

MINUTES of the Proceedings of the Fourth Legislative Council of the Colony of British Guiana at its Fourth Session, 1951, held at the Public Buildings, Georgetown, Demerara, on

FRIDAY, 21ST DECEMBER, 1951,

AT 2 P.M.

PRESENT:

The President, His Excellency the Governor Sir Charles Campbell Woolley, K.C.M.G., O.B.E., M.C.
The Honourable the Colonial Secretary, Mr. J. Gutch, O.B.E.
" " the Acting Attorney General, Mr. A.C. Brazao
" " the Acting Financial Secretary and Treasurer, Mr. W.O. Fraser
" " C.V. Wight, C.B.E. (Western Essequibo)
" " Dr. J.B. Singh, O.B.E. (Demerara-Essequibo)
" " V. Roth, O.B.E. (Nominated)
" " T.T. Thompson (Nominated)
" " G.A.C. Farnum, O.B.E. (Nominated)
" " J.P. Coghlan (Demerara River)
" " D.P. Debidin (Eastern Demerara)
" " J. Fernandes (Georgetown Central)
" " Dr. G.M. Gonsalves (Eastern Berbice)
" " Dr. C. Jagan (Central Demerara)
" " W.O.R. Kendall (New Amsterdam)
" " J.T. Peters (Western Berbice)
" " G.H. Smellie (Nominated)
" " J. Carter (Georgetown South)
" " L.A. Luckhoo (Nominated)
" " W. . Macnie, C.M.G., O.B.E. (Nominated).

The Clerk read prayers.

CONFIRMATION OF MINUTES

The Minutes of the Meeting held on Thursday, the 20th of December, 1951, as printed and circulated, were taken as read and confirmed.

UNOFFICIAL NOTICE

Mr. Luckhoo gave notice of the following motion:-

WHEREAS there has been a substantial increase in the number of civil and criminal cases in the Supreme Court;

AND WHEREAS the Criminal Appeal Ordinance 1950 (No. 29 of 1950) shall come into force on the 1st day of January, 1952;

BE IT RESOLVED that this Council recommends to Government the immediate appointment of a fifth Judge.

ORDER OF THE DAY

SUSPENSION OF STANDING RULE AND ORDER

On a motion by the Attorney General seconded by the Financial Secretary and Treasurer the relevant Standing Rule and Order was suspended to enable the Attorney General to take items 9 then 8 on the Order Paper at this stage.

INTOXICATING LIQUOR LICENSING (AMENDMENT) BILL, 1951 -
Second Reading

The Attorney General moved and the Colonial Secretary seconded that the BILL intituled AN ORDINANCE FURTHER TO AMEND THE INTOXICATING LIQUOR LICENSING ORDINANCE be read the second time.

After discussion the President put the question and Council divided and voted as follows:-

For	Against
Mr. Macnie	Mr. Kendall
Mr. Luckhoo	Dr. Jagan
Mr. Smellie	Mr. Fernandes
Mr. Peters	Mr. Thompson
Mr. Debidin	
Mr. Coghlan	
Mr. Farnum	
Mr. Roth	
Dr. Singh	
Mr. Wight	
The Financial Secretary and Treasurer	
The Attorney General	
The Colonial Secretary	

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The motion having been affirmed, the Bill was read the second time.

Committee

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

Clause 1 - was passed as printed.

Clause 2 - was amended to read as follows:-

"Amend-
ment of
section
3 of the
Principal
Ordinance.

2. Paragraph (a) of section three of the Principal Ordinance is hereby repealed and the following substituted therefor -

"(a) a liquor store licence which shall authorise the holder thereof to -

(i) store in bulk, mix and blend spirituous liquor in the licensed premises, and sell therein spirituous liquor, wine or malt liquor, not to be consumed on the premises; or

(ii) keep and sell in the licensed premises, spirituous liquor, wine or malt liquor, not to be consumed on the premises, but not to store in bulk, mix or blend such spirituous liquor,

in the city of Georgetown or the town of New Amsterdam or within one mile of the boundaries of such city or town:

Provided that the Governor in Council may, by Order published in the Gazette, extend the area as specified in this paragraph or define other areas in respect of which liquor store licences may be issued under this Ordinance. Any such Order may be revoked or varied by a subsequent Order." "

Clause 3 - was passed as printed.

Clause 4 - was amended as under -

Form 7 - paragraphs (a) and (b) were amended to read as follows:-

" *(a) store in bulk, mix and blend and to sell spirituous liquor, wine or malt liquor in the premises occupied by me and situate at ** subject to the provisions of the above-named Ordinance.

* (b) sell spirituous liquor, wine or malt liquor in the premises occupied by me and situate at ** but not to store in bulk, mix or blend such spirituous liquor, subject to the provisions of the above-named Ordinance."

Form 8 - Paragraphs (a) and (b) were amended to read as follows:-

" *(a) keep a liquor store and to store in bulk, mix and blend and to sell spirituous liquor, wine or malt liquor and to keep the spirituous liquor in the following room

* (b) keep a liquor store and to sell spirituous liquor, wine or malt liquor and to keep the spirituous liquor in the following room but not to store in bulk, mix or blend such spirituous liquor."

Clause 5 and the Title and Enacting Clauses - were passed as printed.

Council resumed.

Third Reading

On a motion by the Attorney General seconded by the Colonial Secretary the Bill was then read a third time and passed as amended in Committee.

TAX (AMENDMENT No. 4) BILL, 1951 - Second Reading

On a motion by the Attorney General seconded by the Colonial Secretary the BILL intituled ORDINANCE FURTHER TO AMEND THE TAX ORDINANCE, 1939, was read the second time.

In Committee

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

Clause 1 - was passed as printed.

Clause 2 - The Attorney General moved the substitution of the following for the printed clause:-

"Repeal and re-enactment of section 38 of the Principal Ordinance.

2. Section thirty-eight of the Principal Ordinance is hereby repealed and the following substituted therefor -

"Liquor store Licence

38. Every person who -

(a) in the city of Georgetown or the town of New Amsterdam or within one mile of the boundaries of such city or town or in such other area as may be permitted under the provisions of any Ordinance for the time being in force regulating the storage, sale and disposal of spirituous liquors -

(i) stores in bulk, mixes and blends spirituous liquor in a liquor store and sells or delivers therefrom spirituous liquor, wine or malt liquor, shall take out an annual licence for so doing, and shall pay for the same the sum of four hundred dollars;

(ii) keeps and sells or delivers from a liquor store spirituous liquor, wine or malt liquor, but does not store in bulk, mix or blend such spirituous liquor, shall take out an annual licence for so doing, and shall pay for the same the sum of two hundred and twenty-five dollars;

(b) imports and sells spirits in bond in the city of Georgetown or the town of New Amsterdam, shall take out an annual licence for so doing, and shall pay for the same the sum of two hundred dollars;

/Provided ...

Provided that the holder of a liquor store licence issued under paragraph (a) of this section shall not be required to take out a further licence to import and sell spirits in bond." "

A motion by Mr. Fernandes for reducing the licence duty under paragraph (a)(i) from four hundred dollars to three hundred dollars was discussed and rejected on the following division:-

For	<u>Against</u>
Mr. Luckhoo	Mr. Macnie
Mr. Carter	Mr. Debidin
Mr. Smellie	Mr. Farnum
Mr. Kendall	Mr. Roth
Dr. Jagan	Dr. Singh
Mr. Fernandes	Mr. Wight
Mr. Coghlan	The Financial Secretary
	The Attorney General
	The Colonial Secretary

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A motion by Mr. Debidin for increasing the licence duty under paragraph (a)(ii) from two hundred dollars to two hundred and twenty-five dollars was adopted on the following division:-

For	<u>Against</u>
Mr. Macnie	Mr. Smellie
Mr. Luckhoo	Dr. Jagan
Mr. Carter	Mr. Fernandes
Mr. Kendall	Mr. Coghlan
Mr. Debidin	Mr. Roth
Mr. Farnum	Dr. Singh
Mr. Wight	
The Financial Secretary	
The Attorney General	
The Colonial Secretary	

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A motion by Mr. Fernandes for reducing the licence duty under paragraph (b) from two hundred dollars to one hundred and twenty dollars was rejected on the following division:-

For	<u>Against</u>
Mr. Carter	Mr. Macnie
Mr. Smellie	Mr. Luckhoo
Mr. Fernandes	Mr. Kendall
	Dr. Jagan
	Mr. Debidin
	Mr. Farnum
	Mr. Roth
	Dr. Singh
	Mr. Wight
	The Financial Secretary
	The Attorney General
	The Colonial Secretary

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Thereafter, the substituted clause as amended was put and adopted.

Clause 3, Title and Enacting Clauses - were passed as Printed.

Council resumed.

Third Reading

On a motion by the Attorney General seconded by the Colonial Secretary the Bill was then read a third time and passed as amended in Committee.

CO-OPERATIVE CREDIT BANKS (SPECIAL PROVISIONS) ORDINANCE, 1948 (No. 22) - Continuation during 1952.

The Colonial Secretary moved and Mr. Wight seconded the following motion which was adopted:-

That, in accordance with the provisions of section 9(a) of the Co-operative Credit Banks (Special Provisions) Ordinance, 1948 (No. 22), this Council approves of that Ordinance being continued in force throughout the year 1952.

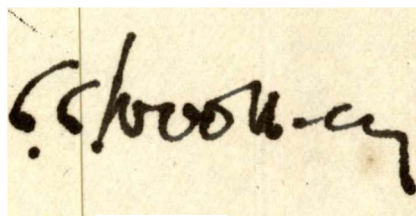
YULETIDE GREETINGS

Dr. Singh on behalf of Council extended to the President and Lady Woolley Christmas and New Year Greetings. His Excellency reciprocated the good wishes of Members.

ADJOURNMENT

The President adjourned Council sine die.

Confirmed,



President.

COUNCIL CHAMBER,
Public Buildings,
British Guiana.

9th January, 1952