

LEGISLATIVE COUNCIL.

Thursday, 5th April, 1945

The Council met at 2 p.m., His Excellency the Governor, Sir GORDON LETHEM, K.C.M.G., President, in the Chair.

PRESENT :

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

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

The Hon. the Attorney-General, Mr. E. O. Pretheroe, M.C., K.C.

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

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

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

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

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

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

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

The Hon. Peer Bacchus (Western Berbice).

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

The Hon. A. G. King (Demerara River).

The Hon. T. Lee (Essequibo River).

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

The Hon. V. Roth (Nominated).

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

The Hon. A. A. Thorne (Nominated).

The Clerk read prayers.

The minutes of the meeting of the Council held on Wednesday, 21st March, 1945 as printed and circulated, were taken as read and confirmed.

ANNOUNCEMENTS.

THE ESSEQUIBO MAIL CONTRACT.

The PRESIDENT: With regard to the business before Council I would like to refer to the notice of the Motion which stands on the Order Paper in the name of the hon. the Deputy President touching the Essequibo Mail Contract.

When we come to the Order of the Day I will bring forward a suggestion made to me that the Deputy President be permitted to move the suspension of the Standing Orders in order that his motion may be taken today. I am personally in favour of that procedure and trust that Members will be agreeable to it. I shall defer anything I may have to say on the matter till we come to the Order of the Day.

RECONSTRUCTION OF BURNT AREA.

With regard to other business not on the Order Paper, I should inform Members that the legislation to regulate the layout and reconstruction of the devastated area will be brought forward as soon as we possibly can get the draft complete. The proposals have been favourably considered by the Executive Council and the Zoning Committee, and I trust will commend themselves to this Council. There is other important legislation in connection with the fire now almost com-

plete. Members will appreciate that it is far from easy to do all these things with a stroke of a pen.

I had been anxious to have pro-rogued this Council before this date, and re-assembled formally for the 1945 session which should be the last before the change in the franchise. In the first place the necessity of completing the financial business, and now the legislation connected with the fire as well as one or two other Bills which it is important to finish in this session, have hitherto prevented that course. Two Bills will be presented to Council in connection with the raising of loans. We have still the Rice Lands Tenure Bill to complete. I am afraid the burden of legislation is making quick progress in these important things more and more difficult.

FRANCHISE LEGISLATION.

Most important is the Bill to regulate the franchise, which, though its course has been interrupted by the special legislation, principal and subsidiary, arising out of the fire, is now in course of scrutiny for presentation to Council. But I am sorry that with the extreme pressure of these other things we cannot possibly give a date for it.

In this connection I should like to report to Council that I gave no little time on my visit to Jamaica to enquiry as to constitutional matters, and have brought back with me such records as I could find touching the organisation of the elections under the new Constitution for that Colony. Also of extreme interest to me was the examination I made into certain workings of constitutional machinery, in particular that of Advisory Committees to the Legislature dealing with the Departments of Government. I was not a little gratified to find that our own procedure, initiated in 1943, was not only a good deal prior to the similar step being now taken in Jamaica but in

certain respects, in my opinion, is more liberally devised. It is not the place here, however, to expatiate on that matter.

VISIT TO JAMAICA INSTITUTE

I might also say, apropos of the Agricultural and Commercial Society the Colony's Museums and the proposals of the British Council, that I paid a special visit of examination to the Jamaica Institute with a view to seeing the parallel in that Colony. Again I should like to say that Guiana loses nothing by comparison, and I have no doubt that in due course we shall be able in this thing too to take a lead in the Caribbean.

PUERTO RICO VISIT

My two days in Puerto Rico, and certain visits and discussions I had there with Governor Tugwell and others, are scarcely relevant to our proceedings to-day or this month, though they will, I hope, be useful to me for reference on some later occasion.

IMPROVEMENTS IN CHRISTIANBURG-WISMAR DISTRICT

The COLONIAL TREASURER communicated the following Message:—

MESSAGE No. 31

Honourable Members of Legislative Council.

I have the honour to invite the Legislative Council to approve of the expenditure of \$26,000 for the improvement of the drainage and living conditions in Section B of the Christianburg-Wismar Country District.

2. The Central Board of Health has, for some time past, viewed with concern the building congestion and insanitary conditions existing in the Wismar—Christianburg village which is situated about 75 miles up the Demerara River on its left bank. The population has increased greatly as a result of the Demerara Bauxite Company's operations on the opposite bank of the river, and this has resulted in overcrowding of the lots. The Government reserves have all been built upon and will have to

be cleared. A large number of the lots are suitable for building purposes in the front portions only, because of the swampy nature of the ground in the rear, due to inadequate drainage of the water flowing down a hill at the back of the lots. Drainage at present is by small tortuous creeks, the Wakrinabu and Murara, which in their winding courses to the river encroach on the lots cutting them up in a most irregular fashion. In addition, during spring tides the lands all along the banks of the creeks are always flooded. Access to the lots is by privately owned paths, and this independent and irregular means of access, together with bad drainage, constitutes a problem for the local authority.

3. Members will remember that on the recommendation of the Public Health Department the village was recently partitioned under an Ordinance specially enacted for the purpose in 1942, Land Partition and Re-allotment (Christianburg and Wismar) Ordinance, 1942; and if works designed to correct the faulty drainage, to fill in swamps and improve health conditions are not carried out, the effect of the partition will be lost and the health of the residents will continue to suffer.

4. The cost of the necessary works is estimated to be \$26,000. It includes:—

(a) the construction of two reinforced sluices, bridges and culverts to control the Wakrinabu and Murara Creeks	\$18,300.00
(b) making earth roads in accordance with the Partition Officer's report	2,524.00
(c) Compensation to owners of houses on the Government reserves, and	2,600.00
(d) Contingencies	2,342.00
	<hr/>
	\$25,766.00
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Say \$26,000.

5. The capital cost of the works is not within the means of the Christianburg—Wismar Local Authority as the annual revenue from rates at 2% on the appraised value of \$43,891.00 is only \$878.00, but annual maintenance costs estimated at about \$555 will be provided by the Local Authority.

6. I accordingly invite the Council to approve of the cost of the works being met from public funds, and to undertake to provide the sum required on supple-

mentary estimate for the current year.

GORDON LETHEM,
Governor.

Government House,
British Guiana,
27th March, 1945.

PAPERS LAID.

The COLONIAL SECRETARY laid on the table the following document:—

Statement of Loans from voted expenditure written off during the year ended 31st December, 1944.

GOVERNMENT NOTICES.

INTRODUCTION OF BILL.

The ATTORNEY-GENERAL gave notice of the introduction and first reading of the following Bill:—

A Bill intituled "An Ordinance to amend the Firearms Ordinance, 1940, by providing for the disposal of firearms and ammunition voluntarily surrendered to the Police Force."

IMPROVEMENTS IN CHRISTIANBURG—WISMAR DISTRICT.

The COLONIAL TREASURER gave notice of the following motion:—

That, with reference to Governor's Message No. 31 of the 27th of March, 1945, this Council approves of the cost of the works being met from public funds and undertakes to provide the sum required on supplementary estimate for the current year.

ESSEQUIBO MAIL CONTRACT.

Mr. WOOLFORD gave notice of the following motion:—

BE IT RESOLVED: That this Council hereby approves of the Contract entered into by the Postmaster-General for the conveyance of mails on the Essequibo Coast for a period of two years from the 1st day of January, 1945, and hereby undertakes to vote the necessary financial provision for the performance of the said contract for a period of two years from the date of the commencement of the said contract, and subject to the terms and conditions of the said contract being observed by the Contractor.

ORDER OF THE DAY.

THE NEW RICE MILL.

Mr. ROTH asked, and the COLG-

COLONIAL SECRETARY replied to the following questions:—

Q.—1.—With regard to the new rice-mill on order for the Mahaicony-Abary Rice Expansion Scheme, has any person with local experience of rice-milling been to see the type of machinery ordered?

A.—1.—No, but the type of machinery ordered has been approved by persons in the Colony with experience of what is required.

Q.—2.—Has any representative of the suppliers thereof been here to see local conditions?

A.—2.—An invitation has been sent to the suppliers to send a representative here, and Mr. Firth-Hand, the Engineer Adviser of the British Colonies Supply Mission, has also been invited to visit the Colony. It has been arranged that the erection of the mill be supervised by the Engineering Advisers to the British Colonies Supply Mission.

Q.—3.—Is Government satisfied that the new mill on order is suitable for local conditions, especially in view of past experience with the "white rice" mill at Anna Regina, now idle?

A.—3.—Yes.

Mr. SEAFORD: Arising out of those questions may I ask the Colonial Secretary if any information has been received as to whether the Adviser to the British Colonies Supply Mission has accepted the invitation to visit this Colony, and if so, when he proposes to make that visit?

The COLONIAL SECRETARY: A telegram has been received to the effect that Mr. Firth-Hand has accepted the invitation and is expected to arrive in the Colony, accompanied by Mr. Littleton, the Engineer to the firm constructing the mill, on or about the 15th of April.

ESSEQUIBO MAIL CONTRACT

The PRESIDENT: If Members are agreeable I would ask the Deputy President to move the suspension of the Standing Rules and Orders so as

to enable the Council to take the motion of which he has given notice.

Mr. WOOLFORD: I move the Suspension of Standing Rules and Orders Nos. 9 and 11 to allow of the motion being taken at this stage of the Order of the Day, and also to allow it to be moved without previous notice.

Mr. AUSTIN seconded.

The PRESIDENT: With regard to this motion in the name of the hon. the Deputy President touching the Essequibo Mail Contract, Members will remember that at the end of the debate on March 15 I adjourned the proceedings on the schedule of supplementary expenditure saying that an alternative procedure had been suggested and I desired to consider it. A constitutional point had also been raised on which I would have had to rule, and I was not prepared to do so without consultation of authority.

Let me deal with the latter point first. I have been furnished with an opinion from the Attorney-General saying quite specifically that the procedure, by including the item in the schedule of supplementary expenditure, is in order, and that procedure by a special resolution, if so worded as to create a specific charge in figures on the revenues, would have been contrary to the practice of the House of Commons. I state this merely in order to make it clear that it would have been in order to proceed with the matter on the 15th March to a vote, and that procedure will be still in order and proper if the Council wishes to continue the contract on the terms at present in the document.

I am, however, not really concerned in what I am saying now with that point as to constitutional correctness of procedure, but rather with another aspect of the matter altogether—the proper relationship between the Executive Government and the

Legislative body. That depends not only—in fact, perhaps less—on the meticulous observation of precise rules, but as much, perhaps much more, on practice, and in this the utmost degree of openness and candour in dealing with the Legislature in financial matters, and with the utmost degree of invitation to Members to maintain their interest and sense of responsibility. It is for this reason that in principle I favour the procedure being followed to-day by the motion standing in the name of the hon. and Deputy President.

The utmost degree of openness and candour in dealing with the Legislature in financial matters, and invitation to Members to maintain their interest and sense of responsibility, is a matter of cardinal policy, particularly in view of our deliberate development towards self-government. It is one which I have consistently endeavoured to follow, as equally jealous with any Members of the rights of the Legislature. I have in fact gone beyond precise constitutional rules in many things, to give a greater share of responsibility to Members in financial matters, such as the understanding I have with Members that I will not sign special warrants until Members have had an opportunity to see and, if they wish, consider in detail the expenditure involved, in my endeavour to organise a Finance Committee which could act promptly and with freedom in facilitating this part of Legislative Council business, and in the development of Advisory Committees to large spending Departments, one of the principal terms of reference of which is precisely the matter of departmental expenditure. Had there been an Advisory Committee for the Post Office, perhaps this incident would not have arisen.

In pursuance of that principle, if I have reason to feel that a number of Members of Council desire a procedure to be followed which would appear to them more in keeping with

this policy of openness and candour which is so desirable, it is my duty to give the utmost consideration possible to that request; and unless there is strong objection or the procedure suggested involves a breach of procedure, then to endeavour to meet their wishes.

In the present instance, while it is constitutionally entirely proper according to the ruling given to proceed by supplementary appropriation, the item in question being one of a schedule, nevertheless that does not seem to exclude procedure by motion if that is worded and framed in a proper way, and gives Members of Council the opportunity to conclude this matter in a more satisfactory manner than by Government pressing through the particular provision of funds in a manner criticised by a good many Members. I do not see any valid objection to this, in fact it would seem to me open to any private Member to raise the matter by resolution in some way which could not be refused.

I am not making any comments on the actual matter of the mail service and its cost. I think Members have heard a good deal about that, and I understand it is felt that if the service is to be maintained at the present level it will not be possible to do it at a lower rate than in the contract. It is, however, as I said in the Committee stage last December, always open to Council to insist that a cheaper service be secured, and then it is Government's duty—subject of course to contractual rights of individual persons—to endeavour to secure that objective.

It might well be thought unfortunate to have more discussion and expenditure of time on a matter already so thoroughly ventilated, and it might even involve suggested limitation of the Executive in making contracts. But that question could be raised at any time by any Mem-

ber, and we have got to trust to the good sense of the Legislative Council now and in the future not to limit unduly the proper discretion of the Executive. We have got to look to the future evolution of our constitution and now, as in the future, candour and frankness and appeal to sense of responsibility will take us further than quibbling over constitutional points as to what the Executive may and may not do.

As it is the wish of Members, I would propose, therefore, the following procedure — that the hon. the Deputy President move his motion to-day: and with that done, it will be possible to conclude action on the schedule of supplementary expenditure which is desirable for many reasons.

I should here estimate that on another item, that touching assistance to fisheries, the small difficulty arising as to the manner of expenditure has been ironed out, and I shall be able to include that in taking the full schedule.

Mr. WOOLFORD: Sir, I beg to move:—

Be it resolved: That this Council hereby approves of the Contract entered into by the Postmaster General for the conveyance of mails on the Essequibo Coast for a period of two years from the 1st day of January, 1945, and hereby undertakes to vote the necessary financial provision for the performance of the said Contract for a period of two years from the date of the commencement of the said Contract and subject to the terms and conditions of the said Contract being observed by the Contractor.

Members will recall what happened when the item "Conveyance of Mails", which is to be found on page 62 of the 1945 Estimates, was under discussion. On a motion by a Member of this Council that item, in which was included a sum of \$2,400 for the Essequibo mail contract service—

Mr. JACOB: I rise to a point of

correction. I think the amount was \$2,880.

Mr. WOOLFORD: I am grateful to the hon. Member for the correction that the estimated cost of the service was \$2,880, which this Council reduced by \$1,440. It was then stated by the Colonial Secretary that in answer to the invitation for tenders a letter accepting his tender had been sent to the proposed contractor, and in those circumstances, and subsequently as the discussion emerged, it also happened that the contract had been signed some time in January, providing for the service for a period of two years. In other words it meant that that vote of \$2,880 had to be provided, from the Government's point of view, in order to maintain what was undoubtedly an essential service. I am not inviting any discussion either on the constitutional issue that arose then, or on the propriety or otherwise of Government not observing the wishes of this Council. I am sure that Members will have heard with appreciation Your Excellency's announcement in that respect, and whatever may be our opinions, I am sure, speaking for the Elected Members, that they welcome that contribution as indicating what we may expect in our future relations with the Executive. Whatever diversity of opinion there may be, or whatever divergence of views may be expressed in this Legislature, I am sure you, Sir, as Governor of the Colony, will find common agreement among the Electives where it is an essential matter of Government to be recognized, such as the performance of a contract, to honour its obligation even though that contract has been made in the mistaken belief that Government was entitled to enter into it.

I think it is fair to the Colonial Secretary to say that he accepts the entire blame—if there is blame on the part of Government—for what has been done, and it does not appear to

me that when he entered into that contract after the vote had been denied he realized that he was doing something that was contrary to the wishes of the Council. I have spoken to the Colonial Secretary, and he expressed the view that Government was committed, and if the contract was not entered into it would have been a breach of faith on Government's part. I know that that was his sole aim. We all think he was wrong, but whether he was right or wrong I am sure we are all of the opinion that the contract is for a service which surely is one which we would not deny to the people of Essequibo. We do not want a restricted service, and it should be a long-term contract, and not one for a period of one year, or for any lesser sum than Government more or less engaged with the contractor.

In these circumstances I may be allowed to make a few remarks. I think that perhaps in the course of the debate an unhappy reference was made by one hon. Member who is not present today. I think the use of the word "chicanery" was unfortunate, but I firmly believe that he did not mean what that word really denotes. What was in his mind was that a contract had been entered into despite the adverse vote of the Legislature, and after the wishes of the Legislature had been made known. He shares the view that this Council had the right to protest in the way it did against that vote being disregarded, and I think that perhaps in speaking on the motion he made use of an expression which I think has to some extent been responsible for much ill feeling in the matter. It is also true, I think, that the letter which was signed by all of us and handed in, was not very happily worded. Government must also give us credit for good faith. The letter was written in a hurry—we were anxious that it should reach Government as early as possible—and expressed, not perhaps in

words, the intention of Members that in the circumstances the contract should not have been signed on the day it was, and that the wishes of the Legislature should have been adhered to.

I hope the occasion will never occur again for a motion of this kind to be made, or for Government to seek to get around a decision of the Council by a motion on supplementary estimate, and I only wish that the Attorney-General would again examine the constitutional position. As I understand it, the Committee of Supply is part and parcel of the Standing Rules of the House of Commons. Our Finance Committee, and such Committees as we have, are created by resolutions in this Council from time to time. There are two Committees in the House of Commons provided for by the Standing Rules—the Committee of Supply and the Committee of Ways and Means. A supplementary item, in my opinion, applies where an amount is asked for and placed on an estimate of x dollars, and it is afterwards discovered that it is insufficient to meet the proposed expenditure. In such circumstances a supplementary vote is asked for. The word "supplementary" implies that it is in addition to the original vote. That was not the situation, as I view it. Here a substantive vote was asked for, and when the Council reduced it it reduced the power of the Government to expend any more than that sum, so that when a supplementary vote is asked for it is merely a restoration of the amount originally asked for, and in my judgment either one of two things should have happened. I personally think a motion to re-commit the item should have been made, or I think a resolution would have been more appropriate.

Whether I am right or the Attorney-General is right, I think that in view of what we all expect we must co-operate with each other, and as we are all agreed that this is an essential service, of which we do not

want to deny the people of Essequibo in any way, I hope that whatever your views are you will find it not only convenient but politic and worthy of the Council to accept this motion and so put a period to what was a very unhappy situation.

Mr. deAGUIAR: I beg to second the motion. As I have already spoken on the subject matter I do not propose to say anything further.

Mr. SEAFORD: I am afraid that I was unable to hear 90 per cent. of what was said by the hon. Member, and so I am unable to reply to his remarks, but I would like to say that we have spent nearly three days and long hours on this matter already, and I thought the facts were so simple that sensible Members in this Council would have passed the item long ago. As you said in your opening remarks, Sir, I think that Government has treated this Council with unusual openness and candour. I do not think anyone disputes that for one moment. I therefore feel that if a mistake was made it was made honourably, and we should have passed it.

I cannot agree with the motion now before the Council. I think it is a mistake to put it through. We have it from the Attorney-General that the method adopted before, when the amount was brought up on a schedule of additional provision, was the correct procedure. We also have it from the Attorney-General that there was no breach of constitutional privilege, therefore I cannot see why Members should not agree to pass the item as it is. They intend to pass it, but it seems to me that the only reason it is brought up in this form is because they think it would save their faces. That is my honest opinion and I am prepared to back that opinion. I am prepared to vote the money but not in the form it is now proposed.

The PRESIDENT: It will come up in supplementary estimate.

Mr. JACOB: I am afraid I cannot support this motion. In my opinion it is not happily worded. Nor can I support at the present time any motion or any provision to increase the amount previously voted by this Council for the conveyance of mails on the Essequibo Coast. It is unfortunate that we have not got the facts in respect of this amount, and it is rather unfortunate too that the facts have never been properly put before this Council, both when the motion for the reduction was passed and for the passing of the present amount now before this Council. What I mean is this. No hon. Member of this Council knows exactly what amount was paid for the conveyance of mails in Essequibo last year, but we have been told now that the amount for this year will be \$240 per month or \$2,880 per annum for two years. I think the facts are in the Colonial Secretary's Office. Why this Council was not given them I cannot understand.

These are the facts as I know them— The previous contractor was given \$115 per month to convey mails on the Essequibo Coast. He did that job for over forty years, and at no time received more than \$115 per month. For the current year the previous contractor sent in a tender to do the work for \$120 per month, provided he got tyres and tubes for his vehicle. Tyres and tubes and other parts for his vehicle were not given him, and the result is the contract has been given to someone else who can get the necessary equipment to convey the mails. What is surprising to me, and what concerns me more, is that the present contractor is to get \$240 per month whereas the old contractor is in a position to do the work for a \$120 Government throwing away \$120 per per month. What is the reason for the month on a matter of this kind? I would be glad to get that reason from this Government and to get it in clear and plain language.

The COLONIAL SECRETARY: I

can give it now if the hon. Member desires it, or he can wait until the meeting concludes. Which the hon. Member prefers?

Mr. JACOB: Now.

The COLONIAL SECRETARY: The present contractor tendered and was accepted because the previous contractor was found to be unsatisfactory. If the hon. Member likes I can give the reason why he was unsatisfactory. As the result of departmental enquiry the following facts were put to Government. The previous contractor was not satisfactory because—(1) he delayed in providing Letter-Boxes on the Mail Bus as stipulated in his 1939 contract; (2) he failed to provide locked enclosures for the mails in 1940 as directed by the Postmaster General and orally agreed to by him; (3) he failed on November 7, 1940, to take off private mail bags for District Commissioner and Headmaster, Onderneemings, from the steamer; (4) from 1941 to 1943 he conveyed mails in a vehicle not registered in his name contrary to the terms of his contract; (5) he failed to give a receipt for mails (6) he consistently failed to deliver mails on scheduled time: (7) he failed to deliver mails at Charity on January 5, 1942, unloading them instead at Danielstown Post Office; he delivered private bags for renters by means of throwing them on the side of the road.

Mr. JACOB: I should like to have time to consider those things, but in spite of that I still feel those causes are not sufficient to allow the taxpayers to pay double the amount the previous contractor carried the mails for. As a matter of fact some of those things were partly due to the fact that the previous contractor was not given the necessary equipment to do the work in a satisfactory manner. But what is the position now? The new contractor is to get all the necessary equipment to do the carrying of the mails and, since the previous contractor did that

very job for upward of 49 years, I think Government should consider very seriously not giving the contract to the present contractor. The previous contractor has gone to all the trouble of getting the necessary equipment at the moment to carry on at the contract price, and he should be allowed to continue but making it clear that he must observe all those things which he did not observe in the past. My point of view is that this Colony cannot afford to pay double the cost of conveying those mails, when it must be borne in mind that in no other part of the Colony the amount for conveying mails has been so substantially increased. If it is difficult to convey mails on the Essequibo Coast for the amount we have been paying for last year, what about the other parts of the Colony? I do not think any substantial increase or any increase at all has been granted for the conveyance of mails in any other part of the Colony. That is another reason why Government should go into this matter and see whether something is not seriously wrong in giving the contract to the new contractor. That is so far as the amount to be paid is concerned.

Government says it is an essential service and it must be carried on. Has Government not received numerous complaints from the people on the Essequibo Coast now to the effect that the present contractor is not doing the work as satisfactory as the old contractor? I think, Government has letters to that effect in its possession and maybe not departmentally investigated as yet.

The COLONIAL SECRETARY: Not in mine!

Mr. JACOB: But I have no doubt that those complaints will be departmentally investigated later on. Maybe those letters have been destroyed. Maybe the present contract has been

destroyed. Is Government in a position to say whether the present contract is in its possession at the present time? Whether it is in the possession of the Government at the present time or not, I do not know whether Government can escape liability. I am not in favour of Government disclosing any of its liabilities. If Government enters into a contract, whether the contract is in the safe-keeping of the Government or it is destroyed is another matter, but what I feel is that someone has blundered. I do not know whether Government is prepared to put the responsibility on the individual. I think the Executive Officers of Government have blundered in this matter, and it is not necessary at this stage to place the blame where it ought to be placed. But so far as the Legislature is concerned, I cannot understand the attitude adopted by certain hon. Elected Members of this Council at this stage. We have been told by the hon. mover of the motion that the letter that he has signed is unhappily worded. I think he was the first person to sign it. I am surprised at the Deputy President of this Council, one who is considered to be one of the eminent lawyers of this Colony, to have appended his signature to a letter on such a vital issue and to state that the letter is unhappily worded. What is the reason for this change of front? Perhaps I will not get an answer. I know what the reason is, but I am not prepared to say it either.

Mr. WOOLFORD: I desire only to interrupt the hon. Member to say that the same thing can be said in a different way. There are always two ways of saying a thing, offensive and otherwise, which the hon. Member knows.

Mr. JACOB: I am not prepared to quibble over words. I have always been able to speak very plainly and I shall continue to do so. I am prepared to stand by that letter. It is unfortunate that the principal spokesman who, I think, is the person who drafted the

letter is not here at this time. I think the letter was actually amended by the hon. mover of the motion.

Mr. WOOLFORD: Not one single letter! I have the original draft in my possession. It was handed to me at the Law Courts. It was amended by one or two other Members. I have signed the letter, and I still do say it was unhappily phrased or worded.

Mr. JACOB: I am prepared to stand by that letter. I am prepared to take this matter a little further and I am going to request you, sir, to forward the opinion of the Attorney-General to the Colonial Office as to whether this Council having deleted and refused to pass an item as originally put to the Council can now without allowing a certain time to lapse pass that item again. I think if that is so, a very unfortunate situation would arise. If this Council at any time refuses a particular vote, Government with the present method of carrying on this government, with the present method of selecting its advisers, with the present method of having a Finance Committee of this Council, can at any time withdraw or refuse to confirm any motion that has been passed, or in other words the Council having refused to vote any amount can a week or two after vote that amount and, therefore, the Constitution as we have it at present is of no effect at all. That is the position at present. This Council refused to vote \$1,200 and not four weeks after the Council is asked to vote that money, and the majority who voted for the deletion of that sum are now in a position to say "I made a mistake. I am going to vote for it." I say that is constitutionally wrong. In fact the vote of this Council has no effect and I think—

Mr. deAGUIAR: To a point of correction! I do not want the hon. Member to misquote anything I said. What I said before I am prepared to say again. I am perfectly satisfied

with the explanation given by the hon. the Colonial Secretary. In that way I made a mistake in signing the letter.

Mr. JACOB: I do not know whether that affects what I am saying, except that it has helped to prolong the discussion. I am saying that this matter arose from a vital constitutional issue. In fact this Council has absolutely no power at all, run as it is, controlled as it is by this Government. This Council is to my mind a solemn farce. We have got something that is called a Finance Committee. We have had the acceptance here that once the Finance Committee approves of a certain thing, whether that Committee is properly constituted or not, this Council is to pass it because Members at that Finance Committee had approved of it. That happened some weeks ago. I am very jealous of my rights as a Member of this Council and I am very jealous of the rights of this Council. I am going to be no party to allowing this Government to do what it intends to do in this matter. I am going to make a specific request that the opinion of the Attorney-General be referred to London to say whether you can do as he has suggested. I am sorry to say as regards the opinion expressed by the Attorney-General, that when the matter was debated on the last occasion I entirely disagreed with it because I was certain if that opinion was to be accepted this Council would discontinue to function. What is the use of having a Council that cannot do anything and has no authority to see that something is carried out?

There is another matter I cannot understand. Your Excellency was good enough to make the pronouncement that this Council would meet at regular stated times. Take today for instance: I know the hon. Member for Essequibo River spoke to me and said he did not think this motion which is being debated now would be debated having regard to the Order Paper as circu-

lated. He is against the motion and against Government in principle and will vote against it. The hon. Member is not here, but we find the Standing Rules have been suspended for the motion to be taken. Even if I had objected it would have been passed or even if the majority objected to a Standing Rule or any rule being suspended. It has been done and, I say, that procedure is definitely wrong. The Standing Rules of this Council should only be suspended on the unanimous vote of this Council. If that is not so,—one hon. Member (Mr. deAguiar) has said "What"—as I said on a previous occasion, destroy the Order in Council, destroy the Rules, because a clique or a set of people can always get together and pass anything by a majority vote and do anything absolutely irregular and unconstitutional. That is my reply to my hon. friend. I am submitting that the whole procedure here is wrong. This matter should not have been debated now, but, as I said, it may be in order because no one objected and if I had objected the hon. President would have ruled me out of order or the suspension would have been carried with a majority. I would like a considered opinion on that point. If this Colony is to progress it must be by the Elected Members of this Council but I am sorry to say the Elected Members, although in the majority, by the method of election, by the method that has been adopted in the various committees, are not getting full benefit in matters represented in this Council.

Your Excellency has been to Jamaica and knows that in Jamaica although the Governor has reserve power the wishes of the Elected Members of the Legislature are respected. I am going to ask Your Excellency to use your reserve power in this matter and see what this Council will do. The Council having refused to vote the money and Government having signed the contract, the Governor should use his reserve power and let us see what this

Council would do. I am submitting that the Council here should be allowed to express its opinion and, if it does not at this stage, the method employed in Jamaica should be adopted; that is, the Elected Members should indicate in some form how their representatives in the Executive Council should exercise their votes in respect of their views or wishes in that Council. At the present time a Member of the Executive Council does exactly what he likes, although it is stated in the Constitution that he is there to represent the views of the Elected Members. An Elected Council is absolutely no use if its views are expressed by other than Elected Members. That, I say, is wrong. With the present state of affairs, this Council being constituted as it is, I repeat the voters of the Colony have absolutely no redress where an Elected Member does what he likes or flouts the wishes of his constituents. I am not going to say anything more about this matter. I am going to vote against it. I feel Government has blundered and the hon. the Colonial Secretary has blundered in good faith. I am not going to say that, however, about the other Officers concerned at all. The hon. the Colonial Secretary has stated that he regretted the incident, but I am going to ask that a little bit more care be taken in regard to matters that come up in this Council, and a little bit more care in the observance of the decisions of this Council. It may not be possible at the present time to do anything here in a substantial form, but the day is dawning when this Council will be able to do something in a substantial form. Some of the Officers of Government will be here and it will be their duty to observe the wishes of the majority of the Council and not say that as principal Executive Officers of Government they can do what they like.

One more word about the contract. I think all contracts should be executed after the vote has been passed. I can see

no objection to the vote being passed here, either by way of resolution before the end of the year or by way of the Annual Estimates, before any contract is signed. At the present time this Council is committed to the extent of \$2,880 per annum for two years. To my mind that is money actually thrown away. But that is only one contract and there may be others signed by Government. I think Government should take care in future to call for tenders and to say, whether it is done by advertisement or otherwise, that the tender or contract will be accepted subject to the approval of the Legislature. And the Legislature ought to consider those contracts before the time for signing comes on. If, as I said just now, this Legislature is to meet at regular stated periods there can be absolutely no difficulty. Every ordinary literary society, club, Village Council, Town Council has regular days to hold meetings, some statutory and some under rules, but this Council has absolutely nothing of the kind. This is supposed to be the superior Council or Body of the country and not an inferior one, but up to the present the Legislative Council is a subordinate body and even a single Officer of Government is able to flout the wishes of the Council.

Mr. PEER BACCHUS: I also rise to oppose this resolution. I find it difficult to support it, and I also find it difficult to support any supplementary provision. To my mind it is—I cannot help saying—a deliberate act to disregard the wishes of this Council because of the fact that the decision of this Council was taken before the contract was signed. What is the explanation we got that has satisfied some hon. Members of this Council? The hon. the Colonial Secretary through the legal adviser of Government has been told that Government is committed to that contract. If the Government is committed to that contract, how much more is Government committed to the wishes of this Council! If such stress

has been laid on the committal of Government to the contractor by writing that contractor a letter of acceptance, so much more weight must be given to that letter than to the decision of the supreme Executive Council of this country, I find myself unable to accept that explanation. In my considered opinion it is nothing short of a deliberate act which interferes with the constitutional privileges of this Council. Though I have not said it before, I think I am just as jealous as any Member who sits here of the privileges of this Council, and I intend by my vote to record how serious I think that anyone should interfere with the constitutional privileges of this Council. I do not intend to go into any detail as to whether the contractor has given satisfaction, whether this is a reasonable price or is more than what Government ought to pay. That does not concern me. I leave that solely to the judgment of Government also as to which Contractor should be selected from the applications received.

Before I take my seat I would just like to refer to the previous contractor. Though our names appear to be the same there is no connection between myself and that contractor. (laughter) I have just taken up the matter as it appears to me. We have reduced the vote. Being a layman it may be difficult for me to discuss the legal aspect of the supplementary estimate provision in question, but we have it in the Standing Rules and Orders of this Council that a motion having been moved by a Government Officer for a certain vote to be placed on the Estimates and an amendment having succeeded against it another motion cannot be moved to negative that decision of the Council. I am a layman, but I am afraid it is not strictly in conformity with the Rules of this Council. However, that is a matter for the Legal Department of Government to deal with. So far as I am concerned I am going to record my vote against this motion.

Mr. FERREIRA: It does appear that this motion will succeed by a majority of votes, but I would like to record my protest to it. I intend voting against this motion. When this matter was discussed at the Estimates meeting this Council got very little assistance from the Officer in charge of that Department. In fact we had to extract information from him and that was most unsatisfactory. We were told that the contractor who was doing the work for forty years was found to be unsatisfactory. Forty years is a long time. If it takes Government forty years to discover that a man is unable to carry out his contract, then Government or the Department of Government concerned was asleep or careless. When a man has served forty years one should think twice to disregard his claim. We were told that this man had no proper equipment. At the same time we were informed by the hon. Nominated Member, Mr. J. A. Luckhoo, that in a private capacity he applied for equipment but his application was turned down by the Control Board. In fact he did not get a proper reply from the Board. Today we are told of the several failures of the old contractor, but we are not told the reasons for those failures, or of any statement from him as to why he failed. We are told that there is a war on.

The COLONIAL SECRETARY: I can at any time show the hon. Member the whole correspondence. I did show it to the hon. Nominated Member, Mr. J. A. Luckhoo, who appeared to be satisfied.

Mr. FERREIRA: When the matter was first brought up this Council was not treated to the frankness and candour we now have today. What concerns me most of all is that a vote was taken on the matter, and the Council felt so strongly about it that I think it was the only case in which a vote was lost by Government. In spite of that

vote we have a contract being signed and the decision of the Council cast aside. I think it is time Members looked to their rights. I am not concerned with the parties; I do not know them, and I am not concerned with the amount involved, but I am concerned with the principle, and I propose to vote against the motion.

Mr. EDUN: I consider this motion to be a happy culmination of an unhappy episode in the relationship between the Executive and the Legislative Council, and I think Members ought to support it so that we might reach finality and get about the business of the Council. I have spoken perhaps more than any other Member on this matter, and I gave the indication that I was second to none in guarding the privileges and rights of Members of this Council, but I am going to vote for this motion in the hope of bringing about a spirit of conciliation between the Executive and the Legislative Council. I am not going to allow myself to be dragged into the battle between the rival contractors. That is not what I stand for here. What I am concerned about is the spirit in which we take these things, and when you spoke on the matter, sir, although you considered that the Attorney-General was right in his legal conclusion, you thought it right to come back to this Council so that the Council alone should exercise the privilege of honouring this contract. That in itself is a gesture which every Member ought to accept, in the hope of securing more and more power by consent of Administrators of Your Excellency's type.

I have my own views about the legal opinion expressed by the Attorney-General. I know a little about constitutional procedure, and I think I am entitled to my own view. I think this is the right action in this case, and I do not see why we should quibble over it, especially when it entails the honouring of an obligation on the part

of this Government. As Members of the Legislature we should not put obstacles in the way of Government. Having heard the Colonial Secretary myself pleading for conciliation here, I have not the heart to say "No" and to argue about a matter of this sort. I think we should forget everything now and begin a new order by common consent of Members of the Government and the Legislative Council. Sooner or later, when the new Legislature is constituted, we will have the opportunity to order this Council as we think fit, and Members will have the right to have a standing opposition against all inroads on the rights and privileges of this Council. That will be the time, and it will be a question of organization among public men. I personally do not see any indication of that sort yet. In any case I consider it my duty to vote for this motion, feeling that I will be discharging a duty so that the work of this Council might go on, especially in view of the explanation given by the Colonial Secretary and by Your Excellency this afternoon. I feel that this episode should be ended, and that we should be guided by this experience in the future. With those remarks I support the motion.

Dr. SINGH: To err is human. We have seen the Colonial Secretary standing here, and we heard him say that what he did he did in good faith. What is the use of prolonging the matter? I have some sympathy with Mr. Bacchus, the contractor, but he was warned in time. I am sorry for him, but taking everything into consideration I support the motion.

Mr. KING: I think this matter needs more consideration than that suggested by the hon. Member who has just taken his seat. As a matter of fact I am rather disturbed in mind about the position of contractors generally, contractors whose tenders are accepted by Government. This matter has raised in my mind a very serious situation with respect to contractors of that

nature. Everyone in this Colony is aware, and should be aware, of the fact that this Government cannot spend any money whatever without the approval of this Council, and no contractor can say at any time in any Court of law, or anywhere else, that he was not aware of such a thing, and that when the contract was signed he was of the opinion that the money would be provided. That, I feel sure, is an attitude which no Court of law would allow him to adopt.

There are certain things of which one has to take judicial notice, and I am sure this is one. All expenditure of money must first have the approval of the Legislative Council. If that is the position then I think Government should consider seriously the necessity to obtain the opinion of the Attorney-General and those associated with him, as to whether or not before a contract is actually signed it should not have the approval of the Legislative Council which has to provide the necessary finance. The difficulty could be overcome by inserting in every contract a clause to the effect that it is made subject to the necessary finance being provided by the Legislature, and the Council would then not be put in the awkward and delicate position it is in today.

As regards the merits or demerits of the new contractor and the late contractor, I am not prepared to say anything in this Council. I have far too intimate a knowledge of the relationship between the late contractor and the Post Office Department of this Colony. The Colonial Secretary has stated that the contract carried out by the late contractor was not satisfactory in some respects. May I draw the attention of the Colonial Secretary to the fact that the contract was renewed with Government after certain of the objections had been raised by the Post Office authorities? That was the time for the Post Office authorities to warn Government that the contractor was unsatisfactory. I have no desire to dis-

miss that phase of the matter, for several reasons, none of which I desire to go into here, but in the interest of the people of this Colony, and certainly for the protection of the rights of Members of this Council, I feel that some definite and positive provision should be made in all contracts of this nature in future to protect the contractors and the Government until the Legislative Council has had an opportunity to discuss the financial aspect of the proposed contracts. Instead of \$1,200 there might be hundreds of thousands of dollars involved.

The Head of a Government Department may in all seriousness and honesty sign a contract accepted by tender which might not meet with the approval of this Council so far as the financial arrangements are concerned. In such a case the contractor and the Government would be placed in a most unfortunate position. That could be easily avoided if tenders were accepted subject to the approval of the Legislative Council, after which the contract could be executed. I do not think it is fair to this Council, or to any Government official or Government Department, to have any contract executed before the financial arrangements are approved by this Council. If it is a matter of urgency Your Excellency has the power to summon the Council at any time for the purpose of discussing any urgent financial matter. Although I have given no attention to it as a lawyer, this contract might be held to be inoperative if the necessary money is not voted by the Council, in view of the fact that the contractor might be deemed to have had knowledge that it cannot be carried out by Government until the necessary financial arrangements are made by this Council.

Mr. LEE: As I said previously, I do not intend to support any motion of this nature. I understand—I sincerely hope it is not true—that this tender was not considered by the Tender Board. If that is the case, why is there

a Tender Board? I feel that I have been deceived by Government, and I cannot support the motion at all.

Mr. WOOLFORD: I have a suggestion to make in connection with tenders generally. I can see no objection to its being made quite clear in the advertisement calling for tenders, that the money to be voted for the contract is subject to the approval of the Legislative Council. In the invitations for tenders there is an intimation to the public that the successful tenderer will be required to enter into a contract to be approved by Government, with two or more sureties to Government's satisfaction. That is a clause which is always inserted in the contract, and although a letter is written accepting the tender it is made subject to that reservation. I think Government should bear in mind in relation to all such contracts, that financial provision might be voted for one year, and where there is a long-term contract I think Government should take the necessary precaution to see that the tenderer is so informed.

I wish to say to those Members who have intimated their disinclination to support this motion, that they are still of the opinion that the original decision arrived at should be adhered to. Is that a proper attitude to adopt? Elected Members like myself have won their point and secured the support of Government, especially that of His Excellency the Governor who was in no way concerned with this matter. I do not think every Member who is present now heard Your Excellency's declaration on the subject, but we are all aware, and those who have attended meetings of the Finance Committee know how careful Your Excellency has been to see the approval of Members of the Council obtained before any money is expended.

I think Members should reconsider the attitude they should adopt, in view of the fact that His Excellency's position in this matter has been con-

stitutionally correct. He is in agreement with our views, and in no case has he sanctioned expenditure without our previous consent. We have asserted our position and we maintain that there is no violation of our constitutional privileges if we adopt this motion today, because the people resident in Essequibo must have a mail service. Is it the wish of Members that they should be denied that service because we think the proper way of entering into a contract has not been followed? Now that the matter has been fully explained, and the Head of the Government supports our attitude, what is the value of continuing that attitude? An incident of this kind is not likely to occur again while he is here, and in the Colonial Secretary's experience.

The PRESIDENT: The question of contracts was raised by one or two Members who did not hear what I said at the opening of this debate. I said that the question of the limitation of the power of the Executive to make contracts is one which could be raised at any time by any Member of the Council. I went on to say that now and in the future, in dealing with matters of this kind we must rely on the good sense of the Legislature not to limit unduly the proper discretion of the Executive if it is desired to have a prompt, efficient and quick working Administration. To my mind it is implied, it is axiomatic, that the carrying out of any contract made by Government must depend on the provision of funds by the Legislative Council, and as I said in December, it was entirely within the power of the Council to reduce that vote. But what I would counsel Members is that you must find some easier machinery than bringing every contract before meetings of the Council. If the many thousands of contracts of all kinds that exist have to come before meetings of this Council they would take up the whole of our time, and we would not get any other business done.

You must provide either some kind of delegation of power to the Executive or the Finance Committee which could act quickly, or to the Advisory Committees of the Departments. Had there been an Advisory Committee to the Post Office possibly this question might not have come up at all. I will now proceed to put the question.

The Council divided and voted:—

For—Messrs. Thorne, Roth, Edun, King, Gonsalves, Austin, deAguiar, C. V. Wight, Woolford, Dr. Singh, the Colonial Treasurer, the Attorney-General and the Colonial Secretary. — 13.

Against — Messrs. Ferreira, Lee, Jacob and Peer Bacchus — 4.

Did not vote — Mr. Seaford. — 1.

Motion carried.

SUPPLEMENTARY ESTIMATE, 1945.

FISHING INDUSTRY DEVELOPMENT

The Council resolved itself into Committee to consider the Schedule of Additional Provision for the quarter 1st January, 1945, to 31st March 1945, required to meet expenditure in excess of the provision made in the Estimates for the year 1945.

The CHAIRMAN: As I said at the opening of the session, there was one item which I deferred, and that was the item on the first page of the Schedule dealing with Fishing Industry Development. Some question arose over the explanatory note, but that has now been ironed out, and I suppose Members will be agreeable to taking that item now.

I have a minute of my own showing the decision taken in Executive Council on the question of procedure. The Executive Board of the Secondary and Minor Industries Committee is to decide on the loans and/or grants to be made, the terms of such loans and the security to be given, and on their decision the Department of Agriculture is to take the necessary

administrative action as to payment and recovery. In view of the impracticability of having every little action, advance on loan etc., coming up to the Executive Council, it was decided to appoint a small Board consisting of the hon. Members for Central Demerara (Mr. deAguiar) and Western Essequibo (Mr. C. V. Wight) and the Consulting Engineer to handle all the details touching this matter. We discussed that procedure in Executive Council last week and considered it was feasible. If Members are in agreement we can take the item and put the money at the disposal of this Board. The Agricultural Department being interested, they have to carry out any necessary paper work because the Board has no statutory place.

Mr. JACOB: I would like to say a word or two. I am wholly in favour of assisting minor industries, and particularly the fishing industry, but I am not certain that this provision of \$10,000 is going to help in any practical way. As I understand the position, this amount is to be loaned to people engaged in the fishing industry. I understood that something was being done in my constituency about the curing of fish and so on, but I want to impress upon Government the practical side of things. For over two years those engaged in the fishing industry have been told that they were going to get assistance of some kind, and that they were going to get expert advice. Up to the present, apart from the circulation of papers, announcements and so on, nothing practical has been done.

In my opinion the only practical way in which those engaged in the fishing industry can be assisted is by the removal of import duties on materials used in connection with the industry, in the same way as other industries are being assisted at the present time. For instance, the import duty on a drum of American pine tar is \$15, while the duty on seine

twine is 5 cents per lb. A drum of tar costs \$75, and if the duty of \$15 was removed it would give the fishermen some practical assistance.

But what is this \$10,000 going to mean to them, those actually engaged in the industry? Is this Government unconcerned about the actual welfare of the men who actually catch the fish, who make the nets and are actually doing all the work? You want this Council to vote \$10,000 to give loans to whom? The majority may be speculators. I am satisfied that the ordinary man engaged in the industry may want a loan but that is not much assistance to him. I think he is a good citizen but if he has some interest in the industry and desires to raise a loan there will be more red tape than that tying the papers which will have to go around. During the last few years we have heard a lot of talk but nothing practical. I do not want it to be understood that I am against assistance to the industrialist. I want practical assistance. This \$10,000 to be given to two or three Members to see about it is not going to be of practical help.

Mr. ROTH: I fully agree with the suggestion of the hon. Member for North-Western District as regards the amount of help to the industry. It may be the best way is to reduce the duty on the materials which are imported for the industry. I understand Government's objection to that is the difficulty in being certain that such a privilege will not be abused. That is, if seine twine is allowed in free of duty, the Customs Department cannot be satisfied that it will not be used for some other purpose. I cannot believe that this Government has not enough Officers to cope with anything like that. It is my honest conviction that it is the most effective way of helping the local fishing industry—reduce the cost of materials.

Mr. deAGUIAR: I think it is gratifying to hear the hon. Member for North-Western District supporting

Government's good intention in this matter.

Mr. JACOB: I object very strongly to remarks of that kind, and I am going to ask the hon. Member not to misinterpret my remarks.

Mr. deAGUIAR: That is my interpretation of what the hon. Member said. He is in favour of supporting the expansion of the fishing industry. That is what I feel gratified about. He went on to say the proposed method is not practical. What I want to say is that the hon. Member has not given sufficient study to the subject otherwise he would know that the method proposed is practical. The hon. Nominated Member has rather given him the answer but not in as forceful a term as will provide the hon. Member for North-Western District with the reply that he received not so long ago when the same point was mentioned. Either of them can suggest to Government or to me, if they do not want to go to Government and they seem not too anxious to approach Government, the practical way as to how the import duties on twine, tar and other appurtenances used by the fishing industry can be removed without exposing this Government to other dangers. I would be quite willing to listen to them. What I would like to say to them, with all due respect to them, is that better heads than they considered the practicability of adopting that suggestion and after various trials came to the conclusion, perhaps reluctantly, that such a method is not practical. It seems to me we should do the next best thing. What I had hoped the hon. Member would say was that \$10,000 might be found to be not enough. That is my view, but I am perfectly willing to see what can be done with it in order that some start should be made.

There is no question of red tape. As a matter of fact I am surprised to hear the criticisms that are sometimes

levelled at Government. I would be the last person to encourage red tape. The method to be adopted is a simple one. Application is made to the Executive Board. The scamps, the hon. Member for North-Western District referred to, will be weeded out and those who have their heart and soul in the business will be given assistance. It is true there has been some delay. There was some delay in this Council; as the result of questions put by the hon. Member for Essequibo River it was deferred. That is where delays occur. At the present moment a number of applications have received consideration, and favourable consideration too, but no action has been taken unless hon. Members wish to have an opportunity of accusing the Executive Board of spending money without the approval of the Legislative Council. This is an instance where Government will not move until the Legislative Council has had its full say. When they talk about the work to be done, I do not think the hon. Members have studied it. I do not think they have read Dr. Brown's book on it. It is a very simple document providing useful information. It says that quite a lot has to be done in this country in order to expand and develop our fishing industry, and I can assure hon. Members that \$10,000 is not a figure near enough the mark in order to bring the industry to the position which I hope and Government would like to see in the future. Lending facilities have to be provided, marketing organizations have to be set up, distribution centres and some method of control established in order to ensure a reasonable price to the fishermen. All these things have to be settled. It is surprising to me to find hon. Members attempting to criticize before an opportunity has been given to make a start in the direction which, I am sure, will advance the fishing industry in this Colony.

Mr. EDUN: I am going to support this vote for \$10,000, but I was thinking

of a greater project which would mean the expenditure of more money. Anything that will tend to stop the importation of salted fish which has no proper food value, I will support. I think that we ought to concentrate our minds on what is called Fish Culture or the breeding of fish. I think something can be done in breeding the "moracot" which the Venezuelans are exporting, the "paku" and the "cuffum." I think that in doing that we will be doing the right thing. I do not think we should only concentrate our minds on giving loans to catch fish. Something more should be done in trying to experiment as we do in the case of animal breeding. That, I think, is the right way to tackle the proposition. I have no hesitation in saying that the Members named as comprising the Board will do everything possible to let bona fide fishermen secure their loans very easily, but I am fearful of red tape when it comes to Government loans. I have seen many persons unable to get loans from the Co-operative Credit Bank because they could not give a security. I want that side of the question to be as elastic as possible in order to give the men ample chances to catch fish and to see what they can do. But I do think the question of examination of Fish Culture ought to be considered.

Mr. LEE: On the last occasion just before the vote was withdrawn, I said that in my humble opinion from what I learnt about the fishermen this vote was not sufficient and I was going to ask Government if it was not possible to increase the vote. I sincerely hope that Government would take notice of what the hon. Nominated Member, Mr. Edun, said because I know and I have been told by two doctors who have tested the food value of the "hassar" that it can be cultivated and made a very good fish food for the inhabitants of this Colony. They can develop it in the areas away from the

villages and residential areas, and the people who want to go in for that should be encouraged and, not only that, they should be given certain grants by which they would be assisted, because it needs a lot of material to carry it out successfully. I think those people who want to go in for this sort of fishing should be helped.

Item put, and passed.

POST OFFICE.

Item—Conveyance of Mails (Internal), \$1,200.

The CHAIRMAN: In view of the resolution passed, I take it, I can put this item.

Item put, and passed.

COLONIAL DEVELOPMENT AND WELFARE SCHEMES.

Item—M. 9. D.D.T. Trials, \$9,600.

Mr. EDUN: May I ask what progress has been made with the D.D.T. trials?

The CHAIRMAN: I may ask the hon. the Colonial Secretary who is well posted in it.

The COLONIAL SECRETARY: Progress in the experiments, as reported by Mr. Symes, is 99.9 per cent. successful for the period of nearly three months in which he has been working. However, the experiments have to continue, and the question of the staff arrangements which will be required to consolidate the work is now before Government and the Secretary of State. The Council should know that so far as Mr. Symes and Dr. Hadaway have been able to go, they are entirely satisfied, but they have not yet come to that stage where they can say definitely what the results will be. Where they are spraying the walls of houses mosquitoes are entirely eliminated, but they cannot say how long

it will hold; they cannot say how often they will have to spray to get definite results. Mr. Symes will be here for some days yet and any Member interested, I suggest, can get in touch with me and I will try to arrange the meeting. These experiments are really vital and, I think, this Colony is the first in the British Empire to have them.

The CHAIRMAN: What we discussed in Executive Council was how to continue the experiments for another period of six months. We must have a qualified mosquito entomologist, and we put that up by telegram to the Secretary of State. Another point we may make clear is that those experiments are concentrated on the urban side, that is the spraying of walls of houses. That was done at certain places and, as the hon. the Colonial Secretary said, was 99.9 per cent. successful. Where it was placed on the wall the mosquitoes died.

There is another side of the experiments and that is by spraying on a big scale ad lib. sugar, rice, forest. That has not begun because the actual equipment has not come down in good order and the American specialist who wants to work in conjunction with ours is not able to begin. There is another element and probably a dangerous one. You may kill bees and other useful parasites. Still it has got to be tried out, and we will see what will happen...

Mr. LEE: What are we trying to ask Government is whether the experiments will not be tried on the acoushi ants. They are a nuisance and the experiments may be found to be very useful in that respect.

The CHAIRMAN: I will put that to Mr. Symes. The primary objective is the mosquito.

Item—Social Welfare Organisation.

Mr. FERREIRA: There is a feeling

that this vote is not being expended as it should, although it is doing a certain amount of good. There are already organisations being run by the religious denominations and charitable institutions, and one is inclined to feel that they should benefit by this vote. They are already in the districts and, I think, are in a better position to do work of this nature than those Officers who have been just recently trained. I make that expression because I feel that if this organisation is to be spread out over the country the religious denominations should play a part in it. Working along christian principles those institutions in existence should be fostered rather than to have others coming into being.

The CHAIRMAN: This does not include by any means direct assistance to any particular association. The actual fact is that I have two requests in front of me now which will be going home to the Secretary of State. That will mean that certain bodies and associations well known in the country will get specific assistance direct themselves. That is being done now.

Mr. FERREIRA: I am glad to hear that.

Schedule passed without amendment.

Council resumed.

The COLONIAL TREASURER: I move the motion standing in my

name—

That, this Council approves the Schedule of Additional provision for the quarter, 1st January, 1945, to 31st March, 1945, required to meet expenditure in excess of the provision made in the estimates for the year 1945, which has been laid on the table.

The COLONIAL SECRETARY seconded.

Motion put, and passed.

APPROPRIATION BILL, 1945.

The COLONIAL TREASURER: I move that Standing Rule and Order No. 9 be suspended to permit of Item 4 of the Order Paper being taken at this stage:

A Bill intituled "An Ordinance to appropriate the supplies granted in the current session of the Legislative Council."

The COLONIAL SECRETARY seconded.

Question put, and agreed to.

The COLONIAL TREASURER: I move that the Bill be read the first time.

The COLONIAL SECRETARY seconded.

Question put, and agreed to.

Bill read the first time.

The Council adjourned at 3.58 p.m. until the following day at 2 p.m.