

LEGISLATIVE COUNCIL.

FRIDAY, 27TH AUGUST, 1948

The Council met at 2 p.m., His Excellency the Governor, Sir Charles Woolley, K.C.M.G., O.B.E., M.C., President, in the Chair.

PRESENT.

The President. His Excellency the Governor, Sir Charles Campbell Woolley, K.C.M.G., O.B.E., M.C.

The Hon. the Colonial Secretary, Mr. W. L. Heape, C.M.G.

The Hon. the Attorney General, Mr. F. W. Holder, K.C.

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

The Hon. C. V. Wight, O.B.E., (Western Essequibo).

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

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

The Hon. T. Lee (Essequibo River).

The Hon. W. J. Raatgever (Nominated).

The Hon. V. Roth (Nominated).

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

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

The Hon. Capt. J. P. Coghlan (Demerara River).

The Hon. D. P. Debidin (Eastern Demerara).

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

The Hon. C. A. McDoom (Nominated).

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

The Hon. J. Carter (Georgetown South).

The Hon. E. M. Gonsalves (Nominated).

The Clerk read prayers.

The Minutes of the meeting of the Council held on Wednesday, the 25th of August, as printed and circulated, were taken as read and confirmed.

ANNOUNCEMENTS

PUBLIC SERVICE SALARIES & WAGES COMMISSION

The President: Honourable Member of the Legislative Council! Honourable Members will recollect that it was proposed to appoint, with the approval of the Secretary of State for the Colonies and the concurrence of Members, a single Commissioner from outside the Colony to enquire into the salaries of all posts on the Fixed Establishment of the Colony and to make recommendations. After careful consideration I have now come to the conclusion that in the present circumstances the best course will be to appoint at once a strong local Commission to deal not only with the posts on the the Fixed Establishment of the Colony but all Government employees except the holders of offices named in the Civil List.

2. The composition of the Commission has been carefully considered with a view to including the widest possible representation, and it will be constituted as follows:—

- (a) The Colonial Treasurer, Chairman.
- (b) The Chairmen of the four Legislative Council Departmental Advisory Committees.

- (c) Two other Members of the Legislative Council.
- (d) The Principal Assistant Colonial Secretary.
- (e) The Presidents of the Professional and Administrative Officers' Association, and the Civil Service Association, respectively.

On this basis the personnel will be :

The Hon. the Colonial Treasurer—
Chairman.

The Hon. C. V. Wight, O.B.E.—Vice
Chairman.

The Hon. F. J. Seaford, C.B.E.,

The Hon. Dr. J. B. Singh, O.B.E.

The Hon. W. J. Raatgever.

The Hon. J. Carter.

Mr. D. J. Parkinson.

Mr. H. H. Croucher.

Mr. C. Holman B. Williams.

3. The terms of reference will be as follows :

To review, and to make recommendations for the revision of the remuneration of all Public Officers and Government Employees (except the holders of offices named in the Civil List) having regard to:

- (a) the rise in the cost of living and the extent to which the present cost of living allowances should be incorporated in the scales and rates of basic salaries and wages;
- (b) the difficulties which are now being experienced in securing qualified candidates for appointment to senior professional and technical posts in the Public Service;
- (c) any other matters which may appear to be relevant.

4. I am anxious that the Commission should commence its deliberations at an early date, and I trust that in the light of

its recommendations a satisfactory settlement will be reached on these important issues.

5. As regards holders of offices named in the Civil List, that List is, as Honourable Members are aware, due for revision by this Council in the course of the present year, and separate action will be taken to this end shortly.

GOVERNMENT NOTICES

INTRODUCTION OF BILL.

The ATTORNEY-GENERAL gave notice of the introduction of the following Bill, and of his intention to move the suspension of the relevant Standing Rules and Orders to enable the Bill to be taken through all its stages at the meeting :—

A Bill intituled “An Ordinance to make provision for payment of remuneration, travelling expenses and subsistence allowances to Unofficial Members of the Executive and Legislative Councils.”

ORDER OF THE DAY

EXECUTIVE AND LEGISLATIVE COUNCILS (REMUNERATION OF MEMBERS) BILL

The ATTORNEY-GENERAL: With the leave of the Council I should like to proceed with the Bill of which I have just given notice. I therefore move the suspension of the relevant Standing Rules and Orders to enable me to move the first reading of the Bill and to take it through its remaining stages today;

Dr. NICHOLSON seconded.

Question put, and agreed to.

Standing Rules suspended.

The ATTORNEY-GENERAL: I beg to move that a Bill intituled “An Ordinance to make provision for payment of remuneration, travelling expenses and subsistence allowances to Unofficial Members of the Executive and Legislative Councils” be read the first time.

Dr. NICHOLSON seconded.

Question put, and agreed to.

Bill read the first time.

The ATTORNEY-GENERAL: In moving the second reading I think it is hardly necessary for me to say much with regard to this Bill. As will be seen from the Objects and Reasons, it is to give effect to a Resolution of this Council dated the 6th of May this year, in which a recommendation was made that the Unofficial Members of the Executive Council and of the Legislative Council should remunerated for their services. Hon. Members are familiar with what has taken place, and this Bill now seeks to give effect to that recommendation.

It will be observed that in clause 2 (1) of the Bill reference is also made to travelling expenses and subsistence allowances in relation to attendance on and after the first day of January, 1948, at meetings of the Executive Council, the Legislative Council, any Committee of the Executive Council or the Legislative Council, or any Committee, Advisory Board, Advisory Council, Board or Authority appointed by the Governor, or under powers conferred by statute or resolution of the Legislative Council. That is in keeping with certain procedure which has been adopted in some cases. The important point I wish to emphasise is that in order to remove any doubt as to the fact of payment constituting an office of emolument under the Crown it is necessary to include provision along the lines as contained in clause 3 which reads

"No payment in accordance with the provisions of this Ordinance to an Unofficial Member of the Executive Council or of the Legislative Council shall constitute such Member the holder of an office of emolument under the Crown in the Colony."

This provision is necessary in order to prevent any action being taken to disqualify an Unofficial Member who receives remuneration for his services from retaining his seat in the Council. It is necessary that the Orders in Council of 1928 and 1945 should also require amendment, and it is considered that the Orders in Council might be amended on the lines of the Trinidad and Tobago Amendment Order in Council, 1945, which reads:

"Office of Emolument" does not include a pension or other allowances to an officer who has ceased to be in

the service of the Crown, and does not include any office in so far as it is declared by any law for the time being in force in the Colony not to be an office of emolument for all or any of the purposes of this Order";

With those observations I beg to move that the Bill be read a second time.

Mr. DEBIDIN: While it is true that the Bill provides for the remuneration of Unofficial Members of this Council in terms of the Resolution passed by this Council, it also makes provision in clause 2 (1) (b) for the payment of travelling expenses and subsistence allowances. In view of the remuneration of Unofficial Members I see no necessity for travelling and subsistence allowances to them, except in extraordinary circumstances. At present there is provision in the Estimates for the payment of travelling and subsistence allowances to Members. My point is that in view of the Resolution which has been passed by this Council for a remuneration of \$150 per month to Unofficial Members of the Executive and Legislative Councils, that payment should include all travelling and subsistence allowances.

The ATTORNEY-GENERAL: I think the hon. Member's point is that the remuneration should cover all out-of-pocket expenses.

Mr. DEBIDIN: Absolutely.

Mr. WIGHT: I would just like to record formally my objection to the Bill. I have already done so in Finance Committee on each occasion the matter has been brought up. I was unavoidably absent when the Resolution was passed in this Council by a considerable majority. It is therefore unnecessary for me to speak at any length, as I expect the Bill will go through by the same majority. In Finance Committee I stated that in my election campaign I expressed the view that Members of this Council should not receive remuneration, and it was endorsed at most of my meetings by quite a large majority.

With regard to the point made by the hon. Member for Eastern Demerara (Mr. Debidin) I would point out that under

clause 2 (1) (b) certain hon. Members would receive sums considerably larger than the \$150 allowed to other Members. Travelling is necessary, and country Members should be entitled to free travelling, but can anyone logically say that they are entitled to subsistence allowances when the City Members do not get such allowances? If my memory serves me I think the subsistence allowance is in the vicinity of \$5 per day, so that if a country Member comes to Georgetown and remains for a month he would receive \$150 as remuneration and \$150 as subsistence allowance. It therefore means that a country Member could spend most of his time in Georgetown. There is quite a lot in the point made by the hon. Member for Eastern Demerara. I know that some hon. Members reside in the City and represent constituencies in the country districts. I would suggest to them that they might reside on the East Coast and travel to the City every morning so as to be entitled to double the remuneration provided for in the Resolution.

Mr. RAATGEVER: I too desire to record my protest against the Bill. I protested when the Resolution was being considered, and I would like to repeat what I said then—that Members should consider it an honour to give public service to their fellow men, and should not accept remuneration for such service. I still adhere to that view and I do not intend to receive one penny of this money if this Bill is passed.

Mr. LEE: I feel that the hon. Member for Western Essequibo (Mr. Wight) is under a misapprehension as regards the payment of subsistence allowances. A country Member has to submit a certified account of his expenses incurred in coming to Georgetown to attend meetings. He is on the wrong track when he thinks that a Member who lives in the country can make money out of his subsistence allowance. I have always contended that Members of this Council give their time to the public, and the decision to remunerate us for our services is a forward step in constitutional progress. I think it will lead to the goal of self-government which we all hope to reach in time to come. Those Members who feel

that they should not receive remuneration can refuse it and let it go back into revenue, or they may give it to some deserving charity. For instance, the St. Joseph's Hospital now requires money.

The PRESIDENT: I do not think the hon. Member should advocate on behalf of any particular charitable institution in this Council. He should leave it to hon. Members to choose.

Mr. LEE: I beg your pardon, Sir. If certain Members do not want this money that is their business, but I consider it a step towards constitutional progress in this Colony.

Dr. JAGAN: I too am in agreement with the hon. Members for Eastern Demerara and Western Essequibo when they state that now that Members are to be paid they do not feel that anything should be given for travelling expenses and subsistence allowance. Perhaps I should take the advice of the hon. Member for Western Essequibo and remove my residence from Kitty to Beterverwagting, and so get probably \$150 per month more and enjoy free rental from that. But there is another point, and that is, as the hon. Member for Western Berbice has often said in this Council, we are public men and in many cases we have to be on duty almost 24 hours a day, and since there is public transportation in this country which is being financed by the taxpayers, I feel that it would not be a bad idea if Members of the Council be allowed to travel free on public transport to any part of the country, because many of us would like to see the various projects which are undertaken in various parts of the country. I would like to see the interior and, I feel, if we do that not so much for our own vocation but to know something of our country in the interest of the public the facility of free transportation on the public transport system should be provided Members of this Council.

The COLONIAL TREASURER: I am intervening in the debate merely to try to elucidate the point about travelling expenses and subsistence allowances. In the case of Members of the Legislative Council those are examined and passed on

precisely the same basis as in regard to Public Officers. That is to say, the payment of travelling expenses and subsistence allowances is a reimbursement of expenses reasonably incurred. Some Members have spoken about this particular item as if it is an income coming in to the individual receiving it. That is not so. In the case of travelling expenses, definitely it is a reimbursement of out-of-pocket expenses by the individual. In the case of subsistence allowance it is a repayment to the individual for a charge incurred by him for being away from his normal place of residence where he has normal facilities for sleeping and eating. It is not to be taken as if it were an additional payment for remuneration. Of course I do not think that, if a Member like a Public Officer merely lived a few miles out of Georgetown and came into the town every day, he would get any subsistence allowance. The normal rule is that subsistence is paid for charges which involve sleeping away from one's normal residence. I, myself, although not expressing an opinion one way or the other, know that in most cases where allowances are paid the claimant has legitimately incurred out-of-pocket expenses which the person resident in Georgetown is not subjected to at all. So if that particular provision were not in the Bill, then it would mean that a Member who is not resident in Georgetown would be placed at a disadvantage compared with a Member who is resident away from the City.

Mr. PETERS: I desire to place on record my full approval of this Bill as presented by the hon. the Attorney-General. I am not one of those who would feel in any way that the Members of this Council are going to belie by their conduct the appellation that we have accorded to them as Honourable Members. It seems to me there is a sneaking suspicion that we have in our midst, or the time will come when this Council will be unfortunate enough to be inflicted with the presence of, a number of dishonourable men who will come and spend their time in Georgetown unnecessarily just simply that they may increase their income by that means. I feel that the time has really come for us as a Colony to make the men who serve here feel that if they

are prepared — I have said it once before and I repeat it again — to give service it must not be, as the man in the street would say, free, gratis and for nothing. Their time is worth something to them and their family, and if the Colony by what we indicate here is to be brought up to realize that fact, then it is for us to see that is immediately implemented.

Question put, and agreed to.

Bill read the second time.

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

COUNCIL IN COMMITTEE.

Clause 2—Payment of remuneration and travelling expenses and subsistence allowances to Unofficial Members of the Executive and Legislative Councils.

Mr. DEBIDIN: I beg to move an amendment. At the end of sub-paragraph (b) the words "only in extraordinary circumstances" be added.

The ATTORNEY-GENERAL: I think the hon. Member will appreciate the fact that the words "the Legislative Council may, by resolution, provide for the payment." are stated in the provision and, therefore, he will have an opportunity to obtain his desire.

Mr. DEBIDIN: I move the deletion of the entire paragraph (b).

Mr. RAATGEVER: I second that.

Mr. DEBIDIN: I think the point may be met by the deletion of the words "and subsistence allowances". My view is that travelling expenses may arise from time to time which may in the circumstances be permissible and necessary. I think one Member, the hon. Member for Essequibo River, said that it is not income but it is something that is intended to recoup the Member. My view is that the payment of \$150.00 was intended to do that recouping, and I feel sure that Members who live outside of Georgetown do not attend 30 days or 31 days in a month but only a certain number of days. So the payment

of \$150.00 is quite ample to cover any out-of-pocket expenses even at the rate of \$5.00 per day. I beg to move the deletion of those words.

Dr JAGAN: I would like to move another amendment — the deletion of (b) completely and the substitution of the following words “of travelling expenses incurred on subsidised transport”. That is to say, if Members were to travel on the trains or on the steamers they should be allowed free transport, it did not matter to what part of the country.

Mr. LEE: I would suggest to my friend, the hon. Member for Central Demerara, to withdraw his amendment and bring it again by way of motion to this Council. I think there is before this Council a motion for free travelling throughout the Colony by hon. Members. The hon. Member for Western Berbice has given notice of that motion. I think my hon. friend should await his opportunity then. If he is in agreement with the hon. Member for Western Berbice he would be able to support it.

Mr. RAATGEVER: I move the deletion of the paragraph (b) altogether. Perhaps hon. Members are not aware that at the present time all travelling expenses incurred by them on the railway and steamer services are paid under a special vote of the Legislative Council. All that hon. Members have to do is to fill in a voucher and hand it in, and the amount involved will be paid from a vote passed by Members in Finance Committee. I move the deletion of the paragraph altogether.

Mr. DEBIDIN: I would like to second that, if that statement is correct.

The COLONIAL TREASURER: Of course it is correct. This paragraph is merely necessary to provide the necessary legal cover. What this is doing is putting in the law the procedure that this Council approved and provided the money in the Estimates.

Mr. DEBIDIN: I beg to second the motion.

Mr. WIGHT: Would the hon. the

Colonial Treasurer tell us exactly what was spent under the head of (b), and how much was provided under that head for 1948?

The COLONIAL TREASURER: In 1946 under the head “Travelling Expenses and Subsistence Allowances to Members of the Legislative Council” \$2,682 were spent. I have not got the figures for 1947. Provision in the Estimates for 1948 is \$3,000.

The ATTORNEY-GENERAL: I think hon. Members should consider the question from the point of view that all hon. Members of this Council do not live in Georgetown and, therefore, the Members who are living in another county, and who have to come into Georgetown for purposes in connection with their membership of this Council, are placed at a financial disadvantage as compared with those hon. Members who are resident in Georgetown. It is obvious that if the Council meets on Wednesdays, Thursdays and Fridays, and they come into Georgetown to attend those meetings they have to stay somewhere and they have to pay their expenses, whereas the hon. Members who reside in Georgetown have only their normal current expenses in connection with their living in Georgetown. It means the Member who comes from the Corentyne Coast is at a disadvantage as compared with the Member who lives in Georgetown. According to the hon. Member, the Member who does not live in Georgetown should get his remuneration under the head “Payment for Members”, but the additional subsistence expenses entailed as the result of his travelling and staying in Georgetown would have to be met out of his pocket. Is it equity for a Member to pay \$5 or \$6 a day for subsistence in the City and to keep his home in Essequibo or Berbice as against the Member who resides in Georgetown and has no such expense to meet?

The COLONIAL TREASURER: May I add one word in explanation? The deletion of this paragraph will not affect the present position one iota. The Council has by resolution approved of the payment of travelling expenses and subsistence allowances at a specified rate to Members. The Council voted a sum of money on this year's Estimates as in the

past for that service. If this paragraph is cut out the procedure would be the same; we would go on paying until next year: when a resolution to the contrary is moved or the Council itself fails to provide the money. So I do not know what is to be gained by cutting out the paragraph. It will not alter the procedure.

The COLONIAL SECRETARY: The Attorney-General, is taking the opportunity to put into the Bill something to legalize what the Council has already done.

Mr. WIGHT. I would suggest that the paragraph be left because I may say, my hon. friend on my left, the hon. the Attorney-General, did discuss it with me and I agreed to its inclusion. He wanted to take it out, but agreed with me that it might be advisable in the interest of Members who are receiving these emoluments to have the necessary legal cover. I think in the interest of those Members we should leave it. But while I agree with the principles which have been enunciated by certain hon. Members I suggest that the time for attacking that is when the Estimates for 1949 are put forward to the Council, as it will be necessary for an item to be in those Estimates setting aside an amount for travelling and subsistence for the year 1949. That will be the time to attack it. The money has been already provided for this year, 1948, and as I said this only covers up the receipt of the money. By deleting it at this stage it will have no effect at all. If it is not provided in the Estimates there would be no necessity for it and this would become of no use in the Ordinance because there would be no money set aside for it.

I would like to reply to the hon. the Attorney-General. I do not agree with him when he suggests that if the Council sits on Wednesday, Thursday and Friday the Members resident in the country would have to come to Georgetown on the Tuesday and remain until Friday and, therefore, he would be entitled to subsistence for from Tuesday to Saturday, and if the Council sits on the Tuesday he would have to come to town on the Monday. I would suggest that the hon. Mover, in view of what I have

said, should wait until the Estimates are being considered.

Mr. DEBIDIN: I am sorry to have to disagree with the hon. the Attorney-General. This matter of payment of Members and the question of expenses do not involve putting one Member's payment against another's to see who is being better remunerated. I am sure when the vote of \$150 per month was given it was purely to cover out-of-pocket expenses as a form of remuneration but, nevertheless, it was merely to reimburse him for what he might lose by having to give service as a Member of the Council. Therefore I think it is a wrong principle to enunciate, to say that one Member is making more than another Member. I think that consideration does not arise. It is not a competition. As a matter of fact I am living in Georgetown. Let us assume for argument's sake that I wish to visit my constituency 40 miles away and each time I go it costs me \$5.00 to fill my car with gasoline. If I have to travel there five times a week I would spend more than \$150.00 per month. One has not to look at how much more one Member receives than another Member.

Referring to the next point by the hon. Member for Western Essequibo, this Ordinance is something that will remain for all times, and the fact that you have a statement which refers to subsistence allowances, it would seem to recognize the fact that subsistence allowances can be paid apart from what is given by the vote for remuneration. The second thing is in support of what I am asking that those words be removed—and this is in reply to the hon. the Colonial Treasurer. This amount was payable before this Ordinance. What is wrong if the paragraph is taken out of the Ordinance and the amount is still payable? To allow this Ordinance to pass with those words in it is to recognize the right to pay at all times such allowances until someone moves a resolution in this Council for that not to be done.

Mr. RAATGEVER: I agree with the sentiments expressed by the hon. Member for Eastern Demerara. They are the same sentiments I will make here. There is no necessity to have this

enabling Ordinance if it is not to legalize the payment to Members and so remove any ground against them drawing that amount. We have been passing amounts for travelling year after year in this Legislative Council. Am I to understand that we have been doing something that is wrong, to pass those amounts annually, and we are now seeking to make it right by passing this enabling Ordinance? If we did not need an Ordinance for that purpose, we do not need it now, and this paragraph is redundant. That is my point.

Mr. CARTER: I would like to record my regret to see that this clause is being attacked in this way by Members who reside only in Georgetown. I can well gauge the embarrassment of those Members who reside outside of Georgetown. For that reason I must record my very great regret to see this clause being attacked. It is true that we are all honourable men and no one should make a profit out of being a Member of the Council. I do not think anyone can make a profit by receiving the small amount for subsistence or travelling. I think enough of our Legislators in the past have died poor as the result of their public service, and I see no reason that because a man serves his country that he should lose by reason of such service. As the hon. the Colonial Treasurer has pointed out, it may not be necessary to have this paragraph, but I think the paragraph was included — if I may use the expression — *ex abundantia cautela*. I sincerely ask those Members who are opposing this paragraph to withdraw their opposition and try to put themselves in the shoes of those Members, who reside out of Georgetown and who have to travel from their homes and to remain away from their homes for days in order to carry out the business of this Council.

The ATTORNEY-GENERAL: I think hon. Members would appreciate the fact that in drafting this legislation opportunity was taken to include the existing provision, as I understand it, in respect of the payment to Members of travelling expenses and subsistence allowances. That was done particularly in relation to clause 3. I took it that there would be no difficulty whatever in connection

with this Bill as the principles were already settled when the resolution was before the Council some time ago, in May of this year. We are really debating an issue so far as the payment of Members is concerned which was settled in May, and settled by the majority of this Council. In addition to that, so far as the payment of travelling expenses and subsistence allowances is concerned, that policy has been settled not during this year but during several years and this Council, I believe, gave its blessing to that procedure in the course of its consideration of the Estimates when it provided the vote. But I do wish to emphasize the fact that all that hon. Members have said must be read in conjunction with the clause which says:

“Anything contained in any statute to the contrary notwithstanding, the Legislative Council may, by resolution, provide for the payment, out of public funds, to Unofficial Members of the Executive Council and Unofficial Members of the Legislative Council”.

And so hon. Members have it within their power, if they think that the amount which is now provided for subsistence allowances should be reduced or the travelling expenses should be reduced having regard to the fact that payment of remuneration is now being made, for a revision of the amounts. But so far as the present circumstances go, the resolution, as the hon. the Colonial Treasurer has said, already makes provision for the payment referred to in this clause. So really this is to provide by legislation, as in clause 3, what has been already approved by this Council in debate, all the points having been considered. We cannot really blow hot and cold. I suggest that hon. Members leave the Bill as it stands.

Question put, the Committee dividing and voting as follows:—

For : Messrs. Carter, Peters, McDoom, Capt. Coghlan, Thompson, Ferreira, Lee, Dr. Nicholson and Dr. Singh—9.

Against : Messrs. Dr. Jagan, Debidin, Raatgever and Wight—4.

Did not vote : Messrs. Roth, the Colonial Treasurer, the Attorney-General and the Colonial Secretary—4.

Asals of the local Amateur Association were thrown to the winds and this vote was passed by Government giving sanction to something which was not being properly carried on. In any case—and I am saying this with some feeling as one who was closely connected and closely interested in all that was being done—I venture to say that the spirit in which things were done leading up to the point where a request was made for funds and this £1,000 voted by Government, was not in the best interest of sport in British Guiana. As a matter of fact, I think there has been some misrepresentation in saying that there has been a coming together of the various interests. I challenge anyone to say that there has been a fusion of the two bodies when one was doing its best to ruin the other up to recently. I know that the desire is that there should be a complete wiping out of one of the bodies. Two or three men got together and told the people of British Guiana and the world that they should be regarded as the people capable of running sport in this Colony and they have been able to get Government to vote this money.

I would not oppose any decision to vote money for a laudable cause such as sport in British Guiana. We need more playing fields all over the Colony and sport should be developed from top to bottom along correct lines. Were I to disclose all the details I feel sure I would satisfy this Council that there has been misrepresentation on the part of certain people in stating that sport has been put on its best footing in British Guiana, so much so that His Excellency's patronage has also been obtained by them. On close examination of the situation I think one would find a different story altogether than that which exists on the surface. This is an *ex post facto* speech, however, and I trust that the men selected to represent this Colony would endeavour to give of their best. As regards the question of policy I think the Colony is making a step in the direction. I repeat, however, that on examination of the local situation it would be found that the facts are not what they appear to be on the surface. We detest poor politics and so also must we detest poor sport.

Motion put and agreed to.

CO-OPERATIVE CREDIT BANKS
(SPECIAL PROVISIONS) BILL.

The ATTORNEY-GENERAL: With the permission of the Council I shall be grateful if I am allowed to take the Co-operative Credit Banks Bill now.

Agreed to.

A Bill intituled "An Ordinance to extend the powers of Co-operative Credit Banks for the purposes of the increase of food production."

The ATTORNEY-GENERAL: In moving the second reading of this Bill I should like to emphasise that in an effort to increase the Colony's production of food it is proposed to assist and encourage farmers by means of loans. Applications for loans will be made through the Co-operative Credit Banks so as to avoid the creation of another statutory body to deal solely with food production loans. The Co-operative Credit Banks Ordinance, 1944, limits the amount a bank can loan to fifty per centum of the value of the security, but this Bill seeks to remove that restriction with reference to food production loans. I may add for the information of hon. Members that approval has already been given to this principle and that loans have already been made in pursuance of that principle which this Bill seeks to carry out. I am sure that this effort will commend itself to hon. Members and that they will give their blessings to the objects of this Bill now brought before them. I beg to move that the Bill be read a second time.

THE COLONIAL SECRETARY seconded.

Mr. LEE: I would ask on behalf of certain rice producers in my district that due publication of the conditions relating to these loans be made and brought to their notice. Instances have been brought to my notice where rice producers at Leguan were not aware of the assistance which they could get through these food production loans, and I think instructions should be given to the District Administration Officers to hold public meetings in the various districts and explain the purposes of this Bill. The loans are not intended for the benefit of a certain

section of producers only and if this provision is brought to the notice of those I have referred to they would appreciate Government's attitude in the matter.

Mr. McDOOM : I endorse the remarks of the last speaker. I happen to know that you yourself, Sir, have done a great deal to bring about conditions whereby loans could be given not only to people growing rice but to other producers as well. I also know that the Agriculture Department and the Bureau of Publicity and Information have done their best in this matter. There may have been cases where people did not obtain loans because they were not informed, but those cases, I think, are very few. I think it is the intention of the Rice Producers' Association to adopt means whereby information about these loans would be brought to the notice of the people. If possible a broadcast would be arranged and there would also be publication in the Press. I am happy to say that in one respect we—the Rice Producers' Association — have already started to inform the people and I hope to make some arrangement soon to bring the information to their notice by way of a broadcast. I think the Agriculture Department and Government as a whole have done very well indeed in assisting the people in the production of rice and there is little to complain about.

Mr. WIGHT : I would like to take this opportunity, on the second reading of this Bill, to bring to Government's attention and possibly for the consideration of the Board those cases where the farmer or the artisan is in need to advance him the whole amount of the purchase price to acquire his own home and in certain cases his own property. Apparently it is not the practice of the Board to advance money to persons in the circumstances suggested, but I feel that if it is the obvious policy of Government to infuse independence in the small farmer and the small man thereby introducing a peasant farming system, more or less, the only logical corollary is to make cheap money available to them and enable them to acquire their own property. A man may desire to obtain title for the property in which he lives and may only have 50% of the purchase price, but the Board

would refuse to lend him the other 50% especially if it is on lease land. I have been told that the Board would not advance money to allow a person to acquire his own house.

Dr. JAGAN : I notice that in the Objects and Reasons of the Bill it is stated

“The Co-operative Credit Banks Ordinance, 1944, limits the amount a bank can loan to fifty per centum of the value of the security.”

I should like to get some information as to what security the Board or the Government requires for food production loans to small farmers because, as the last speaker has said, I am also aware of cases in which applications were made for loans, and because the people did not have much security they had difficulty in getting loans. I should like to be informed of what percentage of the loan would be required as security.

Mr. DEBIDIN : I represent a district which is very largely agricultural, and I know from personal contact with the people that most of them are very sceptical, or were unable to take up the loans which were being offered. I remember very well that as a result of the disastrous flood in the district which I represent, interest-free loans were granted to the farmers for a year or two in order that they might be able to rehabilitate themselves. We who live in Georgetown do not know how much the people in the rural areas suffer except we are told or we read of it in the newspapers, or there is some demonstration. I can assure you that the people suffer greatly and they bear it cheerfully. There is no doubt that most of the people have been borrowing money from time to time from the Co-operative Credit Banks, and I know from experience in the Courts that many of them have been sued and some actually suffered imprisonment because of their inability to repay the loans taken. There are some people who owe shopkeepers, and some who have mortgages on their properties. Loans at 6 per cent. to enable those people to produce more at a time when they were suffering were no help to those people at all.

The first time I became aware of this Bill was when I saw reference to it in the Press. I could not believe it that we have a system under which Government is charging the Loan Banks a certain rate of interest and that body is making loans at another rate of interest. Why there should be a middleman in this matter I do not know. There was some fund which the Department of Agriculture controlled. Why that arrangement could not have been extended so that loans could be made at 3 per cent. to the farmers? On loans on crops which depend upon the elements the people are to pay 6 per cent. interest, and that when Government is supposed to be encouraging them in their agricultural pursuits. I regard that as a very poor way of encouraging the peasant farmers to produce more food, and I do condemn the roundabout way in which the loans are made to these people at interest which starts at 3 per cent. and ends up at 6 per cent. I do not know the reason for it but I have my suspicion of what it all means.

The PRESIDENT: Will the hon. Member tell us what his suspicion is? There is no room for suspicion. Is he saying that there is something wrong in the system? I think it is extremely fortunate that the Co-operative Banks are able to make these loans. I cannot understand what the hon. Member is getting at. Will he say what his suspicions are?

Mr. LEE: For the information of the hon. Member I may explain that of the 6 per cent. interest 3 per cent. is the Bank rate of interest and the other 3 per cent. is to cover administrative costs. Six per cent. is not too high.

Mr. DEBIDIN: I do not know what is the position in the district which my friend represents. It is a Labour district and embraces two islands which are very prosperous. Its problems are not the same as those in the district I am talking about, but I am sure he would not be commended for saying that 6 per cent. interest on the loans is not too high. Your Excellency has asked me what my suspicions are. I am going to state in a general way that I do not think the peasant farmer is being given sufficient

encouragement because there is not sufficient labour on the sugar plantations.

The PRESIDENT: I do not think the hon. Member has answered the point. He says he has some suspicions, and that there is something underlying the system which is not right and fair. Anyway that is what I construed him to say. I wish he would come out and say what his suspicions are so that we might clear the air.

Mr. DEBIDIN: The district which I represent has been shamefully neglected, having regard to the Case report. One of the largest and most prolific producing areas in the Colony has been deliberately allowed to go abandoned. Conditions which have never existed before are now existing in those creek lands which are the most fertile in the Colony.

The PRESIDENT: The hon. Member has not yet answered the point about what his suspicions are.

Mr. DEBIDIN: I do not know that when one speaks of suspicion he is only thinking about theft. I am not suggesting that this is an opportunity for anyone to appropriate money. Far from that. When I speak of suspicion I refer to a matter of policy. My suspicion is that if these loans are not attractive the farmers would be forced to go to the estates and provide cheap labour. I also have a suspicion where middlemen are concerned. Why should there be a Board being brought into the matter when the loans can be made immediately or directly? If Government is sincere in its campaign for a greater production of food it should make loans available to the farmers at the lowest possible rate of interest. That is the gravamen of my complaint. Meetings were held in the districts affected by the flood, but I am sure that nothing has been done in regard to the plaintive appeals of the farmers for help in some form. They asked for assistance and compensation but nothing has been done. The peasant farmers who have no other means except what they earn at the reaping of their crops should be given more consideration and encouragement than they are getting.

Mr. LEE: I admit that the farmers in the Mahaica river area have suffered loss through flood, but Government can approach this Council with some relief measure, and I am sure the Council would give it sympathetic consideration. I would suggest to my friend that if he wants to help the Mahaica river residents he should approach this Council by motion. We all know how those people have suffered, and I am sure the Council would give his motion sympathetic consideration.

The PRESIDENT: I have taken a great deal of interest in this question of food production loans, and the opening remarks of one hon. Member to the effect that the fact that we are giving loans was not well known rather surprised me, in view of the announcement I have made in this Council and the broadcast I have made. We have had conferences of every District Officer in Georgetown, together with every Agricultural Officer, and in addition in every district we have Committees on this Food Production campaign. The matter has been given wide publicity, and I think hon. Members should know what the result is. It is simply this: that over \$200,000 of the quarter of a million dollars voted by this Council has already been loaned. The hon. Member who referred to Leguan said that the people there did not know about it. I find on my list, which is not up-to-date, (it is only up to the 5th of August) that Leguan has already received \$6,000 for loans.

The hon. Member who spoke last said that nothing is being done in his constituency. I will not touch on Cane Grove, —which I believe is in his constituency— for which this Council has voted half a million dollars to re-settle the people, and I will not refer to a number of other directions in which assistance has been given, but I will just mention this fact: that Mahaicony and Mahaica have received from the \$250,000 fund loans of no less than \$50,000. If that is not treating the hon. Member's district well, or comparatively well, compared with the rest of the Colony then I do not know what is.

There are other places like Golden Grove which has had \$3,000, Victoria-Belfield \$1,500, and Ann's Grove-Clon-

brook \$2,000. I would suggest that the hon. Member might find out what is being done in his district before standing up in this Council and saying that nothing is being done. He will excuse me if I say that I feel somewhat disappointed when I hear those remarks that we are not doing anything. There is a genuine attempt being made to help the farmers. I have spoken to the Chairman of the Village Chairmen's Conference the other day and tried to outline the general policy of Government and the different ways in which we were trying to help. I suggest to the Council that we are helping the farmers and the rural communities more now than ever before in the history of this Colony.

Mr. DEBIDIN: My complaint is that Government has not helped the people by granting them interest-free loans at a time when they are hard hit and practically unable to help themselves, and that they are being given loans at very high interest. I do not say that nothing is being done. People who have suffered so very badly should be helped to start life again.

Mr. THOMPSON: I suppose the hon. Member has forgotten that only yesterday relief to the extent of \$58,000 was promised through the Banks.

Mr. DEBIDIN: No, that is merely for sea defence work on the Corentyne Coast only.

The PRESIDENT: It is not so. The hon. Member is quite right in saying that \$58,000 has been given to the Banks for distribution, and most of it has been distributed in the Mahaica-Mahaicony district. In fact that district has had a fifth of the whole loan. I cannot see how the hon. Member can say that Government is not helping the people.

Mr. THOMPSON: I do not think 6 per cent. is a very high rate of interest. Government is trying to save the people from the rapacious moneylenders. I have known of cases in which people have been charged over 200 per cent. interest by moneylenders. Can the hon. Member say that nothing is being done to help the people? In my district this matter of

Clause 2 passed.

Council resumed.

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

Dr. NICHOLSON seconded.

Motion put and agreed to.

Bill read the third time and passed.

DIPLOMATIC PRIVILEGES BILL.

A Bill intituled "An Ordinance to amend the Diplomatic Privileges (Extension) Ordinance, 1947"

The ATTORNEY-GENERAL: I desire to point out that, as stated in the memorandum of Objects and Reasons,—

"Section 3 (1) (b) of the Diplomatic Privileges (Extension) Ordinance, 1947 (No. 40) provides that the Governor in Council may by Order confer upon any person who is the representative of a member Government on the governing body of any committee of an organisation declared to be such under section 2, or who is a member of the staff of such representative, certain immunities and privileges.

"It is His Majesty's Government in the United Kingdom which is the member of an organisation declared to be such under section 2 and referred to in an Order in Council under section 3, and not the Government of British Guiana.

"The expression "representative of a member Government" in section 3 (1) (b) cannot therefore mean or include a representative of the Government of British Guiana

"The proviso to section 3 (1), which purports to except from the meaning of "representative of a member Government" in section 3 (1) (b), a representative of the Government of British Guiana is therefore necessary.

"The object of the Bill is to repeal the proviso to section 3 (1) of Ordinance No. 40 of 1947."

I think this Bill has been before this Council for a long time—and what it seeks to point out, in other words, is that

His Majesty's Government is the United Kingdom and not this Colony. I formally move that the Bill be read a second time.

The COLONIAL SECRETARY seconded.

Motion put and agreed to.

Bill read a second time.

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

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

The COLONIAL SECRETARY seconded.

Motion put and agreed to.

Bill read a third time and passed.

SUPPLEMENTARY EXPENDITURE.

The COLONIAL TREASURER: I would like to ask permission of the Council to proceed to Order No. 4. There are three supplementary schedules relating to supplementary expenditure and I am very anxious to complete all formalities with regard to the year 1947.

Agreed to.

The COLONIAL TREASURER: I beg to move the first section of this motion which reads:—

"That, this Council approves of the Statement which has been laid on the table, of Supplementary Expenditure totalling \$182,445.56 which has not been included in any previous Schedule for the year 1947, and agrees that it be admitted as a charge to Public Funds under Colonial Regulation 265 (2)."; and then the second section which reads:—

"That this Council approves of the Schedule of certain items totalling \$1,216,103 carried on Suspense Accounts and charged as final expenditure in the Colony's Accounts for 1947, which has been laid on the table."

Both of these Statements were explained in Finance Committee and

approved. They have, of course, been already included in the completed accounts for 1947 which, by the way, have now been printed and laid on the table. I am very anxious that this formality of approving these schedules in Council should be done at once. There is another formality as regards the Supplementary Appropriation Bill, 1947, that will follow.

The COLONIAL SECRETARY seconded.

The PRESIDENT : I will put motions (a) and (b) standing in the name of the Colonial Treasurer at item 4 on the Order Paper.

Motions put and agreed to.

The COLONIAL TREASURER : The third section of this Order reads :—

“That, this Council approves of the Schedule of Additional Provision for the quarter ended 30th June, 1948, which has been laid on the table.”

This schedule totals \$444,899 of which \$120,201 represents items paid from Development and Welfare funds. The balance is \$324,697 and that could be subdivided into two parts—new items and excess votes, \$223,228 ; and revotes of provision made under the 1947 Estimates, \$101,468. Here again, the three schedules comprising these supplementary estimates were carefully considered in Finance Committee and approved by that body on the strength of which you, Sir, issued the necessary warrants for expenditure. There were no questions of policy mentioned in the course of the discussion. Some items, of course, were controversial, but on the whole nothing that I can recall was of a nature such as I should bring to the attention of the Council for discussion. Consequently, unless any Member wishes to discuss in detail any particular item, I would not move into Committee. If that were not so, I would move into Committee to permit that discussion to take place.

Mr. DEBIDIN : There is one item in which there is, to my mind, a very important question of policy. I heard the hon. the Colonial Treasurer say he did not think there was any, but I can

assure him that the matter I would refer to is one which involves a matter of policy and that is the item which calls for a vote of \$4,000 to enable teams to be sent to the Olympic games. It would seem strange after all that has been done that I should still refer to this item, and for that reason I would say at an early stage that I have a very great interest in games and up to the time the games were run in Baranquilla I have been following Olympic games with great interest. My whole-hearted desire is that the games in Great Britain should be attended with the greatest success. I had the privilege of visiting a foreign country—Columbia,—where Latin, American games were held on a very large scale and I think the meeting there was the second best Olympic meeting in the world.

I would like to say that whenever these votes are to be made the entire matter should be gone into and that Members of this Council would have opposed an item of expenditure such as this where it involves the taxpayers' money without careful consideration. On careful examination of this particular question one would have noticed that attempts were made to put games in this Colony on a fairly good footing but, unfortunately, certain difficulties arose and up to the moment the desire to have them organised in the best possible way has not been fulfilled. There was an organisation—the Amateur Athletic Association of British Guiana which was affiliated to the Intercolonial Amateur Athletic Association of Great Britain—but there was opposition to that body although it embraced all the leading clubs, schools and so on, and I maintain the view that it would be a great thing for British Guiana if games could be popularised in the Colony and not restricted to a few as they were at the time this vote was passed. Games should be popularised with the co-operation of clubs, colleges, schools and so on, through an organisation which would cater for all parties and particularly to maintain recognition in Great Britain from the International Amateur Athletic Association. Because the Olympic games have been arranged certain things were reviewed and because of the desire to send a team at the last moment to represent this Colony the pro-

assistance to the farmers is widely known. Committees have been appointed and there is not a single person who is not fully acquainted with what is going on. Persons are paid to go around and see what the people are doing to make sure that they have crops. I am sure the hon. Member would not want Government to give money out without making sure that it is well spent. That is what Government is doing. I would suggest that the hon. Member should not speak only because he can utter a flow of words. He should make himself fully acquainted with conditions in the rural areas so as not to make erroneous statements.

Mr. DEBIDIN : If the hon. Member is attempting to be insulting I will tell him that I know as much about my own district as anybody else.

The PRESIDENT : There was one point raised by the hon. Member for Central Demerara (Dr. Jagan) about the conditions on which loans are made. I cannot tell him that they are completely up-to-date, but the various conditions recommended by the Committee were movable or immovable property, a guarantor, life insurance policy, livestock, cattle, and a lien on crops. I think those are the principal forms of security on which loans are made. There may be some others, but if the hon. Member wants detailed information the Director of Agriculture could give it to him. They are far more lenient and much milder than the ordinary Credit Banks' conditions.

The reason why we are passing this Bill is to enable the Co-operative Credit Banks to make these food production loans on more favourable terms than the law allows them to do at present. A Co-operative Credit Bank is a general purpose bank. Its security is much higher than that required in the case of food production loans, but because those Banks are established in the districts and there is a lot of work involved in making these loans, Government is asking them to make every effort to get these loans through quickly to the farmers, and in due course to collect the loans made.

Dr. NICHOLSON : The hon. Member

for Eastern Demerara (Mr. Debidin) feels that 6 per cent. interest is too high, but I know from my association for many years with people that moneylenders have charged as much as 240 per cent. interest.

The PRESIDENT : I think the answer to the question of rate of interest is in the number of applications that have been made for loans. A sum of \$200,000 has already been loaned out of the quarter of a million dollars. The people are only too anxious to get loans. I think the law allows 48 per cent. to moneylenders, so that 6 per cent. is not bad compared with that.

Question put, and agreed to.

Bill read a second time.

COUNCIL IN COMMITTEE.

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

Clause 3.—*Advances to the Board for the purpose of making food production loans.*

Mr. DEBIDIN : I move the deletion of sub-clause (2) for reasons which I have sufficiently indicated. I would like to take this opportunity to say that Members' reference to the high rate of interest charged by moneylenders was a very clever answer to the point I have been making, but they missed my point completely. Moneylenders may charge 1,000 or 2,000 per cent. interest for that matter, but X may not borrow his money unless he has very good reason for doing so. The point I have been making is that because Government desires to encourage peasant farming and the production of more food its rate of interest should be extremely low. Government stands in a different position entirely from moneylenders, and no comparison should be made between Government and moneylenders. The question is whether Government can give the people loans at less interest than 6 per cent. I imagined when the sum of a quarter of a million dollars was voted that Government would have put it at the disposal of the people in loans at a low rate of interest, so that not only the farmers but Government

would benefit by the increased production, and that there would be more produce for export, especially rice, and more food for the people in the City to eat.

In other words, Sir, why should that quarter-million dollars be lent to the Board at interest? Why should it go to the Board and then the Board loan it to the people? After all I am sure it is not thinking of its risk. I see it is to be loaned to the Board at 3 per cent. interest and then to the people at 6 per cent. I would still like to be told why the Board or somebody else does not lend the money directly to the people at 3 per cent. Let us say there is the machinery at the Loan Banks already. The Board is not incurring any risk in handing it to the Loan Banks and so can pass it on at 1 per cent., to cover administrative cost. Then the Loan Banks would be able to charge at the most 3 per cent., if the Board is getting the money free from the Government. That is my point in the whole matter. I am sure Government does not intend to make a profit off the people, but that is what is meant indirectly. The money is passed on to the Board at 3 per cent. Why should it be, when we are supposed to be encouraging the people to grow more food?

Let me make one important point which, I hope, will not be overlooked by this Council. I see people have been prosecuted and sent to gaol for failing to obey by shifting their crops to a factory other than that specifically stated to which their padi should go. But that is done by the people so as to pay some other debt they owe. \$2,000 has been loaned. It was taken up quite readily. But that is not the question, how is it to be paid. The question is the collection of that money. I venture to think that if people are knee deep in debts already from floods, how can they pay on the present crop; they will surely run counter with the law or the Loan Bank. I feel that is where all the more they should not be saddled with the extra 3 per cent. which, I think, can be avoided in these prosecutions. I look upon this as a big deal by the Government which can be avoided.

Dr. JAGAN. I beg to support the Member in that respect. I think it would

be a very good gesture if Government advance this sum of money to the Board free of interest. I think we are all interested in food production. We know there is a shortage of rice at the present time, and if this is an added encouragement it would go a long way. I suggest to the hon. Member who has just taken his seat not to ask for the deletion of the whole clause but that it be amended to read as follows:

“All advances made to the Board under this section shall bear no interest”.

Let the Board or Bank charge 3 per cent. to the farmer.

The COLONIAL TREASURER: I do suggest that Members seem to be mixing two things up. This food production programme was initiated late last year and, as Your Excellency has stressed, it is designed to secure more food; but Your Excellency was very careful to emphasize that it was to be an economic proposition, and reasonably so. As I listened to the speech made by the hon. Member for Eastern Demerara, what I gathered he is after is Flood Relief. The whole basis of his claim for freedom from interest is that the people are now suffering from floods. That, I submit, is quite a different question altogether. This business of food production should not be mixed up with Free Grants or assistance or compensation for loss. It has nothing to do with that. If there is such a case for relief, then it should come quite separately. But do not let us make this Food Production campaign a farce. It is not intended to give away money. It is intended that people should take the money and work it in the best possible way. It is quite true that these loans are given on easy terms. That is to say, the security is very much less than if the Credit Banks themselves were making the loans. But surely a normal rate of interest like 6 per cent. is a proper one. If these people do want relief I am quite sure an extension of the time for repayment will be given. As a matter of fact, it is said that there is possibility of loss through some people not being able to pay back the money. That is recognized. Do not let us mix up the two things and include in this

Bill, which is the Food Production Loan Ordinance, something which has nothing to do with it and which is the relief of distress.

Dr. JAGAN: The hon. the Colonial Treasurer said in giving this food production loan it is a business proposition and Government should not lose any money. I am sure if we were to get more food production from giving this loan, this Colony would benefit and the national income would increase and Government would be able to get more taxes so that, indirectly Government would be gaining something in the end because of this increased food production. If Government foregoes the 3 per cent. which is charged the Board, I am sure it would get it back through the increased production.

Mr. DEBIDIN: I think the hon. the Colonial Treasurer has not made a correct reference when he said I am thinking of Flood Relief. I had referred to Flood Relief merely to show the difficulty in which the people would find themselves in making repayment. In other words, let me put a concrete case that we will all understand better. The man who has not got a penny in his pocket, if he takes on a crop loan, which is the lowest form of a loan given, it means this: If he fails in his crop he would find it difficult to repay and may have to ask for an extension of time to the next crop. I believe Government is prepared to do that. I learnt that from one of the officers. But there are cases where a man is in debt already and so he has to pay the debt and the loan. My whole point is this: If a man is cultivating a particular kind of cultivation, whether provision, or rice and by having a small interest to pay would have a margin of profit, that man would be in a better position to reinvest that profit so as to increase his production. He would be able to increase the acreage of his cultivation and in turn increase his production through the assistance given him in the small interest loan. Government has Rice Loans at 3½ per cent. and, I feel, 3 per cent. is not something extraordinary to charge as interest.

The whole question is this: As has been supported by the hon. Member for Central Demerara, our intention is, if we are really giving the people encouragement Government should not try to make something for itself but should content itself with the returns it would get in possible duties. Take for instance rice. If you are able to export more rice, a greater national income we would get. That is the whole and sole point. If this clause is deleted, which gives the Board the money at 3 per cent., I feel sure the whole Colony would bless Government for the step it has taken in allowing to them loans at 3 per cent., instead of at 6 per cent. I know people with mortgages would find it difficult to pay that 6 per cent., and also their mortgages. My hon. friend in the Saw Mills business will be able to tell you of the difficulty he has to get regular payment for materials credited on security of houses and to get his interest which is generally 6 per cent. Where we are dealing with agricultural pursuits which, as I say, stand a greater chance of being damaged by the elements, either drought or flood, I feel sure greater encouragement would be given in the small interest rate of 3 per cent.

Mr. McDOOM: I think much has been said about this interest. I agree with the speakers who say that 6 per cent. interest really is not a large interest, but it provides for any loss the Loan Banks might suffer. We do not want to find that we have lent the money through the Loan Banks and lost all of it. After all the Government would have to come back to this Council and ask for more money, should that happen. I think 3 per cent. interest will not help the people to any appreciable extent. What, I think, hon. Members should address their minds to more is the question as to how far the assistance that is being extended to the farmers in this Colony goes. We should, I think, address ourselves in regards to rice production to the question of whether the loan we are advancing to the rice producers of this Colony is enough not only to produce the rice but when the rice is ready to be reaped to reap that rice. That, I think,

is the question we should worry ourselves about. To worry about 3 per cent. is neither here nor there. I do not want to find, when the padi which we lent the money to grow is ready to be reaped, the people are forced back into the hands of the millers and moneylenders and so to find themselves being taken advantage of. Those are the things we should look into and not these little things. I say we should think of that very seriously.

In my opinion it seems that something is needed to be done and that soon in order to assist those people who have taken up the loan to put it to good use—to grow more padi and when the time comes to reap that padi without falling back into the hands of those people who in the past had been taking advantage of them. That is the thing Members who want to assist the rice-growers of this Colony should address their minds to and not worry about the 3 per cent. interest.

Clause 3 put, and agreed to.

Mr. DEBIDIN : Division !

The COLONIAL TREASURER : May I ask which sub-clause the hon. Member wishes deleted ?

Mr. DEBIDIN : Sub-clause 3 (2).

The COLONIAL TREASURER : If that is deleted the hon. Member would not achieve what he wants. It would only mean that the Governor in Council would have the right to fix the terms of the loans. Sub-clause (2) allows the Board to borrow at a rate not exceeding 3 per cent., while sub-clause (1) allows the Governor in Council to grant the loans to the Board upon such terms and conditions as he may from time to time think fit. If sub-clause (2) is deleted it would not achieve the object the hon. Member has in mind.

Dr. JAGAN : That is why I suggest it should read that it should bear no interest.

Mr. DEBIDIN : We do not know what is the power of the Governor in Council in this matter.

The CHAIRMAN : We cannot argue this matter. A division is called.

The Committee divided on the question "That clause 3 stands part of the Bill", and voted as follows

For :— Messrs. Gonsalves, Carter, Peters, McDoom, Capt. Coghlan, Thompson, Roth, Dr. Nicholson, Dr. Singh, Mr. Wight, the Colonial Treasurer, the Attorney-General and the Colonial Secretary—13.

Against:—Dr. Jagan, Mr. Debidin—2.

Did not vote :—Mr. Lee—1.

Clause 3 passed.

Clause 9—*Duration of Ordinance.*

The ATTORNEY-GENERAL : As Your Excellency has already explained, the loans have already been made, and consequently it is desirable that this Ordinance should have retrospective effect. I therefore ask that an amendment be made to the marginal note and the first sentence of the clause as printed, to read :

"Commencement and duration of Ordinance

9. This Ordinance shall be deemed to have come into operation on the first day of January, nineteen hundred and forty-eight, and shall continue in operation until the thirty-first day of December, nineteen hundred and forty-eight :"

Then follows the proviso.

The CHAIRMAN : I gather that you want that amendment so as to cover the loans already made.

The ATTORNEY-GENERAL : Yes, Sir.

Question put, and agreed to.

Clause passed as amended.

The 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.

Mr. WIGHT seconded.

Question put, and agreed to.

Bill read a third time and passed.

The ATTORNEY-GENERAL: With the leave of the Council, since the next Bill on the Order Paper is one which will take much time, we may perhaps do the small ones and I ask leave to enable me to take the following Bills—

- (a) The Crown Lands Resumption Ordinance (Amendment) Bill;
- (b) The Post Office Savings Bank (Amendment) Bill;
- (c) The Legal Practitioners (Amendment) Bill.

Question put, and agreed to.

Leave granted.

CROWN LANDS RESUMPTION ORDINANCE (AMENDMENT) BILL.

A Bill intituled "An Ordinance to amend the Crown Lands Resumption Ordinance with respect to lands which may be resumed by the Crown."

The ATTORNEY-GENERAL: It will be seen from the memorandum of Objects and Reasons which accompanies the Bill, that the Crown Lands Resumption Ordinance, No. 30 of 1905 (Chapter 172), makes provision for the resumption by the Crown of "any land which has been or is hereafter alienated by or on behalf of the Crown". Acting under the authority of that Ordinance, the Crown has resumed lands alienated by the Dutch authorities prior to the cession to the British Crown in the year 1803 of the Colony of Demerara and Essequibo and of the Colony of Berbice. Particulars of such lands will be found in the following **Gazettes**:

Date	Page	Number of Notice
25. 4. 1908	1048	
30. 1. 1909	179	
20. 2. 1909	382	
28. 5. 1910	1368	
6. 5. 1916	254	160
28. 8. 1920	45	69
16.12. 1922	232	189
18. 5. 1929	1550	617
29. 6. 1929	1895	773

From time to time doubts have been expressed as to whether the Ordinance extends to lands alienated by the Dutch, and the object of this Bill is to set such doubts at rest.

Mr. WIGHT seconded.

Mr. ROTH: Hon. Members are aware of the possibly far reaching repercussion of this seemingly simple Bill? Since 1914 we have heard quite a lot of the abrogation of settlements, treaties and conventions. I think we have to be very careful to see that by passing this Bill we do not lay ourselves open to a similar charge. The Bill purports to give the Crown the right to resume possession of certain lands originally alienated by the Dutch within their sovereign power. But, Sir, when the British took final control of this Colony in 1803 amongst the Articles of Capitulation was included one to the effect that the inhabitants should have free enjoyment of their property. This was not abrogated by the following Convention of the year 1814, and in the final Convention of 1815 the Dutch subjects who were the proprietors of the Colony were given full liberty to dispose of their property in any manner they thought fit. Therefore until Government is in a position to satisfy this Council that the passing of this Bill as it stands will in no way abrogate the spirit or letter of the Articles of Capitulation of 1803 and subsequent Conventions of 1814 and 1815, I move that the second reading of this Bill be deferred.

Mr. DEBIDIN: I beg to second that. There seems to be something in it, and I particularly would like to refer to a matter of my own. There was a will of a Governor of this Colony, Governor Tross, put into my hands to trace the fifth generation entitled to property under the will. The lands were actually traced by me, but I found they have been to some extent alienated and in one way or another could not be properly defined. I petitioned the Government and had several replies from the Colonial Secretary and others, and the position, as it stands, is still in doubt. There may be much involved in an innocent Bill like this one.

The ATTORNEY-GENERAL: I have no objection to the postponement, but I would like to point out that during last year the Commissioner of Lands and Mines wrote to the effect that most of the coastlands of British Guiana—certain strips—were alienated by the Dutch before the British Occupation, and they were still regarded as privately-held property. In some cases certain of those properties had become abandoned and it was not possible to locate the owners of them. There is no provision by which the Government can acquire such properties, and any person can go on those abandoned Dutch estates and squat on them and, if the owners do not turn up within a period of 30 years, then the squatter gets prescriptive right over the estates. Very often somebody other than the owner comes along and, having squatted there, says "This is mine by right of possession over a period of years."

I would like to point out to the hon. Member that it is not a question of depriving anybody of their property, or abrogating what might have been decided from the point of view of Treaties. It is that somebody who is a total stranger may go and acquire a prescriptive title by means of squatting without doing anything else, and this may be done to the prejudice of the Crown itself. If hon. Members wish an opportunity to go further into it, I have no objection.

Mr. ROTH: With regard to squatting and prescriptive right, there is precedent to the effect that Government took over on behalf of the Crown large areas of similar lands with several supposed squatters on them. They claimed the right to the lands by being heirs of the owners by prescription and they were only given the areas they physically occupied.

The PRESIDENT: It all refers to abandoned lands. I think it is the most desirable thing to legislate so as to be able to put the lands to some good use. We can do nothing with those lands at the present. Do Members prefer to defer the Bill or to go on with it? Does the hon. Member wish to press his point?

Mr. ROTH: Sir, it is a bad principle.

A treaty is a treaty even if it is 100 years old. I do not, however, say that some other means to get around it may not be found. Some formal attempt should be made to get at the heirs before these particular lands are resumed by the Crown.

The PRESIDENT: Do you wish the Crown to make further enquiry or to satisfy yourself?

Mr. ROTH: I am asking that the second reading be deferred until Government is satisfied that there will not be any retrogression.

The PRESIDENT: Very well, we will defer the second reading.

Second reading deferred.

POST OFFICE SAVINGS BANK (AMENDMENT) BILL.

A Bill intituled "An Ordinance to amend the Post Office Savings Bank Ordinance, 1937, with respect to the date of calculation of interest on deposits."

The ATTORNEY-GENERAL: With the introduction of the mechanical accounting system in the Post Office Savings Bank it is impracticable to calculate interest on deposits to the 31st December in each year, and insert such interest in the ledger cards as at that date, the end of the accounting year, without compulsorily closing the Bank for a period of at least fourteen days. It is considered that the 30th November would be the most suitable date to which to calculate interest, and which would permit of the insertion of such interest in the ledger cards by the end of December without disrupting the work of the Bank. This Bill seeks to give effect to that object by appropriate amendment of section 9 (3) of the Principal Ordinance. Section 9 (3) reads as follows:—

"(3) Interest on deposits shall, subject to the provisions of subsection (2) of this section be calculated to the thirty-first day of December in every year and shall then be added to and become part of any principal money remaining on deposit."

The effect of this will be that this year, if the Ordinance is amended as suggested by this Bill, the change over will be effected and interest on deposits will be calculated to November 30 and shall be added to and become part of any principal money remaining on deposit. I beg to move that this Bill be read a second time.

The COLONIAL SECRETARY seconded

Motion put and agreed to.

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

Council resumed.

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

The COLONIAL SECRETARY seconded.

Motion put and agreed to.

Bill read a third time and passed.

LEGAL PRACTITIONERS (AMENDMENT) BILL.

The ATTORNEY-GENERAL: With the permission of the Council I would like to take the Legal Practitioners (Amendment) Bill at this stage.

Agreed to.

A Bill intituled "An Ordinance to amend the Legal Practitioners Ordinance with respect to Articles of Clerkship."

The ATTORNEY-GENERAL: In moving the second reading of this following Bill I would like to point out that the object of Clause 2 (1) of this Bill is to provide that any person who has passed the preliminary examination of the Law Society in England or any examination which exempts him from such preliminary examination shall be entitled to enter into articles of clerkship under the Legal Practitioners Ordinance, Chapter 26. The

qualifying examination for solicitors is the final examination of the Law Society of England together with that part of the intermediate examination which relates to trust accounts and bookkeeping. Clause 2 (2) of the Bill preserves the rights of persons who have already passed an examination which entitles them, under the existing law, to enter into articles of clerkship.

This is bringing the Colony into line by having the same entrance provisions as those applied by the Law Society in England. At the present time, section 7 of the Principal Ordinance reads:—

"7. All articles of clerkship shall be executed before a notary public and shall be duly recorded in the registry, and no articles shall be received, or, if received, be of any force or effect, until the person to become bound has produced to the Registrar satisfactory proof that he has passed any one of the following examinations, namely . . ."

Then there is set out the list of examinations approved in connection with these articles of clerkship. This will take the place of all these and whatever exempts a person from the preliminary examination in England will be accepted locally. I beg to move that the Bill be read a second time.

The COLONIAL SECRETARY seconded.

Mr. ROTH: I should like to point out that on February 26, 1946, this Council passed the second reading of a Bill which seemed to be exactly the same as this one.

The ATTORNEY-GENERAL: That died with the death of the last Council. This is a new Bill but it is practically the same.

Mr. DEBIDIN: The entrance examination in England is different from ours in British Guiana, I think. If the hon. the Attorney-General has the syllabus before him I would like to know what are the subjects.

The ATTORNEY-GENERAL: I have not got the syllabus but the real point is the culminating point — where one

becomes a solicitor. One must give the greatest possible attention and consideration to matters of this sort in order to maintain the very high traditions of the profession. The hon. Member for Eastern Demerara is a solicitor and he knows very well that every student has to take a final examination. I take it that the original entrance examination provided for articles of clerkship would have some relation to the capacity of the applicant, but the ultimate point is that at which he becomes a solicitor. I cannot say offhand what the syllabus is because I have not seen it recently, but I did look at it last year—about 18 months ago when this Bill was being prepared.

Mr. DEBIDIN: I am under the impression that the preliminary examination in England is of a very much lower standard than what is required locally, and for the information of the Attorney-General I would state that candidates are now being called upon to sit the English examination in this Colony. It may be that a person can pass that examination in this Colony upon the papers being sent out here, but in that way the whole Ordinance would be rendered nugatory. A standard has been set for this Colony and I think we should maintain that standard. The final examination, while conducted by the Law Society in England, is held under the supervision of the Supreme Court of British Guiana. That means that we are governed by separate Regulations and we are bound by them. I do not know whether this is an attempt to lower our standard, but if that is so I am entirely opposed to it. If the Attorney-General cannot supply the information for which I have asked I am going to move that this Bill be deferred for consideration at the next meeting of the Council.

Mr. WIGHT: I cannot see why this Bill should be deferred for the next or any other session of the Council. It is quite obvious that you have a body which is reputable and which takes great care of the question of the persons who desire to enter into it, and that body is the Law Society. If their preliminary examination satisfies them and a solicitor who passes in England is entitled to practise out here it is difficult to say that we

should not allow a final examination as taken in England to be held here because it would not be good enough to entitle the candidate to admission. That would not be sound logic. The hon. Member who has spoken is a solicitor and while I do not know much about that branch of the profession—I happen to be a member of the senior branch—I do not see any strength in the argument that a preliminary examination which entitles one to study for the Bar in England would not be sufficient here in British Guiana. I cannot see the point the hon. Member is trying to make.

Motion put and agreed to.

Bill read a second time.

COUNCIL IN COMMITTEE.

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

Clause 2—*Amendment of section 7 of the Principal Ordinance.*

Mr. DEBIDIN: For the sake of argument, Sir—

The ATTORNEY-GENERAL: For the sake of argument? I do not appreciate that.

The CHAIRMAN: The hon. Member is out of order.

Mr. DEBIDIN: I beg to move the deletion of par. (b) in this clause. I could not reply to the hon. Member for Western Essequibo but I would like to point out that it is not logical to say that because the student in England as well as the student in British Guiana has to sit a final examination the preliminary examination in each case is of the same standard. I think the hon. Member should know that it was Mr. now (Justice) Crane who, when an hon. Member of this Council, was responsible for the tightening up of this Ordinance. There must be some very good reason why this Bill is being passed now. The preliminary examination in England may be an oral examination for that matter, but there are three examinations which a local student

has to pass—a preliminary, an oral and a final. In this Colony we are not called upon to sit the intermediate part of the examination at all. From the time a student satisfies the Registrar of the Supreme Court or the Chief Justice that he has the qualification required for the preliminary examination—a Senior Cambridge or a London Matriculation certificate, or else—he proceeds right away to study for the final examination. He is permitted, however, to take the book-keeping part of the examination before he takes the final proper. There is no comparison between the system in England and that here. A special examination is set for the Colonies and unless a student goes to England and takes the examination there he would not get the same papers as he would get in the Colonies. I would not like it to be felt that the papers are the same. I do feel that this is the time for us to enter upon any change unless a very good reason is shown and unless we are satisfied that the standard will remain the same as it has been in the past or made higher still.

Mr. LEE: I think that if my hon. friend reads the section which is being amended he would see that we are trying to bring our Ordinance into line with the Rules governing the Law Society in England. The proposed amendment to section 7 of the Principal Ordinance suggests the repeal of all the words which follow the words "satisfactory proof that he has passed", and the substitution therefor of the words "the preliminary examination of the Law Society of England or any examination which exempts from such preliminary examination". In effect, we are trying to bring the question of entrance under articles to the same standard as obtains in England and I do not think it is a retrograde step. If the hon. Member the amendment carefully I think he would be satisfied that we are not taking a retrograde step. Even if the standard of the preliminary examination is higher

in this Colony than it is in England it would make the student who wants to become a solicitor strive to pass it and become entitled to be articulated by the Law Society in England. If the standard of the entrance examination here is lower than in England it would have a similar effect, and I do not see that any hardship would be created by this amendment.

Mr. DEBIDIN: As I have already stated, we were not prepared for this motion today. Section 7 (f) (ii) of the Principal Ordinance states:—

"(ii) all subjects required to be taken by a candidate shall be taken and proved to have been taken at one and the same examination."

You are wiping out a series of conditions and yet we are not being told whether the standard of the preliminary examination in England is the same as stated in pars. (c), (d), (e) and (f). I think it is a reasonable request to make that this matter be taken up by the local Law Society of which the Deputy President of this Council is Chairman. The amendment, on the whole, is vague and I think the Solicitors branch of the legal profession in this Colony should have the opportunity of examining it through making a careful study of the English syllabus and the local Ordinance. I do not think the Attorney General should rush this matter through.

The ATTORNEY GENERAL: The hon. Member seems to have the word "rush" on his tongue; we are not rushing anything. As the hon. Nominated Member (Mr. Roth) has pointed out, some time ago a Bill of this nature was brought before the last Council but the Council came to an end before the Bill could be dealt with, and we have had to bring it back.

The PRESIDENT: It being close on 5 o'clock, the Council will adjourn until 2 p.m. on Wednesday next.