr. Macnie: I do not want it to be thought that I am pessimistic. What Mr. Gajraj has said about the supply of water being cut off is just what I dreaded. I am not only concerned about Georgetown but that places in the vicinity will get water whether there is a drought or not. Now we have it that in the event of a drought those unfortunate places would be cut off. I do not want to be pessimistic about the capacity of the conservancy but we must bear in mind that the cultivable area and the need for irrigation water from that

[Mr. Macnie]

conservancy has likewise increased during the last 20 years.

The Chairman: That is the point I wanted to make just now but could not remember. The consumption of water in the City is a fraction of the supply which is drawn from the conservancy for agricultural purposes, and although it is true to say that in the bad old days the water supply of Georgetown was cut by the Municipality because of dried canals, even during that period an infinitesimal amount of water was used by the City compared with what was used for irrigation purposes.

Mr. Gajraj: I would like to emphasize that the condition included in the contract between the Georgetown Municipality and the villages is only a precautionary measure. We do not visualize that at any time we will have to cut off the supply from those villages, but it will underline the necessity for the Government to realize that we would have to enlarge our plant if we are to supply water to the whole suburban area. That is a grave problem, and I hope the Government will address itself to the financial aspect of it.

The Chairman: Surely it is the problem of the Georgetown Town Council, and I am quite sure that the credit standing of the Council is equally as high as that of the Government! I therefore see no reason why they should not go to the public and raise a loan for the purpose. Why should they have to wait on the pleasure of the Government?

Mr. Gajraj: I agree that the credit of the Town Council is good, but the question of the supply of water outside the Municipal limits is tied up with that of extending the City limits, and the Government has been hedging about that matter for some time.

Sub-clause (1) put, and agreed to.

Sub-clause (2)—

Mr. Gajraj: In sub-clause (2) I move the deletion of the words "or removing any area therefrom" at the end of the sub-clause.

His Grace the Archbishop: It is quite necessary to have powers to extend the supply by adding new areas to the Schedule, but it seems rather wide powers to give a Minister.

Mr. Raatgever: I think the Town Council should be given this power and not the Minister of Local Government.

Mr. Gajraj: The original draft Bill provided that this power should be held by the Governor in Council, but in the House of Assembly it was amended by the substitution of the Minister of Local Government for the Governor in Council. For my part I do not see that in the present circumstances it makes much difference. I think it is a power which should remain in the Bill, so that if we are able to extend our plant by the provision of one or two more filter beds, and supply water to other areas, it should not be necessary for us to come back to the Legislature with amending legislation. If application is made to the Minister and we have the water to supply he could publish an Order in the *Gazette*.

His Grace the Archbishop: The sub-clause does not state that the Minister has to consult anybody.

Mr. Cummings: I was wondering whether the words "upon resolution of both Chambers of the Legislature" might be inserted.

Mr. Gajraj: I would not agree to that. If one wishes to do something of that nature I should say he would insert

the words "at the request of the Georgetown Town Council and the Sewerage and Water Commissioners." Let the request come from those who have the ability to supply the water.

Mr. Cummings: I think this is a far-reaching matter and I would suggest that this sub-clause be deferred for further consideration.

Mr Raatgever: I agree with that suggestion.

The Chairman: The object of this particular sub-clause is simplicity and speed. The three items in the schedule do not cover the whole of the area which is embraced by the Greater Georgetown Plan, and that obviously is the objective—that ultimately the whole area embraced by that plan, whether or not the area is embodied in the Municipality as part of Georgetown, should be able to get water in this way. The whole idea behind this is to allow some authority—in this case the Minister of Local Government—by a simple Order to add an area, just as we have added the area at Bel Air Park acquired by the Blair Development Co., and where there is an agreement between the Town Council and the Local Authority that area would be supplied with water. The suggestion that we should make it dependent upon a resolution by both Chambers of the Legislature would mean, not simplicity but somewhat retarding action.

The other point is with regard to the Executive Council. I believe that the Executive Council was mentioned in the sub-clause before the Bill was finally passed by the House of Assembly. I myself do not like it, but I am rather concerned about what has been said by Mr. Gajraj, because I can see that if there has been an agreement between the Town Council and some area, and water is being supplied under the agreement, it seems a strange

thing that a Minister of the Crown should have the right to cut across an agreement made between two parties, and by a stroke of the pen remove an area from the operation of this Ordinance, thereby making the supply illegal. The Town Council might wake up to find that the Minister has erased one of the items in the Schedule, and thereupon the municipality would be in jeopardy, because a citizen might bring an action against them.

I had hoped that the Bill would have been passed by this Council without amendment, so as to avoid its going back to the House of Assembly and having our amendment accepted or rejected. I am in the hands of hon. Members, but I do not like the words which are sought to be inserted. If, of course, the opinion is that we should defer the discussion on this clause I would be quite happy to do so if it is the wish of the majority.

Sub-clauses (2) and (3) deferred.

His Grace the Archbishop: Since this Bill was printed and published in the *Gazette* the Minister of Health and Housing has changed the name from the Ruimveldt Decanting Centre. I would like to point out that we have no longer a decanting centre. We are dealing with human beings and not with wines or other liquors.

The Chairman: I think it is now agreed that it should be renamed "Laing Housing Estates". I shall have to consult the authorities and, therefore, I shall defer clause 4 as well for further advice.

Clause 4 deferred.

Council resumed.

The President: The Bill remains in Committee with leave for the Committee to sit again.

LOCAL GOVERNMENT (BARTICA VOTERS REGISTER CONTINUANCE) BILL

The President: I beg to move that the relevant Standing Rules and Orders be suspended in order to enable me to introduce and take through all its stages the Local Government (Bartica Voters Register Continuance) Bill.

Mr. Gajraj seconded.

Question put, and agreed to.

Relevant Standing Rules and Orders suspended.

The President: I beg to move that a Bill intituled—

“An Ordinance to amend the Local Government Ordinance, 1945, by continuing in force for a further year the Register of Voters for the village of Bartica, in the County of Essequibo, for the year ending the thirty-first day of October, nineteen hundred and fifty-three”.

be read a first time.

Mr. Raatgever seconded.

Question put, and agreed to.

Bill read a first time.

The President: I beg to move that the Bill be now read a second time. The reasons for it are quite clearly stated in the statement of Objects and Reasons and I do not propose to weary hon. Members with reading it. It is quite clear that an error was committed by the District Commissioner who failed to comply with the provisions of the Ordinance. I believe it is not an act of commission. This District Commissioner was on leave and the failure was due not to any deliberate act but to the fact that he was not there to do it. It is therefore necessary for us to pass this little bit of legislation to extend the duration of the existing register of

voters so that the activities of this Village Council may continue in a proper way. I beg to move that the Bill be now read a second time.

Mr. Gajraj seconded.

Question put, and agreed to.

Bill read a second time.

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

Council resumed.

The President: I move that the Bill be now read a third time and passed.

Mr. Raatgever seconded.

Question put, and agreed to.

Bill read a third time and passed.

RICE FARMERS (SECURITY OF TENURE) (AMENDMENT) BILL.

The President: I move the suspension of the relevant Standing Rules and Orders to enable me to move the first and second readings of the Rice Farmers (Security of Tenure) (Amendment) Bill.

Mr. Raatgever seconded.

Question put, and agreed to.

Relevant Standing Rules and Orders suspended.

The President: I beg to move that a Bill intituled—

“An Ordinance to amend the Rice Farmers (Security of Tenure) Ordinance, 1945”.

be read a first time.

Mr. Raatgever seconded.

Question put, and agreed to.

Bill read a first time.

The President: When this Bill was moved in the House of Assembly it was introduced as a matter of emergency and taken through all its stages on the one day—I think I am right—after a publication of only one day. The emergency to which the hon. Mover of the motion referred was the necessity of maintaining our rice production which was in great danger on account of drought and the lack of proper measures in connection with the agricultural lands. I think the hon. Mover in the House of Assembly intended that effect should be given to its provisions very speedily, and that was the justification for the great haste in which it was passed in that House. However, one of the main factors in this Bill is finance. That is to say, before action can be taken under clause 5, which is the main provision of the Bill, the House of Assembly has got to vote the money, and as far as I am aware no such action has been taken by either the Finance Committee or the House itself to provide the necessary funds to defray the operations which are covered by clause 5 of this Bill.

Here again I do not propose to deal with anything but the main object of this Ordinance. Clauses 2, 3 and 4 are explained in the statement of Objects and Reasons, and I do not propose to go into them in any detail. In fact I do not intend to refer to them at all. The main object of the Bill is contained in clause 5. The purpose of that clause is to authorize a public officer, the District Commissioner, to carry out works which the tenant or landlord failed by himself to carry out in order that, as the words of the clause put it, the rules of good estate management or the rules of good husbandry, as the case may be, may be observed. The machinery pro-

vided is that the District Commissioner on receipt of an application by a tenant or landlord would inspect holdings of land accompanied by an Agricultural Officer and a District Engineer, and on being satisfied that certain work is necessary would give a notice to the tenant or landlord to have it done. If the tenant or landlord fails to comply with the notice, then the District Commissioner would be authorized by this provision to go on to the land and carry out the work and the cost of the work would be a debt recoverable from the tenant or the landlord. Such recovery would take the form of an action in a Court of competent jurisdiction or, as the Bill has it, alternatively by the process known as parate execution with the prior approval of the Minister, who in this case is the Minister of Agriculture.

The Bill also seeks to give that Minister power in his discretion to give the debtor time to pay, and where such time is given interest would be payable. Such power, as I said, is entirely vested in the Minister himself. Clause 5 is the main provision of the Bill and, as I said at the opening, it is tied to the provision of money by the House of Assembly in order to enable the District Commissioner to do the work. The House of Assembly has not yet dealt with the question of providing the money, and it may be that the emergency has passed.

Clause 6 is an important one and I do hope my legal colleagues would deal with it in full. It seeks to provide for action to be taken against any landlord who by himself or agent has made a false declaration to the District Commissioner by which he was able to secure from the tenant the resumption of possession of land; and the object of this clause is to make it possible for any person to bring an action against such landlord and to make it

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possible for the Court to hold that an offence has been committed — in the words of the Bill, that the offender “shall be deemed, until the contrary has been proved, to have made a false declaration.” In other words, the onus of proof is placed on the person who is charged rather than on the prosecutor. That is a matter which, I feel sure, my colleagues of the legal profession would deal with.

In clause 8 there is an amendment which substitutes “the Minister” for “the Governor” and “the Chief Secretary”. The object of this clause is to substitute the Minister for the Governor as the authority to whom petitions should be addressed. I would reserve any further comment I have to make on this Bill until my reply to the debate, and I do hope Members of Council would address themselves to it, for it is an important measure. Here again I would agree that if Members wish any further postponement it would be most appropriate that we do that. I beg to move that this Bill be now read a second time.

Mr. Raatgever: I beg to second the motion. I would like to suggest that this matter be deferred until the next meeting, because I intend to speak on it at length. It is 4.30 o'clock now, and I think Mr. Luckhoo, Mr. Gajraj and Mr. Cummings want to speak on it. I think we can begin with it at the next meeting.

The President: Would you prefer to speak on it, now, Mr. Cummings?

Mr. Cummings: I would prefer to deal with it in Committee Stage, rather than deal with it in “sections”, but I could deal with Clause 6 now,

The President: I am in some difficulty about it, because the second reading is the most important feature. In passing the second reading, you almost commit yourself to all the principles set out in the Bill. If hon. Members feel strongly about Clause 5 or Clause 6, now is the time to announce what they have to say. I do suggest we should not merely pass into committee without some statement by members in regard to the important principles which this Bill covers.

Mr. Raatgever: Clause 5 is very serious. It seeks to set up a dictatorship but the Union Jack still flies over this country, and will fly as long as I have a say! It seeks to set up a dictatorship, with the minister—

The President: If you are not careful, you will make a speech.

Mr. Raatgever: I would like to make it clear that I intend to oppose the Bill.

Mr. Robertson: This Bill was passed by the House of Assembly as an emergency measure. I would like to remind members of that. And it is only now that it has been brought before the State Council, so far as I can see. I am asking that we go through with this Bill because it is very important.

The President: In answer to that; I tried to indicate it was introduced in the House of Assembly as an emergency measure but I also said the most important feature, and that is finance, has not been dealt with. It is quite useless passing a Bill which says the District Commissioner shall give notice to do certain things unless he has money to do it. I merely said that to show that there is something for the House

to do before this Bill can operate, even if it is passed right away. However, if Mr. Cummings does not propose to make a speech now, I will propose it—

Mr. Cummings: Sir, I would prefer if you could defer this matter. It is true it was introduced as an urgent measure. You indicated circumstances have been changed somewhat and money has not been voted. I feel our function here is to carefully consider legislation, and not rush hastily into making law. Only Friday last I received the Report of the Rice Farmers (Security of Tenure) Committee. I feel a knowledge of the contents of the Report is necessary for careful consideration of the Ordinance. Although I have given legal consideration to this Bill it was quite impossible to assimilate the background of it in such a short space of time.

Mr. Macnie: I understood Mr. Raatgever seconded for the purpose of discussion. I am supporting Mr. Cummings.

The President: Will you wait a minute? I am informed that a letter has been received from the Rice Producers' Association asking to postpone it. If that is so, I would like to mention it as further justification. Yes, hon. Members, there is a letter addressed to the Clerk of the Legislature from the General Secretary of the Rice Producers' Association in which it is requested that there should be a postponement of consideration of this Bill, in order to give the Association time to make representation for amendments to the same.

The question is, how long are we going to postpone this to? At the end of the meeting we are going to discuss

the question as to when we will adjourn to.

Mr. Raatgever: Perhaps, I should amplify what you have said about the House of Assembly not providing money. As a member of the Rice Marketing Board, I say there is no emergency to deal with now. The people are reaping their crops in some areas, and if the District Commissioner was to start work, it would take months to complete. The statement that this Bill is for the purpose of providing water now is ridiculous.

The President: The question is, "that consideration of this Bill be postponed until the next meeting."

Question put, and agreed to.

Bill deferred.

SPIRITS (CAPACITIES OF PACKAGES)
REGULATIONS, 1953

The President: Hon. Members, I will have to trouble you again to suspend the relevant Standing Rule and Order in order to take this motion of which I gave notice in this Council—

"That this Council approves the Spirits (Capacities of Packages) Regulations, 1953, which have been laid on the table."

Mr. Raatgever seconded.

Question put, and agreed to.

Relevant Standing Rule and Order suspended.

The President: I beg to move this motion, and I must confess, I know very little about it. A slight technical amendment is necessary in procedure, and if hon. Members will forgive me for doing so, I will ask their permission to read the statement of the hon. Financial Secretary in the House of Assembly when he moved the motion in

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similar terms. Said the Financial Secretary: "The regulations. . . will bring the procedure in this Colony in line with United Kingdom practice." He went on to say:

"Under the existing Regulations the contents of packages of rum are ascertained by weighing, and the number of gallons found by the use of official computation tables. Under the existing regulations where the exact net weight of a package does not appear in the tables, the number of gallons corresponding with the next lower tabular weight is taken up to a difference of four pounds. Difficulty arises when the weight exceeds the next lower tabular weight by five pounds. Under the present rules the procedure is to take the next higher tabular weight, and when this is done, it is possible to certify it to be containing more than its capacity. There has been complaints in this matter.

The Financial Secretary went on, "and the Regulations which have not yet been introduced tries to secure that in every case where the net weight is not found in the tables, then the next lower tabular weight will be taken as the legal contents of the package, and the benefit will then go to the importer, rather than the manufacturer."

"The Regulations have been before the Executive Council, and have been passed on to this House for the confirmation which the law requires."

and he expressed the hope that members of the House would be satisfied as to the necessity of the new Regulations, which he was asking to introduce. Well, apparently, Members

of the House were so satisfied, I have every confidence in the Financial Secretary, so that I would urge you to accept my word for it, as well as the Financial Secretary's word, I now invite you to subscribe to this motion and pass it.

Mr. Macnie seconded.

Question put, and agreed to unanimously.

Regulations approved.

ADJOURNMENT

The President: Hon. Members, we should now adjourn, but I should like to know your pleasure as to when we would meet again. I would prefer that we should not adjourn until as far as next Monday. The House of Assembly meets on Thursday this week. If we meet on the day the House of Assembly meets, we shall have to meet in the morning

Mr. Raatgever: I see no reason why we should not postpone the matter until Monday. We have received a letter from the Rice Producers' Association and Members may like copies for the purpose of studying it.

The President: I do not want to postpone this matter unduly. Council is adjourned until Wednesday, September 23rd at 2 p.m.