

LEGISLATIVE COUNCIL.

Thursday, 30th August, 1945

The Council met at 2 p.m., His Excellency the Governor, Sir Gordon Lethem, K.C.M.G., President, in the chair.

PRESENT

The President, His Excellency the Governor, Sir Gordon James Lethem, K.C.M.G.

The Hon. the Colonial Secretary, Mr. M. B. Laing, C.M.G., O.B.E. (Acting).

The Hon. the Attorney-General, Mr. F. W. Holder (Acting).

The Hon. the Colonial Treasurer, Mr. E. F. McDavid, C.B.E.

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

The Hon. F. J. Seaford, C.B.E. (Georgetown North).

The Hon. J. A. Luckhoo, K.C. (Nominated).

The Hon. C. V. Wight (Western Essequibo).

The Hon. H. N. Critchlow (Nominated).

The Hon. C. P. Ferreira (Berbice River).

The Hon. F. Dias, O.B.E. (Nominated).

The Hon. M. B. G. Austin, O.B.E. (Nominated).

The Hon. J. Gonsalves, O.B.E. (Georgetown South).

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

The Hon. Peer Bacchus (Western Berbice).

The Hon. C. R. Jacob (North-Western District).

The Hon. J. W. Jackson, O.B.E. (Nominated).

The Hon. T. Lee (Essequibo River).

The Hon. A. M. Edun (Nominated).

The Hon. V. Roth (Nominated).

The Clerk read prayers.

MINUTES.

The minutes of the meeting of the Council held on Wednesday, 29th August, 1945, as printed and circulated, were taken as read and confirmed.

ORDER OF THE DAY.

COMPASSIONATE ALLOWANCE TO
EX-RURAL CONSTABLE.

The PRESIDENT: I would suggest that we might clear off the third item on the Order Paper before Council with respect to the grant of a compassionate allowance of \$20 per month to ex-rural constable Grant who was wounded in the execution of his duty. If Members are agreeable I will ask the Colonial Secretary to move his motion.

The COLONIAL SECRETARY (Mr. Laing): Sir, I beg to move:—

That with reference to Governor's Message No. 4 dated 27th August, 1945, this Council approves of the grant of a compassionate allowance of \$240 per annum with effect from 6th September, 1944, to Ex-Rural Constable James Grant.

The circumstances under which this man was wounded are set out in Your Excellency's Message to the Council. He is a man of 42 years of age and was a rural constable. In making the arrest of a man charged with larceny he was attacked with a cutlass and wounded in the right arm which, as a result, is quite useless to him. Prior to the incident Grant worked as a farmer on the East Bank of the Berbice River and lived in a house for which he paid a small rent. He is also the father of seven children, four of whom are of school age. Government has carefully considered the matter and suggests that a compassionate allowance of \$240 per annum should be given Grant in view of the fact that he was injured in the execution of his duty. I recommend to the Council that it should take a sympathetic view of the motion.

The COLONIAL TREASURER seconded.

Motion put, and agreed to.

LEGISLATIVE COUNCIL (ELECTIONS)
BILL.

The Council resolved itself into Committee and resumed consideration of the following Bill:—

A Bill intituled "An Ordinance to consolidate and amend the law relating to the election of Members of the Legislative Council and for purposes connected therewith."

The CHAIRMAN: When I adjourned the proceedings yesterday afternoon I made a note that we had in front of us clause 3 (1) (h) and a suggested new sub-clause to clause 20. I have had word from the Attorney-General on points which arose in respect of both of those clauses, and on other points which arose in the course of yesterday's debate, but he does not propose to bring any of them up today. We will therefore proceed from the point we left off at clause

40, and the Attorney-General will take a later opportunity to bring his points before Council.

Clause 40.—Penalty for providing money for unlawful payments.

Mr. LEE: This is one of the new clauses in respect of which I have asked for some explanation. I would be glad to be informed of the reason why it has been introduced in this Bill.

The ATTORNEY-GENERAL: The origin of this clause is to be found in 46-47 Victoria, Chapter 51, section 13, and also in the Jamaica Ordinance, No. 44 of 1944, section 66. It will be appreciated by the hon. Member that although the clause is new the principle is a desirable one. As the marginal note says, it is a penalty for providing money for unlawful payments. In other words a person must keep his election expenses within the limits of what is allowed by the law, and any money paid outside of that limit would be an illegal payment. I think it is quite clear and self-explanatory.

Mr. LEE: For the sake of argument let us suppose that a Party system will be introduced in this Colony. The Party will put up funds for its candidates which might amount to say \$1,000. That would be in excess of the amount of expenses allowed by this Bill, and would come within the penalty provided by this clause. I submit that that would be contrary to the principle of a Party system of government, for the simple reason that a Party spends its money irrespective of the candidate. Sooner or later, if this Colony is to progress—and the goal is self-government—the Party system is bound to be introduced. If the number of elected Members is increased to 21, candidates would have to group themselves and organize a Party system. A Party would then spend money in excess of

the amount allowed for individual candidates.

The ATTORNEY-GENERAL: In answer to the hon. Member I should point out that we are proceeding on the lines of the Party system. The Bill allows a candidate a certain amount for his expenses in connection with an election, consequently there must be some provision whereby he is not only limited to the expenses allowed but also in respect of any sum being spent indirectly on his behalf. In other words it is no good saying in one part of the Bill that a candidate must not spend more than £50, and in another part Mr. X can spend £150 on his behalf. It would make the whole thing ridiculous. If the object is that there should be certain limits to the expenditure of a candidate at an election, then I suggest to the hon. Member that a clause such as this is necessary.

With regard to the hon. Member's point about the Party system I suggest that the answer lies in the effect of the section to which I referred and in the Jamaica law passed last year.

Mr. J. A. LUCKHOO: I do not think this clause is entirely new. In the revised Constitution of 1928 there is a limit to the amount which a candidate can spend during the course of an election, and the aim is to prevent the candidate from buying votes at election time. It is aimed against bribery and corruption at election time, and it is a provision which is to be found not only in the Constitution of Jamaica but that of England. Therefore the hon. Member ought to appreciate that in the revised Franchise Ordinance such provision is absolutely necessary, especially in view of the low franchise qualification. It seems to me that in the interest of prospective candidates for the next General Election, of whom the hon. Member is one, I believe, clause 40 should stand in this Bill.

Mr. JACOB: I am going to take up the attitude that since we have not reached the Jamaica stage—we are far

away from that and probably miles away from the English stage — why introduce this new clause at the present time? When we have reached the Jamaica stage of adult suffrage and representative government, if not self-government, it would be quite in order to insert a clause of this kind. This Government blows hot and cold. In drafting legislation it picks out bits here and there and introduces something to penalize certain people.

If a candidate spends more than \$500 he is liable to a penalty at present, but at the next General Election it is proposed to bring other people in by stratagem. A candidate may advance a sum of money to his agent to be spent in connection with an election, and some of it may be overspent, with the result that both parties would be liable for the excess expenditure. I do not think it is fair. If a candidate spends over the limit he alone should be liable. Of course, if there is a Party system here and a Party abuses its prestige or its position and spends large sums of money it would be quite in order to introduce this clause, but we have no Party system. We have not reached the Jamaica stage; we may be a hundred years from that through Government's attitude, and a thousand years from the English stage. I really cannot understand the method of this Government. It brings in something new and penalizes everybody and gets everybody afraid. Government is determined to have things its own way.

This clause would make it impossible for a poor man to seek election. The qualifications of Members of the Council and of voters have been reduced, but Government is going further by providing that a candidate must not be assisted by anyone. Perhaps the hon. Member for Essequibo River (Mr. Lee) will require assistance. So far as I am concerned I want no assistance, and I believe that is well known. I am

speaking freely about it because I am not involved. If I am to spend \$1,000 and probably \$2,000 I will probably find it, but I will keep within the law. There are so many legal experts in these days who may find it possible to bring an action against a candidate. I cannot afford to retain lawyers and pay them hundreds of pounds.

Mr. WOOLFORD: I rise to a point of correction. I challenge the hon. Member to cite a single instance in which any member of the Bar has been briefed for several hundreds of pounds. It is unknown in this Colony.

Mr. JACOB: I have had the biggest bill of costs in which the hon. Member for New Amsterdam (Mr. Woolford) was involved. I use the word "involved" advisedly. I am sure it was more than £100; it may have been £200.

Mr. WOOLFORD: The hon. Member never seems to remember what he has said. He said that barristers were being briefed for several hundred pounds. Now he has reduced it to one hundred and is talking about costs. Costs are not briefs.

Mr. JACOB: I can well understand my hon. friend's anxiety in this matter.

Mr. WOOLFORD: Ask your son and he will tell you.

Mr. JACOB: I am going to say something about that now that my son has been mentioned. A candidate or a Member against whom an election petition has been brought will have in the first instance to brief a lawyer and probably pay him £100 or £200. If he loses he will have to pay costs which will amount to another £100 or £200, so that my reference to several hundred pounds is absolutely correct. Lawyers here may shake their heads but I know what I am talking about. Your Excellency was present when the hon. Member for New Amsterdam (Mr.

Woolford) made certain reference to my son who is a practising barrister. Whilst you were in the chair I had occasion to say that I deprecate very strongly reference being made to any member of my family. When the hon. Member makes a statement which is correct one offers no objection, but when the hon. Member stated the other day that my son was in his chambers I would like to know what he meant. He knows perfectly well what it means when a barrister is in another barrister's chambers. The fact is that my son rented a room from the hon. Member and paid him \$15 per month. He is not in the hon. Member's chambers, as he put it; he has his own chambers. When a barrister is said to be in another's chambers it means that he sees his papers.

Mr. WOOLFORD: I never suggested that the hon. Member's son read in my chambers. Here again the hon. Member does not understand references made, and I again suggest that before he makes references of a legal nature the hon. Member should try to understand what is said. He has not the faintest knowledge of matters of this kind, and I am not surprised. If the hon. Member has to defend an election petition again he is encouraging the view that he is a wealthy man, and he might have to pay £1,000 for someone to conduct his defence. I say again that there is a vast difference between a retainer of £100 and several hundred pounds, and there is an immense difference between the word "brief" and the word "costs," of which terms the hon. Member appears to be entirely ignorant.

Mr. JACOB: I know I am ignorant, but what I am concerned about is the amount of expenses a candidate is to be allowed. That is what we are discussing here at present. What we are discussing is the provision of a penalty for someone who may advance money on a candidate's behalf. My friend never takes the trouble to find out exactly what we are talking about,

but gets up and makes irrelevant statements. I repeat that my son was never in my hon. friend's chambers, and I am asking him not to make any personal reference to my family, and particularly to my son who is a practising barrister. He has done so on two or three occasions, and I object very strongly to that. I think it is grossly irrelevant.

I was making the point that it is not proper to have this clause in the Bill, and I went on to say, following on what the hon. the Fourth Nominated Member said when he referred to the hon. Member for Essequibo River (Mr. Lee), that being a prospective candidate for the next General Election he should welcome this clause because it would help him. I cannot understand such references at all. If the hon. Member is a candidate at the next General Election—and he may be—this clause may be definitely against him. I went on to say that whether this clause remains or not, and whether I have to spend more than the amount allowed or not, it would not matter to me at all. I am saying that this clause is objectionable because we have no Party system in this Colony.

My friend the hon. Member for New Amsterdam (Mr. Woolford) says that I am a wealthy man. Perhaps he knows my business better than I do, but I have not got to depend on anyone for anything. I do not ask favours or borrow money, but I am not a wealthy man. I am an independent man; I live within my means and do not borrow money. I challenge the hon. Member to say as much. If it becomes necessary that I do not seek re-election to this Council that will be my business, but I have indicated what I propose to do. The hon. Member dares not indicate what he proposes to do. He has been in this Council for practically 30 years, but we have got no assistance from him. It is time we had a Party system so that we could depend on it—not each man fighting for himself.

The CHAIRMAN: I do not think you are speaking very relevantly to this clause.

Mr. EDUN: I rise only to ask Government for a certain measure of clarification. I do not see how this clause would affect the Labour Members, because it is generally well known that Labour Members will not have money to spend. I am thinking of the M.P.C.A. candidates, and I want to tell this Council that we will be putting up no less than six candidates. If the Manpower Citizens' Association spends \$600 on the election would it be responsible for the excess expenditure? I notice that the clause contains the words "any person," but makes no mention of a corporate body or association. I do not expect that members of the M.P.C.A. would have to spend \$500 each and if they spend about \$300 among themselves they would be quite satisfied. Therefore, I think the proposed amount (\$500) could very well be reduced by one half. The lesser the amount fixed for expenditure by the candidate, the better it would be for the labour members. If this clause does not prevent an organisation from spending money in the interest of its members then I do not see any harm in it, as I think it would benefit labour members more than any others.

Mr. LEE: To a point of correction. The M.P.C.A. might be putting forward six candidates and might become embarrassed because the term "person" includes a corporate body. How would the association be able to limit the expenses for printing and the sending out of circulars, etc., to \$500 unless it is going to try and falsify the accounts? I do not want any falsification of the accounts. For every one candidate, the M.P.C.A. or any other organisation might expend more than \$500 and I should like to know what would happen in that case. Are we not going to allow the Party system to grow up in this Colony? This clause is intended to break up the Party system. Ten persons might get

together with the object of contesting seats but five of them might not be able to put up any money and in that case the other five would have to assist them. That could not be done, however, if there is no Party system and with the list of voters going up by about 50 per cent.

The CHAIRMAN: Is it necessary to make a speech? Everything has been said already on this Party point.

Mr. SEAFORD: I am entirely at a loss to know what is worrying the Member for Essequibo River. He and the hon. Member for North-Western District have been referring very much to the poor man, but as I see it this clause is definitely here to protect the poor man. If a candidate is in a position to get support from outside—call it a party, organisation or what you like—he will do so, and surely a candidate who belongs to a registered organisation is going to be able to spend very much more money than the candidate who is a poor man. As stated by the hon. Attorney General, it is no good putting a limit to the expenditure of a candidate if you are going to allow anybody else to come behind him and spend as much money as they like. I therefore fail to see where the advantage to the poor man would come in by deleting the clause. As a matter of fact, the deletion would have quite the opposite effect. Government in its wisdom has suggested to this Council that the amount be fixed at \$600 and I feel that if hon. Members agree to a deletion they would be defeating the object of this clause.

The ATTORNEY GENERAL: The Member for North-Western District said we have not read the Jamaica or the English law, but I desire to point out that the relevant English section to this clause—the Corrupt and Illegal Practices Prevention Act of 1883, section 13—is substantially the same. It says:—

13. Where a person knowingly provides money for any payment which is contrary to the provisions of this Act, or for any

expenses incurred in excess of any maximum amount allowed by this Act, or for replacing any money expended in any such payment or expenses, except where the same may have been previously allowed in pursuance of this Act by an exception, such person shall be guilty of illegal payment.

The hon. Member for North-Western District stressed that we have not reached that point, but the British Guiana Constitution Order in Council, 1928, Article 40, states that the Governor in Council may make regulations, and the regulations made include expenses for elections. Regulation 40 (1) (c) deals with the matter, therefore it is really not a new provision. As the last speaker—the hon. Member for Georgetown North—has stated, the clause is really an endeavour to see that candidates keep their expenditure within the limit which the law allows, and I cannot see the reason operating in the mind of the hon. Member for Essequibo River in opposing such legislation, as it would really assist rather than hamper what he calls the “poor man.” One hon. Member has put the point very clearly when he says that this clause has for its object the preservation of the principle of keeping elections outside the bounds of bribery and corruption, at least, as far as legislation can do it. I think that hon. Members should give their full and complete support to a clause of this nature.

Mr. JACOB: I beg to move the deletion of this clause. The hon. the Attorney General has referred to the English Act of 1883—the Corrupt and Illegal Practices Prevention Act—but there are later Acts in England on the point. Adult suffrage was introduced there thirty odd years ago and we should be referred to legislation introduced after that was done. This clause not only penalises the candidate who takes the excess money, but also some other person. The candidate would have to show what he spent and the money might have been given to

him—perhaps at his own request— but both parties would be held liable under this clause.

The CHAIRMAN: The question is that clause 40 stand part of the Bill. One hon. Member has moved the deletion of the clause but that course is not necessary, since those not in favour of the motion could vote against it. I shall put the question that the clause stand part of the Bill.

The Committee divided and voted:—

For—Messrs. Roth, Edun, Jackson, Peer Bacchus, Dr. Singh, Gonsalves, Austin, Dias, Ferreira, Critchlow, C. V. Wight, J. A. Luckhoo, Seaford, Woolford, the Col. Treasurer, the Attorney-General, and the Col. Secretary—17.

Against—Messrs. Lee and Jacob—2.

Clause 40 passed.

Clause 41—Corrupt withdrawal from a Candidature.

Mr. EDUN: I think this is a clause with some wisdom behind it. Having had to do with electioneering campaigns for years and years, I know of many instances where bogus candidates simply went and got themselves nominated with the object of making some money. I do not think this Colony should have that sort of chicanery any longer and I congratulate Government for introducing this clause.

Clause 41 put and agreed to.

Clause 43—Illegal hiring, etc., of vehicles and animals prohibited.

Mr. GONSALVES: Does this clause include a bateau or boat in a district where there are no cars?

The CHAIRMAN. It should cover that, because that would be a means of conveyance.

Clause 43 put and agreed to.

Clause 47—Disorderly behaviour at public political election meeting to be illegal practice.

Mr. EDUN: I beg to move the deletion of this clause. Frankly speaking, I cannot see what was operating in the mind of the Committee responsible for this Bill when they drafted this clause. The law of this country provides a penalty for disorderly behaviour in another form. Am I to understand that if a man and his wife have a quarrel over a candidate and a policeman hears them he would have the right to prosecute them for disorderly behaviour under this clause? Further, a policeman might be interested in a candidate in some form or other, and under this clause he might be able to bring as many charges of disorderly behaviour as he likes against persons opposing his candidate. I see in this clause, sir, many Magistrate Court proceedings arising out of elections. I cannot understand by what stretch of imagination this clause has been inserted into this Bill. I do not see anything like it in the 1928 Order in Council, or in the amended Order in Council of 1928—35. The clause reads:—

47. (1) Every person who, at a lawful public political meeting held in an electoral district between the date of the issue of a writ of election for the return of an elected Member of the Council for the electoral district and the date to which a return to such is to be made, acts in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together, shall be guilty of an illegal practice.

(2) Every person who incites any other person to commit an offence under this section shall be guilty of a like offence.

I want the Attorney General to tell me what is an unlawful public political meeting. I do not see any sense in the construction at all. The importation of this clause gives me the idea of a subversive spirit in the whole Bill to pre-

vent certain people in British Guiana from taking part in elections. If we had a Government responsible to the people, a Bill like this, put before a legislative assembly, would have brought censure and a vote of no-confidence against the Government and it would have been thrown overboard. I have more experience of political campaigns than any other Member of this Council, perhaps, but some Members do not know that. I have attended election meeting after meeting and I think this clause would do nothing but relegate the people concerned into a state of apathy and listlessness. In England, rotten eggs are pelted at candidates and even Prime Minister Churchill—one of the greatest statesmen in the British Empire and perhaps in the world at large—was booed at meetings and would not be heard. What would have been the case if there was a law like this in the United Kingdom? There would have been charges of disorderly behaviour against no fewer than about 10,000 persons. I cannot appreciate the intelligence of the draftsman at all in importing this clause.

At the next general elections there will be an upheaval—you will have much rivalry—and very keen ones at that—among the candidates. In the heat of passion people will say all sorts of things against candidates, but we do not want this Government to say that the people are going to be so lawless that they should be prosecuted. I have seen disorderly behaviour by hundreds of people at an election meeting because certain policemen did not like one of the candidates. This would place a tremendous amount of power in the hands of a few people and I ask every Member of this Council to agree with me and delete it. Even at a trade union meeting, if anybody's behaviour is regarded as disorderly, he could be charged under this clause. As a matter of fact, hon. Members would have to take care with themselves, since this is an attempt to put double power in the hands of policemen as regards elections.

The ATTORNEY GENERAL: I understand the hon. Member to say that in England rotten eggs are pelted at candidates; then he went on to pay a deserving tribute to Mr. Churchill who, he said, was booed in England recently. The hon. Member also asked what would have been the case if the law stood in England as it does here. Well, that is where it came from. This clause has been taken from section 1 of the Public Meeting Act of 1908—an Act to prevent disturbances at public meetings. The section says:—

1.—(1) Any person who at a lawful public meeting acts in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together shall be guilty of an offence, and, if the offence is committed at a political meeting held in any parliamentary constituency between the date of the issue of a writ for the return of a member of parliament for such constituency and the date on which a return of such writ is made, he shall be guilty of an illegal practice within the meaning of the Corrupt and Illegal Practices Prevention Act, 1883, and in any other case shall, on summary conviction, be liable to a fine not exceeding five pounds, or to imprisonment not exceeding one month.

I take it that the hon. Member is satisfied that this law was in operation at the time when Mr. Churchill was booed.

Mr. LEE: It is all well and good to say the law was enacted and is in operation in England, but the English people would not enforce it as it would be enforced here. If this Council in its wisdom thinks that every candidate should be given a hearing from the time he sends in his return, I would suggest that this clause be amended by the substitution of the words "wilfully obstructs and prevents the prosecution of the business for which the meeting was called together," for the words "acts in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together."

We are at a stage of political development when the voters have to be educated and I do not think any good pur-

pose would be served by a clause of this kind. The voters were educated at the last elections, but only a little. Now, we have among the workers certain voters who say they would support a candidate to the best of their ability but they feel, naturally, that the candidate must appear on a platform and therefore, should be given a hearing. Some voters make it their duty to stand up and ask derogatory questions of the candidate or his agent, then a supporter would get up and ask the "fellow" to sit down. With the passing of this clause, such incidents might be regarded as disorderly behaviour. It is desirable that the people be given a chance to ask questions of the candidates and that the candidates or their supporters be given an opportunity to be heard. Therefore, I appeal to hon. Members of this Council to accept my amendment.

I agree that if a man acts in a disorderly manner to prevent the business of an election meeting from being proceeded with he should be prosecuted in the Magistrate's Court, but many of us know that men sometimes walked into an election meeting from the street with flags in their hands and might say "shut this meeting down"—or any such thing—whereas they meant nothing at all. Some candidates would take such a thing with good grace, but others might not. If a man is charged for an incident of that kind the fine paid would have to be regarded as expenses on the part of the candidate he is supporting, because a candidate would certainly pay such a fine if it is imposed on one of his supporters.

Mr. J. A. LUCKHOO: I am sorry that the hon. Member, who is a lawyer, has not given consideration to every word of the clause under review. I think it is the second time for this afternoon that he has attempted to catapult (if I may use the term) two clauses which ought to be passed in favour of prospective candidates. If he had taken the trouble to read the clause he would have seen that it does make it an offence of disorderly

behaviour if a candidate is heckled or asked numerous questions by way of sarcasm or otherwise at a public meeting. The real object is to prevent, at a certain period of election time, disorderly acts "at a lawful public political meeting." The operation of the clause is limited to a certain period at election time, and also to a person who "acts in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together."

There is great limitation in the phraseology of the clause, and I think that in the interest of every prospective candidate it should be passed without amendment. It is for the protection of candidates who may be interrupted or prevented from carrying out the purpose of their meeting. It beats me to hear Members criticizing the draftsman of the Bill and asking where is this clause to be found? The answer has been given by the Attorney-General—that it has been taken from the English Act. A candidate has a right to be heard and not to have his meeting terminated by disorderly behaviour of the nature contemplated by the clause. I therefore feel that after hearing that explanation we ought to make some headway with the Bill.

Mr. LEE: I have studied it carefully and I say that certain sections of the English Act cannot be applied to the people of this Colony. I ask hon. Members to consider that.

Mr. CRITCHLOW: I heartily support this clause. I think it protects every candidate. There are some people who are prepared to go around and break up political meetings. Because people in England are allowed to pelt rotten eggs at public meetings we should follow their bad example? I do not think we should. I heartily congratulate Government on the insertion of this clause.

The CHAIRMAN: I think that is commonsense. The object of the clause

is to prevent people going to a political meeting and making a hullabaloo for the purpose of stopping the meeting.

Mr. FERREIRA: I heartily support the clause, and I am amazed that any Member should oppose it. I may not have the vast experience other Members have, but I know that there are occasions when some members of the public, voters and non-voters, deliberately go to public meetings, sometimes under the influence of liquor, with the set purpose of upsetting the meetings. Surely an election candidate should be given a chance of putting forward his views, and should be given a fair hearing. It is the desire of every country in the world to have elections held peacefully, and I do not see why we should delete this clause and thereby encourage hooliganism.

Mr. EDUN: I have listened carefully to the supporters of this clause. I do not see any penalty attached to it, but perhaps that is the saving grace of the clause. I would like the Attorney-General to tell me what is the penalty. He has told us that the clause was taken from the English Statute. I am glad for that information but, perhaps, as a newcomer to this country he has yet to learn of the many sections of this community. There are practically six sections; we are not yet a compact race of people. Unlike the United Kingdom where there is one race of people, although they are divided into several classes, the people of this Colony are yet to have that cohesion which makes for the good of a community. I can say from experience that at election time the several classes in this community split further and further adrift.

In the functioning of trade unionism I have found the African policeman very much against the Indian workers. I do not like to bring up such questions in this Council, for obvious reasons, but we have to face the realities. Why bury our heads in

the sand and wink our eyes at things we see every day? I remember an incident at an election campaign when for nearly one year the residents in a particular district had to attend Court because of an election aftermath—because a policeman in the district had favoured one candidate against another.

In view of my ripe experience in these matters I am suggesting that this clause be deleted in the interest of cohesion of the people of this Colony. Some of the most prominent politicians in England have been booed at election meetings and not given a hearing. With a law like this the people who did that sort of thing would have been taken to Court and made to pay fines. In England, after an election is over, everything is forgotten. I want to see the same thing here, but it will take time. We have to build gradually a Guianese nation in British Guiana, but we are treading a path on which we will have to build gradually. If we put this power in the hands of the policemen of this Colony, God help the people. Members do not seem to realize how far this law would be used against certain people.

As a trade unionist I have had to challenge the highest authority in this land in a case in which policemen did not act impartially. Do we want this Colony to be in an upheaval after a general election or a by-election? It is in keeping with the democratic principle to have people supporting different candidates. Perhaps the acting Attorney-General has not experienced such things in Barbados where, perhaps, there is one paramount community. Constituted as this Council is I do not expect Members to agree with me, but that will not prevent me from saying what I have to say in this Council. It is sought to import this law into this country because it happens to exist in England. Why not also give us adult suffrage which

exists in England? That is the kind of logic I hear from Members of this Council who are supposed to be intellectual men—the cream of the intelligentsia. Do your best and rend the community asunder, and you will be responsible for the misdeeds of the people.

Mr. JACKSON: I hate cant and hypocrisy. All this talk about cohesion is in my opinion utter nonsense in the face of circumstances obtaining at the present time. It is all well and good to talk about cohesion and going outside and practising something else. I do not see the necessity for all this talk with respect to this clause. In my opinion it seeks to protect everybody. It is nonsense to say that there is provision in the law at present for the punishment of disorderly conduct everywhere, and therefore this clause is not necessary. This clause deals with a particular type of offence. I do not think anybody should be afraid of this clause, and I am sure that every reasonable thinker would applaud the draftsman for putting it in the Bill.

I support the clause most heartily. We must have confidence in those who have to interpret the law and dispense justice, and I do not think any rubbish about so-called cohesion should deter this Council from passing this clause. It is absolutely necessary that it should be included in this Bill.

Mr. EDUN: As we are in Committee, sir, I shall reply straightaway to the hon. Member's remarks.

The CHAIRMAN: I think we have had enough on this point. I now call upon the Attorney-General to reply.

Mr. JACOB: I have not spoken yet.

The CHAIRMAN: You may speak now.

Mr. JACOB: I would like to be informed whether a candidate would be held liable for the disorderly act of one of his supporters.

The CHAIRMAN: I will ask the Attorney-General to speak and then I will put the clause.

Mr. JACOB: I want to say something more.

The CHAIRMAN: Say it now.

Mr. JACOB: This law does not exist in Jamaica at the present time. In fact I think it does not exist in any part of the West Indies. The hon. the Attorney-General said that it is taken from the English Act of 1908. Those of us who have visited the United Kingdom know the English policeman. Can any Member of this Council who has been to England compare our policemen with those in England? I leave it to their judgement and probably to their conscience. Hon. Members have complained about being held up by policemen on their way to this Council, and I have had occasion to complain too. Only yesterday a policeman raised his hand to stop my car, but I just looked at him and came along. That is one type of our policemen. I am not going to refer to their racial peculiarities.

I say emphatically that this Colony is not ripe for this kind of legislation. According to those hon. Members who think the other way, it is not ripe for universal adult suffrage. I do not think a single charge against an individual for disorderly behaviour has been dismissed in any of the Magistrate's Courts of this Colony. The defendants are either reprimanded or fined—sometimes as much as \$20. For some time I have been asked to say something in this Council about the law dealing with disorderly behaviour. A grave injustice is perpetrated, sometimes against innocent people who may raise their voices in their own houses and are taken before the Court by some over-zealous policeman and convicted. I would like anyone of our practising barristers in this Council to say whether anyone charged with disorderly behaviour has ever been

acquitted. Maybe not more than one per cent.

Mr. C. V. WIGHT: Quite a number.

Mr. JACOB: I maintain that this Colony is not ripe for this legislation. The hon. Nominated Member (Mr. Jackson) read a portion of the clause which reads:

“ . . . acts in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together, shall be guilty of an illegal practice.”

That by itself may sound reasonable, but what will happen? I may be a candidate and I may call a meeting. I may be in a hopeless position as regards being elected, and I may decide that the best thing to do would be to give up at once. One or two persons at the meeting begin to ask questions and keep a noise. I promptly leave the meeting and say that they have prevented the transaction of the business for which the meeting was called. It can be done by candidates, and particularly candidates who know they would not be elected.

I have a suspicion as to the reason why this clause is introduced in this Bill at this time. Knowing the temper of the people of the Colony I consider it a dangerous thing to do, and I am going to vote against it. The people are not in a very good frame of mind, and they will not be in a very good frame of mind at the General Election. I charge this Government if anything happens—maybe there would be nobody to charge if there is serious trouble. I warn Government not to pass this clause. It is going to lead to a lot of trouble, but if Government wants trouble it has machine guns and the Police Force.—

The CHAIRMAN: I must rule you out of order.

The ATTORNEY-GENERAL: I must express regret that a clause of this

nature, which seeks to protect candidates who come forward at election time so that their political meetings might be conducted in the best possible manner, should receive opposition. I venture to suggest to hon. Members that in England this has been in operation since 1908, and although there may be heckling at political meetings the people of England have always had respect for the law. I venture to tell hon. Members that it is undesirable that there should be introduced in a matter of this sort anything except what is germane to the clause and to the Bill with which we are dealing. For the information of the hon. Member who moved the deletion of the clause I stated where the clause was taken from. When one is told that the people are not in a good frame of mind one gets verification of the argument for the necessity of having a clause of this nature.

A matter of this sort must be viewed from the high plane of legislation in the interest of the community as a whole, and I ask hon. Members to consider this Bill from the elevated position that we are considering a measure of great importance to the community, and in considering any aspect of it we must look at it from the point of view of the advantage to be derived from any candidate who has the qualification to come forward—that he should have all the protection possible when he conducts his meetings, and that those meetings should be conducted in an orderly manner. (applause).

The CHAIRMAN: I think I should now put the clause.

The Committee divided and voted:—

For—Messrs. Roth, Jackson, Peer Bacchus, Gonsalves, Austin, Dias, Critchlow, C. V. Wight, J. A. Luckhoo, Seaford, Woolford, the Col. Treasurer, the Attorney-General and the Col. Secretary.—14.

Against—Messrs. Edun, Lee, Jacob and Dr. Singh.—4.

Mr. LEE: I ask that the clause be re-committed. I wish to make a suggestion that the words "act in a disorderly manner for the purpose of preventing....." be deleted.

The CHAIRMAN: Do you move an amendment?

Mr. LEE: Yes, I do.

The CHAIRMAN: We have already taken a vote. The time to raise your point was before I put the question.

Clause 47 passed without amendment.

Clause 48 (1)—Making or publishing certain false statements concerning a candidate at an election to be illegal practice.

Mr. EDUN: I move the deletion of sub-clause (1) and the substitution of the following sub-clause:—

"Any person, or the directors of any body or association corporate before or during an election knowingly publishes a false statement of the withdrawal of a candidate of such election for the purpose of promoting or procuring the election of another candidate shall be guilty of an illegal practice."

The CHAIRMAN: I will defer the clause for your amendment to be considered by the Attorney-General. Your amendment is of some considerable importance and we cannot take it now.

Clause 48 deferred.

Clause 51.—Plural voting prohibited.

Mr. LEE: I suggest that the word "wilfully" be inserted before the word "votes" in paragraph (a) because quite inadvertently a voter might vote in more than one electoral district. I am saying that this clause will cause a lot of confusion, and that a voter might offend it but not wilfully.

The ATTORNEY GENERAL: I do not quite understand what is operating in the mind of the hon. Member,

Mr. LEE: From my experience, there will be cases where a man with two votes—say one at Bartica and the other in the Demerara River District—would vote at Bartica and think that he is being misled if he is told he should not vote anywhere else. Therefore, he would go and vote in the Demerara River District also.

The CHAIRMAN: I do not think that makes it essential to insert the word "wilfully".

The ATTORNEY GENERAL: I do not see that it is necessary to have the word "wilfully" at all. Here we have a voter—let us say—knowing that he has two votes but should only vote once. If he votes more than once he would therefore have performed a wilful act. I am sure that during the course of the election campaigns one of the things the candidates will tell the electors is that they have not got plural voting. Therefore in the course of the campaigns the electors would be educated up to the knowledge of what they should do.

Mr. J. A. LUCKHOO: I think the Returning Officer in each electoral district puts a question to each voter, asking him whether he has already voted. That, I think, prevents any inadvertence on the part of the voter and unless he is very groggy he should not make a mistake and vote more than once.

Mr. LEE: I have acted as Returning Officer at more than one election. On one occasion, Mr. Duke and myself were appointed for the same electoral district and we had the greatest difficulty in finding out from each voter whether he had already voted.

The CHAIRMAN: Your amendment is that the word "wilfully" be inserted before the word "votes". I shall put it to the vote.

Amendment put and lost.

Clause 51 put and agreed to.

Clause 56 (1)---Period for sending in claims and making payments for election expenses.

Mr. JACOB: I beg to move the substitution of the words "twenty-eight days" for the words "fourteen days". In my constituency, particularly, difficulties will arise if the period is limited to 14 days. The steamer goes there once a fortnight from the City and if you lose one steamer it would be impossible for an account to reach Georgetown within that fortnight. Therefore, I think 28 days is not an unreasonable time to give to an election agent to receive an account. The time allowed a candidate for sending in his expenses is, I think, 35 days and there will be time for him to do so if the agent is given 28 days within which to receive it.

The ATTORNEY-GENERAL: I propose to make a suggestion relating to the amendment suggested by the hon. Member for North Western District. I am sure this Council appreciates the point he has made about the difficulties connected with his own constituency, but the same conditions do not apply to the other electoral districts and his amendment would extend the time out of all proportion for them if it is adopted as moved. Therefore, it seems advisable that power should be given to the Governor in Council to make regulations which will serve the same purpose. I suggest, also, that it is better to have something more elastic. The Order will be published in the *Official Gazette* and I am sure it will give all the opportunity the hon. Member requires.

Mr. JACOB: Suppose the Governor in Council does not do it? It would not be an arbitrary thing to fix 28 days, but it would be arbitrary to fix 14 days.

The ATTORNEY-GENERAL: It would be, in so far as all the electoral districts are concerned, I take it that

the difficulty envisaged by the hon. Member is a difficulty pertaining to the North Western District particularly.

The CHAIRMAN: We could insert: "North-Western District, 28 days."

Mr. J. A. LUCKHOO: I think the amendment suggested by the hon. the Attorney-General is the best we can adopt because it would be more elastic in its operation.

Mr. JACOB: I sent a telegram to my constituency on July 31 and up to August 8 it had not been delivered from Post Office.

The CHAIRMAN: I suppose the Attorney-General would like to take some time to consider this?

The ATTORNEY-GENERAL: I would, sir, because there might have to be consequential amendments.

Clause 56 deferred.

Clause 58 — Penalty and disqualification on conviction of illegal practice.

Mr. JACOB: As a matter of principle, I intend to oppose this clause. According to the 1928 Order in Council the penalty is three years and now I notice that it is being increased to five years. As a matter of fact, it does not matter to me whether it is three, or five, or fifteen years, but I see no necessity whatever for increasing the time. According to this clause, if a candidate is convicted of illegal practice at one general election he would have to wait five years before he could seek elections again and that means, he would be debarred from two general elections. I do not think that is reasonable. I think three or four years would be sufficient punishment and I cannot see why this clause has to be different from Article 40 of the 1928 Order in Council.

The ATTORNEY-GENERAL: It is only a question of the period, and if hon. Members think that a period of three years would be sufficiently long, it is entirely open to them to express that opinion. On the other hand, it is desirable that you should bring it home sufficiently to a person who engages in illegal practice that it does not pay to do so. You are endeavouring to lower the franchise and to register a larger number of voters, and you are also endeavouring to let the people understand that they should pay better regard to the law—observing the regulations made for the better conduct of elections—and that if the law and the regulations are disobeyed they would be liable to severe penalties. The whole idea behind this legislation is to see that elections are conducted in the best possible way and I suggest that that is in the interest of the candidates themselves and the community in general.

Mr. JACOB: That does not say we should extend the period to five years. Possibly certain persons would like to make in ten years although it was three years all along. There are elections every five years and now you are debarring a person for ten years at least—two election periods. Is it desirable to do that? In other colonies where elections are held every four years the debarred period has been fixed at three years, so that the time would elapse and the person could put his name on the voters' list again and become a candidate at the next elections. Unless a full and convincing explanation is given for the proposed increase the period should be left at three years, as originally fixed.

Mr. J. A. LUCKHOO: I think the idea is that the life of the Council having been limited to five years, the debarred period should be also one of five years. There is very good reason for that I think, because if a candidate is found guilty of corrupt

or illegal practice at an election, those Members who have fought a clean election and have been returned, ought not to associate themselves with him for a period of five years at least.

Mr. JACOB: That should not be for illegal but for corrupt practice.

Mr. J. A. LUCKHOO: It would apply, whether the practice is corrupt or illegal.

Mr. LEE: The candidate would have to suffer two penalties—a fine of \$300 and a disability for five years—for illegal practice.

The CHAIRMAN: If persons are convicted of illegal practice why should they not suffer for it not only in pocket? They would have broken their obligations as citizens and should suffer for it. Incidentally, I see that clause 3 makes further provision for the poor friends of hon. Members, but does not include the word "wilfully." We have heard all the points and I shall put the clause as it stands. Those who do not like it can vote "against."

Clause 58 put and agreed to.

Clause 61—Power to make Rules of Court and Regulations.

The CHAIRMAN: Do you wish this clause held over, Mr. Attorney-General, or shall we take it now?

The ATTORNEY-GENERAL: I think we should leave it over, sir.

The CHAIRMAN: We will leave it to the Attorney-General to consider this clause along with clause 56.

Clause 61 deferred.

Clause 70—Disqualifying effect of conviction for corrupt practice.

The CHAIRMAN: The Attorney-General has a point to raise on this clause.

The ATTORNEY-GENERAL: I beg to move a new sub-clause, (3), to read as follows:—

(3)—In this section the expression “judicial office” includes the offices of Justice of the Peace, Registering Officers, and Revising Officers.

Amendment put and agreed to.

The CHAIRMAN: Is there any question relating to the clause itself?

Mr. JACOB: Yes, sir. I notice here that the disqualification for a Member of this Council does not include illegal practice. I am not certain whether illegal practice can disqualify a person from becoming a Member of this Council. Some hon. Members, I am sorry to say, are so prejudiced about certain things relating to this Bill, that they just get up with preconceived ideas and make all kinds of statements. It is conceded that we have not been making very rapid progress since the consideration of this Bill was started and, naturally, one cannot remember all the provisions therein, not having been responsible for drafting them and for doing other things in connection with them. When I asked whether illegal practice was a disqualification with respect to a Member of this Council, I was supplied with an answer I understood then that illegal practice does not disqualify a Member and so I was a bit relieved. Although I said nothing here, I heard that I was asking the question for self-preservation. Well, I cannot help repeating that almost everything done in this Council is for self-preservation.

Clause 70 put and agreed to.

Clause 71—No marks of distinction to be given or provided at elections.

Mr. J. A. LUCKHOO: I should like to draw the attention of hon. Members to the words “marks of distinction” in this clause. They may create some difficulty if a voter belongs to a labour union such as the Manpower Citizens’ Association and wears something like a button which might be regarded as a mark of distinction. It would be a little risky to adopt this measure in view of the colours being used by various associations in this Colony.

The CHAIRMAN: The candidate can supply them himself, I think.

Mr. J. A. LUCKHOO: I make mention of it because hon. Members who belong to various organisations might overlook the point.

The ATTORNEY-GENERAL: The clause says. “No candidate before, during or after an election shall,..... give or provide...”

The CHAIRMAN: The Attorney-General indicates that we can take the clause.

Clause 71 put and agreed to.

Clause 80.—Persons who may present an election petition.

Mr. EDUN: I would like to see a proviso inserted in this clause to provide for some deposit for costs to be made by a person who brings an election petition. I am asking the Attorney-General to help me in this matter.

The ATTORNEY-GENERAL: I take it that the hon. Member wants a provision for security for costs. I will consider the matter and draft an amendment if that is the feeling of the Council.

Mr. JACOB: I think the present Ordinance provides for security to the extent of \$1,000.

The CHAIRMAN: The Attorney-General will draft an amendment.

Clause 80 deferred.

Clause 82.—Avoidance of election on election petition.

Mr. LEE: I observe in sub-clause (c) that illegal practice can cause an election to be declared void.

The ATTORNEY-GENERAL: The hon. Member will see that an election can be declared to be void if a corrupt or illegal practice was committed by the candidate, or with his knowledge or consent, or by any agent of the candidate. Is the hon. Member saying that an election should not be declared void in such circumstances?

Mr. EDUN: I think if the word "authorized" were inserted before the word "agent" the clause would be in order.

The ATTORNEY-GENERAL: There may be an agent not authorized in writing doing work which this legislation seeks to prohibit. It is a question of proof. If it can be proved that such a person had been so acting with the knowledge of the candidate I take it that the hon. Member will agree that the election should be voided.

Mr. EDUN: The Bill provides that an agent must be authorized in writing. A wealthy candidate may be prepared to spend money on an election petition in order to have his opponent's election declared void.

The ATTORNEY-GENERAL: The hon. Member's suggestion is that the clause should refer to an "authorized agent". Let us assume that an agent who is authorized in writing is above board, but one can envisage the possibility of an agent who is not authorized in writing acting on behalf of a candidate, for the purpose of obtaining votes in an illegal and improper manner. If evidence is

forthcoming whereby it can be proved that he was an agent without a written authority, is it contended that the election should not be voided because he was not an agent authorized in writing? I venture to suggest that a candidate who would attempt to employ such methods would not authorize such an agent in writing.

Mr. EDUN: That is an assumption which cuts both ways.

The ATTORNEY-GENERAL: The hon. Member does not appreciate the fact that "agent" in this clause covers a person who is authorized and a person who may do certain illegal acts without any authority in writing. The object of this clause is to keep elections clean.

Mr. LEE: I appreciate the point.

Clause 82 put, and agreed to.

Clause 92.—Service of notices.

Mr. LEE: I suggest that service at the registered address of a Returning Officer should be considered proper service. For instance, if there is a nomination at Leguan and the following day the Returning Officer goes to Bartica, how will a candidate who wishes to withdraw be able to deliver his notice of withdrawal to the Returning Officer personally? He should be able to serve it at some registered address.

The CHAIRMAN: A note will be made of the hon. Member's suggestion.

Clause 92 agreed to.

Clause 93.—Rules of Court.

The ATTORNEY-GENERAL: For the information of the hon. the Sixth Nominated Member (Mr. Edun) I may draw his attention to the fact that this clause provides that Rules of Court may be made to provide for a deposit by a petitioner of security to an amount not exceeding \$1,000.

Clause 93 agreed to.

Mr. LEE: An amendment was suggested in respect of one of the clauses to provide some penalty in cases of neglect of duty on the part of Registering Officers and Returning Officers.

The ATTORNEY-GENERAL: I remember the point which will receive consideration when we are dealing with those clauses which have been deferred.

Mr. JACOB: I propose the addition of another clause — 102 — which reads:—

102. This Ordinance shall be continued until and including the 31st day of December, 1950, unless repealed.

I do not think it is necessary for me to say very much in regard to the feasibility of having this clause inserted in the Bill. This is a highly contentious Bill which must be passed in this 11-year-old Legislature, and there is going to be a General Election. If the new Legislature disagrees with this Bill it cannot have it amended. In the circumstances I do not think it is unreasonable to ask that the operation of this Bill be limited. Several Bills have been passed recently with a time-limit, so that it is not unreasonable to ask that this legislation be limited to the end of 1950. It seems unnecessary for me to state my reasons as so much has been said already. I think we are all very tired, and I merely ask Government to consider the proposal to insert this new clause.

The CHAIRMAN: I would just like to say that I have telegraphed the Secretary of State on the various points which have arisen in the course of the debate on this Bill and on representations which have been made to me. I therefore propose, pending a reply from the Secretary of State, to hold over this suggested new clause and not ask the Council to vote on it today. Is that agreeable to the mover?

Mr. JACOB: Yes, sir.

Mr. EDUN: I am asking your indulgence, sir, to re-commit clause 101.

Mr. SEAFORD: Before we deal with that, sir, I would like to have a point cleared up. The hon. Member for North-Western District said that unless a clause such as he proposed is inserted in this Bill it will continue indefinitely. Is it not within the power of any Member of the Council to move a motion that any clause be amended?

The CHAIRMAN: Yes

Mr. JACOB: My interpretation of the Rules is that a Member could move such a motion, but if Government does not initiate the amendment it would not be done.

The CHAIRMAN: I am not objecting to your clause; I think it is quite a normal kind of clause to put in, because there is special reason for it.

Mr. JACOB: I think Your Excellency appreciates my point.

The CHAIRMAN: Yes.

Mr. EDUN: I ask for the re-commitment of clause 101 (Partial revocation of certain Orders in Council). Certain organisations are contemplating to place this matter before H.M. Secretary of State for the Colonies. They maintain—and I think they are justified in maintaining—that this Council cannot and should not proceed with this Bill, the purpose of which should have been achieved by an Order in Council. If this Council passes clause 101 what would be the position regarding the view those organizations hold? I still maintain that this Council should not have considered this Bill at all, and that it involves a grave constitutional issue. Your Excellency has said that it is quite in order for this Council to examine this Bill and pass it into law.

If this Council represented the people of the Colony on the basis of a recent General Election it would be held that it represented the electorate, but it is held by the best legal authority in the Colony to be a moribund Council which happens to represent just a minority. It was the duty of His Majesty the King to hand over his authority to the inhabitants by Order in Council, but the introduction of this Bill means that a minority is imposing its will on the majority. For that reason, sir, I think that clause 101 ought not to be rushed through.

The CHAIRMAN: We are not doing anything final by passing it in Committee. We are not making it law.

Mr. EDUN: I have no faith in this Council as representing the majority of the inhabitants of the Colony.

Mr. LEE: I certainly object to that statement.

Mr. EDUN: With all due deference to the hon. Member I can prove how the majority of the Members of this Council did not take a plebiscite on a paramount question of this kind. Perhaps one or two of them went around their constituencies. I am not a lawyer, but any layman with a reasonable frame of mind will agree with me that a dying Council cannot be entrusted with so much power over the majority of the inhabitants of the Colony, and with all due respect to Your Excellency I think you will go down in history as having given a minority power to rush through this Bill against the will of the majority. Members of this Council do not represent their electorates because when there should have been a General Election in order to get a mandate from their constituencies this Council passed a resolution re-electing itself. It was a funny thing to do, and it is open to question whether this Council could constitutionally pass a resolution to elect itself.

Mr. JACOB: I do not think this Council passed a resolution to elect itself.

The CHAIRMAN: We did pass a resolution to continue the Council, and thereafter an Order in Council was issued suspending the existing provisions. I do not think you need make a speech on the matter. I do not mind holding up clause 101 in the light of what I have already telegraphed the Secretary of State. Procedure by Order in Council might be considered. If Members have no objection I would not record this clause as standing part of the Bill, but would put it on the list of those which have been deferred.

Clause 101 deferred.

First Schedule.—

Mr. LEE: I would suggest the inclusion of a deputy agent in the list of persons who may be legally employed for payment.

The ATTORNEY-GENERAL: I would have to revert to the whole of Part I of the Bill.

The CHAIRMAN: We will defer the First Schedule. The position is that we have reached the end of the Bill except for eight clauses which have been deferred, and two Schedules.

Clause 20 is deferred on the suggestion that a new sub-clause should be added, but I do not know that I have received it yet from the hon. Member for North-Western District.

Mr. JACOB: I have it here.

The CHAIRMAN: Clause 22 will stand over with clause 20. Clause 46 which was put today and clause 47 will be recommitted because of an amendment by the Attorney-General. Clause 56—this is the long clause dealing with the question of 14 or 28

days—and clause 61 cannot be taken today. Clause 80 is also held over for the insertion of a new sub-clause by the Attorney General, and also clause 101 touching the procedure set out in the first column of the Second Schedule, on a point of detail also. I would suggest, therefore that as we have these eight clauses and one or two points of details for consideration by the Attorney-General, we do not proceed with the Bill tomorrow but take other business. If that is agreeable, the Attorney-General could move back into Council.

Mr. LEE: I shall be very pleased if the Bill reaches its final stage before September 13, because on that date I might have to leave the Colony for Barbados.

The CHAIRMAN: That would depend largely on what replies I get from London.

Council resumed.

The PRESIDENT: As I have said, we will not proceed with this particular Bill tomorrow. The other business on today's agenda is the second reading of the Local Government Bill. I will not be here tomorrow, as I have to meet the Governor of French Guiana tomorrow morning, so the Deputy President will preside over the Council. If hon. Members are agreeable, we can adjourn now and start at 2 p.m., tomorrow, on the Local Government Bill.

Council adjourned until 2 p.m., on the following day.