

LEGISLATIVE COUNCIL.

Wednesday, 19th December, 1928.

The Council met pursuant to adjournment, HIS EXCELLENCY THE GOVERNOR, SIR GORDON GUGGISBERG, K.C.M.G., D.S.O., President, in the Chair.

ABSENT:—

Hon. R. V. Evan Wong, B.Sc., (Elected Unofficial Senior Member for South-East Essequibo.)

Hon. E. A. Luckhoo (Elected Unofficial Senior Member for Berbice).

Hon. P. C. Wight (Elected Unofficial Junior Member for Georgetown).

Hon. J. Eleazar (Elected Unofficial Junior Member for New Amsterdam).

Hon. A. R. F. Webber (Elected Unofficial Junior Member for Berbice).

Hon. J. Gonsalves (Elected Unofficial Member for Georgetown).

Hon. E. F. Fredericks (Elected Unofficial Junior Member for South-East Essequibo)

Hon. S. M. DeFreitas (Elected Unofficial Junior Member for North-West Essequibo).

MINUTES

The minutes of the previous meeting of the Council on the 18th December, having been printed and circulated, were taken as read and confirmed.

ANNOUNCEMENT.

Major GRAY (Director of Education)—I give notice that at the next meeting of the Council I shall move the adoption of:

Regulations governing the award and tenure of the Mitchell Foundations.

REPLY TO THE SPEECH.

Mr. AUSTIN (Senior Unofficial Member)—With your permission, sir, I beg to read the reply of the unofficial members to Your Excellency's speech:—

May it please Your Excellency,

We, the unofficial members of the Legislative Council, desire to welcome you to the Colony as its Governor and beg to thank Your Excellency for the exceedingly lucid speech delivered on the occasion of the opening of the first session of the Council. We are grateful to learn of the deep personal interest taken by the King in the people of this Colony, and of his recollection of his visit forty-four years ago, and we beg Your Excellency to convey to His Majesty the most dutiful and respectful thanks of this Council and of the people for his gracious wishes for the success, happiness and prosperity of the Colony expressed in Your Excellency's speech. His Majesty's illness has been the cause of great anxiety to his loyal subjects in these parts, who through us beg to be allowed to express the hope that it will please the Almighty soon to restore His Majesty to health.

We desire also to thank Mr. Amery for his message of hope and assurance contained in the extract from his despatch which was read to us by Your Excellency. We recognise that the affairs of the Colony can be rehabilitated only by a thorough rectification of its financial position and the development of its agricultural resources and its trade. Every assistance to balance the Budget for 1929 will therefore be given to Government, in order to realise the establishment of an agricultural bank and the scheme of road construction, both of which are urgently necessary for the development of the Colony. Now that it has been definitely decided that a Government railway will not be constructed in order to give access to

the hinterland, we are of opinion that every effort should be made to establish communication between the City of Georgetown and the interior, by roadway or by a combined system of roadway and waterway, but this must in no way be taken as our opposing any proposal for the construction of a railway by private enterprise. It is not only the mining interests which will be served by any such means of communication. Lives which are at present sacrificed by the existing system of transport would be saved. The potentialities of the savannahs for rearing cattle and other live stock could be far more effectively exploited than is possible at present with the crude trail which serves for communication between the coastlands and the interior, and there is the additional incentive to colonisation of being able to settle along the route of any well defined road or railway, and engaging in such enterprises as may appear profitable. There is the tourist traffic also to consider, which at present passes us by for lack of accommodation and communications.

So far as an Agricultural Bank is concerned, this is a project which was unanimously approved of by the Combined Court in May, 1925. The need for such a bank now is even more urgent, and we are pleased to observe the increased likelihood of its establishment. The financial necessities of agriculturists would thus be met, but concurrently with this assistance, close attention to better agricultural and marketing methods should be given. The immediate necessities in this direction would appear to be:—

1. Finding of new exportable crops and of the lands on which they may be most suitably grown.
2. Assistance by way of supervision to enable such crops to be grown under the best conditions.
3. Improvement in tillage, and the encouragement of the use of modern farm tools and implements.

4. Proper grading of such products, so that uniform standards may be established and maintained.

These requirements will obviously demand a great deal of Government organisation and supervision in order to achieve anything like success; but we are convinced that if public money is to be advanced reasonable control will be necessary, and the people will need every assistance and advice, for the giving of which the Government is best equipped. If crops, other than sugar and rice, are to be produced in this Colony—and we see no reason why other crops besides these cannot be locally grown at a profit—it should be the task of the Department of Agriculture to ascertain those that are most suitable to particular soils, and to organise the work for the establishment of the new industries. It would be fatal to the new spirit for agricultural development with which it is hoped to infuse the population, to permit the activities of a large section of peasants to continue to be restricted to the production of a few items of ground provisions for local consumption.

Regarding the problem of Colonisation, we have become aware, from Your Excellency's utterances in and out of this Council, that you are giving special attention to this phase of colonial development, and indeed have already initiated the organisation for making the necessary investigations. This is a piece of work, the progress of which we shall follow with great and peculiar interest, and we shall always be collectively and individually at the disposal of Your Excellency for any service that you may consider us capable of giving to this very valuable enterprise. So far as the unofficial members are concerned, we shall do all in our power to give any scheme of colonisation a fair chance of succeeding by encouraging the agricultural classes to accommodate themselves to the principles and policies worked out for that scheme, and to give hard and earnest work thereon if a trial is afforded them.

We are aware that the entire colonial organisation needs re-adjustment in order to bring the colonial expenditure within the financial capacity of the Colony, and to secure the greater efficiency of the public services. We appreciate however, that it will require a considerable time for careful study and investigation. The most urgent problems to which we sincerely hope Government will address itself at a very early opportunity are the stabilisation of taxation, the reduction substantially of the import duties on the necessaries of life, the control of the Colony's liability for pensions and lump sum retiring allowances and the keeping down of the departmental estimates of expenditure. Wherever and whenever possible, we shall like to see appointments in the Service made on contracts for a fixed period of years, as in the case of the present Director of Public Works; for although it is possible that the emoluments of any such office will be somewhat higher than in the ordinary case, the appointments on that basis will leave the Colony with no liability for pensions.

We are aware that the task of balancing the Budget for 1929 will be a difficult one. The commitments of Government have for a number of years past become greater and greater annually. On the other side of the account, there has been a consistent shortage of the estimated revenue. The elective members in their reply to the Governor's speech last annual session, pointed out that the actual figures relating to estimated revenue were inflated. We believe that during Your Excellency's regime this practice, which has greatly contributed to the present financial condition of the Colony, will disappear, and that supplies will be confined within the orbit of a reasonable estimate of ways and means. We condemn also the practice of savings on one vote being urged as a reason for an excess on another.

We urge that early attention be given to the report of the Committee on Bauxite Regulations, which was submitted early in the year. We are of opinion that the recommendations con-

tained therein will be the source of additional revenue at a time it is urgently needed.

We await with interest the promised statement of Government policy which Your Excellency proposes to make when the budget is introduced later in this session. The further promise that future annual speeches will be in the nature of Government's accounts of its stewardship, is truly reassuring, as to us it is a clear indication of your determination to set a task for Government, executable over a number of years, an account of the gradual performance of which, will be placed before the Council and public annually. It will be a policy of something attempted, something done for the development of the Colony and the advancement of its inhabitants.

Finally, we beg leave to assure Your Excellency once again of our desire to co-operate with Government in its efforts for the good of the country, and we only ask that Government would take this Council into its confidence before actual decision is arrived at on important major matters, in order that, having respectfully offered our opinion and advice to Your Excellency, we may be the better able to concur in Your Excellency's final determination on the particular matter, when eventually it may be brought before the Council.

We fervently pray that the Divine Providence may guide our judgments aright, and enable us to find ourselves united in the interests of the people whose welfare is our trust.

A. P. G. AUSTIN,
THOS. SMELLIE,
FRANCIS DIAS,
R. E. BRASSINGTON
EUSTACE G. WOOLFORD.
N. CANNON.
H. C. HUMPHRYS,
ALFRED V. CRANE,
PERCY C. WIGHT.
J. GONSALVES.
E. F. FREDERICKS,
A. E. SEERAM.
STANLEY McD. DEFREITAS
S. H. SEYMOUR.
J. SMITH.

The PRESIDENT : Mr. Austin and the honourable Unofficial Members of this Council, I desire to thank you for your answer to my address. I will take the next opportunity of conveying your message to His Majesty through the Secretary of State and also your appreciation of Mr. Amery's message.

I particularly welcome the form your answer has taken, because it is evidence that we are of one mind on the most important matters in this country. In fact, one might almost say that you have stolen most of my thunder that I propose to make on Friday next when enunciating policies. However, far from being jealous that you have anticipated me in this, I have a feeling of gratitude because it is evidence of the agreement which, as I say, appears to exist between us on the more important points. I won't go so far as to say it is evidence of the truth of the old saying that certain types of men always think alike—(laughter)—but I hope that the fact that our minds do go in the same direction will be conducive to the efficiency of the work which Government undertakes.

With regard to the last paragraph of your reply in which you ask that Government would take this Council into its confidence, you have my whole-hearted sympathy in that respect. I can assure you that no actual decision on important points will be taken without taking this Council into the confidence of Government. More than that, honourable members will find that my annual address, which I am afraid will be rather a bulky volume, has been made designedly large in order to take not only the members of this Council but the general public into Government's confidence as far as it is humanly possible to do so. I thank you for your reply.

ORDER OF THE DAY.

LIQUOR LICENCES BILL.

The ATTORNEY GENERAL (Mr. Hector Josephs) : I move that the

Council resolve itself into **Committee** to continue consideration of "A Bill to make provision for the granting of licences for the sale of intoxicating liquor and for the regulation of such sale and the control of licensed places." I suggest that we might complete the Bill and then go back on the clauses which were deferred.

Question put, and agreed to.

Council in Committee.

Clause 98 (2):—Licences in respect of the Colonial Transport Department.

The ATTORNEY GENERAL : The hon. Member for West Demerara raised a question with respect to the Governor-in-Council issuing a licence to the Managing Director of the Colonial Transport Department. So far as (a) is concerned the practice in England is to issue a licence at a cost of £1 to a Railway Company to run a bar. It may become necessary to issue a licence to the Managing Director so that the catering should be done by people under him. There is no desire to trade but the provision should be there in case the necessity arises to cater for the public. I move that the word "this" be substituted for the word "the" in the first line of sub-clause (2).

Question "That this clause as amended stand part of the Bill" put, and agreed to.

Clause 100 (5): Procedure with respect to applications for period from 1st April to 31st December, 1929.

The ATTORNEY GENERAL : I move that the following be inserted as sub-clause (5):—

(5) The Chief Commissary shall not issue a licence after the thirtieth day of April, nineteen hundred and twenty-nine.

Mr. AUSTIN seconded.

Question "That this clause as amended stand part of the Bill" put, and agreed to.

Clause 12 (1): Grounds on which licence may be refused.

The ATTORNEY GENERAL : It will be remembered that the hon. Member for West Demerara proposed an additional ground to clause 12 on which any application for a certificate for a hotel, tavern or spirit shop licence may be refused. It was with respect to the question of monopoly. The amendment which I propose to carry out that intention will read:

(1) (h) that except in Georgetown the applicant is already the holder of or the applicant for a certificate for a spirit shop or hotel licence within four miles of the place in respect of which the application for either licence is under consideration.

Mr. CRANE : My amendment was to cover future as well as existing licences. I think the words "except in Georgetown" would be quite acceptable, but, seeing that Government has only accepted the amendment with regard to future licences, it would not disturb vested interests and we should make it apply to the whole Colony as regards new licences.

Mr. DIAS : There is no spirit shop in Georgetown that would extend within four miles and a man could not have two shops in Georgetown.

The CHAIRMAN : The amendment of the hon. Member for West Demerara seems quite sound. If we are going to limit these licences there is no reason why we should except Georgetown with regard to new licences. Of course it does not apply to renewal of licences, which will have to be dealt with in some other fashion by the Committee.

The ATTORNEY GENERAL : The amendment of the hon. member is accepted, the words "except in Georgetown" being struck out.

The sub-clause was amended accordingly and passed.

Clause 84 (1): Liability of holder of licence for breach of the Ordinance by member of his family and person in his employ.

The ATTORNEY GENERAL : The next point arises in clause 84 (1). It has been pointed out that while the holder of a licence is necessarily liable under this Bill for the misdeeds of his servants or agents if his servant is acting wilfully he himself should be liable for punishment. There is no specific provision in the Bill for it, and I do not know that there can be any such prosecution. There are cases where the liability is specifically placed on the holder of the licence and I think the case can be met by the proviso at the end of sub-clause (1):—

Provided that the member of the family or person employed shall be liable to the same punishment as the holder of the licence.

Question "That this clause as amended stand part of the Bill" put, and agreed to.

The ATTORNEY GENERAL : The only other amendment outstanding is proposed by the hon. Member for East Demerara. I have carefully considered it and I did so a year or two ago. The old section 87 (1) ran thus:—

(1) Every holder of a retail spirit shop licence who has twice been convicted under this Ordinance, may, on conviction a third time, be adjudged, in addition to any fine or penalty awarded against him, to forfeit his licence.

That would really mean the licence with respect to which the conviction took place. In drafting this Bill the words "in respect of which he has been convicted last" were added for the purpose of clearness. The point of the hon. member is that the last conviction may be in respect of a very good business premises and the owner would forfeit that licence. The whole point about the licensing law is that the utmost attention and regard must be had of the law by employer and employees, and it is specifically stated therefore that if an employee commits an offence the employer is responsible. If you don't do that then the employer would never be caught, although the employer is really re-

sponsible for the people whom he employs whether they are good or bad. Under civil law, through the neglect of a chauffeur thousands of dollars might be awarded against an employer while the chauffeur himself may not be worth ten dollars. If a man has a spirit shop licence and he employs people whose carelessness convicts him for an offence then he is a person who should not have a licence. The proposed amendment would only make the proprietor liable in respect of a spirit shop for which he is thrice convicted. I would point out that the law has been for sixty years what it is now proposed to be. If any cases of hardship had occurred within the last sixty years I have no doubt that the hon. member would have been able to tell this Council of them, and the fact that he has not been able to adduce a single argument in support of the difficulty which he anticipates justifies the policy of Government to control people who do not manage their business well.

Mr. CRANE: It is no argument to retain bad law because it has been in existence for sixty years. I agree with the hon. Attorney General, however, that it is undesirable to enact the proposal of the hon. Member for East Demerara. What I want to ask Government is, in view of the concession made this morning in fixing liability on a servant—and there have been cases occurring where servants have brought their masters into trouble, sometimes maliciously and sometimes capriciously, by selling liquor during prohibited hours—that where a servant is made liable by acting maliciously and is convicted, it should not be taken into account in adjudging the forfeiture of the licence. I am submitting an amendment as a proviso:—

Provided that where a person employed by the holder of a licence has been convicted under section 84 of this Ordinance of any offence taken into consideration under this section that conviction shall not be taken into account in adjudging the forfeiture of his licence.

The ATTORNEY GENERAL: This is one of those cases in which I think

we shall have to let the liability remain on the master. A man who keeps a servant who causes him to be convicted once deserves whatever consequence follows. One would imagine that he would readily get rid of him. It may be the man's misfortune in the choice of his servant, and it may also be due to carelessness; but the essential part of the Ordinance is the regulation of these places irrespective of the individuals who own them. It is an Ordinance in the public interest, and it therefore prescribes categorically certain rules. For a breach of those rules the holder of a licence is the person primarily liable. The principle of the law is that in the public interest these rules must be strictly obeyed, and if you make exemptions it would mean that because somebody's servant or a member of his family has committed a breach of the law the natural consequence of so many convictions is to be avoided and he is to get the benefit of it. I venture to think it is much safer and better to leave the clause as it is. It is a risk that the holder of the licence embarks upon.

The CHAIRMAN: Does the hon. member wish to press the amendment?

Mr. CRANE: No, sir.

Clause as printed agreed to.

The Council resumed.

Notice given that at the meeting of the Council on Friday, 21st December, it would be moved that the Bill be read the third time. (*Attorney General.*)

FIRE INSURANCE BILL.

Mr. DIAS: I move, sir, that "A Bill to amend the British Guiana and Trinidad Mutual Fire Insurance Company's Ordinance, 1923" be read the third time.

Mr. AUSTIN seconded.

Question "That this Bill be now read a third time and passed" put.

Bill read the third time and passed.

QUESTIONS.

ARTESIAN WELLS.

Mr. CRANE: I beg to ask the hon. Director of Public Works the questions standing in my name:—

(a). How many artesian wells, the boring of which was commenced since the 28th December, 1927, have been completed by the Director of Public Works since the 28th December, 1927?

(b.) In what districts have those wells been sunk, and what have been the estimated and the actual costs of sinking each such well?

(c.) Has the Director of Public Works realised his expectation, which he confided to the Combined Court on the 28th December, 1927, to complete one well per month from January to June, 1928?

(d.) How many wells, is it estimated, will have been sunk during the whole year 1928, for which the additional sum of \$30,000 is required?

(e.) Will the Director of Public Works, during this session, place before this House a statement of the number of artesian wells completed and estimated to be completed from the inception of the scheme to the end of December, 1928, the funds expended thereupon (showing estimates and actual costs), the number of wells left to be sunk and the districts in which they are to be sunk, and the balance of the amount of \$473,000 allocated in respect of the pure water supply scheme?

Major CRAIG: (Director of Public Works): The replies to the hon. member's questions are as follows:—

(a) 10 Government Wells completed.
4 Private Wells completed.

(b) 9 in Berbice.
1 in Leguan.
4 Private Wells in Berbice.
Estimated Cost of Government Wells .. \$58,560 00
Actual cost of five wells completed .. 38,483 74

Details as follows:—

Situation.	Estimated Cost	Completed Cost.
Sisters, Berbice	\$ 5,880	\$ 6,237 85
Rosehall, Cumberland	6,600	8,361 24
Berbice	5,880	8,806 34
Leguan	4,200	7,671 22
Edinburgh, Berbice	5,880	7,407 09
Total		\$ 38,483 74

Whim, Berbice	6,660	Final
Gibraltar	5,880	Expenditure
Limlair	5,880	not
No. 53 Village "		
Eversham "	5,880	yet available.
	\$ 58,520	

Note:—Estimated and actual costs do not include plant and supervision charges.

(c.) Yes. 6,227 85..

(d.) 11 Government wells, exclusive of the 4 private wells referred to in (a.)

(e)—(1) Wells completed and estimated to be completed from inception of scheme to 31.1.28,—30.

Original estimated cost of completed wells, \$175,260.00.

Actual expenditure on 25 completed wells, \$189,322.03.

Final expenditure for remaining five wells not yet available.

Note:—Estimated and actual costs do not include plant and supervision charges.

(e)—(2) 30 wells yet to be sunk as follows.—

2—Corentyne Coast, Berbice.
12—East Coast, Demerara.
4—East Bank,
3—West Bank,
1—West Coast, Demerara.
1—Wakenaam, Essequibo River.
7—Essequibo Coast.

Total 30

Particulars of monies voted and expended.

Original estimated cost of Government Programme — *vide* Resolution No. XCII. dated 14.12.23 .. \$ 406,000 00

which was increased—*vide* Resolution No. XXIX. dated 29.6.26—to \$435,000 00

and further increased for the purchase of an additional plant—*vide* Resolution No. XXVI. dated 20.6.28.—by.. 18,000 00

Total \$ 453,000,00

again increased to continue programme to end to 1927—*vide* Resolution LX. dated 4.11.27—by 20,000 00

making a total—to 31st December, 1928—of .. \$ 473,000 00

To continue the programme to 30th June, 1928,—*vide* Resolution LXV. dated 28.12.27.—a vote was passed of .. 50,000 00

A further sum to cover expenditure to 31.12.28 was voted on 5.12.28 of 30,000 00
 Total for year 1928 \$ 80,000 00
 To cover excess expenditure on additional plant, on 5.12.28 a vote was passed of 3,831 36
 making a total expended on the programme to 31st December, 1928, of \$ 556,831 36

It is estimated by the Consulting Engineers that the sum of \$300,000 is required to complete the Government programme from September, 1927, over the sum of \$453,000 previously sanctioned.

Mr. BRASSINGTON: In answering questions will it be possible in future for Government to supply each member with a copy?

The PRESIDENT: It should be.

Mr. BRASSINGTON: I have raised the question because it is very difficult to follow figures as regards an excess of expenditure or otherwise.

The PRESIDENT: That will be done in future. Hon. members will be supplied with the answer to a question when the answer is given.

Mr. BRASSINGTON: A member might wish to ask a question arising out of the Estimates. Might he send in a question to Government and get an answer in the interval before the Council met again? Under the new Standing Rules and Orders it is not quite clear to me what is the procedure and the privilege of members in asking questions.

The ATTORNEY GENERAL: Under the new Standing Rules and Orders notice of questions has to be given in the ordinary way. We are following strict Parliamentary practice and questions concerning the Legislative Council can only be given notice of and answered here. Of course, a member might ask for information by addressing a communication to the Colonial Secretary, but

the answer to him would be giving him information in the ordinary way and would not be concerned with this Council and would not appear in the minutes.

BILLS.

CIVIL LIST.

The COLONIAL SECRETARY (Mr. C. Douglas-Jones): I move that "A Bill to secure a Civil List for His Majesty" be read the first time.

Mr. SMELLIE seconded.

Question put and agreed to.

Bill read the first time.

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

ISSUE OF BANK NOTES.

The ATTORNEY GENERAL : I move the first reading of "A Bill to amend the Bank Notes Ordinance, 1914, with respect to the issue of bank notes by the Royal Bank of Canada."

Mr. AUSTIN seconded.

Question put, and agreed to.

Bill read the first time.

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

RURAL CONSTABLES.

The ATTORNEY GENERAL : I move the first reading of "A Bill to amend the Magistrates' Courts Ordinance, 1893, by providing that Bailiffs shall by virtue of their office be Rural Constables."

Mr. AUSTIN seconded.

Question put, and agreed to.
Bill read the first time.

The ATTORNEY GENERAL: I move that the Standing Rules and Orders be suspended in order to take this Bill through all its stages.

Mr. AUSTIN seconded.

Question put, and agreed to.

The ATTORNEY GENERAL: I move the second reading of this Bill. There is an explanatory memorandum which gives the reason for it. Most peculiarly, section 29 of the Ordinance, instead of providing that a bailiff may be a rural constable, makes the office of rural constable a condition for appointment as a bailiff, and a person ceases to be a rural constable if he ceases to be a bailiff. The new provision is that by virtue of his office he shall be a rural constable.

Mr. AUSTIN seconded.

Question put, and agreed to.
Bill read the second time.

The Council resolved itself into Committee and considered the Bill clause by clause.

Clauses agreed to.

The Council resumed.

The ATTORNEY GENERAL: I move that the Bill be read the third time.

Mr. AUSTIN seconded.

Question "That this Bill be now read a third time and passed" put.

Bill read the third time and passed.

PUBLIC OFFICERS' INSURANCE.

Mr. MILLARD (Colonial Treasurer): I move that "A Bill to amend the Public Officers' (Insurance) Ordin-

ance, 1902, and the Public Officers (Insurance) Ordinance, 1902, Amendment Ordinance, 1920" be read the first time.

Mr. BRASSINGTON seconded.

Question put, and agreed to.

Bill read the first time.

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

PUNISHMENT OF PRISONERS.

Colonel BRADBURN (Inspector General of Police): I move that "A Bill to amend the Prison Ordinance, 1892, Amendment Ordinance, 1907, with respect to the punishing of Prisoners" be read the first time.

Mr. WOOD seconded.

Question put, and agreed to.
Bill read the first time.

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

REGULATION OF POLICE FORCE.

Colonel BRADBURN: I move that "A Bill to make provision with respect to the maintenance and regulation of the Police Force" be read the first time.

Mr. WOOD seconded.

Question put, and agreed to.
Bill read the first time.

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

MOTIONS.

The COLONIAL SECRETARY: I move:—

That, with reference to the Governor's Message No. 18, this Council approves of the payment of the Bill of Entry Tax imposed by Section 62 of the Tax Ordinance, 1925, being waived in respect of articles imported for official use of Consulates.

The Governor's Message explains the reasons for this motion. In the preparation of the Customs Bill last year the exemption for Consulates was omitted. I am quite sure that the Combined Court when it passed the Bill had no intention to charge Consulates the 2 per cent. Bill of Entry Tax when the articles imported were exempt from duty, and the object of this Message is to waive the collection of that tax.

Mr. SMELLIE: I second the motion.

Mr. CANNON: As one of those who imposed the tax I wish to say that I did so fully realising the fact that everybody had to pay it. There are other persons who were allowed to import duty free certain articles, such as printers' requisites and manures for the sugar planters, but it was felt that money had to be raised and everybody had to pay. I feel that no exception should be made and must oppose the motion.

Mr. CRANE: I opposed the tax but it was clear that even people who were exempt from duty in other respects should not be exempted from this tax. It was essentially a temporary measure.

The ATTORNEY GENERAL: The point is that the motion is with regard to articles imported for the official use of Consulates. Articles that Consulates import for private use have to pay taxes in the ordinary way; but it is part of the comity of Nations that articles imported for official use are not charged, and if we do not make the exemption here we would be denying to Consulates what is granted in all other Colonies.

The PRESIDENT: Might I interrupt the hon. member to point out that we are now considering the remission of the Bill of Entry Tax for 1928, not for 1929, so that discussion of the Bill of Entry Tax for 1929 is irrelevant.

Mr. CRANE: I was just giving the reason why I considered we should not remit it, because it was imposed to cover those persons who had been importing on the free list at the time, and it was then intended that everybody, whether he got exemption or not under any other law, should pay the Bill of Entry Tax.

The COLONIAL SECRETARY: This is a question of courtesy from one Government to another. Articles imported for the official use of Consulates do not fall in the same category as those on the free list to help our own people. Articles are placed on the free list for a special purpose. Articles for Consulates are placed on the free list as an act of courtesy, and if the point had been thought of, as it should have been when section 62 of the Tax Ordinance was under consideration last year, it would have been referred to, and I am sure the Combined Court would have accepted it.

Mr. BRASSINGTON: This is a matter of international practice and we ought not to do anything that would make us laughable in the eyes of the world.

The motion was agreed to.

EXCISE DUTY ON OILS.

The COLONIAL SECRETARY: I move:—

That, with reference to the Governor's Message No. 19, this Council approves of Government giving an undertaking that no excise duty will be levied on cocoanut oil and other vegetable oils produced in the Colony for a period of 25 years as from 1st January, 1929.

The reason for this motion is explained in the Governor's Message. The question has been raised by a well established firm in the Colony who are desirous

of erecting machinery for the production of vegetable oils from the produce of the Colony. They point out, however, that they cannot very well embark upon the capital expenditure involved if in the future, not necessarily this year but when once established, Government should place an excise duty on their products, so it is proposed to give a guarantee that no excise duty would be placed on vegetable oils for a period of twenty-five years. It is impossible for this Council, by law or any other method, to give a guarantee that oils of this sort would never be taxed by excise, but it is possible to give an undertaking, for a period of years at all events, that no excise duty would be levied, and it is thought that twenty-five years is a reasonable period. It is a period of years adopted in other Colonies for similar reasons and under similar circumstances. If this industry develops there may be some possible loss of revenue from the Customs duty at present derived from the importation of vegetable oils but for whatever small amount of duty that might be lost on such importation it is possible that vegetable oils made from the produce of the Colony would represent an equivalent in increased employment, the possibility of using local products and turning them into vegetable oils would more than compensate Government for any loss from the non-importation of such oils. We hope to increase the cultivation of oil producing plants and in that way develop agriculture, and at the same time to establish a valuable industry in the Colony.

Mr. SMELLIE: seconded the motion.

Mr. CANNON: I beg heartily to support this suggestion. I, however, wish to bring to Your Excellency's notice and to this Council a peculiar incident that has come to my notice quite recently, and I am going to ask why is it that the Government have directly or indirectly prevented the use of industrial oil manufactured in this Colony. I happen to know that a very

large firm of repute has imported a very expensive plant for the purpose of experiment and to supply the needs of the Colony with an industrial oil. I happened to have tried that oil in the course of my business and I found it excellent stuff which should be used and encouraged. When I applied for a quantity of that oil I was told that there is a moral obligation between Government and the firm that it should not make that particular oil. It seems to me peculiar that Government should table this motion with respect to coconut and other vegetable oils and when it comes to the sugar cane you are told that you are not allowed to supply the public with that oil. I therefore suggest, with your permission, that either this motion should be amended so as to include that particular kind of oil or permission be afforded me when we get to the Tax Ordinance to provide that the sale of that oil should be permitted. You will be interested to know, sir, that that oil is over 100 per cent. cheaper to the consumer than the imported article. I have made representations to Government on the subject but have not received a reply to my communication. I suggest that the matter should be given some consideration.

The PRESIDENT: I thank the hon. member for drawing attention to that point. I do not think it would be a suitable occasion to deal with it by amending this particular message, but Government will make enquiries into the question. It is like a good many others; it is buried in a good deal of confusion and we have to dig through to get at the facts.

Mr. WOOLFORD: I think it is well that it should be known that this is probably the forerunner of other industries which are likely to be inaugurated for the welfare of the Colony. I believe it has been mentioned that the Government of Trinidad and other Colonies have been asked to extend this concession to this particular form of industry, and I should like it to be generally known that it will be a stimulus to the coconut industry. So

long as cultivators here are encouraged to think and believe that the result of their labour will find a ready market locally it will certainly be a matter of considerable encouragement to them, I will not say to extend but certainly to maintain their present cultivation. I have risen also with another object, and that is to ask Government to bear in mind the possibility of being asked to give an undertaking not to impose an excise or differential duty on other industries that might make their appearance either in competition or side by side with those which enjoy this concession. I hope that when these industries apply to Government for the same protection there will be no hesitation in according them the same privilege as is accorded to this industry to-day.

The motion was approved.

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MOTION WITHDRAWN.

The COLONIAL SECRETARY: With reference to the Governor's Message No. 20, inviting this Council to approve of Mr. D. S. Dougall, late Manager of Pln. Anna Regina (Essequebo). Land Settlement, Ltd., receiving a free passage to England, I have been informed this morning that Mr. Dougall has obtained employment in the Colony and with the permission of the Council I ask leave to withdraw the motion.

The motion was accordingly withdrawn with leave of the Council.

The ATTORNEY GENERAL: With your permission, sir, I give notice that at the next meeting of the Council I shall move the first reading of the following Bills?—

Bill to make provision with respect to the discipline of Legal Practitioners.

Bill to make provision for appeals from the decisions of Magistrates.

The PRESIDENT: I should like to ask hon. members a question about

when the Estimates are to be tabled this year. Unfortunately, we find that it would be impossible for the printers to deliver the printed copies of the draft Estimates before the 3rd January. That puts us in a great difficulty, because about the 18th or 19th January some of the members of the Council will be going away to attend the West Indies Conference. Therefore it is advisable that we should take and read and pass through these Estimates as rapidly as possible. Here is the point. The budget can be introduced and the Estimates handed to hon. members on the 3rd January. Will it allow sufficient time if we then adjourn the Council until Tuesday the 8th January? That will mean that hon. members will have the Estimates in their hands from the 3rd to the 7th January before the Council goes into Committee on the Estimates. If any hon. member thinks that is too short a time I should like him to state it. If there is no objection, then Government will fix that time for the introduction of the budget on the 3rd January and the Committee on the Estimates will start work on the 8th.

I forgot to mention that we shall be meeting on the 2nd January when certain business will be ready. It is unfortunate that the Estimates will not be ready by then. With regard to next Friday, I do not know whether hon. members have received notice about the photograph of this Council. I think it would be a pity for the Council to start on its first session without a photograph to record the distinguished members who form it. We owe a certain duty to posterity to preserve for them the features of their ancestors. (Laughter). On completion of the operation I propose to give my Annual Message to the Council which I hope I shall be able to get through in two hours.

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