

LEGISLATIVE COUNCIL.

Friday, 18th November, 1938.

The Council met at 10.30 a.m. pursuant to adjournment, His Excellency the Governor, SIR WILFRID JACKSON, K.C.M.G., President, in the Chair.

PRESENT.

The Hon. the Colonial Secretary, Mr. G. D. Owen, C.M.G.

The Hon. the Attorney-General (Acting), Mr. S. E. Gomes.

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

The Hon. E. A. Luckhoo, O.B.E., (Eastern Berbice).

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

The Hon. E. F. McDavid, M.B.E., Colonial Treasurer.

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

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

The Hon. N. M. MacLennan, Director of Medical Services.

The Hon. M. B. Laing, Commissioner of Labour and Local Government.

The Hon. G. O. Case, Director of Public Works and Sea Defences.

The Hon. H. P. Christiani, M.B.E., Commissioner of Lands and Mines.

The Hon. F. O. Richards, Comptroller of Customs (Acting).

The Hon. L. G. Crease, Director of Education (Acting).

The Hon. Percy C. Wight, O.B.E., (Georgetown Central).

The Hon. J. Eleazar (Berbice River).

The Hon. J. I. De Aguiar (Central Demetara).

The Hon. Peer Bacchus, (Western Berbice).

The Hon. E. M. Walcott (Nominated Unofficial Member).

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

The Hon. J. W. Jackson (Nominated Unofficial Member).

The Hon. F. A. Mackey (Nominated Unofficial Member).

The Hon. T. Lee (Essequebo River).

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

MINUTES.

The minutes of the meeting of the Council held on the 17th of November, 1938, as printed and circulated, were confirmed.

ANNOUNCEMENT.

SETTLEMENT OF EUROPEAN REFUGEES IN COLONIES.

THE PRESIDENT: Hon. members may have seen reports in the Press relating to proposals for settlement of European refugees in the Colonies, including British Guiana. It will be naturally interesting to you to know whether there is any foundation to those rumours. They probably saw that the Prime Minister stated in Parliament that he was in communication with various Colonial Governments on the subject.

I received a communication from His Majesty's Government relative to this question, but I am not in a position to make any statement concerning it at present. A statement is expected by His Majesty's Government to Parliament early next week, and I hope hon. members will be content to await that statement before forming any opinion on the subject.

Mr. WALCOTT: May I be allowed to say that I hope there is truth in the statement, because I think it will do us a lot of good here to have a few hundred thousand hard-working people.

THE PRESIDENT: I am not in a position to add anything to the statement I have made.

ORDER OF THE DAY.

ANNUAL ESTIMATES.

The Council resumed consideration in Committee of the Estimates of Expenditure to be defrayed from Revenue during the year ending 31st December, 1939, which have been laid on the table.

LANDS AND MINES DEPARTMENT.

Item—Boats' Crews, \$3,300.

THE COLONIAL SECRETARY: I move that the amount of \$3,300 be increased by \$36 to enable the higher rate of salaries recommended in the Bain Gray Report to be paid to certain members of the boats' crews. The total amount will then read \$3,336.

Motion put, and agreed to.

Item—Supernumerary Surveyor, \$960.

THE COLONIAL SECRETARY: Under this sub-head (1) I move that a new item—No. 27—be inserted to read "Supernumerary Surveyor, \$960." Owing to the large amount of survey work which has to be carried out next year it is considered necessary to appoint a Supernumerary Surveyor, as one of the regular surveyors will be employed in connection with work on the Colony Map. This is a recommendation by the Select Committee appointed to consider the Estimates. If it is approved I shall then move consequential amendments to some of the following items.

Mr. JACOB: During my reply to Your Excellency's Speech I raised the question of Acreage Tax. This Department collects that Tax. A reply has been given to my query as to the amount of revenue anticipated to be collected next year under this Tax, and I must say that I do not think it is very satisfactory especially in view of the figures that have been supplied me by the Department of Labour and Local Government particularly in connection with acreages. I notice that there is something complicated to my knowledge of

acreages. I have always had an idea that these acreages cannot vary at all. Once a plantation, be it sugar, rice or anything else, is located the acreage remains permanent, but I notice from a letter from the Department of Labour and Local Government, dated 24th October, that in respect of a particular field the measurement is given as 12. 12 acres and there is added that if the four-foots and drains are excluded the measurement is 11,898 acres. That raises a very delicate matter. In accordance with the Acreage Tax Ordinance of 1933 I do not think that anything should be excluded. I therefore suggest that as this is a large item of revenue, the Department should make enquiries as to whether the acreages submitted are exclusive of fourfoots and drains, or whether they are as measured years ago and recorded in the Department. It seems to me that there is something wrong somewhere. I merely raise that point so as to enable Government to cause an enquiry to be made. I think if that is done, it may be discovered that some error has crept into these figures.

Mr. CHRISTIANI (Commissioner of Lands and Mines): I would like to call attention to the fact that there is an actual increase in the amount estimated for 1939 over the figures of 1938. I would further like to explain that the Acreage Tax is only payable on the area under cane cultivation.

Mr. JACOB: What is your total area under cane cultivation? I want to suggest that this matter be investigated. I do not think it will be inconvenient—

THE CHAIRMAN: I am not quite clear what investigation the hon. member has in mind. Does he suggest that we should enquire whether the drains and trenches are included in the acreages?

Mr. JACOB: According to the Acreage Tax Ordinance nothing is to be excluded.

Mr. WALCOTT: I am afraid the hon. member for North Western District (Mr. Jacob) is trying to get at something that he tried to get at two days ago in another way. In other words, he wants the Sugar Estates to pay for forking fourfoots and drains. I do not think any sensible person, or any sensible labourer, will expect

to be paid for forking something that he did not fork.

Mr. JACOB: I would like to correct the hon. member who has just spoken. I referred to no particular work. I did not refer to forking nor to any labourers whatever.

Mr. WALCOTT: That may be all right, sir, but at the same time it is all wrong.

THE CHAIRMAN: Has there been any change Mr. Commissioner of Lands and Mines?

Mr. CHRISTIANI: No change.

Mr. McDAVID (Colonial Treasurer): The method of assessment is quite specific and is laid down in Ordinance 16 of 1933. Returns have to be furnished periodically, stating the lands under cane cultivation. There is a section in the Ordinance which specifically states how that acreage is to be computed. Section 3 of the Ordinance reads:—

When an acreage tax is levied specifically on lands under cane cultivation, the land to be deemed under cane cultivation and liable for the payment of the tax shall include all the land lying between the cane plants and the land occupied by the small drains and parapets in a cane field.

In other words, the lands actually under cane cultivation form the basis of that taxation.

Mr. SEAFORD: I do not think there is any merit in the hon. member's contention. He is only trying to have another smack at the Sugar Industry.

Mr. JACOB: I deprecate that remark, sir. I am attempting to see that the exact amount of revenue due to Government is paid. The Colony's finances are in a very deplorable state, and if in my endeavour to collect revenue other motives are put on what I say, then I am sorry for those members. Maybe their minds are just as their words—very warped. I am afraid, I cannot agree with the hon. Colonial Treasurer. If I understand Section 3 of the Ordinance correctly, it means that nothing is to be excluded. It seems very clear in the letter from the Commissioner of Labour and Local Government that that has not been obser-

ved, as it states:—"If the fourfoots are excluded the acreage is 11.898 acres." Why should that be?

THE CHAIRMAN: I do not think that has anything to do with the payment of Acreage Tax. It was written from an entirely different standpoint. If the hon. member means a full dress enquiry on a trifling matter of that kind, I am not going to waste time on that. It is a matter that can be easily ascertained through the Department of Lands and Mines.

Mr. JACOB: That is what I suggest; the Department should make enquiry whether the acreage returns exclude or include the drains and parapets.

Motion put, and agreed to.

Item—1 Computer (\$2,400 by \$120 to \$2,880), \$2,400.

Mr. AUSTIN: I understood the hon. Commissioner of Lands and Mines was to explain in this Council the idea of this appointment, and whether the appointee will be a local man or someone from overseas. I cannot see on reference to the report of the Select Committee that that item has been dealt with therein.

Mr. CHRISTIANI: The last compiled Colony Map is a very incomplete record. That map was compiled in 1913 and since that time a considerable amount of surveys along the principal rivers of the Colony has been done. About 1923 that edition of the Colony Map became exhausted, but practically no additional topographical information had been gathered in the intervening period and it was decided that instead of going over the same ground it would meet the case if a re-edition of the 1913 Map was made. That is the present edition of the Map. The position to day is that since 1923 a considerable amount of survey work has been done. We have the road and railway surveys, in the Bartica-Tiboku Triangle Geological surveys which have been going on for years, and the surveys in the Cuyuni and North West District, and just recently the survey of the boundaries of the Colony has been completed. There is therefore an immense amount of data available now for compiling a new Colony Map which

was not available before. All these surveys are of varying degrees of accuracy and it is essential, if an attempt is to be made to improve the 1913 Colony Map, that someone with the necessary knowledge of existing records of surveys and with the necessary technical skill should be put in charge as it is highly technical work. Not only is it necessary to compile a Colony Map, but it is necessary from time to time to compile sheets for the use of Capitalists and others. Practically every country in the world to-day is devoting a considerable amount of time and money in making not only topographical but economic surveys, and I venture to suggest that before any progress in economic schemes can be considered, it is essential that a complete topographical and economic survey of the Colony should be made. I invite attention to the fact that the staff of the Drawing Office of the Department, as will be seen from the Estimates, consists of one draughtsman. I submit it is absolutely impossible for that draughtsman to carry on the ordinary routine duties and pay attention to this matter of the new Colony Map.

THE COLONIAL SECRETARY: I would like to add a word to what has been said, as the hon. Mr. Austin has asked why no reference has been made in the report of the Select Committee to this particular item. The Select Committee agreed to leave the post in the Estimates but expressed the opinion that, in the event of the person appointed to fill it not being already in the Government Service of this Colony or an officer transferred from elsewhere, the post should be placed "Below the Line." I gave the undertaking that this would be done, and I have issued instructions to the Commissioner of Lands and Mines to bear it in mind in submitting any recommendation for filling the post.

Item—Registration of Labourers, payment to Registering Officer, \$1,200.

Mr. DE AGUIAR: I wish to refer to this question of the registration of labourers. This is a matter which was very fully discussed, I know, in the Select Committee, and I understood at the time that there was going to be a further announcement from Government in view

of the remarks made in that Committee. The point raised there was that the present officer was not performing his duties satisfactorily, and also the question was raised whether Government should not now treat this department as one of its own instead of allowing it to be a subsidized service, so to speak. I know there are difficulties in the way, but in view of the opinions expressed as to how the money is being spent and the work done it is hoped that at this stage the hon. Colonial Secretary may be able to make some announcement here. I think there are other members present who will like to say something on this point.

The COLONIAL SECRETARY: I have made enquiry into this matter. The chief point which was brought up in the Select Committee was that the late holder of the office not only registered labourers but arranged everything in connection with the contracting of them. He saw that when they arrived at Bartica they proceeded on their journey up country. That, I understand, was done by the previous holder of the office on behalf of persons who approached him privately. It had nothing to do with his appointment by Government as Registering Officer. The present Officer, who is only holding the office temporarily, is not carrying on any contract work for private companies or individuals but is only doing the work required of him by Government. In addition to registering labourers to go to the interior he is also in charge of the Labour Bureau. As regards the question of the permanency of the office I did not have time to go in the matter.

Mr. WALCOTT: May I suggest that this matter be held over. In Select Committee I spoke very strongly on it. We have big companies coming here now to try and develop the Gold Industry of this Colony, but they feel very nervous about the position. A case was very recently brought to my notice where one company—and it is a very big company—went to the Bureau to register labourers. Before doing so, they as commonsense people wanted to find out about the labourers' health, and they had the labourers medically examined when only nineteen out of twenty-nine passed. The company had to pay the doctor 75 cents per head for the examination. They then registered the

men and paid the fee of 24 cents per head for registration. They next wanted to contract the labourers but the Registering Officer told them: "I am not contracting men; you must do that yourselves." You will realize that foreign companies coming in here to operate do not know the people that they are registering and have got to trust to some form of registration that will give them protection, but this Registering Officer just writes out a form of registration and he is finished. I do think Government, if it wants to develop this Colony as I believe we all do, should put a person there who can assist these companies in the registering and contracting of labourers. The gentleman of that company, I referred to, told me: "Here I am; first of all I have had so many people medically examined and many of them were turned down. The others I registered believing that under registration I would have a certain amount of protection, but the Registering Officer who, as I understand, is not a man of any substance, told me he is finished and that I must contract the men myself." That is wrong. If we are going to bring big companies here we have got to afford them protection. You cannot get away from that.

I say it is the duty of the Department of Lands and Mines to do that. This registration work should be done in that Department under the control of the Commissioner of Lands and Mines, and not only should the labourers be registered but they should be contracted and Government see that the labourers depart for the interior as was done by the late Mr. Winter and by Mr. Hargreaves before him. One will then be certain that once the labourers are registered and contracted they will go to their place of work. If a labourer was contracted and after taking your advance did not go, all one had to do was to report the matter to Mr. Winter and in very few cases that labourer escaped scot free. Mr. Winter kept a constable at the Ferry Stelling and another at Bartica. These are the jumping off points for the interior. At Bartica the constable handed over the labourers on their arrival there to their respective employers. Today nothing of that is done and there is no protection whatever. You register a man and contract him but you do not know who he is, and after you have given him money and he does not go you are

helpless to recover. I have appealed to the Department of Lands and Mines in this matter and have been told very nicely by the Commissioner: "I cannot do anything for you. You will have to take proceedings against him." Where am I going to find him? The Registering Officer knows nothing about him. Surely there is something radically wrong. Surely we should have this registration and contracting done under the ægis of the Department of Lands and Mines, and we should have a really responsible officer doing that work. The Police should also collaborate with the Department in the matter. There should be a policeman or constable in the Department who would take all particulars about the labourer, know where he lives and be able to pick him out on the Ferry Stelling or anywhere else in Georgetown or in the country districts. There should be also at Bartica a policeman with a list of the registered labourers to see that on their arrival there they go to the places where they ought to go. I appeal strongly to Government. I feel very strongly about it. We are trying to bring big money into this Colony, but you will never keep that big money in the Colony unless the protection that is necessary in a matter of this kind is given. I was horrified to find out that since the death of Mr. Winter this slackness has been going on. I cannot try to impress too strongly on Your Excellency the necessity for a change.

Mr. DE AGUIAR: I wish to take the point a little further than has been done. It must be remembered that in addition to this \$1,200 under this Head there is another fee of \$780 under "Miscellaneous" on page 44 that is paid to this Bureau. Yet I understand Government has very little or no control over this Bureau. In addition to any enquiry that is to be made into the work of the Bureau as suggested, I think the time has come when Government should consider seriously the taking of a more active interest in the employment of labourers generally. I know there are a number of difficulties in this matter, but at the same time this Council is called upon to vote \$1,980 a year to pay where there appears to be very little or no control, if what the hon. member has said is correct. It seems to me that in addition to an enquiry, Government ought to consider whether it is not now possible to do

this work either through the Lands and Mines Department or through the Department of Labour and Local Government. The registration of labour is very important, and Government should have more than a passing interest in the work, more than the payment of \$1,980 a year.

Mr. ELEAZAR: Hon. members seem to forget what Government will do when it takes over this appointment. Government will promptly see that this officer gets above the line and so much pension. This Bureau was started by private enterprise and it was so very useful that Government undertook to give it a subsidy. The late Mr. Winter and Mr. Hargreaves were two active men who showed that the thing can be satisfactorily carried on by a private concern. They had an office where the labourers were taken to be registered and contracted, and they went to the stelling and saw that the labourers left for their destination. As soon as it was reported that a man did not go, they got behind him and put him before the Magistrate who gave him his desert. If Mr. Winter developed this business to that extent as to get a subsidy from Government, what I think is wrong is to have someone appointed to do the work who is getting \$100 per month for the sake of his health. Why not get somebody else and arrange for the work to be carried on?

THE CHAIRMAN: Does the hon. member know whether Mr. Winter received anything from the private employers in connection with this duty?

Mr. WALCOTT: He did.

THE CHAIRMAN: He was then acting as agent for the employers!

Mr. WALCOTT: Yes; the fee is 24 cents for registration but that goes back to the Department of Lands and Mines, and for that the Bureau is given a subsidy of \$1,200 a year. Mr. Winter's contracting fee was 50 cents per head.

THE CHAIRMAN: Did he retain that 50 cents for himself?

Mr. WALCOTT: Yes, sir, and for that charge he saw that the contract was carried out in its entirety. The trouble

to-day is that the Registering Officer after making out the registration papers says: "I am nothing more to do with it." Nowadays they do not see that the labourers carry out their contracts. At the bottom of the stairs at the Bureau people who want to send labourers into the interior are met by a number of irresponsible persons, who would like to sell them contracts and to make out those contracts for them. Those men are no good, as when they make out a contract their task is finished. I think it is a most disgraceful state of affairs to exist in a Colony like this where we have large industries in the interior. I cannot imagine how Government could have allowed it to go on so long.

Mr. ELEAZAR: What the hon. member has said does not alter what I have said. I suppose that the person who is carrying on is getting everything that Mr. Winter used to get.

Mr. WALCOTT: He does not.

Mr. CHRISTIANI: There appears to be some confusion between the contracting of labour and the registration of labour. The recruiting and contracting of labour was formerly carried out by the old Institute of Mines and Forests. Mr. Hargreaves, and after him Mr. Winter, organized and ran that institution. It recruited and contracted labourers for fees which went into the pockets of those gentlemen. They looked after the shipping of the labourers and if a man absented himself they took the necessary action. Government had nothing to do with it. That existed long before there was any thought of the registration of labour.

THE CHAIRMAN: Was he an independent individual?

Mr. CHRISTIANI: He was a private and independent person and was not in any way connected with Government. When the Crown Lands and Mining Regulations came into force there was a condition that labourers had to be registered. For that there was a payment of one shilling. Then on the grounds of economy and convenience, as the old Institute of Mines and Forests had the office accommodation, staff and equipment neces-

sary for the work, it was suggested—and the suggestion was accepted—that the duties of registering labourers should be carried out by the Institute, and in return Government should give a subsidy of \$100 per month. All fees received for registering labourers had to be paid into the Lands and Mines Department. The question of Government taking over the duties of contracting labourers as well as registering them was carefully considered quite recently by Government and it was decided, quite rightly too, that the recruiting and contracting of labour was not a function that Government could properly undertake. I want to make it quite clear that Government has no obligation in the matter. Government has never been in any way directly or indirectly concerned with the contracting of labour, and the fees received for those duties were the personal fees of the contracting officer.

Mr. WALCOTT: I thought I had made that perfectly clear. I hope I never suggested that the Government got any of the contracting fees. Government got the registration fee of 24 cents per head, and I think the Commissioner will admit that is correct. In the days of Mr. Hargreaves and Mr. Winter they not only registered labour for Government but contracted them for employers.

THE CHAIRMAN: As agent for the employers?

Mr. WALCOTT: Yes, sir, as agent for both employer and employee. They saw that the employee carried out his contract and they went further. If any employer of labour did not pay the labourer they would go for him; they would report him to the Lands and Mines Department. But to-day we have just the opposite. If I employ a labourer and do not pay him, he can go to the Department of Lands and Mines and report me, and that Department will take notice of his report and I will not be able to register or send another labourer into the interior until my bills have been paid. The poor employer, however, has no protection whatever. When I saw the Commissioner of Lands and Mines with whom I had a long chat over the matter he told me; "I cannot do anything. You must go to a lawyer." Probably I will pay more in legal fees than the absconding labourer has had as

advance, and then the lawyer is in no better position than I am as he does not know the man. Very often he has contracted under three or four different names and I will just waste another \$10. I cannot find him, and if I go to the Police they will say: "We are not concerned with it, it is purely a private matter. You must carry on yourself." I told the Commissioner that I am bringing up this matter in the Council. How can you expect people, who have come from abroad to carry on business here, to understand a position of that kind? We have got at the present moment in this Colony the representative of Canadian companies with over \$400,000,000 capital who are thinking of trying to develop the gold resources of this Colony. Do you think those people are going to put up with this kind of thing? We do not want to chase those people away through our bad arrangement. The sooner we change it the better it will be for all concerned. I would sooner see you pay somebody £1,000 a year and provide proper protection for those people we are trying to bring to the Colony. This is a British Colony and you say people's capital is safe for investment here, but when they come and find conditions like what we have you can quite understand what will happen.

THE COLONIAL SECRETARY: What I gather the hon. member is asking the Government to do, is to consider revising the terms of appointment of the officer. The present holder of the office is merely carrying out the duties according to the terms of appointment that have held good for some years past. You now suggest that we go further and consider if a change should not be made. I think Government should, and I would undertake to go further into the matter with the Commissioner of Lands and Mines. I, however, want it to be understood that it is not that the acting man is not carrying out the duties according to the arrangement with Government.

Mr. WALCOTT: I say Government has made a foolish arrangement. Government has no business to pay out \$1,200 a year for something that can be done by a girl in the Lands and Mines Department for \$30 per month.

THE COLONIAL SECRETARY: The hon. member has misunderstood me. I said, I want it to be understood that the present man is performing the duties required of him, but Government will consider if a change should be made in the terms of appointment so as to have the duties of contracting labourers also carried out.

THE CHAIRMAN: The hon. Colonial Secretary has only been here a short time and is perhaps not familiar with the ramifications of the question. This whole question of registration and contracting of labour has been under investigation, and the present arrangement must be regarded as purely a temporary one. The whole question is under review in connection with the revision of the Labour Law, and there is a Labour Code in draft to which I referred in my opening address, and I think I am right in saying that it deals with the question of registration and particularly with the question of contracts. It is a complicated question and raises pretty large issues which go considerably beyond merely local considerations. I think it would be best if hon. members allow the present arrangement to continue for the time being, as we have the whole matter under consideration and probably a very considerable change in the whole system is likely to be made, perhaps, in the near future. I want, however, to make it clear to the hon. Mr. Walcott that I do not think there is any likelihood that Government will undertake the duty of enforcing contracts. That is quite contrary to the modern tendency in dealing with labour, and whatever organisation employers may provide to assist in the enforcement of contracts is a matter for them. The whole principle of modern labour legislation is that the Government should take no part in the recruiting of labour or the enforcement of contracts other than by the ordinary process of law as provided. There are very strong objections to Government taking any active part at all in recruiting labour.

Mr. SEAFORD: I just rise to a point of information. I do not know if the hon. member can tell us if the employers do employ an agent to-day.

Mr. WALCOTT: That is the point I was trying to make. Hitherto we had

Mr. Winter as our agent, but he died unfortunately.

THE CHAIRMAN: Was he the same person who did the registration?

Mr. WALCOTT: Yes, sir, and he acted in the interest of both employers and employees. He registered the labourers and saw that they carried out their contracts. If we can only get someone who can do similarly as Mr. Winter and Mr. Hargreaves did, I do not think there will be any question about it as everybody will be satisfied, but not if you have a man only registering, who does not care whom he registers, and another man contracting, who does not go any further than writing the papers. What I am trying to get at is to get somebody responsible to be registering officer and contracting officer at the same time, one who will see that the labourers and employers carry out their respective obligations. I do not think there is anything unfair about that, but to the contrary it is good for both sides. I can assure you that if attention is not paid to the present system, and that immediately, we may lose the possibility of bringing a very large amount of capital into this country. I am not speaking from a personal viewpoint in this matter. The representative of a big company is here, and if he finds this condition he will go out of the Colony.

Mr. SEAFORD: The hon. member himself may say whether when Mr. Winter died, the employers employed anybody in his place to act as their agent, and if not, why not?

Mr. WALCOTT: The hon. member has asked, I am afraid, a difficult question.

THE CHAIRMAN: The whole question is under consideration in connection with the Labour Law, but it is very complicated, and there is a very important code of law to which I referred in my opening address, and which I cannot undertake to put before this Council at this session. It does cover the whole question of registration and contracts and such changes as will be proposed in connection with that law. I would rather not, however, make any specific statement in connection with those changes at this stage as there may be variations in the proposals as they

stand now. What I want to make clear now, however, is that the system of recruiting of labour and enforcement of contracts will not be undertaken by Government. There would be strong objections to the same person being employed from Government funds in connection with registering, contracting and recruiting of labour and also for the enforcement of contracts. That was the system, I understand, which was in effect formerly, but under this proposed legislation and all modern legislation there would be very strong objections to that.

Mr. WALCOTT: Must I understand the legislation will be entirely in favour of the labourers?

THE CHAIRMAN: The hon. member will be able to form his own opinion on that point when he sees the legislation.

Mr. ELEAZAR: I think I have prosecuted more of these people when they break their contracts than anybody in this Council. It is a simple process. The person is there like Mr. Winter as agent and a sort of registering officer. Mr. A, an employer, gets his other agent to get labourers who want work and take them to the office of that person, and there the contract is made and signed in his presence. He then takes them over to the Lands and Mines Department where the labourers get their certificates of registration. That affords safety for both employer and labourer, as when that man goes into the interior and is not paid he can go the Law Court for his money, and the employer understands that he cannot have a labourer on his grant unless that man is registered. Very often a man goes into the interior under registration and after he has worked cannot get his money. Mr. Winter did all that. He had an agent in Berbice and the thing is going on up to to-day. If somebody else has taken Mr. Winter's place and that somebody else will not see to the thing being carried out, then let that person understand what used to happen and get him to carry on in the same way as did Mr. Winter. What I understand is that the person who has succeeded Mr. Winter gets \$100 per month from Government but just only registers the labourers and does nothing more about it. Mr. Winter never did that. He knew who were being

registered and kept a register of them. He also helped to get their money from the employers if the labourers were not paid, and if a man absconded he obtained a warrant for his arrest. All you want is an officer to carry out the job that Mr. Winter did. I do not think Government should take any responsibility in this matter at all. He gets a subsidy for registering the men, and Government does not expect him to do anything more.

Mr. DIAS: Notwithstanding the long discussion on this subject I still think there is some misunderstanding in the minds of hon. members. The discussion has proceeded along the lines that Government should get somebody to take Mr. Winter's place. I would like to point out that Mr. Hargreaves who came from England conceived the idea of establishing a Labour Bureau and ultimately earned quite a large income from that. He was succeeded by Mr. Winter. Government had nothing to do with those gentlemen. Government did not seek them out and bring them here, nor did Government engage them to do the work they did. It was they who, after having entered upon this work and the law was made bringing into force the registration of labourers, approached Government and suggested that they would do the registration. They had already the necessary establishment—staff and stationery—and knew the labourers, and they offered to do the registration if Government paid them a certain sum of money and in return they would refund to Government the amount collected for registration. That was the sum total of the connection between Government and Mr. Hargreaves and Mr. Winter. They were not persons chosen by Government in any way for the work. Mr. Winter having died, there has been some little change and the new officer does not do the whole of the work as had been done by Mr. Winter and Mr. Hargreaves, who formerly recruited the men, registered them, contracted them, saw them off to the interior and also prosecuted the defaulters. I think the good this debate will do is to tell the public to-morrow that there is an opportunity for an ambitious and energetic young man to start an undertaking similar to the one which Mr. Winter had carried on, and when he has done enough to win the confidence of Government he may approach Government to place him in the same

position as was Mr. Winter. He may say to Government: "I will do all the work Mr. Winter did for \$100 per month." It will cost the taxpayers nothing more and there will be a responsible institution in the Colony where investors on coming here may go and contract labourers. A golden opportunity has been thrown open by the debate which should open the eyes of a good many young men who, if they have any ambition and energy, should not hesitate to jump at the idea of carrying on what those two men did.

Mr. WALCOTT: I thank the hon. Mr. Dias for his very level-headed summarizing of the situation, but, sir, I do not wish to see any delay in the matter because you are going to lose capital that is willing to come in. We should institute something now that would fill the bill at least. If we vote a year's subsidy to the present officer we will be just another year behind hand. If Government will only say to me: "We will look into the matter and will not pay this money until we get a responsible person to take over the work—

THE CHAIRMAN: Does the hon. member mean by that, Government should say to him that if a responsible agency is established for recruiting and contracting labour Government will entrust that agency with the duty of registration? I am afraid I cannot give that undertaking. That is impossible in view of the changes contemplated in the proposed law. The whole system of registration and contract is likely to be substantially changed.

Mr. JACOB: I have tried to follow this debate, but I am afraid I have not got any further. This Government is paying \$1,200 per annum as subsidy for the assistance of labourers and employers at present. If it is the intention that Government must assume all the responsibility and the employers of labour assume none—I think that is suggested and in fact one hon. member suggests there should not be privately employed a legal adviser or agent in Georgetown to look after the business of foreign companies—that is stretching the matter too far. I believe when this Institute was started it was done with the object of protecting both sides. I have heard it stated here that the labourer is protected all the time, but this aspect has escaped the

attention of those members who have spoken. It often happens that a labourer is contracted to go to the gold or diamond fields to work for three months. He hardly draws any money except when he returns to the City, and eventually when he does return to the City he finds sometimes that the company which engaged him is bankrupt and he cannot receive any pay. Therefore I think there should be more protection and not only on one side as has been suggested. Your Excellency is perfectly correct in saying that Government cannot give an undertaking to see what is suggested here is carried out.

Mr. WALCOTT: I would suggest that in view of what the hon. member for North Western District (Mr. Jacob) has said, that those people contracting labourers for the interior should put up a bond, if necessary a guarantee to one of the Banks, for the settlement of the estimated amount of the labourers' wages when they are registered.

Mr. ELEAZAR: I do not know, but these members are only speculating. In nine out of ten cases the labourer gets the advantage. He draws more than he works for and absconds. I can assure Your Excellency that what has been going on is a good system, because it helps to get the labourers' money when it is possible to do so and to punish the delinquent labourer when he is caught. Hon. members do not understand the system. What the hon Mr. Dias has said is correct. I do not know, but since Mr. Winter's death the labourers are still being contracted in the same old way and are still being prosecuted in the same old way. Not longer than six weeks ago I prosecuted two men for absconding. Things, however, have not been going on as they should since the death of Mr. Winter. Labourers are absconding daily as there is no one to see them on board steamer for their destination. The success of the system is in the hands of the person who is looking after it. Any responsible person after hearing what has transpired here will endeavour to establish a bureau and on satisfying Government may ask for the subsidy, and Government will give him.

THE CHAIRMAN: I cannot give that undertaking.

Mr. ELEAZAR: A person of repute who can carry on the job as Mr. Winter and Mr. Hargreaves did—open a bureau and there contract labourers, register them at the Lands and Mines Department and see that they go to work—may be given the subsidy. He will act as agent for both employer and labourer. Since 1886 this thing has been going on.

THE CHAIRMAN: I have tried to explain that the present system is not regarded as an entirely satisfactory arrangement but is only a temporary one pending the complete revision of the Law, and I cannot conceive of any interim arrangement to meet that. If it is desired that we hand over the registration to any person appointed as agent for the employers to enforce contracts, I am bound to say that Government cannot undertake to do that because it is contrary to the principles that are the basis of the Labour Law as it has been drafted.

Motion put, and agreed to.

THE COLONIAL SECRETARY: In consequence of the passing of item "Supernumerary Surveyor" I desire to move amendments to sub-heads 2, 5 and 6.

Sub-head 2—Transport and Travelling: (a) Travelling Allowances, \$1,370, (b) Subsistence Allowances, \$2,430, (c) Transport of goods, \$500.

THE COLONIAL SECRETARY: I beg to move that the Travelling Allowances be increased to \$1,500 and the total of the sub-head carried out at \$4,430 instead of at \$4,300.

Motion put, and agreed to.

Sub-head 5—Labour and Rationing of Labour, \$2,200.

THE COLONIAL SECRETARY: I beg to move that the amount be increased to \$2,700.

Motion put, and agreed to.

Sub-head 6—Materials, Equipment and Instruments, \$2,499.

THE COLONIAL SECRETARY: I beg to move that the amount be increased to \$3,189.

Motion put, and agreed to.

Sub-head 10—Grant to establish a revolving fund to assist miners, \$700.

THE COLONIAL SECRETARY: Government has been informed that a fairly large number of gold miners are out of work on the coastlands. Government has been considering some method by which they can be assisted to return to the interior. It is proposed to ask this Council to vote a sum of money to form a revolving fund so that selected miners can be sent up to the interior by the Lands and Mines Department and placed on proved lands in selected areas. At the end of each week when they take the gold that is won to the trader the proceeds received will be divided into a number of portions. One portion will be repaid to Government in connection with the advances made to the men for rations, and the other portion will be divided amongst the men who will probably be sent up in parties of five or six. I move a new sub-head "Grant to establish a revolving fund to assist miners, \$700" be inserted.

THE CHAIRMAN: I believe this matter was not before the Select Committee, and the Commissioner of Lands and Mines will be good enough to give us a little fuller explanation of the plan that is contemplated.

Mr. CHRISTIANI: The amount is estimated to provide for fifty men. They will be divided into crews of five working a "Tom." Government will advance fares and rations to the men up to their workplace, and on arrival there they will be advanced weekly rations for three weeks. All the gold won will be taken to the trader, who will be in charge of the men, and sold to him. One-tenth of the earnings will go towards repaying the amount advanced by Government and the balance will be divided into six shares—assuming that a crew consists of five men—one of which will go to the claimholder on whose lands the men are operating and the remainder divided amongst the members of the crew. In the event of any man or crew proving unsatisfactory, his or their services will be terminated and their passages back to Georgetown paid.

Mr. ELEAZAR: This matter was discussed in another quarter some time ago and I was a little surprised to hear one officer say that he was responsible for this

idea. It is like a certain Government officer, I know, who knows all about a project, but when it was found fault with and Government asked who was responsible for it, said nothing. In this instance this matter came up in this way. One of Your Excellency's predecessors, Sir Edward Denham (now deceased), started in Georgetown to be doling out food tickets and these people had to go to the Alms House and get the food. It was published in the Press and I sought an interview with the Governor. I told him that I observed he was giving away food tickets to able-bodied men and it was a sort of dole which would ruin the country as it was not a desirable thing to do. His Excellency asked me what I would suggest should be done, and I said: "Now that gold is fetching the highest price possible since the industry has been in existence, instead of giving the men food do as the old Balata Companies did in sending out men to find balata trees. Send out prospecting parties to go and find areas where gold is to be won, and then inform the men in Georgetown where they can go and work at once. You will have only to pay to get them there." He asked me: "Who have you in mind?" I replied: "I cannot say as the person I have in mind is sick." I then promised to send someone to him the next day. Out of what transpired this Geological Survey accrued some months ago. When these surveyors were brought on the scene I rejoiced in the thought that we had a superior set of prospectors to find areas where the men can work. I even asked that they should go to Berbice. To my surprise a few months ago I learnt that these surveyors had said they are not prospectors and what they are doing is not of benefit to the small man. I was not only surprised but I was only waiting to come here and ask that these men's employment be terminated at once. I thought they were carrying out inspections so that the labourers would know exactly where to go to work and if possible Government would help them to get there. The surveyors have come and are doing just the opposite to what everybody thought they were actually doing. I was all along labouring under the delusion that the men were prospecting and finding areas for the small man to work. I have been told by the gentlemen themselves: We are not prospecting and what we are

doing will not benefit the small man." Although it is a grant from the Imperial Government I do not think it should be spent in that way. This is an experiment and I do not propose to make any suggestion of amendment as to how this thing should be done. This one-sixth share to the claimholder does not appeal to me. I feel that Government should have done the correct thing, and that is to get some capable men, five or six to a crew, to go and prospect, given rations and so much a day. The places thus found should be recorded and given out to work to others who would be helped to get there. To send men to work on others' lands and for them to pay for so doing out of their earnings does not appeal to me. I do not think the whole of the gold-bearing areas are held by claimholders. I do not know if Government would consider the possibility of sending out at least one independent prospecting party to find new areas which nobody else has. I do not think it is fair for the men to work and give the claimholder one-sixth of their earnings all the time.

Mr. SEAFORD: I was a member of the committee the hon. member has referred to, and I understood an interim recommendation was sent to Government asking that the Geological Survey party might be of assistance by the pork-knockers going along with them and trying to locate places for the small miners. There is such a recommendation and I understand the party is to start on that work almost immediately.

Mr. CHRISTIANI: In connection with the point as to the amount to be paid to the claimholder—one-sixth—that seems to me to be quite reasonable. It has to be remembered that the claimholder has had to go to the expense and trouble of locating his claim and providing transport and other facilities, and it seems that the whole pork-knockers' system is based on paying tribute to the claimholder. It seems only reasonable that for the permission of working on their claims the claimholders should get something in return.

THE CHAIRMAN: Is that the usual amount?

Mr. CHRISTIANI: There is no usual

fixed amount. With regard to prospecting parties, what has been said is quite true. The scheme, I have outlined, is really to relieve unemployment. There is no doubt that very little prospecting work has been carried out in recent years, and the cause for that is largely due to the unreliability of the tributor or pork-knocker and the consequent reluctance of traders in spending any money to carry out prospections. A few years ago Government financed a scheme to send out prospectors—I think six were sent out. They were provided with rations and a Land Surveyor kept in touch with them. The results were nil, as the bulk of the men sat down in the bush, ate the rations, and reported that they did not find anything. They did not go and prospect. Quite recently the Geological Survey put up a scheme, that where lands during the course of their survey appeared to be promising a young Surveyor should be put in charge of a number of prospectors, say four or five, each of whom would have a working crew under him, and they should undertake an intensive examination of the basin of some creeks and those lands reserved for location, and, if proved to be payable, thrown open for anyone to go and locate. It is essential that before the tributor can work on any land that there should be a shop in the vicinity.

Mr. JACOB: I entirely agree with Government's suggestion that in the first instance these men should be sent on proved lands already located. If these people are successful on those lands they can then be turned on to other lands. What, however, surprises me is the number of men to be sent. I would like to be informed how many men are to be sent and the sum to be advanced.

THE CHAIRMAN: Fifty.

Mr. DE AGUIAR: I look upon this vote as an endeavour on the part of Government to assist these men who are supposed to be destitute, but I am afraid that full consideration has not been given to the matter by Government. As I understand the scheme outlined by the Commissioner of Lands and Mines, if you can give advances to fifty men, pay their fares and give rations for three weeks with a sum of \$700, then I am afraid my knowledge of what is required to maintain these men in

the bush is very limited. I know what it costs to finance an expedition of that kind, because many of these expeditions have passed through my hands from time to time. I make that observation because the amount of \$700 will be found to be too small, and I am afraid that if the scheme does not meet with the success it is hoped, it will be detrimental to any applications or suggestions being made later on to assist these men. We have already been told by the Commissioner of Lands and Mines that some years ago an attempt was made to help these men and the assistance given was of no avail for the reasons given. I can quite understand that, but I am not quite sure that Government understands. I have not heard anything as to how these men are to be supervised in the bush, although I have been told that the previous attempt, though properly supervised, had resulted in failure. Nor am I satisfied with the explanation that the one-sixth to the claimholder is reasonable. I can only assume that the one-sixth is arrived at in the case of groups of five men. Then it means that in the case of groups of ten it will be one-eleventh. You can easily stretch it to a stage of being ridiculous. If in that case one-eleventh would be ample for the claimholder, why then should he receive one-sixth? It seems that the matter needs a little more examination. I would like to hear something more about the supervision because I am rather concerned that this effort, which is being put forward by Government to assist these men, should succeed. There is no doubt that the necessity for assistance does exist, as there are many men who claim to have a knowledge of the bush and who will be able to go and make good, but to ask this Council to vote \$700 for something that needs greater assistance is tinkering with the situation, and it may lead to disastrous results later on. I can hardly see success in the operation of this fund. I am not suggesting for a moment that the fund should be the same as that used in the Forest Department. The Forest Department had a revolving fund of \$25,000 and we all know what happened to that. What I am suggesting is that we should profit by that experience, but at the same time \$700 is very small and the matter needs further consideration by Government.

Mr. CHRISTIANI: As regards the cost, sir, I will read the details. For a crew of five men the fare from Georgetown to Bartica is \$5, and (if the scene of operation is in the Cuyuni) the fare from Bartica to the scene of operation is \$5.40; rations on the journey \$4.80, and for three weeks after their arrival \$27.75; tools, \$17.84—making a total of \$60.79. It is therefore estimated that the cost of passages etc. for fifty men will be about \$700 in round figures.

Mr. DE AGUIAR: I have heard nothing about advances before they leave Georgetown.

Mr. CHRISTIANI: We will advance fares and food only until they meet to the scene of operation, where there will be a responsible trader who will be in charge of the general operation. Each party will have a leader, who will collect the gold won and pay it over to the trader.

Mr. LEE: Do I understand that this experiment will be carried out in the Cuyuni District alone?

Mr. CHRISTIANI: Yes.

Mr. WOOLFORD: I claim to be somewhat familiar with the lot of the tributor in this Colony—his present lot, his past lot, and what his prospects are likely to be. I have known the days when the tributor in order to earn his livelihood had to proceed to Bartica at his own expense, live there in a hut at the water-side—something not better than a benab—for such time as someone can be found to employ him as a boathand to be taken to the upper reaches of the Mazaruni. When I say “employ him” it was on the basis of no pay, but as he had to paddle the boat for a period of three weeks before reaching his destination all he got was rations. On arrival in the interior, if he is fortunate to get a credit from the shopkeeper—he is certainly not allowed more than two or three weeks’ rations—he will then set out with his rations on his back, climbing over hills, for the scene of his visionary expedition. This takes about three weeks, and the scene has not been previously located. Often the shopkeeper never sees him again, but if he does it is only to be told that he had not been fortunate in finding paying ground. That went on for some time. He also acted as

guide to parties, droughed goods, and did all manner of work. That system was changed when shopkeepers found it profitable to establish shops in the districts, and then you got the system whereby men banded themselves together as a crew working a “Tom” to find enough gold to sell to the shopkeeper for the rations. The present scheme appeals to me for the reason that in the first place, the tributor is being carried at no expense to himself to what is believed to be proved districts, and he has no prospecting to do as it has already been done by those who own the lands. Here is an opportunity for him to make a living and perhaps to make a rich find. On his arrival at his destination he will be given tools (which he did not get before) and rations, and he is not expected to pay for them unless he finds gold. If a tributor is what he claims to be and he is in earnest need of a livelihood, here is an opportunity to do so. Although the amount is but \$14 per man on the average, I have no doubt that with the help of tools and provision on his arrival at what is known as paying ground, he ought to be able to do well for a considerable portion of the time. I appeal to hon. members not to throw any obstacles in the way of the proposal which Government is putting forward.

Mr. ELEAZAR: I am not throwing any obstacles in the way of the scheme, but you conceive an idea and put it to Government who accepts it and then forthwith attaches something on to it and gives it the germ of failure at the start. That happened to a scheme profounded by another member and myself—the scheme of subsidized medical districts. Government chose to try it out in the poorest district where it was bound to fail. I do see it is the same thing here. The sending of these men to where gold is to be found at once is a very good idea, but what is to prevent Government sending a prospecting party on its own?

Mr. WOOLFORD: These men are proceeding to a district, which will be pointed out to them by men capable of judging the capabilities of that district.

Mr. ELEAZAR: I am saying that when the men go to the district that you are sending them to now, they will have to pay somebody for working there, whereas

in the other case being on his own he keeps what he earns. The one-sixth is where the snag comes in. These claim-holders had to prospect and clear the lands on which they are on, but I feel that should not prevent Government from sending out a party on its own to unprospected areas where gold may be found. You want to engage more than fifty men so that a prospecting party or two may be sent to find unexplored lands. The help to fifty men is good, but you have 500 of them. Are you going to send all of them to that place?

Mr. JACOB: I would recommend that fifty men be sent to two or three different points thereby creating a kind of competition between them. If one or two fail, the entire expedition may not fail. I think that is a good idea and I recommend it to the careful consideration of the Commissioner of Lands and Mines.

Mr. WOOLFORD: I must rise to impress upon the hon. member for Berbice River (Mr. Eleazar) that in every system I have known, the tributor always pays a sum weekly by way of payment for the use and occupation of claimholder's lands. Gold was \$16 per ounce then and he paid one penny-weight (90 cents). In the present circumstances one-sixth is not too high for a tributor to pay. The scheme has nothing harmful about it.

THE CHAIRMAN: There is still a certain amount of misunderstanding about this proposal. There are two possibilities that have been suggested. One is to send parties of men—tributors—to work on proved lands in association with the claim-holders, where there are such facilities as shops for the purchase of gold, provisions, rations and other requirements already available. The other proposal is to send out prospecting parties into new areas. The proposal has also been made to send out prospecting parties to work in association and under the general direction and supervision of the Geological Survey. In spite of the opinion of the hon. member for Berbice River about the Geological Survey, they do in the course of their work, which is not prospecting, come across areas which are promising, and under their guidance and supervision it may be helpful in indicating promising areas to small prospecting parties. That is a much

bigger proposition than the small proposal here. It needs a great deal of working out. The Geological Survey is not financed by Government but by the Colonial Development Fund, I may remark, and it has taken some time to work out. You must remember that a Geological Survey is not a very easy job and takes time to negotiate. The idea has not been abandoned and is still under consideration as it is a much larger proposal.

This is a small experiment in an area that we know from enquiry it can be made. If it is successful it can be extended to other areas and a larger sum of money asked for. If this experiment is successful it will provide for considerably more than fifty men because it has a revolving fund. The success of the experiment depends very largely upon whether the men are in a position to refund the advances which have been made, as that money will then be available to finance other men. That is the nature of the revolving fund. If there is failure then there will be no money to carry on. Government feels that it is of great importance in making the experiment that it should be under close supervision. The idea of sending prospecting parties wandering all over the interior under no responsible direction and control and where there are no shops is one which does not promise success. This is a small experiment to see whether the tributor can be successful, and therefore it is placed on what are more or less tested and proved lands with shop facilities for the men. If it is successful there is no reason why it should not be extended. Previous experiments of a similar nature have not been successful, and I do not think it is wise to commit ourselves too far until we have some experience as to whether this method of working is likely to prove a success.

Mr. ELEAZAR: Your Excellency remarked "In spite of the opinion of the hon. member about the Geological Survey." I did not question the opinion of the Geological Survey. I did not express an opinion of mine. It is what they expressed themselves.

THE CHAIRMAN: I am surprised to hear that, and will not accept it without qualification.

Mr. ELEAZAR: I call upon my wit-

nesses, the hon. nominated member (Mr. Austin), and the hon. member for Georgetown North (Mr. Seaford).

THE CHAIRMAN: That is the position. It is an experiment to see whether we can be successful in placing a large number of tributors on known lands. It is, however, not exclusive to other proposals for prospecting new lands in association with the Geological Survey.

Motion put, and agreed to.

LAW OFFICERS.

Item (c)—Crown Counsel (\$2,400 by \$120 to \$3,120)—\$2,400.

THE COLONIAL SECRETARY: Sir, the Select Committee of the Council has made two recommendations under this head. One is quite a minor amendment to sub-head 1, item c—Crown Counsel (\$2,400 by \$120 to \$3,120)—\$2,400, the new post which is proposed to be created. The foot-note reads: "To provide a full-time Crown Counsel to assist in the work of the Attorney-General's Chambers and to render assistance in police prosecutions." The Committee's recommendation is that the words after "Chambers" should be deleted. In the event of this post being created, the Select Committee further recommends that sub-head 3—Fee to counsel for prosecuting at Criminal Sessions, \$800—should be reduced to \$150. It is felt that there is no necessity to spend this large amount if there is a whole-time Crown Counsel. One other point I would like to make about this new appointment. It is one of those new posts which will be subject to special revision and approval by the Secretary of State for the Colonies when the Estimates are under revision in the Colonial Office.

THE CHAIRMAN: It has not yet been agreed to.

THE COLONIAL SECRETARY: No, sir.

Mr. ELEAZAR: If it is going to be subject to revision by the Secretary of State for the Colonies, Government should now revise these figures in respect of the salaries of the Attorney-General, the Assistant Attorney-General and the Crown Counsel. I will begin from the bottom.

If the Crown Counsel is what I conceive that officer to be, I cannot conceive that \$200 fixed as the starting salary is adequate for this position which carries much responsibility. You cannot have a mere junior who is learning procedure to fill this post. You want a man with experience and not someone who is merely learning his job. I therefore cannot conceive of any lawyer of any standing filling this post for \$200 per month. You have the most important positions to fill, positions in which skill and experience play a great part, and you take more juniors and place them in those responsible positions. That is a position which requires a person of experience, and a salary of \$200 per month cannot procure such a person. It is no use tinkering with the position by appointing someone who is going to learn his job. If Government expects to attract the right individual for the position, \$200 per month is not sufficient.

As regards the Assistant Attorney-General, that officer got that salary when he was "Assistant to the Attorney-General," which is a very different thing to "Assistant Attorney-General." At one time in this Colony we had a Solicitor-General, and he did not get so small an amount as is put down here. The reason why we have these small salaries is because more or less local men get the appointments, and whoever get them very quickly shake the dust of this place off their heels and go to other places where they are properly paid. Where is our Attorney-General today? A good man in every respect, a splendid mixer, a man whom the community has learnt to love and respect, after two short years in our midst has gone with what little knowledge he has picked up here, and we are now awaiting another person to come and begin afresh. Why is that so? It is because the salary is not sufficient. Are we not paying too much by this cheeseparing way of dealing with the salaries of these posts? I think the Attorney-General's salary should be increased, and also that of the underpaid Assistant Attorney-General. At present £2,250 is divided between the two officers. Why should that be? The Assistant Attorney-General is a responsible officer. He is expected to do all the work if the Attorney-General is not here. He must fill the Attorney-General's place right

away, and merely because this person is a local man he must get a small salary.

These salaries are being adversely criticized by everyone who knows what duties are involved. We, who claim to have a little knowledge of those duties, know that these men are not adequately paid for their services. I for one wonder how they take it so quietly, but I understand why the Head of the Department leaves us so quickly. I am suggesting to Government to increase the salaries. \$200 per month for the Crown Counsel is an absurd amount. The man, who accepts the job for \$200 per month, is not a man who should be employed; he is not deserving of his job. Government should pay a salary in keeping with the dignity and responsibility and the qualification required of the officer. Unless an officer is really qualified and experienced he should not be appointed, and if he is appointed he should be paid a proper salary. The Crown Counsel has to go to the Courts with a County Superintendent of Police, who gets a larger salary than he does, and teach him his job at the same time. The amount is too low, and I am asking Government to reconsider it and make the salary worthy of the appointment of a qualified individual—a person who has all the requisite knowledge and other qualifications for the job.

The Committee adjourned for the luncheon recess until 2 p.m.

Mr. LUCKHOO: I am entirely in agreement with the views expressed here this morning. This is a very important Government Department and its staff should be strengthened as much as possible. It is very necessary that an additional officer should be appointed to assist the Attorney-General in his very onerous duties in drafting legislation for this Council, and in the general administration of the laws. If there is to be a reduction in the vote for counsel prosecuting for the Crown it is very necessary that this appointment should be made, and the officer appointed would be able to undertake the important prosecutions brought by the Police from time to time in connection with criminal and revenue matters. My experience is that in a good many of those cases it is very necessary and desirable that a person skilled in the law should be

entrusted with the prosecution, and if this appointment were made the Crown Counsel's services might be utilised in any important police prosecution in New Amsterdam and other districts to assist Government in the recovery of revenue. A good many cases fail on account of lack of knowledge on the part of the prosecution in placing certain ingredients before the Court, and if a Crown Counsel were appointed that failure would not occur.

I also think that a Crown Counsel should be useful in codifying the Laws of the Colony with a view to reference. It is very difficult at present to find out the state of the law in view of the several amendments which have been made from time to time.

The salary proposed for the post appears to me to be on the lean side. Considering the salaries paid to other officers of the Service and the status of the Crown Counsel I think there should be some improvement in the salary, and I would be prepared to support an increase of the salary.

Mr. LEE: I do not think any motion was made this morning for the rejection of this item. The hon. member for Berbice River (Mr. Eleazar) said that the salary proposed to be paid to this important officer is too small and niggardly, and I absolutely agree with him. Government needs an experienced person to advise the Police Department or any other Department with respect to criminal prosecutions. A person with experience will not accept such a small salary as \$200 per month. If the post is to be created at all the salary should be from £650 rising to £800. I also agree with the hon. member for Berbice River that the salary paid to the Assistant Attorney-General is too small. Government cannot expect hard and honest work for such a small salary as £750 rising to £900.

Mr. WOOLFORD: When I moved the motion for the revision of the Civil List the post of Attorney-General, or the salary attached to that post, was one I had in view. Although it was embarrassing to the holder of the office, who was present at the time the motion was made, to listen to what I had to say, that is not the position to-day. I think that

the pay attached to that post is, and has been for some time past, altogether too small. I have known every holder of that post since 1885. The office of Attorney-General is one where experience gained in this Colony and elsewhere renders the officer fit for appointment in later life as an Administrator. One Attorney-General ended up his life as the Governor of Cyprus. I have also known many holders of the post act as Administrators in various Colonies. If we keep the salary of the post at the figure at which it stands now it is likely to be attractive to a far less experienced man than I think the importance of this Colony demands.

There is a tendency on the part of the Colonial Office to reduce the salaries attachable to highly judicial and legal posts, and there is an equal tendency to increase the salaries of purely administrative posts, and I for one am opposed to the system whereby, in a Colony like this, requiring as it does of the Heads of all Departments and of the Governor capabilities for office which, for instance, the Governorship of Barbados does not call for, and even the Governorship of Trinidad does not really need, the pay of the Governor, the Colonial Secretary the Chief Justice and the Attorney-General should be so closely regulated by the financial position of the Colony. One seems to me to have nothing to do with the other. There is no part of the West Indies which possesses the problems this Colony has, and if you accept that principle, why should the administrative posts or any other posts enjoy the miserable salaries meted out to holders of some of these offices in this Colony?

I am of the opinion that a very great mistake was made when, on the enforced retirement of the late Attorney-General, Mr. Hector Josephs, Mr. Nihill accepted the post at the figure he did. We all know that what appears to be a salary commensurate with the office is not as attractive as it looks, and that is the position of every high legal officer who comes to this Colony. The salary appears to be all right on paper, but when he arrives here he finds income tax abatements and other impositions. Apart altogether from that, is there any reason why the salary of the Attorney-General should now be less than that paid to his predecessor, or to several

of his predecessors? Can it be contended that the volume of his work is less, or that the nature of his duties are less arduous? No, it is regulated by what is called the financial position of the Colony. I hope that opportunity will be given to revise the Civil List. I do not know what the position will be if an increase in the salary of this post is sanctioned, because I quite agree that if the Attorney-General's salary is to be increased the salaries of the other posts in the office should be increased correspondingly.

Take the particular post for which £500 is offered. What does Government expect to get for £500? If you agree that a Crown Counsel is necessary for this Colony my submission is that you must pay him a salary that the post is worth, or you may find someone ready and willing to enter the Service in a pensionable post, and when a vacancy occurs he accepts office elsewhere. The Colony gets no benefit at all by these transfers. If I were in your place, sir, I would urge that the appointment be made at no less than £800. There is in the service of the Colony an officer who is admirably fitted for appointment to that post. It is not usual to mention names, and I do not propose to do so. He is in receipt of £800 at this particular moment, so that if the item is carried out at £800 and the officer is appointed to that position I would suggest that the officer filling the post of Clerk to the Attorney-General might be transferred to another Department where her knowledge would be useful (I am afraid I have indicated her sex), and she would be able then to give the benefit of her experience in that office to another Department which I have in my mind. The Colony would not suffer, and the post would not suffer. The transfer of an officer to another post at the same salary makes no difference in the general commitments of the Colony. The Clerk to the Attorney-General might be transferred to the Department I have in my mind where she would be quite useful, because in my judgment there is no necessity to have an Attorney-General, an Assistant Attorney-General and a Crown Counsel, and also to have in that Department a Clerk to the Attorney-General with special legal training. Again, for over 50 years the Clerks to the Attorney-General have all been untrained persons. We have never

had a barrister as Clerk to the Attorney-General, and although it has been a very useful adjunct to the office, if we are to have a Crown Counsel we do not need a Clerk with legal training. If the officer I have in mind is appointed to the post, you will have secured a man who loves the work and will sit there all day. Why not then let us have some businesslike arrangement of that kind?

In the Department I have in mind the clerk is on the eve of retirement. Retire him and let us have efficiency in the office. The Clerk to the Attorney-General would be more efficient in that office where legal talent is required. The office I have in mind is one of which the Official Receiver is Head, but he is Official Receiver, Public Trustee and Crown Solicitor. In two of those posts he has to have legal advice, and he sometimes has to go to the Court and ask for it because he has not got the material in his office. Therefore there would be adjustment by transfer without any increase in pay. Of course all these are matters of administration, but you must allow me to express the view that I think it is possible to offer advice of that kind which is based upon one's experience and the experience of others who come into contact with these offices daily. I have never been able to understand the hesitancy on the part of the Administration, where the necessity arises, to say to an officer: "We can do better by replacing you if you resign." Why not pay the officer a pension which would be less than his salary, if you can fill his post without any additional cost? These things do not appear to me to be difficult, but it seems very difficult for a Governor to make an officer resign, or to make his position so difficult that he would resign himself.

THE CHAIRMAN: The Governor's powers in the matter are strictly limited.

Mr. WOOLFORD: I know, but if you examine the position very carefully you will find that there is positive excuse for asking certain officers to take their pensions. If Your Excellency wishes any assistance in that direction I am quite willing to give it, and if you wish the names I am quite prepared to supply them.

THE CHAIRMAN: I will not ask you now. (laughter).

Mr. WOOLFORD: I do wish to say that the proposals I have made are worthy of consideration. If the Clerk to the Attorney-General is transferred, as I suggest, there will be left in that office a Class III clerk of much experience, and the other Department would be getting an administrative officer with legal training and experience.

I have said nothing about counsel prosecuting for the Crown. Let me remind the hon. member for North Western District (Mr. Jacob) that when Government engages counsel for criminal prosecutions he is very poorly paid. No one has prosecuted for the Crown more often than I have, and I can tell him that in one retainer received by me for conducting a defence I earned more than I have ever earned and can ever hope to earn by prosecuting for the Crown. Prosecuting counsel are allowed \$15 a day—very well earned by the appointee and cheaply paid by Government. As the Attorney-General is the legal adviser to the Government his attendance is required at meetings of the Executive Council held weekly, and he has to advise Government and the Home Government on every Bill that is introduced in this Council. I do not know whether hon. members are aware of that. He also has to give advice to a number of Departments, and he has to keep pace with comparative legislation in other places. I know that the office has suffered, and I believe the necessity for this appointment has been due in a large measure to the failure of certain holders of the office to introduce legislation as quickly as they should. We all know the unfortunate reasons for that. I do not believe that the previous holder of the office was well, because his capacity to do it was unquestionable, but he was unable to do it. I think the accumulation of work in that office is nearly expended, and unless we are going to have a great deal of new legislation I do not think there is any necessity for creating an additional post merely to assist the Attorney-General, but I do think there is some necessity for adding to the establishment because there are many cases.

Very little ingenuity is required in the prosecution of bush rum cases, but in Customs cases questions of law arise, and it is not in the best interest of the Colony

that defendants in Customs and Excise prosecutions should go free owing to the lack of special training on the part of some particular Police officer. Then the position at the Criminal Court is that there are times when there may be three Courts sitting, which might preclude the Attorney-General or the Assistant Attorney-General going to Berbice, because the sessions overlap each other. If a Crown Counsel were appointed he would be available for Berbice, but I can conceive that even with all these it will be necessary to employ counsel to prosecute on behalf of the Crown.

Mr. JACOB: I had no intention to speak under this head but since my friend has made reference to me I would just like to point out that I was fighting for a principle, and that principle having been established I have nothing more to say about officers of the Crown doing private work. I have always thought it was not fair to the officers or to the Crown. Likewise an officer of this Council should not in any way receive remuneration from the Crown so long as the Constitution is what it is. I was under the impression that that principle had been established, but recently something was done which gave me the impression that the principle had not been firmly established. I realise that in cases of emergency it may be necessary to do that, but I do emphasize that it is not fair that one who represents the public should represent the Crown in certain instances. I have in my mind that members of this Council may be paid; they are paid in other parts of the world. When that happens it may be necessary to have a member of the Council prosecuting on behalf of the Crown. I do urge on Government that it is not in the best interest of all concerned that a member of this Council should receive any kind of remuneration from the Crown under the present Constitution.

Mr. WOOLFORD: I hope that the hon. member, who I know very frequently takes my advice, will again take it on this occasion. He must never say in this Council, if he wishes to enjoy respect for his opinion, that a person who prosecutes does so on behalf of the Crown. He prosecutes on behalf of the public. That is a very well-known principle, well estab-

lished. The prosecution is on behalf of the general public, of whom I hope the hon. member is one.

Mr. JACOB: If a member of the hon. member's constituency nominates him for a seat in this Council and finds himself in trouble, and the Crown engages the hon. member to prosecute, what would be his position?

THE CHAIRMAN: I am afraid I cannot follow that.

Mr. WALCOTT: I would like to suggest that a sum be put on the Estimate to provide a microphone or loud-speaker in this Chamber, because it is impossible for some of us at this end to hear the hon. member for New Amsterdam (Mr. Woolford). I know he is a good speaker and I would like to hear him. (laughter).

THE CHAIRMAN: I will not ask the Attorney-General to reply to the debate because I think he would be in a difficult position. As regards the suggested appointment of a Crown Counsel I gather from the general tenor of the debate that the Council as a whole is in favour of the appointment, but a number of members consider the salary insufficient. The salary was suggested in relation to other legal salaries, and as members of the Council are aware, the fixing of salaries below a certain grade is not only a matter for the Government and for this Council but also requires consultation with the Home Authorities—the Secretary of State, who has the privilege of appointment. That, of course, is particularly the case at the present time when this Government is receiving aid from the Imperial Treasury. These suggestions have been submitted to the Colonial Office and, as the Colonial Secretary has already explained, their views have not yet been received. There have been certain enquiries about the matter which show that it is receiving immediate consideration. In the face of that and of the general scale I cannot undertake to alter the salary proposed now by way of increase. I will undertake that the views which have been expressed by members of the Council will be placed before the Secretary of State for his consideration. I quite admit that there is a great deal of force in them, but beyond that I am not prepared to go at the moment, except to undertake that those

views will be represented as fairly as I can to the Secretary of State. In view of the proposals which are under reference to the Secretary of State I do not feel in a position to introduce a motion for the increase of any particular salary which must have its reactions on the general scale of salaries paid to legal officers, and therefore will affect by implication a number of other salaries. I can only put the recommendations made by members of the Council before the Secretary of State for his consideration.

Item 1 put, and agreed to.

Item 3—Fee to Counsel for prosecuting at Criminal Sessions, \$800.

THE COLONIAL SECRETARY: I move that this item be reduced from \$800 to \$150. I explained that I would move this reduction in the event of item c being approved by the Council.

Item as amended, put and agreed to.

MAGISTRATES.

Mr. ELEAZAR: I see an item here—4 Magistrates at \$2,400—\$3,120 by \$120. I cannot find language strong enough to say what I feel. When deductions are made how much do they get per month? Who will respect a Magistrate who gets a salary of \$200 per month? Not even a humble barrister. I will not leave my home in New Amsterdam and go to Springlands for a fee of \$15, but Government offers \$15 to a barrister to prosecute for a whole day for the Crown. Before the War Magistrates, not legally trained men but retired estate managers who were too old to plant, were paid \$320 per month. To-day legally qualified Magistrates are being paid \$200 per month. Magistrates who are really in charge of the peace of their districts are getting smaller salaries than some Police officers. It opens the door to men who are not of sufficient standing and juniors to apply and get these posts. Responsible men who could give good service would not accept them. These remarks apply to several Government Departments. It is no use telling us that the money is given by the Imperial Treasury. We must spend the money as we think fit. The positions are sufficiently responsible for the holders to get proper remuneration, and we do

not think it comes with good grace from any quarter to tell us that we cannot pay our way and therefore we cannot complain. A Magistrate should be removed from any possibility of seeking a secret loan from someone in his district. I do not know that it has happened, but it seems to me that it could happen at any moment. Government has placed Magistrates in the position to have to accept favours. Necessity knows no law. Four Magistrates at \$200 per month should not be allowed to continue longer than it can be helped. It seems to me that the whole of the legal fabric should be enquired into.

Mr. DIAS: I would like to point out that the salary does not remain at \$200, it rises to \$260.

Mr. WOOLFORD: The explanatory note refers to the appointment of an additional Magistrate for the County of Berbice. I hope that the proposals which were discussed in Select Committee will find favour with Government. It is undoubtedly true that the work in the County of Berbice is unusually heavy and imposes a very great strain on the Magistrate and the public who have to follow him from court to court. The office is in New Amsterdam where the Magistrate resides, and in order to attend certain country courts he has to rise very early. I am going to make a practical suggestion. If an additional Magistrate is to be appointed, and I hope he will be, I think a re-arrangement of the jurisdiction of the Courts would help the situation. So far as the County of Berbice is concerned I would suggest that the Magistrate's duties be confined to Berbice proper, but I would recommend for acceptance a proposal that the additional Magistrate should be stationed in Georgetown, and that one of his duties should be to attend and preside over the Courts at Blairmont and Fort Wellington, taking each of those Courts on successive days. He could do that work in 2½ days. That would relieve the Berbice Magistrate of the necessity to take over those two Courts and perhaps prevent him from returning to New Amsterdam in the evening instead of enjoying a certain amount of rest overnight. I do not know how that commends itself to my colleagues in the County itself, but I have spoken to several people and they agree that that can be

done, or the Magistrate on the East Coast could take those two Courts and be relieved of the Plaisance Court. The additional Magistrate in Georgetown could easily take the Plaisance Court. I have gone to Plaisance Court on several occasions and found that it was impossible for the Magistrate to take the cases.

It is admitted that there is a glut in Georgetown. The additional Magistrate, if stationed in the City, could assist with the overflow of work. He could confine his attention to certain cases like matrimonial cases. On Thursdays it is almost impossible for a Magistrate to preside over that Court and do justice to the work either on the one day or on several days successively, and cases are postponed from week to week. If we are going to improve our social system we must prevent people being huddled together at the Court from week to week. There must be a speedy adjustment of social disputes of that kind. There is a tendency to have these cases heard *in camera*. We have not yet reached that stage here. It is a Magistrate's duty to try to avoid the separation of a wife from her husband, but it is humanly impossible for Magistrates to perform that duty. Both of the City Magistrates are receiving less than their predecessors. It is unfair to them. Mr. Legge, who did not have half the amount of work, received £900. Magistrates may not ask for increased pay. There is no lawyer who died a rich man in this Colony and had made his money from his profession. I do not hope to acquire wealth from the income derived from my profession. I protest against the inability of Government to appreciate legal talent. There is no Magistrate who could leave this Colony on holiday without a feeling of anxiety. Why not increase their salaries to £650 and put an end to this source of anxiety? Some people are kept 10 years, and perhaps 15 years before they are appointed to the positions of Magistrates.

With regard to the question of jurisdiction, if the Attorney-General is going to alter the jurisdiction he must do so at once. I think some arrangement could be come to whereby the Magistrate in Essequibo would not have to go to the Potaro for 10 days in the month. That might suit the convenience of Government but

not the convenience of the public. During the absence of the Magistrate—and he frequently takes his clerk with him—no process can be issued at all, and the district is left without Magisterial representation. Could such a thing happen in Barbados, Trinidad or Jamaica? We are too quiet a people, and we are also a respectable people. Why not appoint the Warden to preside over the Potaro Court? The cases there require no legal training whatever.

I understand Your Excellency paid a visit to the Vreed-en-Hoop Court. I am sorry I missed you. They must have kept you away from the Magistrate's office. If you had only gone into the office you would have had some difficulty in getting out. I am sure Your Excellency would have seen the advisability of improving the lot of the clerks who swelter there.

I appeal for respectable treatment of members of my profession, whether they are Magistrates, barristers or solicitors. I am also asking you to direct every Magistrate to cease telling the public that they cannot grant postponements for any reason whatever, because they have to send returns of the unfinished cases to the Attorney-General every month. If I were a Magistrate I would not listen to any such thing. Are members of the public to be disciplined through a circular from the Attorney-General? I told a Magistrate that if he did not grant me a postponement I would go to the Supreme Court for a mandamus, and I propose to put it into practice. Postponements of private cases affect nobody.

The system of trying to get a Magistrate at £400 instead of offering £600 is wrong. A lawyer accepts £400 with the expectation of getting £600. I do ask that these archaic methods should cease. I doubt very much whether the position of any community is not well balanced by a profusion of legal men. We are a protection to any community (laughter). I disagree with Magistrates being made to attend licensing meetings. If a licence has already been granted why shouldn't the licence go to the Commissioner of the district and pay a renewal fee? If there is opposition I can understand the necessity for a Magistrate. Magistrates are compelled to do all kinds of uncomfortable work. There are certain J. P.'s who are

resorted to by people to sign warrants when they know they have not the slightest chance of getting them signed by a Magistrate, simply because they want to get somebody arrested and kept in custody overnight. Let the Magistrates feel that they are professional men entitled to respect.

Mr. LEE: I wish to congratulate my hon. friend on the stand he has taken with respect to Magistrates, but he has forgotten two things which I must add. There are certain Magistrate's Courts at which at one day's hearing there are from 75 to 100 cases to be heard, and one frequently hears the remark from the Magistrate as he takes up the bundle of case jackets: "I have to get through this list." Is it fair to the public who expect to get British justice? That particular Court is held once a month, and the Magistrate has to get through the work, because if he does not send a return to the Attorney-General he has to explain the next month why there were so many postponed cases. An additional Magistrate is not sufficient. In my memorandum to the Royal Commissioners I suggest that there should be three more Magistrates in order that the public should get British justice. At the last annual session I suggested that Magistrates should be transferred from one district to another every four years, and my reason is that they would give better justice. That is my experience, and I can tell you privately from my records that I know that that is so, and some of my brother practitioners know it. In certain cases in which I have obtained judgments I am in a position to say that they were false judgments. I have the records and I would like enquiry to be made into the matter.

I question the wisdom of sending Magistrates to licensing meetings when there is no opposition. The Police should oppose the granting of licences where the public is dissatisfied. Magistrates should not be made to revise voters' lists. There are barristers who could be appointed to do such work. With regard to the suggestion made by the hon. member for New Amsterdam (Mr. Woolford) that the Warden should preside over the Court in the Potaro district, I do not agree that an unqualified person should administer justice. There are cases on record in

which persons have been convicted by unqualified travelling Magistrates and released from prison as soon as the papers were sent to the proper authority.

The Court at Weldaad should be reopened because those people who live near Abary have to go all the way to the Fort Wellington Court.

With regard to the question of salaries, Magistrates receive the same salaries as District Commissioners who have not had any special or technical training. I do urge that Government will forward our comments on this subject to the Secretary of State when sending those with respect to the Crown Counsel.

THE ATTORNEY-GENERAL (Mr. Gomes): I think it appears fairly clear from what hon. members have said that there is necessity for further assistance in the Magistrates' Department. No actual facts or details have been mentioned, but perhaps hon. members might be interested to know that the state of things go to show that there is in fact a case made out for further assistance. Six years ago there were six Magistrates, and to-day there is still the same number. I regret to say that I am not quite acquainted with the precise reason for it, but there has been an increase of criminal cases to the extent of over 3,000, and on the other hand a decrease of civil cases of over 2,000, leaving a net increase of cases of over 1,000. There have been certain enactments of this Council which have tended to increase the work of Magistrates. I refer to the Criminal Justice Ordinance, 1932, by which the jurisdiction of Magistrates in criminal cases was extended from \$25 to \$100. That undoubtedly has thrown on Magistrates some additional work, and that type of case which would normally have found its way eventually to the Supreme Court.

As regards the number of Courts that existed six years ago, although there have been some changes and some closed down, others have been opened, and that is why there are the same number of Courts as existed six years ago. There is also another enactment, the Workmen's Compensation Ordinance. It is true that so far the Courts in the country have not been engaged in dealing with many cases of that description, but cases will occur

more frequently before the Magistrates in Georgetown. Those are matters that take considerable time and call for careful consideration. I think the most glowing instance of pressure that exists, especially on the Magistrates in Georgetown, is in connection with the cases referred to by the hon. member for New Amsterdam (Mr. Woolford). I refer to matrimonial causes and bastardy cases. That type of case is identical with what appears before the Supreme Court, and Magistrates have to devote the same amount of time to them. That, I can imagine, they find a difficult task, and the result is that certain matters are held up. Those are the main items which throw some additional work on the Magistrates, in addition to the increase in the number of cases over the past six years.

With respect to the comment that has been made by the hon. member for New Amsterdam (Mr. Woolford) about the Magistrate in Essequibo having to travel to the Potaro, I am inclined to agree with him that it is a matter which will call for some consideration by me. In fact I can assure him that it was only three weeks ago I had occasion to ask the Magistrate, after having communicated with him by letter, to come and see me, because there were matters which were unduly delayed. A preliminary inquiry commenced six months ago had not been concluded. I may incidentally remark that one of the duties of the additional Magistrate, if one is appointed, will be where heavy indictable cases arise he will be sent to the particular district to hold that inquiry. If that is done in murder cases, for example, and other serious crime, it will relieve the Magistrate of the particular district of much of his work.

I was rather surprised to hear from the hon. member for New Amsterdam that Magistrates have given a certain interpretation to a circular sent to them some years ago. As legal members of the Council are well aware, the question of postponements is entirely in the discretion of Magistrates. They have received no instructions to the contrary effect, and if any Magistrate has interpreted the provisions of that circular as having only the intention to check him up I think he has gone astray in his interpretation. The object of the circular is first of all for

statistical purposes, and to keep a check generally on the number of cases passing through the Courts.

On the question of the Licensing Boards as at present constituted there is a Board of three Magistrates. Hon. members will remember that quite recently a Committee was appointed to go into the whole question of licensing laws, and a report has been submitted by that Committee. One of the recommendations of the Committee is that the Board of three Magistrates should be reduced to one Magistrate and two Licensing Justices appointed by the Governor for that purpose, so that I am hoping to see that those criticisms will in future be met by that change. Of course the recommendations of the Committee have not received full consideration, but I have no doubt that in the very near future there will be put before the Council some legislation for the revision of the liquor laws.

The hon. member for Essequibo River (Mr. Lee) has referred to the question of laymen acting as Magistrates. In this Colony they are and have been for many years performing duties in the interior, the Mazaruni and North West District. I can assure the hon. member that the Attorney-General's Department deals with all returns made by the gaoler. A very careful check is made of those records, and if it is found that an illegal sentence has been imposed a recommendation is made to rectify the matter. I must say that during my time I have not received any reports of wrong convictions. We have received reports, and it is one of the heavy duties of the Attorney-General that he continually receives reports of grievances from the public concerning the administration of justice. Those are matters which require very careful attention, and whatever action is necessary is taken. I can assure the hon. member that if there is any litigant who for some reason or another is not permitted to go to appeal, or has overlooked the time, those litigants do not hesitate to write to the Attorney-General so that the matter may be enquired into, and every communication received concerning the matter is always sent to the Magistrate to ascertain the facts, and the case is fully gone into. The Attorney-General's Department continues to exercise a certain amount of

supervision over the Magistrates, but it must be clearly understood that that supervision cannot and does not in fact amount to telling a Magistrate what he ought to do and what he ought not to do. A Magistrate is a judicial officer, and in that capacity he has to act impartially and independently of any supervening authority.

Mr. ELEAZAR: There has been a long debate by people who know nothing about what they are talking. This question of the Magistrates is not a new one. I do not think the necessity will arise to change any of the districts at all. The additional Magistrate should relieve when relief is required. As regards the increase of work in Georgetown I must say that in Georgetown and New Amsterdam Government has broken faith with the Magistrates. In Georgetown the Magistrate got £100 for doing extra work, and I do not think any reason was given why that amount was taken away. In New Amsterdam it is worse than that. There were two Magistrates there and one of them undertook to do all the work provided Government gave him £100. Government jumped at the offer. Your Excellency will be surprised to know that before very long that £100 was withdrawn and has never been replaced after a certain Magistrate left the district. The work is certainly too much for one man but not sufficient for two. A small sum added to the Magistrate's stipend would enable him to do the additional work with a little ease. Too many trivial cases are taken before the Magistrates by the Police. That is one reason why the number of cases has increased.

THE CHAIRMAN: I have never had a complaint of that kind.

Mr. ELEAZAR: It is true.

THE CHAIRMAN: I have had quite a number of complaints that the Police refuse to bring cases.

Mr. ELEAZAR: My complaint is that they bring too many trivial cases. I know that.

Mr. JACOB: I would like to support that. Only two weeks ago cases were brought in the Essequibo River which should never have been brought. It is

perfectly true, and I am pleased to hear the hon. member say so. If the Attorney-General's office enquires it will find that cases of disorderly behaviour are brought too frequently by the Police.

THE CHAIRMAN: With regard to the question of the appointment of an additional Magistrate the hon. member for New Amsterdam (Mr. Woolford) spoke of him as being allotted to Berbice.

Mr. WOOLFORD: The explanation given is: "It has been found necessary to provide one additional magistrate to relieve magistrates in districts where the work is heavy, e.g., Berbice, or in special cases."

THE CHAIRMAN: I think it is intended, and I gather it would meet the views of the Council, that that note as to his employment should be entirely elastic. He should be employed where he is wanted. It does not limit the scope of his employment. On the question of salary I can add nothing to what I said just now.

THE COLONIAL SECRETARY: This is one of the new items which have not yet been approved by the Secretary of State.

MEDICAL.

Mr. JACOB: I am pleased that the new Director of Medical Services is here so that he will be aware of certain things that are prevailing at the present time. Generally speaking, in the country districts there is a lack of medical attention and supervision. I will not go into details but will make a few broad statements and read certain decisions arrived at between the Labour Commissioner and the Trade Union in this Colony. I have no doubt that the Director has already been informed, but it is necessary that these things should be stated clearly, and that attention should be paid to them. On one estate on the Corentyne Coast, Berbice, where there were labour troubles—it was not only on account of the reduction of wages that trouble occurred, there were other details—some of the decisions arrived at were as follows:—

"Hospital—The Government Medical Officer to make recommendations for the improvement of the Hospital buildings and surroundings, equipment, bedding, etc., dietary and general administration. Any charges against the sick-nurse-dispenser and Nurse-Midwife to be investigated by him.

The Management undertook to act upon the recommendations made by the Government Medical Officer.

Creche—To be provided if the Government Medical Officer so recommends.”

I have had the privilege of seeing several of those places and I must say that there has been a general lack of provision and attention to sanitary and other social arrangements in several parts of the Colony. I have in mind one particular estate I visited. I have a knowledge of sugar estates. Twenty-five years ago I was on a sugar estate where there was indentured labour, but the conditions I saw 25 years ago were better than what I saw early this year. I must admit that there are improvements in certain places and in certain directions, but the general conditions of workers on several estates of the Colony have not been very much improved. I strongly urge on the Director of Medical Services to visit those places and see for himself, so that he would be able to obtain first-hand information. The air in certain places is very much polluted. If it were possible I believe something may be done to allow certain people to breathe a certain kind of air and not allow others to breathe the same. People are living on and breathing sewage. The sanitary arrangements are horrible; latrines over drains with pigs roaming about. The trenches over which the latrines are built were running into other trenches in which people were seen bathing and washing clothes and wares. I was horrified myself; I never expected such conditions to exist anywhere in British Guiana. I challenge any member of the Council to gainsay that. I believe Your Excellency is aware of the facts. The particular place was improved to some extent a few months after. It is not only labour and wages that this particular Trades Union is looking after, and although there has been great denunciation of the Trades Union here I hope it will be realised that it stands for improvement of the conditions of all the workers of the Colony generally.

Mr. SEAFORD: I think the hon. member knows, and I think everyone knows that every hospital on every sugar estate is under the control of the Government Medical Officer of the district, and I cannot think of a single instance where the Government Medical Officer has made a recommendation which has not been car-

ried out. If the hon. member so desires and he thinks these hospitals are unfit, and Government thinks so too, the estate authorities would have no hesitation in closing every hospital down. No doubt the hon. member would appreciate that. The hon. member also said that the general conditions of the workers have not been improved very much. I defy any honest man, woman or child in this country to make a statement like that and confirm it. It is absolutely untrue. I appeal to any Government Medical Officer in this Colony and to the Director of Medical Services who has himself been round and seen the improvements made. I defy anyone to say that the conditions on the sugar estates are not 100 per cent. better than they were 25 years ago. The hon. member gets up here and makes rash statements with one object in view, as he has stated in his paper, that the sooner every place is closed down the better.

Mr. JACOB: May I enquire what the hon. means by my paper?

Mr. SEAFORD: The Man Power Citizens' Association, the paper run by that Association which he says he represents in this Council.

Mr. JACOB: I protest against those remarks; they are absolutely untrue.

Mr. SEAFORD: I think the Director of Medical Services has already visited certain estates in the Colony, and I will leave it entirely in his hands to say what he has found and has not found. He will be able to say what improvements have been made and what have not been made. It is not many years ago when we were told that Georgetown was floating on sewage. In this Colony the sanitation of all sugar estates is under the control of the Government Medical Officer of Health. We have had the Government Medical Officer of Health telling us to build a certain kind of latrine and it was done, and on another occasion he says he wants earth latrines. When that was done we were made to put the latrines over water, and then we were made to instal septic tanks which we were later told were the foulest things imaginable. I ask how are we to know what should be done? We are prepared to carry out any directions of the Medical Officer.

I would like to point out that we have within the last year employed our own doctor. We help ourselves because in some cases we do not have much confidence in the Government Medical Officer. We have appointed our own medical officer who goes around the estates and does everything he can to get rid of the malaria mosquito. He examines the children and takes a spleen census. The estate authorities are prepared, wherever they can, to spend whatever money is considered necessary. We do not grudge one cent spent in that direction. In fact we are not so foolish as not to realise that the health of the people is for our own benefit. We want them to be as healthy and virile as possible. We welcome any criticism from Government in the matter, and if you look at the vital statistics on sugar estates and compare them with the rest of the Colony you will be able to see what

the estates have done and are doing to-day. The hon. member referred to one estate on the Corentyne Coast but he did not mention which it was.

Mr. LEE: Before you adjourn the Council, sir, I wish to refer to a matter of importance. I read in the newspapers that you had received an important cable. I would like to draw your attention to the fact that some time ago I wrote Government asking whether it was possible for that immigration scheme to be undertaken by Government, and I was requested to interview the Colonial Secretary. I was particularly informed that the Austrian Jews were not agriculturists. I would like to point out that if any immigrants are coming to this Colony it should be known that we want agriculturists.

THE CHAIRMAN: The Council is adjourned until Tuesday at 11 o'clock.