

LEGISLATIVE COUNCIL

THURSDAY, 13TH NOVEMBER, 1952.

The Council met at 2 p.m., His Excellency the Officer Administering the Government, **Mr. John Gutch, C.M.G., O.B.E.**, President, in the Chair.

PRESENT:

The President, His Excellency the Officer Administering the Government, **Mr. John Gutch, C.M.G., O.B.E.**

The Hon. the Colonial Secretary, **Mr. J. L. Fletcher, O.B.E.** (Acting).

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

The Hon. the Financial Secretary and Treasurer, **Mr. E. F. McDavid, C.M.G., C.B.E.**

The Hon. **Dr. J. B. Singh, O.B.E.** (Demerara-Essequibo).

The Hon. **Dr. J. A. Nicholson** (Georgetown North).

The Hon. **T. Lee** (Essequibo River).

The Hon. **V. Roth, O.B.E.** (Nominated).

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

The Hon. **J. Fernandes** (Georgetown Central).

The Hon. **Dr. G. M. Gonsalves** (Eastern Berbice).

The Hon. **Dr. C. Jagan** (Central Demerara).

The Hon. **W. O. Kendall** (New Amsterdam).

The Hon. **A. T. Peters** (Western Berbice).

The Hon. **W. A. Phang** (North Western District).

The Hon. **G. H. Smellie** (Nominated).

The Hon. **J. Carter** (Georgetown South).

The Hon. **L. A. Luckhoo** (Nominated).

The Hon. **W. A. Macnie, C.M. ., O.B.E.**, (Nominated).

The Clerk read prayers.

MINUTES

Mr. Peter May I call attention to the fact that I attended Council last Friday, but my name has been omitted from the minute .

The President: With that amendment we will confirm the minutes.

The minutes of the meeting of the Council held on Friday, 7th November, 1952, as printed and circulated, were taken as read and confirmed as amended.

GOVERNMENT NOTICE**INTRODUCTION OF BILL**

The Attorney-General gave notice of the introduction and first reading of a Bill intituled—

“An Ordinance further to amend the Cinematograph Ordinance with respect to the granting of licences.”

UNOFFICIAL NOTICES**CLOSING OF U.S. VICE CONSULATÉ**

Mr. Macnie: I beg to give notice that it is my intention to move the suspension of the relevant Standing

Rules and Orders at a later stage today in order that a motion, a copy of which I have handed to the Clerk, may be debated. The motion, I may state, relates to the closing of the American Vice Consulate in this Colony and I trust that hon. Members will agree that it is of sufficient importance and urgency to be dealt with at this meeting. The motion reads:—

"Whereas it was announced on the 5th November that the Vice-Consulate of the United States of America in this Colony will be closed to the public from the end of November, 1952.

"And whereas the services afforded by the office of the American Vice Consul have been of great benefit in the maintenance of good relations between the peoples of the United States of America and of British Guiana;

"And whereas the office of the American Vice Consul has been of invaluable assistance not only in regard to the development of trade but especially in facilitating arrangements for travel to the United States of America for all sections of the inhabitants of this Colony for a wide variety of purposes;

"Be it resolved that this Honourable Council records its deep regret and grave concern regarding the announcement that the American Vice Consulate will be closed, and accordingly asks that His Excellency the Officer Administering the Government telegraph the terms of this motion and debate to the Secretary of State for the Colonies, with the request that Her Majesty's Government make immediate representations to the Government of the United States of America for reconsideration of the decision reached and for the maintenance of the Vice Consulate as at present established or in the last resort in a modified form."

NOTICE OF QUESTIONS

IMPORT LICENCES FOR DAIRY PRODUCTS

Mr. Fernandes gave notice of the following questions:—

1. Is it Government's intention to implement the recommendation contained in my motion which was passed in this Council on Thursday 6th November, 1952?

2. If the answer to question 1 is in the affirmative when does Government propose to implement it?

KITTY WATER SUPPLY LOAN

Mr. Carter: Before proceeding with the Order of the Day, Sir, I desire to draw your attention to the fact that at the last meeting of this Council I gave notice that I would move the suspension of the relevant Standing Rules and Orders so as to enable me to proceed with the motion which appeared in the minutes of the last meeting. The motion is one which asks Government to grant a loan of \$32,000 to the Kitty Village Council for the improvement of the water supply in that village. It reads as follows:—

"Whereas the residents of Kitty Village are suffering great hardships as a result of inadequate water supply; and

"Whereas the only remedy for this water shortage is the construction of overhead tanks at a cost of \$32,000 (Thirty two thousand Dollars); and

"Whereas the revenue of the Village is unable to meet this expenditure;

"Be it resolved that this Council recommends that Government advance the required sum as a loan to the Village Council repayable in thirty years."

In asking for the suspension of the relevant Standing Rules and Orders, I think all I need do is to draw the attention of hon. Members to the fact that the motion is one of great urgency as the residents of Kitty village, like people elsewhere, are dependent on the water supply and recently they have been experiencing great hardship in this particular respect. I request that the relevant Standing Rules and Orders be suspended in order that this motion may be debated. So far as I am concerned, I am not going to be of any great length in my opening address and I think that if we are all moderate in our speeches we will get through in a short time. This is a simple subject and the motion should not burden today's Order Paper unduly.

Mr. Macle seconded.

The President: I will put the question that the relevant Standing Rules and Orders be suspended.

Question put and agreed to.

Relevant Standing Rules and Orders suspended.

Mr. Carter : I am very grateful to hon. Members for supporting me in my motion for the suspension of the relevant Standing Rules and Orders in order that this motion should be taken. As hon. Members are aware, Kitty is the premier village in this Colony. The residents number around 11,000 persons—I have been told so by the Chairman of the Village Council—and we are all well aware, or should be well aware, of the great strides this village has made within recent years. The population has multiplied tremendously within the last 10 or 15 years, and with this rapid increase in population one would expect certain difficulties to follow. The reason for this increase in population is obvious; some of the people in Georgetown wanted to pay less rent and less rates and taxes, and therefore they rushed into Kitty—even against the wishes of the residents there—and occupied homes apart from building others.

The Village Council has had all sorts of problems on hand, including problems of lighting, road building and road maintenance. They have been faced by the various councils, nominated and elected, from time to time, with the result that today Kitty is a vast village of which I think everyone in this Colony is proud. As a matter of fact, the people in Georgetown are so proud of Kitty today that it is their desire to incorporate it in the Greater Georgetown Plan, much against the wishes of the residents there. I myself am a resident of Kitty and I think these people will continue that resistance for a long time to come. I am aware of the fact that there is a Committee or Commission—I think it is known as the Farnum Com-

mittee or Commission—which has been studying this question, but I do not know whether any report has been submitted to Government as yet. Whatever the result of this Committee may be, however, I wish it to be known that the great majority of the residents of Kitty are opposed to incorporation of the village in the Greater Georgetown Plan.

This idea of incorporation is nothing new; it was also spoken of some years ago, but I know that the people of the village are going to oppose it tooth and nail. More recently, because of its rapid increase in population, Kitty has found it increasingly difficult, so far as its water supply is concerned, to cope with the demands of the population. They have an old well, and recently they had to sink a second one. It is also felt that in view of water shortage they should sink a third well, but they consulted Major Harrington who is the expert in this Colony so far as pure water supply is concerned, and he expressed the opinion that there is no use having a third well in the district and that the difficulty could be served if they constructed overhead tanks. That, I think, is also the opinion of Government. The cost of these tanks and the fittings, etc.,—I myself worked it out—is \$32,000 and I think that is a small amount for the good that would accrue to the residents of the village. During the rainy season the problem is not very acute but we have dry seasons every year and during these seasons it is impossible for the residents to get any water supplied in the large quantities to which they are accustomed.

I do not think I need stress to this Council the need for water and what would follow if people do not have an adequate water supply. There are several doctors on this Council and they would be able to say that the result might be a very serious epidemic which might not be "iron curtained" in Kitty, but which might spread to the

City of Georgetown and result in a grand epidemic in the whole country. That would be a serious business and might cost Government several times \$32,000. I am going to recommend to this Council to support this motion asking for a loan of \$32,000 to the Kitty Village Council, and that the Council be given a period of 30 years—even 20 years would assist but they prefer to have 30 years—for repayment in equal amounts.

Further, I desire to say that I have a mandate from that village council to bring forward this motion, and therefore it is not one which I have brought off my own bat. I was invited by the Chairman of the village council to a Press conference he held, and through that conference I heard all the details relating to this problem. It is since then that the Council held a meeting and gave me a mandate to bring forward this motion. I think the only objection to this motion is that which would come from people who are in favour of the incorporation of Kitty in the Greater Georgetown Plan; but, Sir, the residents are afraid that if the village is incorporated with Georgetown they would encounter serious difficulties and problems. They feel, for instance, that there will be an increase in rates and taxes that will not be commensurate with the amenities and representation they will enjoy.

I am not saying that Kitty should get equal representation with Georgetown—that would be absurd—but the representation for Kitty would always be in the minority—a voice crying in the wilderness—and things would not progress as usual. Members representing Georgetown would always be more concerned with the improvement of the Wards in the City than they would be with Kitty village. If we read the newspapers we would see the pride members of the City Council take in the various things they have done for Georgetown. We hear of them at election time. It would be natural for the representatives

of Georgetown to support their own Wards and not the area representing Kitty.

Kitty has had an excellent record as regards the repayment of loans to Government. I think six or seven loans have been obtained in the past and they have been repaid in good time. Therefore, there can be no objection on that score. When the village purchased Subryanville it repaid the loan within a year. Therefore, it has a very good record and the Council is in very good hands. I know it will continue to be in very good hands because the people in Kitty have always chosen their representatives with great care. They have done so for the last 20 years and I do not see why they would not continue to do so in the future. Hon. Members have been good to the Georgetown Town Council and I think the hon. the Fifth Nominated Member at the last meeting expressed the view that the Town Council might be able to assist Kitty by extending their water service to that area. I think the reply the Kitty Village Council received was that the Town Council were debarred by statute from doing so. If even they would be breaking the law there is every cause since there are a number of houses North of Vlissengen Road which are being supplied with water from the City for many years. I know that as a fact, because my house is one of them and it would be a simple matter to extend the service.

One would have thought that the Town Council, if it wanted to show any goodwill towards Kitty, would have given permission for the extension of the service and so help to solve the problem right away. Then the residents of Kitty would have been able to say "these people were good to us — they helped us in a situation which was desperate and will continue to show us goodwill if the village is incorporated in the City."

Mr. Roth: To a point of correction: I want to know whether the hon.

Member is speaking on the motion when he refers to the Town Council as he is doing?

Mr. Carter: I submit that I am in order. That is the position of the people at Kitty, and I think at this stage I should refer to the reply which was given on behalf of the Town Council. That, in itself, is the case in a nutshell. I think it is a shame to say that in a country like this which boasts of such an excellent system of local government—I think it is the best in the West Indies—Kitty which is now incorporated in the Greater Georgetown Plan has not been able to show its ability to manage its own affairs. The people there have been doing so for a long time and have honoured whatever obligations they were under with Government as a result of assistance given. It gives me great pleasure to move this motion in all the circumstances.

There is only one point I have omitted to mention and that is, after Government turned down the loan which the village council asked for, the council asked for permission to raise this amount from another source because they had done so in the past. They have raised loans from insurance companies in this Colony and I think there are companies now which are willing to lend them this money. I do not want to stress that unduly because I feel that Government should be the persons from whom this loan should come, for many reasons and for obvious reasons. If Government feels otherwise I shall listen to all that the hon. the Colonial Secretary or any other Government speaker has to say. If Government feel they are not in a position to make this loan, I should like to hear whether they would be disposed to give permission to the village council to raise it from another source. That is all I shall say at the moment.

Mr. Lee: Before the hon. Member takes his seat, I should like to point out that I have not seen anything about

interest charges mentioned in the motion.

Mr. Fernandes: I have very great pleasure in seconding this motion. I happen to know as much of this matter, perhaps, as any other person in British Guiana. I was formerly a member of the Kitty village council—was Chairman for a couple of years—and saw the water problem starting since then. As a matter of fact, I was a member of a small committee which interviewed Mr. Harrington with a view to finding a solution for the problem. First of all, this motion should have been entirely unnecessary. I say so because Kitty's credit has always been good—they have always paid their dues properly—they have never failed to meet their obligations—and I do not see why Government should refuse to lend them this money. As the hon. Mover of the motion has said, the village council can get this money outside and there is some reason for that. Kitty has got a lot of property of its own and it would be very easy for the council to raise the money outside, but who knows what that course may mean? It seems to me that the intention is to force the absorption of Kitty into the Greater Georgetown Plan, whether the people of Kitty like it or not.

This is a British country, however, and I do not think that British justice would tell me that a thing like that should be done against the wishes of the people. The method being used against them is a harsh one, since now that they have been forced to seek assistance in order to relieve their rate-payers, they have been told that they must allow the village to be incorporated in the City and let the City Council give them the water they need.

That, sir, I maintain, is absolutely wrong. If it is the intention or the wish of Government to have Kitty absorbed into the City of Georgetown, then this method is not the one Government should

use. Government had the recent experience of trying to get two small villages amalgamated. It was done against the wishes of one village and Government knows what the result was. I am not going to suggest that bringing Kitty into the City may not be a good long term plan. That is debateable. Nevertheless, I do not think the method of forcing the people of Kitty, because of their water needs, to get on their knees and go to the City Council and ask to be absorbed otherwise they must go without water for the balance of time, is the right method at all.

I live in the Subryanville section of Kitty. I am not one of those who are short of water. I live on top of the well. I took the precaution to put down a sufficient reservoir accommodation that, even if the well did not flow for a day or two, I would not be short of water. So I am not talking in my own interest. I am talking in support of this motion on the very great principle that it is wrong to force persons to submit themselves to others against their wishes. It is that forcing of persons by one section that is causing all the trouble in the world today, and it will always cause trouble. It will cause trouble here, because I can assure you, sir, that if the time ever comes when this Government actually attempts to force Kitty to join the City against the people's wishes, I will fight as hard as it is humanly possible to do, even if I have to go down fighting against it. There are lots of other sections of the areas bordering this City which have no kind of administration at all and no one has ever tried to push those into the City. As a matter of fact, Government has no means of pushing them in. They do not have to go to Government to borrow money when they want it, but these villages have to work through the District Commissioners who are in truth and in fact joined with the Local Government Board, the virtual dictators over these villages. In this case, that dictatorship

stands out when they have opposed the loan by Government to Kitty of \$32,000 for the purpose of putting down overhead tanks. That is as far as the truth goes.

I would like to say that I have been living at Subryanville from February, 1949, to now—3½ years—and I certainly would not like to go back to drinking the city water which is at present coming through for consumption. I attended a meeting of the Rice Marketing Board and had to comment on the awful colour of the water, as it appeared in one of the coolers. The colour was something which made me hesitate to drink the water. On the other hand, the water at Kitty is from an artesian well and is pure, and unless it gets contaminated after it leaves the well it remains pure. It is a far healthier water than that the Municipality starts off with. Of course, they have gone to some expense to treat it, but nevertheless I do not like the colour of the water, which I saw yesterday. So, even if Kitty is absorbed into the City, whether by the people's own desire or not, we would nevertheless reside there and would much prefer to use the water from the artesian well stored into tanks and connected to our homes than to use the water presently distributed in the City.

I have very much pleasure in supporting the motion, and I join the hon. Member in saying that if Government finds it is not possible to lend this money then permit Kitty to borrow it elsewhere. The question of interest was raised by the hon. Member for Essequibo River (Mr. Lee). I would like to tell him that a fixed rate is charged to villages for a Government loan. I would like to explain for the benefit of those who may not know, this is not a vote of \$32,000. The intention of the motion is that Government make a loan to a village, that has always repaid its loans and has never once asked Government to write off a portion of its loan or to waive the repayment

of any part of any loan it had from Government. I think that the risk from a financial point of view is safe, and I do not see any reason why Government should refuse or this Council should not pass this motion and, if it is passed, why Government should not implement it.

Mr. Thompson : I am supporting the motion for this loan. We cannot be fiddling while Rome is burning. It is a very serious matter. It came before the Local Government Board, and not that they turned it down but they said that as the question of incorporation into the City was in the air let us await the result. But most of us on the Board are agreeable to the granting of the loan. I went to Mr. Harrington myself on this matter, and he gave me the assurance that nothing can be done immediately. Kitty's anxiety over it ought to be the anxiety of Government. We cannot afford to allow this matter to remain like that without treating it as being urgent. I will certainly support the motion and I want to give the assurance that the Board is not opposed to it. It has been gone into thoroughly by the Board, and it is just the question of incorporation that has held it up.

Reference has been made to the District Commissioners. I do not know that the District Commissioner of that district is opposed to it. To my knowledge he did not turn down the loan, because it was recommended to the Board for Government to look after. I am sure that when this matter is gone into Kitty will not be left out, and I promise my backing as I do now. I support wholeheartedly all the statements of the hon. Mover and give the assurance that I will be with Kitty in this matter.

Mr. Luckhoo : During the debate on Federation I remember remarking that although I was against it at the moment I could well foresee that in

course of time Federation would come. On that occasion my hon. Friend, the Member for Georgetown South (Mr. Carter), was very much in favour of Federation, and even though on this occasion in respect of the incorporation of Kitty into the City he is very adamant about it, I venture to suggest to him that in course of time Kitty will be incorporated into the Greater Georgetown Plan. Nevertheless, it seems to me that the hon. Mover is attempting to solve the problem by providing a temporary solution to a very heavy problem at the moment. It seems to me that this is only a temporary expedient and that in course of time with the development of his own people it will be necessary for Kitty to have underground tanks as well as overhead ones so as to be able to meet the needs of Kitty, which, I can see, will be in another five, ten, 15 or 20 years. I do wish to say this without acting as advocate of the Town Council, which I am not. I do not think the remarks are fair that overtures were made to the Town Council and they in their desire to have Kitty incorporated resolutely refused by quoting sections of the law which preclude them from taking certain steps. That is not only unfair but it is not a just and true statement of the facts.

Speaking for myself and for the general opinion of the Town Council which I have heard expressed on several occasions there, no one wants to force Kitty, Subryanville, La Penitence, etc., to come into the Georgetown area, but one feels that in course of time that must be the natural sequence of events without anything we may intend to do about it. I think I can speak on behalf of my colleagues on the Town Council because I have heard their views expressed so often. They have no intention to force anyone into a situation by placing a gun at his head and saying to him "Come in". When application was first made to the Town Council for the purpose of the Kitty extension and offering to pay for our water

supply to them, we made general enquiries as to the capacity of our potable water scheme and what would be necessary if we were to incorporate Kitty, Subryanville and the areas around there. We were told that about 5,000,000 gallons a day would be right up to the neck. The whole output per day at the moment varies between 4.2, 4.3, 4.4, million gallons, and in order to take in an area such as Kitty and Subryanville, not considering La Penitence, Ruimveldt, Lodge, etc., it will require additional filters. Though we have the machinery we will require additional pumps and to run pipe-lines. That will cost money, and the estimate we have is for the sum of \$400,000. That is what it will cost just for the extension to Kitty and Subryanville in order to get additional filters, pumps, etc. The machinery is quite capable of doing the extra work provided you have the pipe-lines, etc. While I am not acting as advocate of the Town Council, it is impossible for the Town Council to consider an isolated application from one area or one group in order to see how we can develop our plant or extend it so as to supply them with water without considering the general overall scheme of supplying water to the areas which, it seems, must come into the Greater Georgetown Plan within the years in which we will be still living.

From that point of view the Town Council has written the Government and put forward the suggestion that we are prepared and willing to cooperate under certain terms and conditions in taking control of the area. The suggestion was to have a joint Board such as the Georgetown Sewerage and Water Commissioners to act and operate for a certain period of time. It has been put forward and, I have no doubt, it will be given adequate consideration. It is also suggested that new lands which had been taken in for house-building should be free of taxation for a number of years. The point, I am making, is that this is the re-

action to the overtures made by Kitty. They did not arouse a feeling of repulsion from the Mayor and Town Council of Georgetown, whereby it can be said that "unless these people come in—and we want them in—we are going to stand by like a dog in the manger." There is nothing further from the truth than that. So far as my personal views are concerned, what appeals to me is the humanitarian point that the people are suffering; as the hon. Mover puts it, that through this lack of water supply the people are likely to suffer and maybe disease may result from it, and this sum of \$32,000 is requested by these people to give them the water which they need. An appeal of that nature, I am sure, will not be readily turned down by anyone.

But I have no doubt that that is not the solution. It is only a temporary expedient. If it is necessary in order to assist Kitty at this stage, I say, whatever can be done should be done to assist them because they cannot do without an adequate or proper water scheme. But I do ask the hon. Mover and Seconder, both of whom have the general well-being and interest of the masses at heart and also the areas for which they have spoken, to give some further consideration as to whether it is not merely putting off the day when these people must come into a wider and larger plan, and in order to enjoy the amenities which one enjoys in the City — proper roads, sewerage, water supply, electric lighting and things of that nature — they must come in and pay their way in a bigger and wider and more comprehensive school of thought, action and development of their particular area. I say for myself that I do not intend to vote against the motion because of the ground on which it has been put forward by the hon. Mover and Seconder who are leaders in their respective spheres. They feel that Kitty is in a very bad way and needs assistance now.

One question I had recorded to ask, and that is, whether there had

been an application, but the hon. Member has assured us that the village council was asking for the money to be advanced by way of a loan. I do feel that whatever is done, this is not the solution to the problem. The solution is something much bigger than this. If I may draw an analogy, when we were discussing in the Town Council the plague of rats in the markets, which were all along the Water Street waterfront invading and causing destruction, someone suggested that the way to get rid of them was to get a few more rat-traps. That supplied the kind of solution I see here. This does not get at the root of the matter. Nevertheless, on humanitarian grounds I am prepared to support any action which will give any form of relief temporarily.

Dr. Nicholson: Like the hon. the Sixth Nominated Member (Mr. Luckhoo) I do feel that the tide of Federation is rolling and in the not very distant future we shall see the Greater Georgetown, rise and take a worthy place as the capital city of this Magnificent Province. A visitor from overseas came to me a little while ago and I drove him around Georgetown. He was impressed with the residential areas but not so much with certain parts of them, and I said to him "Come and let me show you a fine residential area rising up on the suburbs of Georgetown." We drove into Subryanville and this is what he said to me: "Yes; nice houses but behold the drainage. You have mud drains, stagnant pools covered with weeds, and mud roads. That is not nice". I feel that if the people of Kitty were to come into the Greater Georgetown Plan they would enjoy the amenities of better drainage—and that means better health—better sewerage, more adequate water supply, electric lighting and good roads.

I do certainly take exception to the statement made by the hon. Member for Georgetown Central (Mr. Fernandes) about our water supply. Our potable water supply in Georgetown is an ex-

cellent water supply. It is superior to the water we store in our vats, and it is far superior to well water which is charged with carbonates. I drink that water and use no other than the potable supply. I draw it from the tap and drink it right away. Now I hear today that its colour is dirty. It is an excellent water supply, and I would not like it to go out that we have not a good potable water supply in Georgetown. We are really moving ahead in Georgetown, which is the only city in the Caribbean that is completely sewer-erated. We have potable water to drink, to bathe with and to water our plants.

Mr. Fernandes: To a point of correction! San Juan in Puerto Rico is completely sewer-erated, and that is in the Caribbean.

Dr. Nicholson: I repeat that the city of Georgetown is the only city which is completely sewer-erated.

Mr. Fernandes: The city of San Juan in Puerto Rico is also completely sewer-erated.

Dr. Nicholson: Let us say in the British Caribbean.

Mr. Fernandes: That is a different matter.

Dr. Nicholson: The hon. the Sixth Nominated Member (Mr. Luckhoo) suggested that a loan of \$32,000 to the people of Kitty is not the solution to the question, and I agree with him. I am not going to oppose the loan, but I feel that in the not distant future Kitty is going to incorporate itself into Georgetown, and then this \$32,000 which has been spent might be a waste. That is how I feel about it. I am not talking about Kitty, but I visit Subryanville frequently. I have spoken to quite a number of persons of Subryanville and they have assured me that they are very willing to have there taken into the City. They are not the wealthy residents but the poorer ones.

The masses in Kitty do not want to be incorporated into Georgetown. Yet we were told by the hon. Mover that Kitty was invaded by the people of Georgetown because they want to get away from high rates and taxes. That is a very good reason for bringing them in. They, as it were, are parasites; they work in Georgetown, obtain good salaries in Georgetown, live the greater part of the day in Georgetown, but go to Kitty to sleep so as to pay small rates and taxes. We should catch up with those people who run away from the City. That is a very good reason to have them incorporated into Georgetown.

As the hon. the Sixth Nominated Member has said, a motion of this sort savours of the humanitarian. The people at Kitty are thirsty and if there are thirsting souls, shall we not give them water? So I am not going to vote against the motion, but I recommend to the people of Kitty that the sooner they come into the Greater Georgetown Scheme it would be the better for themselves, because in union there is strength. The taxes and rates would be spread over a greater area. If they come into the Greater Georgetown Scheme and they do not have sewerage, they would not be taxed sewerage rates. They would be taxed according to the amenities they enjoy, and they would have adequate representation in the greater Town Council. Just as the individual councillors of their wards fight for their wards and brag about their achievements for their wards, so the Councillors of Kitty in the Greater Georgetown Scheme would be able to brag of their achievements in the Greater Town Council.

Dr. Singh: I shall confine myself strictly to the object of this motion, and that is, owing to inadequate water supply there is a hardship in Kitty and a state of emergency may arise. The hon. Mover of the motion suggested

the provision of overhead tanks. Such tanks may be useful for a certain time, but what we have to consider is how long these overhead tanks will take to be erected. Are there any other alternatives? I think the safer one is to attach Kitty to the Georgetown Municipality. Their water supply would then be not only quite sufficient but of long standing duration. Another alternative, I would like to suggest, is the putting down of another artesian well. As far as I am concerned, I visit the Kitty District very frequently and know there is a shortage of potable water there. I am told by many persons there, especially the poorer classes, that they are quite willing to be attached to Georgetown, but the hon. Member for Georgetown North (Dr. Nicholson) has said that the wealthy people too have asked to come in. They say that one or two people in Kitty are disturbing the whole thing. So far as I am concerned, I feel that I cannot support this motion. We should think of some alternative.

The President: I should like to support this motion because I feel from what has already been done that this is the only solution we can embark upon immediately. The hon. the Sixth Nominated Member has told us what transpired in the Town Council and pointed out that the Town Council had not absolutely rejected the application to give water to Kitty, but that if it was to be given it would mean an additional expenditure of about \$400,000—to give water not only to Kitty but to the other areas surrounding Georgetown. I do not know whether this question of water has anything to do with the question of amalgamation. I think they are separate issues and if the people of Kitty desire amalgamation or not with the City that is their business. I think Government should know from the experience they had at Plaisance and Sparendam that nothing can be forced down the throats of the people.

We have heard the views of the hon. Member for Demerara-Essequibo and the hon. Member for Georgetown North. They have said that rich people and poor people alike are desirous of incorporating Kitty into the city of Georgetown, and we have heard the hon. Mover of the motion say that the Kitty residents are definitely against amalgamation. If it is felt by the Georgetown Town Council and also by the Government that amalgamation is a good thing, I think the best way to solve the question would be to take a referendum. Both sides can put the situation very clearly to the people, firstly, through the members of the Georgetown Town Council and the authors of the Greater Georgetown Plan. You can put the issues to the people of Kitty and get them to vote on it. As I see it, however, the question of water supply for Kitty should be handled outside this issue of amalgamation.

There is no reason why the Georgetown Town Council cannot act as a willing agent to sell water in the same way as the Demerara Electric Company sells electricity, so as to facilitate the people of the outlying districts. It is true that expenditure by the Town Council will be involved, but I am sure that the same way Government would be willing to lend money for important projects in this Colony, if the Town Council came to Government and said "the people in Kitty are being water starved and are willing to buy water from us but we cannot provide it unless we get an additional sum of money by way of a loan to carry out this capital work", I can see no difficulty whatever in the loan being granted. I feel that is the only way to tackle this problem immediately. In the same way as the people of Kitty would see the advantages in buying water from the Town Council, the residents of Newtown, Campbellville and other places would go to the Town Council and apply for those facilities.

As the hon. the Sixth Nominated Member has said, the machinery is already there and it is only a question of leading the water from the plant to Kitty. That can be done peaceably. He said that the whole thing embracing Georgetown and its environment would cost about \$400,000; but if we take a section only I think it would cost much less. I see the Financial Secretary shaking his head, as if to say that is not so. I think we should have had an expert here to give us expert information on this matter. I myself would agree to this motion as it stands, but I would like to make this point: If the expenditure of this \$32,000 by Kitty is to mean a waste of money from the long-term point of view—so far as making an arrangement for Georgetown to supply the water is concerned—then I agree that there should not be this wasteful expenditure. That is why I would like to get from Government and also from the experts what is the real situation as regards this matter being an economic proposition.

The Financial Secretary and Treasurer: I am very glad that the onset of the November-December rains has at least taken some of the urgency and some of the heat—and possibly some of the fierceness—out of this particular motion, and that we have had some reasonable and logical argument this afternoon, as evidenced in the speech of the hon. Member for Central Georgetown. I feel that there has been some confusion of thought about this whole issue. In the first place, we are confusing the inclusion of Kitty and other places outside Georgetown in the Greater Georgetown Plan with incorporation by the Municipality. I think it is true to say that the Greater Georgetown Plan—that is, the scheme which was prepared by Mr. Costello and accepted by the Central Housing and Planning Authority, and afterwards on behalf of the Government and is now law—was accepted by the Georgetown Town Council, the Kitty Village Council, the Lodge Village Council and, I think, one or two other

bodies. That is to say, the plan for extending the limits of what we now know as Georgetown has been accepted. But what has been in issue for some time, is the question whether Kitty should come within the scope of the Local Authority of Georgetown—the Georgetown Town Council.

I am sorry I have to deal with the second issue first and leave the water supply question for the last. This question of the incorporation of Kitty in Georgetown has been the subject of controversy and misunderstanding—and I am afraid to say, misrepresentation—and it is for that reason that Government set up a Committee—a working party—to prepare and present a plan of the steps, legal and otherwise, which should be taken to bring it about, and also at the same time to set out in their report something of the result on the inhabitants of the various areas concerned. We know very well what the objections to incorporation are. If I were a resident of Kitty, like two of the hon. Members who have spoken this afternoon, I myself may have been unhappy about it.

People feel that their coming within the Municipality would mean, immediately, the application of rates and taxes or, possibly, rates alone on the level existing in Georgetown now. People also believe they would lose their measure of representation in the local authority. They do not understand that when incorporated they would have to receive an equal measure of representation in the Town Council as any member ward in the City. They certainly do not understand that incorporation would, necessarily, mean some position whereby the rating of their area would be equitable and fair. That is to say, they would only pay for such amenities as they get.

In other words, I feel that incorporation would mean that for some time the residents of Kitty would pay no more or no greater level of taxation than they

are paying now. Those are fears that are existing in the minds of people but need not exist any more and it is to set those fears at rest and to set out the legal position—the legal steps—that that Committee was set up. This Committee however, has suffered many vicissitudes. It was set up under the Chairmanship of Mr. Percy King, but shortly after he fell ill and had to go away. He was replaced by Mr. Gilbert Farnum, Crown Counsel, who was then about to take leave, and I am afraid he was unable to pay adequate attention to this very difficult task. The Town Clerk was also one of the members of the Committee, but he had been made to forego leave previously and was very anxious to get away. I think what Government accepted was a preliminary report, but Government was compelled to ask that the study be continued under the Chairmanship of Mr. A. C. Brazao, now His Lordship, Mr. Brazao, and I think among the facts sent in he explained what had been the delay in bringing to a head this controversial issue as to whether it is right that Kitty should be incorporated into the City.

I would join issue with the hon. Member for Georgetown South who has represented Kitty as a village. It is true that it has that status under the Local Government Board, but it is not a village at all. It is a suburban area of Georgetown in which 11,000 people are living. It has a population greater than that of the town of New Amsterdam. It is an area on the border of Georgetown and it follows, without doubt, that there must be some pressure to bring it within the confines of the City. That has happened all over the world and it is right that where an area such as this exists outside the City—a city which has all the modern services as regards sanitation and so on—it should come within the area and be developed. That is the only way it could be done. I myself hope that when the case for incorporation is fairly put before the people and before the Legislature, the evidence would be overwhelming in favour of

the incorporation of Kitty and the other areas within the ambit of the Greater Georgetown Plan and within the authority of the Georgetown Town Council.

To come back to the object of this motion which is purely to relieve a hardship as regards the water supply in Kitty, we are told that what is desirable is to spend the sum of \$32,000 for the erection of tanks. I am entirely in agreement with the hon. the Sixth Nominated Member (Mr. Luckhoo) in this respect. It is a futile gesture, to my mind, as to what is really required. The obvious thing to do is to connect Kitty with the water supply of Georgetown which has recently been enlarged and extended and purified. That is the obviously correct thing to do. At the present time the Town Council of Georgetown are considering—as they must consider—how they can make arrangements for the supply of water to all the suburban areas comprised in the Greater Georgetown Plan. These areas are Kitty, Newtown, Campbellville, the Decanting Centre at Ruimveldt, La Penitence, Bel Air and so on. I have been furnished with an advance copy of the memorandum prepared by the Mayor and Town Council on the subject and I see from this memorandum that the figure of \$400,000 is the estimate for preparing additional filter tanks to serve the whole area, plus the necessary pipes.

What I suggest is that whatever happens we are going to have to provide a better water supply for Newtown, Campbellville, Bel Air and so on. Houses are going up at Bel Air now and there is going to be a great clamour for a water supply for the people there. Therefore, it is necessary for the Municipality to make arrangements to supply these areas, and I do not see why the same opportunity should not be used to supply Kitty. I, for one, think that to spend money on this futile gesture—putting up two

tanks to serve 11,000 people at Kitty only—is not right. I think it would be a waste of public funds and that we should invite the Town Council to bring forward, as expeditiously as possible, plans for supplying these areas with a potable water supply from Georgetown.

Here, I cannot but touch on the point so ably made by the hon. Member for Central Demerara (Dr. Jagan). The question of a water supply for these areas is not insolubly bound up with the question of amalgamation with the Municipal government. Hon. Members know that there are ways and means of providing the Town Council with the necessary authority by statute to supply water from the Georgetown Sewerage and Water Commissioners' scheme to these areas, so that if in their wisdom the Legislature and all the people of Kitty reject incorporation with Georgetown, there is no essential reason why some arrangement could not be made by law whereby a supply of water from the Sewerage and Water Commissioners' scheme could not be carried through. I come back to my point: It seems to me to be completely wrong to waste public funds on the kind of scheme mentioned for an area like Kitty, when we have staring us in the face this much more effective and greater plan for extending the filtering capacity of the Water Commissioners' scheme and to provide water for all the areas. We know that the pumping capacity is sufficient, and all that is required is the necessary filtering beds and the necessary pipes to carry the water over.

I notice that there is a tendency on the part of some hon. Members to oppose any kind of amalgamation relating to Kitty and the Town Council, yet they say that on humanitarian grounds we should not oppose this motion. I submit that the best course for hon. Members is to urge upon Government and the Town Council to make

arrangements as quickly and expeditiously as they can to extend this water supply, and leave the question of the amalgamation of Kitty with the Municipality to take its proper place in the scheme of things. I am going to deny completely that it was ever the intention of Government to force Kitty into this amalgamation by using any financial weapon against them; that is to say, by refusing to give them this \$32,000 which, of course, Government can well afford in order to make them amalgamate with Georgetown.

Mr. Fernandes : May I rise to a point of correction? Nobody is talking about "giving" Kitty \$32,000.

The Financial Secretary and Treasurer : The hon. Member should not play with words; he knows what I meant when I said "give". If it is correct that this is only a gesture, then it is a waste of public funds. I am trying to show that the correct thing is to urge upon Government and the Town Council to take speedy action to extend the present water supply. I myself would not agree that Kitty should spend money when this greater scheme is already on the tapis now and can be proceeded with.

Mr. Macnie: I, for one, find myself in some difficulty in this matter. I wonder whether the hon. the Financial Secretary or the hon. Mover of the motion can give us the answer to two questions. I hope I am not going to embarrass anyone by these questions, as I seem to have done at previous sessions of this Council. What I would like to know is this: If a loan of \$32,000 is made to the Kitty Village Council how soon would the present situation be relieved? Secondly, if the loan is not made and the plan which has been explained so ably by the hon. the Financial Secretary is put into operation, how soon would that relieve the present situation at Kitty? I think there are many of us in this Council who are impressed on humanitarian grounds

but who are doubtful in our minds as to whether this is the right solution and not only a temporary expenditure. I feel that the answers to these two questions would help us in arriving at a decision in this matter.

The Financial Secretary and Treasurer : I certainly cannot answer the first question because I am not entirely aware of the degree of urgency for an additional water supply in Kitty. I have heard, however, that people are suffering, and especially householders with taps in their houses for lavatories and things of that sort. If that is so, I sympathize with them. I myself imagine that the onset of rain would largely relieve the situation. After all, Kitty has been Kitty for a long time and I cannot imagine how this immediate problem should have become so immediately urgent. This application for \$32,000 was made before. As regards the second question, I think myself—from what I have seen in the Town Council memorandum—that the scheme could be completed within two years, and perhaps within two months a start could be made. That is to say, the erection of the new filter beds and the completion of the piping. I am sure that the work of the piping could be started in advance of the filter beds. The filter beds would take a long time but there is no cause why the work should be held up because the pipes have to be ordered from abroad. I certainly think that within two years the new water supply scheme could be completed.

Dr. Gonsalves: I admit, Sir, that according to the hon. Mover and seconder of the motion, there is some urgency as regards relieving Kitty of the water supply conditions existing there. I do not think, however, that the motion before the Council is inextricably bound up with the question of incorporating Kitty into the city of Georgetown, and in order to be on the safe side I think it would be well for

me to support the motion. The hon. Mover of the motion has come to this Council armed with a mandate from the Kitty Village Council. Am I to understand that that Council would have taken such authority upon themselves if an emergency did not exist? In the light of what I have gathered from the hon. the Sixth Nominated Member, I cannot understand what was the inability on the part of the Georgetown Town Council to relieve the situation. Having heard the Financial Secretary, however, it appears that it is not a question of inability on the part of the Town Council to supply the water, but that the putting down of filter beds and so on is necessary to enable them to do so. In that case, if good judgment cannot be made to prevail upon the Town Council to supply the water I shall be left dismayed.

The Financial Secretary has said that it would be a waste of public funds if Kitty is allowed to spend \$32,000 to bring about the relief they propose, but I do not agree with that argument because the money would be theirs. The residents of the area are suffering and the question of providing relief for them with this money is quite a different one from the question of federation or incorporation with the City. I think it would be a fine gesture on the part of the Municipality to supply the water without considering the question of incorporation with the City. If that is to come it would do so in its own time. I am supporting the motion on the ground that the matter is an urgent one.

Mr. Lee: I cannot see the argument of the hon. Member for Eastern Berbice (Dr. Gonsalves), when he says that the erection of these tanks is going to take a long time, probably one or two years, and the Town Council can get the additional filters within 18 months and, therefore, it would be a waste of that \$32,000 to the people of Kitty if they go into the Greater Georgetown Scheme. The people are

not apprised of the fact that the Greater Georgetown Scheme is willing to give them water.

Dr. Gonsalves: To a point of explanation! My contention is, if the city of Georgetown is in a position to supply water to Kitty the question of amalgamation should not exist. The point then arises, whether it would be more expeditious to erect the tanks or get the supply from Georgetown.

Mr. Lee : I think the people of Kitty should be apprised of the fact, publicly or otherwise, whether through the B.P.I. or any other source of information, that they can negotiate with the Georgetown Town Council and, if the Georgetown Town Council is willing, within two years they would be able to obtain their water supply. The necessary amendment to the Town Council Ordinance can then be made. But to say that the loan is to supply tanks now, I would like the hon. Mover of the motion to say whether they can get them so as to relieve the situation. As it stands, the people are in need of immediate relief, and the only source of immediate relief is rainfall. Is it better for the people of Kitty to negotiate with the Georgetown Town Council and within two years have a potable water supply or to erect tanks and lose \$32,000 after a time?

Mr. Carter: I am very grateful to those Members who have supported this motion and seen the need for some immediate relief to be given to these poor people who have been suffering for some time at Kitty. I would like to reply to the various points raised by the speakers, and you would forgive me if I appear to be disjointed as I make my reply to the various issues raised. The hon. the Colonial Secretary said that there was a little confusion of thought because this motion was being linked with the idea of incorporation into the City. But, sir, it is necessary for us to discuss such incorporation because I still say that the only way the Georgetown Town

Council would spend money to increase their potable water supply is if they know that they can get an increase of revenue from somewhere in order to undertake that expenditure. So far as I know, they plan to use the \$400,000 as part of the plan for the incorporation of Kitty into Georgetown under the administration of the Town Council. It can only be so. It is not a plan to use that \$400,000 to supply water to the various neighbouring districts without incorporation and on the basis of selling water to those districts. That is not the case; I am sure, it is the other way—part of the plan to incorporate Kitty into Georgetown under the administration of the Town Council. As we find the people of Kitty are resisting this incorporation, one can imagine that even if the Georgetown Town Council can raise that amount of \$400,000 they are only going to turn the tap on to Kitty if Kitty is incorporated into the City. I still say it is part of a sinister plan to incorporate Kitty by withholding the water supply from the residents of Kitty, and it will continue to be so.

The hon. the Seventh Nominated Member (Mr. Luckhoo) has asked how soon the plan would be implemented if Kitty got its water supply from Georgetown, and the hon. the Financial Secretary and Treasurer has said two years. That cannot be. I feel that by the time you place your orders for the materials and receive supplies it will be 18 months. I am sure the Town Council will not be able to do it within five years—laying the pipes, etc. It means that these people at Kitty will have to be suffering for a long time even if they agree to be incorporated into the administration of Georgetown. So far as the tanks are concerned, they will not be using steel tanks, as the hon. Member for Essequibo River (Mr. Lee) suggests. They will be using concrete tanks because of the urgency and because steel tanks are not obtainable at the moment. To say that the rains

are now falling and for that reason the situation is not acute, is like burying one's head in the sand. Even if the rains relieve the situation for a few months, this condition is bound to recur. The hon. the Colonial Secretary asked how suddenly it has become urgent. It is not sudden. It has been for some time. The reason for the urgency is that the people at Kitty in an attempt to provide greater comforts for themselves have installed septic tanks at their homes and they have to be flushed daily. That has used up a great deal of their water supply. It will take, as far as I know, not more than six to nine months to erect these concrete tanks and to set off the water supply into the various homes at Kitty.

Members have spoken of the desire for Federation, but this will not be so much a federation of Kitty and Georgetown. It will be an integration, as Kitty will be swallowed up into Georgetown. It is not a question of federation. In a federation one understands that the status of the various component parts will be maintained, but this will not be so in the Greater Georgetown Scheme. I am afraid the hon. the Financial Secretary and Treasurer let the cat out of the bag when he said that the rates will only be chargeable for the amenities supplied. It is clear and logical that if greater amenities are supplied the rates would have to be increased, but when the vote is to be taken in the Greater Town Council there is not going to be any equitable working out of the amenities supplied to Kitty and the rates worked out on that basis. Possibly two concrete drains will be put in so as to put the rates up.

The Financial Secretary and Treasurer: Would the hon. Member allow me to explain that? That is just one of the things this Committee will be set up to do—to explain exactly how in the legislation which will have to be introduced to incorporate Kitty provision will be made for a separate budget for a time. Undoubtedly it is quite correct

that there should be a separate budget for Kitty in which Kitty would pay for what it gets.

Mr. Carter: If that is going to be the case, what is the need for the incorporation if Kitty is going to continue to have a separate budget and the rates will be increased according to the amenities they enjoy? There is no point in the incorporation. I cannot forget—and Members should not forget—the incorporation of Albouystown into Georgetown 25 years ago. Today Albouystown is the worst district of the City, a slum area with the roads and drains filthy and grass growing on the streets. The same thing is going to happen to Kitty. Kitty and Albouystown will be much the same, as they have the same class of poor residents. That is why Kitty will resist this incorporation. Kitty has advanced fairly well during the last few years. It is not asking for this slight assistance from Government as a gift. It is to be a loan with interest charged on it. There is no reason why this loan should not be made. The hon. the Financial Secretary and Treasurer regards it as a futile gesture—to use his own words. How can it be a futile gesture to solve a very serious problem for 11,000 people? How can it be a futile gesture to give them an adequate water supply and so save Kitty and possibly Georgetown from a very serious epidemic which may follow from a shortage of water supply? That can hardly be a futile gesture. I submit, and I think we should all agree, that it is a necessity to the residents of Kitty that there should be some immediate relief given to them within the next six to eight months, as this motion seeks to make provision for, and not in the course of five or possibly ten years, as I am sure any other alternative remedy suggested by the federationists will take.

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

For—Messrs. Macnie, Luckhoo, Carter, Smellie, Phang, Peters, Kendall, Fernandes, Thompson, Roth, Dr. Jagan, Dr. Nicholson—13.

Against—Dr. Singh, the Financial Secretary and Treasurer, the Attorney-General, the Colonial Secretary—4.

Did not vote—Mr. Lee—1.

Motion adopted.

CLOSING OF AMERICAN VICE-CONSULATE.

Mr. Macnie : I beg to move the suspension of the relevant Standing Rules and Orders in order to enable me to move a motion, a copy of which has been supplied to hon. Members, and have it discussed. I think it is sufficiently important and urgent for me to do so.

Mr. Fernandes : I second that.

Question put, and agreed to.

Relevant Standing Rules and Orders suspended.

Mr. Macnie : I beg to move the following motion:—

“Whereas it was announced on 5th November that the Vice Consulate of the United States of America in this Colony will be closed to the public from the end of November, 1952;

And whereas the services afforded by the office of the American Vice Consul have been of great benefit in the maintenance of good relations between the peoples of the United States of America and British Guiana;

And whereas the office of the American Vice Consul has been of invaluable assistance not only in regard to the development of trade but especially in facilitating arrangements for travel to the United States of America for all sections of the inhabitants of this Colony for a wide variety of purposes;

Be it resolved that this Honourable Council records its deep regret and grave concern regarding the announcement that the American Vice Consulate will be

closed, and accordingly asks that His Excellency the Officer Administering the Government telegraph the terms of this motion and debate to the Secretary of State for the Colonies, with the request that Her Majesty's Government make immediate representations to the Government of the United States of America for reconsideration of the decision reached and for the maintenance of the Vice-Consulate as at present established or in the last resort in a modified form."

First of all, I would like to thank you, sir, and hon. Members of Council for agreeing that this motion be taken this afternoon. I take that as an indication of concurrence with my view that this matter is of sufficient importance and urgency to justify such action. I do not think I need add a great deal to what I have stated in the preamble to the motion or in fact the resolve clause, but I think it is only proper that I should pay tribute to the services of the Vice-Consuls and Officers who have served in the past in this Colony on behalf of the Government of the United States of America, the assistance which they have given to all sections of the inhabitants of this country. I would also like to pay tribute from personal knowledge, not directly connected with myself, to the efforts which the Vice-Consul at present with us and his staff are making to facilitate the granting of visas to inhabitants of this Colony who know they will have to travel shortly.

The closing of the American Vice-Consulate in this Colony—if it has to be closed and I hope it will not be closed, and I would not move this motion if I did not cherish the hope that it may be possible for the decision to be varied—will result in this situation: Anyone wishing to go to the United States of America will have to go to Trinidad and stay over there for a while in order to obtain a visa to enter the United States of America. I think it is well known to all Members of Council that persons not only travel through the U.S.A. but a great many of the inhab-

itants of this Colony travel to the U.S.A. not only on regular business but in cases of emergency, sickness, for medical treatment, surgical operations and other forms of treatment which call for immediate action. They travel not because they want to go to the U.S.A.—I do not think they would get the currency—but travel on the advice of medical opinion in this Colony, and very often it is a matter of hours and of great importance in their getting there and delay may often be fatal. If the Vice Consulate is closed, these unfortunate people who have to travel for such purposes would have to be delayed in Trinidad, I understand. Therefore they will not be able to get on a plane at short notice and go straight through to New York and in a matter of just a day be in the hands of the experts there to whom those patients had been advised to go by our own medical men in this country.

There is also the question of other people who travel to the U.S.A. to further their own education. Difficulties, inconveniences and even additional expense would be placed in their way in getting to the U.S.A. I feel, sir, there is little more I need add to what I have said in supplementation of what has been already written in the resolution before the Council. I express the hope that the motion will be accepted unanimously by this Council and that Your Excellency would find it possible, if that happens here today, to communicate the terms of the motion and the substance of the debate to the Secretary of State for the Colonies as requested in the resolve clause of the motion.

Dr. Nicholson : I should like to second the motion and, in addition to what has been said in regard to the expenses of persons wishing to go to the U.S.A., the delay, etc., to say that it would mean that those persons who have to go to the U.S.A. to study would have to be medically examined

in the I land of Trinidad. Perhaps, they may fail to pass that examination and have to return to British Guiana much to their disappointment and expense. It is a very exhaustive examination. At one time I was on the panel of medical examiners. Some times they fail to pass the medical examination and have to be treated. It takes some considerable time for them to be treated so as to get rid of certain infections, such as filariasis. If they were to proceed from here to Trinidad for the examination, they might have to spend a very long time there being treated or, perhaps, they might be sent back to British Guiana for treatment. There would be undue delay and additional expense. I do not think I can add anything further to what has been said. The motion simply commends itself to everybody and to the Council.

Mr. Kendall : I am supporting this motion in its entirety and would like to pay a compliment to the hon. Mover for bringing it to this Council at this time. Like the last speaker, I cannot add very much more to show its importance, but I would like to say that I know of a case in point where two children, who have already received the medical O.K. and are just awaiting their visa, will on account of this decision have to go to Trinidad to obtain it. That means additional expenditure on the part of some elder member of the family who will be forced to accompany the children to Trinidad and see them receive their visa and proceed to the U.S.A. I think this is a matter of great importance, and I would like to see it brought to a head very early, especially now that the American Consul General is in British Guiana. I think it would be well for this Government to see to it that some measure of relief is given in this matter.

The Colonial Secretary: The Government shares the deep regret and concern expressed by the hon. the Seventh Nominated Member and also

shares his hope that even at this late hour it may be found possible by the U.S. Authorities to continue their Consulate in British Guiana. I would like to take this opportunity to express Government's appreciation of the co-operation and assistance we have always received from the present Vice-Consul and from all his predecessors. I would also like to express — what I know is true—our thanks for the unfailing courtesy and assistance that the American Consulate has always given to the nationalists of this country. It is very much appreciated because, as it has been said by previous speakers, many of our nationalists unfortunately have to journey to the U.S.A. on matters of extreme urgency and very often through grave illness. Sir, I am pleased to support this motion.

Dr. Jagan: I, too, would like to support this motion, and I concur with all the things that have been said by Members who have spoken on this motion. But there is one additional fact which has not been mentioned and that is, after this Consulate is removed, as it is intended, all persons intending to go to the U.S.A. from here would have to go to Trinidad, and Trinidad today is certainly becoming a "Fascist" country. One may find that British subjects from British Guiana not only will not be allowed to enter Trinidad but to pass through their airport. Only a few days ago two British subjects from Jamaica intending not to enter Trinidad but to pass through there to Barbados *via* Curacao were told that they could not do so. They had even requested of the Trinidad Government that they be held in Police custody while at the airport or be kept on the plane, but the Trinidad "Fascist" Government refused. In fact, despite all of this, on the day when those persons were expected to arrive in Trinidad the "Fascist Legion" went to the airport armed with bayonets and guns, no doubt to prevent this invasion of the Land of the Humming Bird by two British subjects.

This, Sir, is a very serious matter. I have not protested yet, but I intend to move a motion in this Council soon about this matter because I feel that at least persons must be allowed to pass through the airport which is a very important one to my mind. There is a great deal of travelling being done to Latin America and the U.S.A. through Piarco airport. This is because of the fact that when the American Consul issues a passport for Port-of-Spain or any other part of Trinidad, it means that those individuals who have been already banned by the Trinidad Government from entering Trinidad would not be able to visit that Colony if they want to travel to the U.S.A. Of course, entering the U.S.A. is another matter also, but we jump one hurdle at a time. At the start the hon. Member found that in some cases we did not know whether Trinidad would agree as regards the Consulate remaining here, but if they did not it would mean much hardship to Guianese who want to travel to the U.S.A.

Mr. Peters: As one who has had first-hand personal experience of both of these systems of the American Consulate in these parts, I certainly desire to add my congratulations to the hon. Member in bringing forward this motion today, and also to express my regret at the impending removal of the American Vice Consul from this Colony. In 1937 when my son was about to go abroad to begin his studies in medicine, the Consulate was not operating in British Guiana and I had to face the added expense of having to go to Port-of-Spain and spend about a week there in order to get matters through. About a month later, my wife and I decided to go up, and there again we had to go to Trinidad and spend about a week there in order to get our papers through and get to the U.S.A. I was certainly pleased when America reverted to the system of having a consulate in British Guiana. I think it is rather a tragedy that the time has come when the Consulate is going

back to Trinidad. I do not know whether in the near future the United States Government would experience a change of heart and decide to bring back the Consulate here. I know of the inconvenience and difficulty caused when one has to go to Port-of-Spain in order to get matters through before travelling to the U.S.A. I am certainly supporting the motion.

Mr. Macnie: I do not wish to reply but only to thank hon. Members of the Council for their support and Government for its acceptance of the motion.

Motion put and agreed to.

The President: I should like to add that I have already expressed my regret and concern over the decision of the American Government and I will do so to the Consul who is leaving today. I am glad I have the unanimous opinion of this Council behind me in any representation I have made to the Secretary of State in the matter. I do not know what chances there are of reversing this decision, but I think they are very slight. This decision was taken purely on financial grounds and, at any rate, I shall do whatever I can to see whether it could be reversed.

SUMMARY JURISDICTION (OFFENCES)
(AMENDMENT) BILL.

The Attorney-General: I beg to move the second reading of the Bill intituled—

“An Ordinance further to amend the Summary Jurisdiction (Offences) by increasing the maximum penalty that may be inflicted in respect of various acts of indecency.”

As hon. Members will see, clause 2 of this Bill seeks to increase the maximum penalty that may be imposed on any person convicted of any act of indecency within public hearing. The section which this clause seeks to amend reads as follows:—

“172. Everyone who, in any public way or public place, or in any house, yard, garden, or other place open to public view or within public hearing,

- (a) uses any indecent or obscene gesture; or
- (b) exposes his person in an indecent manner; or
- (c) uses any indecent or obscene language; or
- (d) sings any indecent or obscene song or ballad.

shall, on conviction thereof, be liable to a penalty of twenty-five dollars."

As I have already said, clause 2 seeks to increase the penalty from \$25 to \$50. I may add that, as a result of representations made, consideration has been recently given to this matter and it is felt that the imposition of a heavier penalty for this type of conviction would have a very good effect. It is very regrettable and sometimes sad to see people who should know very much better, using obscene language regardless of the place or the persons around. Where there is a conviction in future the Magistrate would be able to impose a stiffer penalty and, perhaps, that might reduce this very undesirable practice.

The Financial Secretary and Treasurer seconded.

Mr. Roth: I should like to congratulate Government in bringing this Bill at this time. I would suggest that opportunity be taken to introduce an amendment to the section of this very Ordinance dealing with cruelty to animals. Since the publication of this Bill, I have been approached by several citizens of repute asking me to bring to the notice of Government that opportunity should be taken to increase the fine and double the punishment mentioned in sections 183 to 188 dealing with cruelty to animals, as it is apparent that the fines imposed by Magistrates have not had the desired effect. Hon. Members will recollect that some days ago a person was fined only \$10 for beating a dog to death. I have not discussed this matter with the Attorney-General and would ask that the Committee stage of the Bill be deferred to allow a discussion with him.

Mr. Lee: I do not see any reason for this amendment to the Summary Jurisdiction (Offences) Ordinance. I would like to hear from the hon. the Attorney-General the source from which representations have been made in this matter, because all the members of the Police Force and of the Legal Profession know that under section 139 of this Ordinance there is ample provision for dealing with cases of disorderly behaviour.

The Attorney-General: I am sorry to interrupt the hon. Member, but I think that argument verifies the reason for this Bill. It brings the offence up to that of disorderly behaviour.

Mr. Lee: It was also provided in section 122 that the penalty should be \$25. There must have been a reason why this provision was made. Those of us who practise in the Courts know that the Police always institute prosecutions under this section and the Magistrate would impose fines accordingly. What would the increase in the fines be? Is it that Magistrates would be compelled to fine more than \$25? Is it that Magistrates would have an opportunity to educate the people who commit these offences? I think the remedy must be introduced in another form. Many of the people brought before the Court for using indecent language are poor and would not be able to pay heavy fines, therefore they would have to go to prison. If we want to reform them however, we should not endeavour to make them "jail birds". The remedy is to educate the people not to use indecent language at all. That is how Government must tackle the situation. If we provide that they should be fined \$50 each they would not be able to pay, so they would go to prison and eventually become convicts. Those of us who want to remedy this evil should endeavour to reform these people by way of the churches, the schools and other places.

Mr. Luckhoo: To my mind the last speaker has amply proved the case for

adopting this amendment when he points out that in disorderly behaviour cases the penalty is up to \$50. I recall a case where a man was charged with exposing his person and the Magistrate imposed a fine of \$15 and told him that the section under which he was charged made him liable to a penalty of \$25. It does seem to me extraordinary that in a case of indecent language one can be fined \$50, yet for a more serious offence, like exposing the person, the Magistrate cannot fine him more than \$25. Magistrates judge facts and impose fines accordingly. All that is being said here today is that the penalty for indecent behaviour should be increased to \$50 rather than leaving it at the paltry sum of \$25. That is not to induce Magistrates to increase their penalties, but to enable them to impose a fine of \$50 when the case justifies it. The argument that a penalty of only \$25 is provided for other offences is a weak argument. I heartily support this proposed amendment of the law.

Mr. Thompson: I certainly think that this is a case for education, as suggested by the hon. Member for Berbice River. A man must be made to feel that he should respect himself and should therefore be careful about the language he uses. We are not here to make criminals of anyone and I think education of the young people especially can do quite a lot to remedy the situation. When I look back to 20 or 25 years ago, I think I can say that we had better children then. For one thing, parents supported anyone who tried to discipline their children in those days. Now children could be found cursing their elders in the villages and other places. I think we must get our people to understand that these things must be cured by proper education, since we do not want to make criminals out of the children. Very often a Magistrate would impose a fine of \$7.50 for indecent language although \$25 is provided in the law. I certainly think we should seek the assistance of our social welfare organisations and try to

impress upon our people that they should respect themselves. I think that would be much more effective in trying to improve them than increasing the penalty that might be imposed on conviction.

Mr. Fernandes: I am going to support this amendment even though I agree with the hon. Member who has just taken his seat that we should try and educate these people so as to prevent them from using indecent language. But, while we are waiting to do that these results would continue. I do not see why a man who uses indecent language should be fined \$50 while one who steals all the time should be fined \$25. I think Government should see the need for putting all these offences on one level.

Mr. Peters: I should very much like to support the amendment put forward by the hon. the Attorney-General in this Bill. I am in a position to say that there is a great deal of educational work being done to improve the morals of our people generally, yet there is a good deal of looseness which must be corrected. I know that the churches and other institutions in our midst are doing the best they can, and also that the Society for the Promotion of Refinement among Children is working overtime to see what it can do to improve the morals of the people in our midst. There seems to be an epidemic of bad language and indecent behaviour in these days and if Government feels that the time has come to enlarge upon the penalty for such behaviour, I think it should be commended for its attitude in the matter. I shall support the amendment.

The Attorney-General: I think the comments made by hon. Members answer the criticisms by the hon. the Second Nominated Member and the hon. Member for Essequibo River. I think it is fairly obvious, as pointed out by the hon. Member for Georgetown Central, that if the law permits the Court to impose a fine of

\$50 for disorderly behaviour, then there is nothing wrong. In fact, it is the proper thing to do—to increase the penalty for offences referred to in section 172. I should also like to say that the Society for the Promotion of Refinement among Children has been the moving spirit as regards the desirability of increasing the penalty. It does not necessarily mean that the Magistrate will be required to impose a penalty of \$50; but the penalty will fit the evidence and the nature of the offence. The hon. Member who spoke about education would agree that some of the language used on the streets by young people is definitely appalling.

As regards the suggestion made by the hon. the First Nominated Member (Mr. Roth)—that opportunity be taken to increase the penalty relating to cruelty to animals—I have some drafted amendments prepared which I have circulated to hon. Members. They suggest that there should be an increase of the penalty and leave the discretion of the Magistrate unfettered. I think hon. Members agree that it is desirable that we should look after what is called “our dumb friends.” Some people regard it as a matter of enjoyment that they should torture animals who have no ability to retaliate. If hon. Members agree with the amendments they can be moved in at the proper time.

The President I do not know whether the hon. Member for Central Demerara is reading that newspaper with a view to peaking on this motion. It is not really in order or consistent with the dignity of the Council that a Member should lean back in his chair and read a newspaper unless he is preparing material for a speech he wants to make.

Dr. Jagan : Sir, I am always preparing material for a speech.

The Attorney-General: As I have said, if hon. Members approve of the amendments they would be moved in

during the Committee stage. On the other hand, if they desire an opportunity to reflect on them, then I shall bow to the request for postponing the Bill in Committee stage.

Mr. Lee : May I enquire whether the amendments should not be published in the *Official Gazette* first?

The Attorney-General : Those are only suggestions and this Council makes amendments from time to time. The hon. the First Nominated Member suggested yesterday that opportunity should be taken to introduce this amendment during the discussion of this Bill. There is no reason why that cannot be done.

Mr. Lee: I am only asking what is the procedure under the Rules. This is an amendment to a different section of the Summary Jurisdiction (*Offences*) Ordinance, and I would like to know whether publication in the *Gazette* is necessary. I think that all amendments should be published in the *Official Gazette* giving the public notice of Government's intention to amend the law and giving them the right to protest, if necessary. I have no objection to the proposed amendments because they are to protect animals, but I want to know whether the procedure is right.

Mr. Fernandes: I desire to support the hon. Member for Essequibo River—that we would be creating a dangerous precedent if we carry out the amendment in this manner. If a Bill comes before the Council for the purpose of amending one section of the law and we endeavour to amend other sections also, I think it would be wrong. I remember that on one occasion when we attempted to do a similar thing it was ruled that we could not touch any section other than the one the Bill was intended to amend.

The President I think the hon. Member is quite correct.

Mr. Carter: Item 10 on the Order Paper is a Bill intituled:

"An Ordinance further to amend the Summary Jurisdiction (Offences) Ordinance"

I suppose it can be brought in there at the next meeting.

The President: I think it should be published, giving the public notice that the Bill is being introduced.

Question put, and agreed to.

Bill read a second time.

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

Council resumed.

The Attorney-General : With the consent of Council I beg to move that this Bill be now read a third time and passed.

Dr. Nicholson seconded.

Question put, and agreed to.

Bill read a third time and passed.

MOTOR VEHICLES AND ROAD TRAFFIC
(AMENDMENT) BILL.

The Attorney-General : I beg to move that a Bill intituled—

"An Ordinance further to amend the Motor Vehicles and Road Traffic Ordinance, 1940, by increasing the maximum penalty that can be inflicted for using vehicles other than motor vehicles on any road without due care and attention, and matters in connection therewith"

be now read a second time. Clause 2 provides for an amendment of section 56 of the Principal Ordinance and the addition of the words which appear in that clause—

"and shall, on summary conviction, be liable in the case of a first conviction to a penalty not exceeding twenty-five dollars and in the case of a second or subsequent conviction to a penalty not exceeding fifty dollars."

Hon. Members can see this increases the maximum penalty which may be imposed for the offence of using a vehicle other than a motor vehicle on a road in a careless manner. In view of the prevalence of this type of offence and the great increase in vehicular traffic since the year 1940, when the provisions of the Principal Ordinance came into operation, it is felt that the maximum penalty should be increased.

I think hon. Members who use the road will appreciate the necessity for this amendment of the law. Some people have no idea that other people are using the road and, I think, it is time that there should be an increase of the penalty. The Commissioner of Police agrees with this provision and, I think, having regard to the volume of traffic on the roads and the desirability of making people exercise more effective control of their vehicles the increase of this penalty will have a deterrent effect on some of those who wind about — in and out — and do all sorts of contortions on the road. I beg to move that this Bill be now read a second time.

Dr. Nicholson seconded.

Question put, and agreed to.

Bill read a second time.

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

COUNCIL IN COMMITTEE.

Title.

Mr. Carter: I move that the word "may" be substituted for the word "can".

Question put, and agreed to.

Title, as amended, passed.

Clause 2—*Amendment of section 56 of the Principal Ordinance.*

Mr. Lee: May I enquire from the hon. the Attorney-General if this really

is the section dealing with cyclists? The only other vehicle on the road that can be used carelessly is a bicycle.

The Attorney-General: The section to which this clause refers is section 56 which reads:

"If any person in charge of a vehicle, other than a motor vehicle, uses or causes or permits such vehicle to be used on any road without due care and attention or without reasonable consideration for other persons using the road, he shall be guilty of an offence."

It is not restricted to bicycles, but bicycles are included in the expression "*other than a motor vehicle*". Any vehicle other than a motor vehicle come within the term.

Mr. Lee: What I was thinking really about is not cyclists but the school children with their scooters on the pavement and on the road. If they commit any of these offences what would happen?

The Attorney-General: That is a different matter altogether. I think the children generally get away with it, particularly when they have scooters. The cyclists are the offenders.

Council resumed.

The Attorney-General: With the consent of Council I beg to move that this Bill be now read a third time and passed.

Dr. Nicholson seconded.

Question put, and agreed to.

Bill read a third time and passed.

PROBATION OF OFFENDERS BILL.

The Attorney-General: I beg to move the second reading of the Bill intitled—

'An Ordinance to provide for the probation of offenders'

This Bill is based upon a draft model Ordinance which was prepared

by the Colonial Office and forwarded to this Colony and other Colonies under the patch. The object of this Bill, a hon. Member will fully appreciate, is to revise the law relating to the Probation of Offender in this Colony, and to bring it more in line with the modern trend of thought on this subject. I may say that the law in the United Kingdom is to be found in the Probation of Offenders Act of 1907, Part 2 of the Criminal Justice Act of 1925, now under the Criminal Justice Act of 1948 dealing with this question of probation and discharge. The modern trend in practice with offender in the United Kingdom is developing, and it is desirable that in this Colony, as in other places, we should take steps to bring our law in regard to probation of offenders into line. It is considered desirable that the principle of probation shall have a wide application and shall be used by the Courts as an alternative to imprisonment for all classes of offenders.

This Bill provides for certain innovations of an important nature. The principal ones are—(1) the appointment of a chief probation officer and probation committees; (2) the making of no order for probation unless the offender expresses his willingness to comply with the provisions of the order. I notice that was the only criticism of the Bill which was made by one newspaper, but I would like to point out that the basis of the whole thing is the co-operation of the offender with the probation officer or authorities with the view of rehabilitation in his own mind. This provision is in the proviso to clause 3 of the Bill. Psychologically speaking, where a man commits an offence and is sent to prison in many cases he loses all respect for himself and, perhaps, tends to go down a little further on the road of degradation. I emphasize that point to indicate the approach which the provisions of this Bill seek to make towards this whole question of probation of offenders.

The next point (3) is that a probation order may contain a provision as to the residence of the offender; (4) copies of the probation order must be furnished to the offender as well as to the probation officer, so that the offender knows exactly what he is required to do and to observe; (5) provision is made in case of the commission of another offence while the probation order is in force. In other words, he can be brought back before the Court and, so far as the original offence is concerned as he has not been sentenced or conviction may not have been entered, he can be dealt with on that original offence. (6) Provision is made in greater detail for dealing with a probationer who is guilty of a breach of his recognizance; (7) provision is made for an order requiring the probationer to reside in an institution for any period not exceeding 12 months; (8) provision is made for contributions towards homes and hostels—that appears in clause 15 of the Bill; (9) where the probationer is a woman or girl, the probation officer must also be a woman—that appears in clause 14 (2).

I may mention there is a Jamaican law which was enacted in 1948, Ordinance No. 37, and this Bill is more or less on the lines of that law, save and except certain sections, 13 and 15, which relate to recognizance. I think hon. Members would agree that it is desirable that we should take steps along these lines to deal with offenders for the purpose of rehabilitation and of avoiding the stigma which necessarily must be cast upon those who are sent to prison. It gives the offender a chance and opportunity to respond to this treatment and to make himself a good and worthy citizen in the future. Although at first blush one is tempted to think these offenders should be sent to prison, yet at the same time the ultimate object is to endeavour to make them take their proper

place in society and become good and useful citizens. This method of approach is very essential, apart from the question of saving money in having to keep a person in prison, however short the time may be. I commend this Bill to hon. Members, and I am sure they will agree that this is a desirable step forward. This is a method of approach which in the forward movement of penal problems is making a considerable difference in regard to so many people who otherwise will have the stigma of being a criminal. I beg to move that this Bill be now read a second time.

Mr. Luckhoo : I beg to second the motion. I must confess to a very deep interest in this type of legislation, and while I congratulate Government on bringing forward this very comprehensive legislation dealing with the probation of offenders, yet I must sound a note of warning. There is no use providing, as in this case, adequate machinery fully geared and oiled and not having the workers to carry the machinery into operation. I say so advisedly. Except you have those persons who are going to carry out the work entailed by this Ordinance, it becomes merely redundant legislation. As long ago as 1937, I remember, legislation was enacted by Ordinance No. 11 of 1937, and section 52A, subsection (3) of it said:

"Where a person is allowed time for payment of a fine and it appears to the Court that that person is not less than 16 years and not more than 21 years, the Court may, if it thinks fit and subject to any provisions of the Ordinance, order that he be placed under the supervision of such person appointed by the Court until the sum adjudged to be paid is paid, and in such case before issuing a warrant committing the offender to prison in respect of the non-payment of the sum the Court must consider any report as to the conduct and means of the offender, which may be made by the person under whose supervision the offender has been placed."

This is carrying out exactly what the hon. the Attorney-General said. Here is one means whereby you will be preventing young persons from going to prison for not paying a fine by placing them under the care of one of those persons appointed as probation officers, who may report to the Court as to their means and whether they should be sent to prison. Limited as my experience is, I have never known this to be implemented, and the reason is that admirable as the section is you have not the probation officers to carry out the legislation you have actually enforced. In Essequibo, just a few months ago, I saw the Magistrate there complained that there are no probation officers in the whole county of Essequibo. Along the East Coast Demerara there are no probation officers. In New Amsterdam, I am told one has been sent there this year. At the moment you have a Chief Probation Officer and a staff of five to serve the three counties.

I am not criticizing the legislation. It is excellent, but there are one or two points which, in detail, I shall come to at a later stage. Except you have the officers who are going to carry out this work, it means that all your efforts are rendered nugatory and void. Efforts are made to induce and get voluntary helpers — people who are not paid. In that respect I would like to pay a tribute to the members of the St. Vincent de Paul Society. I think five of its members give voluntary service and they are doing excellent work, but the persons you are going to appoint to do this voluntary work must receive adequate training. It is no use having the structure without the officers, and it is no use having officers unless they are properly trained.

This type of work is as highly technical as any specialised work. It

calls for training so that the best results can be had out of the problem youngsters and others who are placed on probation. It has been put forward that last year there were about 2,000 persons who, because of their failure to pay fines, were sent to prison. That is a sad indictment because that is the very thing the hon. the Attorney-General is aiming at to prevent. It is real fear that keeps the youngsters out of prison. What prevents them from going into the way of easy luxury and falling into traps? It is fear of prison. But once they get rid of that fear then to them it becomes a habit. Why should you have persons, who have failed to pay small fines, being sent straightaway to prison and for bastardy?

I would like to make a comparison between what obtains here and in England. In England on a bastardy and maintenance order a person is not just taken up and sent to prison. He is put before a Magistrate who enquires why he has not paid, and if he was unemployed or ill an opportunity is given him to pay. I am reliably told that in this Colony 2,000 persons have been sent to prison last year not for serious criminal offences but for summary offences, maybe insulting language, because they failed to pay the fines. May I ask the hon. the Attorney-General, as we are doing a lot of amendments, whether the procedure adopted in England cannot properly be introduced here. This is not the proper place where they may be considered, but I just refer to them — the Moneys Payment Justices Act of 1935, 25 and 26 George V, chap. 46, sections 1 (3) and 8 (1). I do not know whether I should continue, as it is convenient to stop now.

The President: I think we may adjourn now to 2 p.m. tomorrow. The Council adjourned until 2 p.m. on Friday, 14th November, 1952.