

LEGISLATIVE COUNCIL.

Friday, 10th August, 1945.

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

PRESENT.

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

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

The Hon. the Attorney-General, Mr. 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. J. A. Luckhoo, K.C. (Nominated).

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

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

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

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

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

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

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

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

The Hon. Peer Bacchus (Western Berbice).

The Hon. H. C. Humphrys, K.C. (Eastern Demerara).

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

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

The Hon. T. Lee (Essequibo River).

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

The Hon. V. Roth (Nominated).

The Clerk read prayers.

The minutes of the meeting of the Council held on Thursday, 9th August, 1945, were taken as read and confirmed.

ANNOUNCEMENTS.

REPORT OF JAPAN'S SURRENDER.

The PRESIDENT: Before proceeding with the business on the Order Paper, I should like to say that I have been asked several times this morning if I had any official information as to the alleged surrender by Japan. Beyond having a little prior notice that an intimation of importance was going to be made over the B.B.C. at 9.15 a.m. today, as to the acceptance of the surrender terms by the Japanese Government, I have no information. Most Members may have heard the announcement over the radio again at

12.15. I cannot say at all whether there is anything absolute in the statement that the Japanese have surrendered.

FILLING POSTS IN THE CIVIL SERVICE.

The PRESIDENT: Touching yesterday's minutes I should say this with regard to the debate on the motion of the sixth Nominated Member yesterday. I gather from the Deputy President that I was quoted or near-quoted as to certain phrases. Well I cannot object to what I say in public being repeated, unless it is implicitly or specifically in confidence, but I must ask that when what I said is quoted or near-quoted it should be complete and should not be one phrase out of many. The full context should be given. The Hon. Member might have added that at the Press Conference I made some caustic comments on the abilities of the Press, not excluding his own paper.

What I did say, and it was in reference to this very subject of yesterday's debate which came up at the Press Conference, was this: that in present circumstances, it was just plumb impossible for Government to find the men suitable for all the posts, by the easy process of promoting certain juniors and bringing in more probationers at the bottom. I said that was just plumb impossible for certain reasons.

The Government machine is strained to the utmost limit. I said that, not only through trying to undertake a great many more things, and important things, than would be done in normal peace time, for war reasons and to effect some progressive development and so on, not only was that the case, but that we were definitely short of men. Not a few as the Treasurer said yesterday have been let off for military service. To fill these posts it is not a question of quantity, of numbers, it is a question in a good many cases of some reasonable quality. That is not only Government's experience but the experience of

other employers as I have had confirmed from business people in Georgetown, from the Commanding Officers of the U. S. A. Base, and so on. We have scraped the bottom of the barrel even for such things as good stenographer-typists. I am talking of some reasonable standard of efficiency, not merely numbers by heads. One of our main difficulties has been to find men fit to carry a certain added or higher responsibility. We have tried over and over again and found over and over again that some juniors have not measured up. Sometimes they do. I have some special instances in mind. But too often they do not. In these circumstances it is obviously plain common sense that if we can get an older man who is fit and well, who we know as tried and trusted, and can be put in a trust-demanding post, to use him in this present emergency.

Now what I did say about the Civil Service is that in the first place there are many most excellent officers. I have had the honour of presenting practically the highest honour obtainable to two officers of this Service, and they are Guianese. There are many most praiseworthy school teachers as I have said in this Council. There are a certain number of extraordinarily bad officers and I certainly said that. Their delinquencies and their short-comings come to my notice far too often. And I did say that there was a ruck, a great mass of mediocrity, in the service. That is true and we must just face up to it. It is also true of many public services, or services of institutions, which have not one of two things. One is either a very strict channel of entry and closely applied tests, during service, or the other is a ruthless weeding out of inefficiency or not only inefficiency, but also when an officer simply does not measure up to what is wanted of him. The former method does apply in some Government services. I would like to see it applied much more in this and two years ago I certainly

had some discussions with the then President of the Civil Service Association on that matter. The other matter is applied successfully in many parts of the commercial world, particularly North America. But I could imagine the scream that would go up if the Government were to apply it in any effective way. I repeat that with the inevitable mass of mediocrity that obtains in a Government service such as this and in others, there are in Guiana a number of most excellent and efficient and effective officers indeed. As I am quoted as saying the one thing the others should also be said.

Turning back to the crux of this matter, it was, I think, said yesterday that in principle Government would, very much welcome the general process whereby there is quicker movement throughout the Civil Service, with— it follows—more of an opening at the bottom. That is one of the principal reasons why we passed a new Pensions Ordinance, which can provide, ultimately, for quicker moving throughout the service so that the juniors who have ability should step up more quickly without having their quality blunted with long service in subordinate positions. Speaking from experience of other Colonial dependencies and knowing also the Caribbean services, I am very sure that this is in principle a proper plan.

But at this moment, as I have said, Government is doing far more than the machine is really geared to carry. I said I might have to call upon heads of departments to cut down what they were attempting to do. I could for example tell the Director of Public Works to stop special drainage and irrigation works, to stop the Bonasika scheme, to give up the Corentyne scheme now beginning, and to concentrate his staff on maintenance of buildings, and shall we say patching the roads. That might be quite an effective policy, it might even be popular in certain quarters, and it is the kind of

thing that Colonial Governments have been driven to do over and over again under the stress of economy. I do not believe in it myself. At the juncture which we are now when we just want to get on with constructive development, it is the better thing to go ahead and begin where we can, even if we have not the perfect man or thing, even sometimes if we are without the best material and have to apply another as has been happening recently.

But in such a position when we can get within the country a person properly qualified who is not in the Government service, either who is outside of it or who is a pensioner, and is still fit to serve, it is obvious common sense for Government to make use of him for the time being. As the Treasurer pointed out yesterday the extent to which we have been doing that with regard to pensioners is quite small. But I am not prepared to drop it at this moment. For example we are short of doctors, we are short of engineers. If I were to have available to me tomorrow, a doctor, an engineer, from another country, or a pensioner of this country, and he were available to serve, I should engage him. And I am quite sure that I should expect the support of this Council in so doing. I would like to make it quite clear that that will have to go on for a little while yet until the normal channels of recruitment for qualified specialised officers reopen.

As to the Civil Service as we have it, it wants improvement in certain ways. It is also beyond doubt that its standards are improving, and that is evident from the bottom. One method I see was suggested by the Honourable the Sixth Nominated member, as a new idea of his. That is the training of other officers elsewhere. I should have thought that Members well knew that that very thing is going on to a very considerable extent. We have a number, I should say, at the moment not less than 20, who under various

schemes of Development and Welfare and others, are in training in Canada and the West Indies or in the United Kingdom or elsewhere. That development is expanding rapidly and for all classes of officers. If Members do not know all this I will see they are informed. I have myself put before the Executive Council some weeks ago the proposition that we should give special scholarships for engineers, geologists and all such specialist officers to go and get their training and to come back to this Colony to serve, rather than put all our money into scholarships that have produced so many lawyers. I hope that I shall be able to bring that in at an early date before Council and anticipate their support.

PAPER LAID

The COLONIAL SECRETARY laid on the table the following document :

"Report of the Committee of the Trotman Trust Fund for the year 1944."

LEGISLATIVE COUNCIL (ELECTIONS) BILL

The PRESIDENT: With regard to today's business we begin on a very responsible and not too easy task. Since the debate on the second reading and in addition to the points raised thereat, I have had numerous representations made to me—some of principle and some of detail. I have notes of particular clauses here before me. It has even been recommended to me that Government should defer consideration of the Bill altogether, by certain East Indian associations.

I cannot think that a wise or useful procedure. It is far rather practical politics to proceed with the Bill and get through as much of it as we possibly can,

As Members are very well aware, on anything touching constitutional law His Majesty's Government in England are very particularly interested and any point of important principle I should have to refer to them for their information or advice.

I said that representations had been made to me on some points of policy and others on detail. The procedure I shall pursue is as follows:—

When we come to a clause involving some matter of detail it will be quite proper to pass the clause, though of course I should have to report to the Secretary of State any important amendment.

When we come to any clause in which there is a matter of principle and it is the feeling of the House that I should defer it before final decision, I shall of course do so. It will be possible to proceed by holding up the clause or by passing the clause in whatever sense is desired by the Council generally, but in such case I would undertake to refer the point argued and, if necessary, to recommit as I certainly und^d take to do—the clause for further c^onsideration on any change accepted or recommended by His Majesty's Government in London.

Similarly, I reserve to myself the right not to put the question for the passing of any clause if I feel that the Secretary of State would desire prior reference to him. As I have said, and Members will appreciate, on things constitutional it is of the utmost importance that the Secretary of State be fully apprised of important amendments desired or introduced.

What I certainly shall not do is to hold up the whole procedure on the Bill because of action on any particular clause, but, the question having been fully debated, pass on to other clauses which may be non-controversial or generally accepted, and so get as much of the Bill dealt with as possible.

In general, as I have said before, it is Government's plain obligation to bring this Bill before the House and proceed with it as quickly as Members are agreeable to do, but Government has certainly no intention of railroading the Bill through without the fullest opportunity for Members to discuss it.

There should, however, by now have been ample opportunity for such discussion outside the Council and we cannot evade the responsibility of proceeding steadily with it here in Council.

ORDER OF THE DAY.

ARRANGEMENTS FOR CENSUS.

Mr. JACOB asked, and the COLONIAL SECRETARY laid over the reply to the following question:—

Q. Is Government making the necessary arrangements to take a Census of the population of the Colony, either this year or early next year, as suggested by the Franchise Commission; if not, why not?

A. Arrangements are being made for a limited Census to be taken during 1946.

LEGISLATIVE COUNCIL (ELECTIONS) BILL

The Council resumed the debate on the second reading of the following Bill:—

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

Dr. SINGH: With your permission, sir, I desire to say that I have received a request from seven organisations, asking that the question of universal adult suffrage be considered by this Council. It is a request from nearly 45

per cent of the population of this Colony and I believe it has been sent to every hon. Member of this Council. I would not be long, sir, if you permit me to speak on it.

The PRESIDENT: I will listen to you, certainly. If you wish to speak long, you will have another opportunity.

Dr. SINGH: I will not be more than 3 minutes, sir. The introduction of the Franchise Bill has created Colony-wide interest, so much so that these seven organisations got together and have considered the question of requesting universal adult suffrage for this Colony. They feel, sir, that since Jamaica and Trinidad have been given adult suffrage, we in British Guiana should be given something better, because up to the year 1928, we had a very liberal Constitution. We were of a higher status than Jamaica or Trinidad, consequently, it is felt that we should enjoy a higher Constitution than that existing in those two Colonies. If you come to the question of prosperity, we would admit that Trinidad is prosperous at the present time, but we also enjoyed an era of prosperity towards the latter part of the 19th century and the beginning of this century. That is why we are sitting in this Chamber today and that is why we have our Law Courts—there was interest in the Constitution that we had. I remember visiting this Council Chamber as far back as 1904. Further, sir, we have not had in this Colony disturbances such as taken place in Trinidad with Uriah Butler, or in Jamaica with Bustamante. Perhaps if we had them it would have been better for us today. This is a request from 45 per cent of the population of the Colony and I do not think this Government or the British Government would say that it is from a minority section. We are a large minority and we are asking that this question of adult suffrage be considered, especially in view of the new Government in England.

The PRESIDENT: I entirely appreciate what the hon. Member has said on this matter. Certain requests were made to me that I should not allow the Bill to go into Committee now, but I think the question of majority or minority interest,—whether a large minority or the whole Colony is concerned with the matter at the present time—is one which has been already covered. The motion before us is that we go into Committee and proceed with the Bill, taking as many clauses as we can. You will be perfectly at liberty to move an amendment to, or the deletion of any of the clauses to which your request relates. If it is the desire of hon. Members that the Bill be deferred, however, I shall be prepared to do so. Do you suggest that we should not go into Committee?

Dr. SINGH: No, sir; I would not suggest that.

The PRESIDENT: You are prepared to go on, and raise any suggestion you have, later.

Mr. EDUN: I desire to raise a suggestion, sir. I do not know whether I am late. My point is that whether or not this Council is ready to examine the Bill, we should consider whether this ought not to be the subject of an Order in Council from His Majesty the King. I see no precedent for it and I think we are taking on a responsibility which we are not entitled to carry out, and which was not taken in 1928 when the Constitution was changed. I would like to know if this procedure is correct.

The PRESIDENT: I can answer that now.

Mr. EDUN: I do not know of any precedent for it, sir.

The PRESIDENT: It is perfectly in order. The matter is simply this. In most Colonial dependencies the King may legislate by Order in Council,

but there are certain Colonial dependencies for which the King has not got that power and in order to give him that power a Colony has to pass enabling legislation to permit the King to take action in a constitutional measure. I know of that myself. In this Colony, the Legislature can pass the necessary legislation and that is what we are doing at the present time. We have a new Order in Council which was published in 1943, and at the same time the Home Government told us that they wished to transfer the duty and responsibility, power and authority, for legislation on certain constitutional matters, to the local Legislative Council. In doing that, they were actuated by a genuine desire to pass down—to decentralize and devolutionize—this power to legislate in constitutional matters. I have seen it in other Colonies and that is our case now. Therefore, I think it is quite in order.

Mr. EDUN: If I may explain, sir, this, is a matter which has reached the stage of a clash between the majority and the minority, therefore it would have been in the best interest of the community as a whole if the Order had been handed down by His Majesty the King. In this case, what I find is that the power has been vested in a Legislative Council which is not representative of the community at all. We all have to contend with this moribund Legislature; it did not go to the electorate at all. Therefore the best thing His Majesty the King could have done was to hand down the Order in Council to do it. We should have used the same provision as we did in 1928, in order to carry out this Constitutional change in 1945.

The PRESIDENT: I am quite prepared to tell His Majesty's Government that some Members have made that suggestion. The procedure we are adopting certainly can save us however a tremendous amount of time and trouble now. This Bill has to come before the Legislative Council and from the

point of view of practical politics I think we should get on as far as we can. As I have already stated, the motion is that we go into Committee to consider the Bill. There is no ruling against that.

Mr. SEAFORD: If it is a case that we are adopting the right procedure, I see no reason why we should not proceed with the consideration of the Bill in Committee. When a motion comes up that does not suit certain Members, we always have objections and requests for postponement. Is this what would happen if we get self-Government?

Mr. JACOB: I am surprised at what the last speaker has stated. As a matter of fact, it suits him to make that statement now.

Mr. SEAFORD: It does not suit me; what I have stated is a matter of fact.

Mr. JACOB: It is a fact that we should have self-Government in this Colony. That is why the hon. Member backs Government which does everything but advocate the claim for self-Government. We are being told of self-Government, but it is nothing but a fiction. I am inclined to agree—I have just come back from the North West District—that this Council is acting unconstitutionally in debating this Bill and passing it.

The PRESIDENT: I did not say "passing". I said I am quite prepared to discuss the Bill as far as we can, but I am not prepared to sign it until I am quite sure of the position.

Mr. JACOB: My point is that this Legislature represents minority interests, due to the fact that the electoral rolls are very small and the qualification of voters is very high. Therefore, the masses of the people are not represented at the present time. I have before me an Order in Council dated July 13, 1928, in which provision is

made for the qualification of voters and so on. Now, I find that this subordinate Legislature is going to do something that was done by His Majesty's Court at Buckingham Palace. This Legislature has not got the right to do it, and I maintain that if the Secretary of State for the Colonies wants to force this Bill down the throats of the voters in this Colony, he should do so by an Order in Council and not through this Legislature that does not represent the masses of the people in the Colony. The Secretary of State, I know, granted universal adult suffrage to Jamaica, without referring the matter to the Legislature of that Colony.

I ask the same thing for British Guiana, but maybe through representations made by certain interests in this Colony and in England this other procedure is being adopted. I question the right, but as Your Excellency desires that the matter should be raised during the consideration of the clauses of the Bill, I am quite agreeable to that. I want to say something more.

The PRESIDENT: We shall keep to the point as to whether we proceed or not in Committee. We should not have speeches at this stage.

Mr. EDUN: As this is a matter which involves a very big principle—

The PRESIDENT: Well, you can move an adjournment of the Council.

Mr. EDUN: That is what we are asking, but the majority of Members here will not agree to that.

The PRESIDENT: I will ask the Attorney-General to tell us whether we are in order.

Mr. EDUN: I have consulted legal advice.

The ATTORNEY-GENERAL: The position is that if any hon. Member

wishes at this stage to raise any point he has to move an adjournment of the Council. That is the only way it can be done. The present Order in Council has been very largely amended, and the part he is quoting from has been revoked. Article 41 of the new Order in Council states that the Council shall do all the acts set out in the Order in Council the hon. Member is looking at now.

Mr. JACOB: We do not know that, sir.

The ATTORNEY-GENERAL: It has been published in the *Gazette*.

The PRESIDENT: In other words the new Order in Council is definite that this Legislature shall in future handle these questions. What the hon. Member is quoting from is no longer law.

Mr. JACOB: We are taking this first opportunity to say that this was the law—that it is not proper—

The PRESIDENT: I must keep to regular procedure. If you wish to debate the point you must move an adjournment of the Council. The hon. Member will have ample opportunity to raise his points in the Committee stage. I will now put the question that Council proceed in Committee.

COUNCIL IN COMMITTEE

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

Clause 1.—Short Title.

Mr. JACOB: I am inclined to think that this is not the correct title for this Bill—"Legislative Council (Elections) Ordinance, 1945." As the result of the recommendations of the West India Royal Commission 1938-39 a Franchise Commission was appointed. That Commission made certain recommendations and we have this Bill as a result. I think the short title of the Bill should

be "Legislative Council (Franchise) Ordinance, 1945." Why is it called an Elections Ordinance? I see very little about elections in the Bill. As a matter of fact the main purpose of the Bill is to reduce the qualifications of voters. I think the title of the Bill is not in accordance with its substance. It may be said that the title does not matter, but this is not really an Elections Bill. We have just been told that it is a Bill to reconstitute this Council so to speak. This Council has to do certain things in accordance with an Order from the King in Council. We are told that this Council has power now to legislate as regards many things previously done by Order in Council, yet we have this Bill with this title. I think the title should be "Legislative Council (Franchise) Ordinance, 1945," and I move that it be amended to that effect.

The ATTORNEY-GENERAL: The only comment to make is that "franchise" and "elections" do not mean the same thing. In my opinion "Elections" is the correct word. I think if the hon. Member would explore the dictionary he would see the difference between the two words. This Bill deals with elections. In England the very long title "Representation of the People Act" is used, but I thought that would have met with objection here. From a grammatical point of view I submit that the present short title is the correct one.

The CHAIRMAN: It is true that part of the Bill deals with franchise, but 88 clauses deal with elections. There is a good deal more election than franchise about it. As long as we know what it is about the short title does not matter very much.

Mr. HUMPHRYS: Would it please everybody if we called it the "Franchise and Elections Bill?"

The CHAIRMAN: Do you propose that amendment?

Mr. HUMPHRYS: It would do no harm, and it would please the hon. Member for North-Western District (Mr. Jacob).

The ATTORNEY-GENERAL: One of the hardest things in drafting is to decide upon a short title. It is extremely difficult, and one has to have a certain amount of sympathy with people who use the index, and that is why it is desirable to keep it as short as possible. This Bill is going to be referred to by every hon. Member when he is elected. For the sake of brevity I suggest that we leave it as it stands.

Mr. HUMPHRYS: I do not press my suggestion. I quite appreciate the difficulty of the Attorney-General. The title satisfies me all right.

Mr. J. A. LUCKHOO: There are only 13 clauses in the franchise part of the Bill. I agree with the Attorney-General that if we are to have a short title let us have a short title and not a multiplicity of words.

Clause 1 put, and agreed to.

Clause 2.—Interpretation.

The ATTORNEY-GENERAL: I wish to move two minor amendments to this clause. The first is that the definition of "judicial office" be deleted. The reason for that is that the term appears only once in the Bill, and it is rather misleading. In due course I will move that it be added as a sub-clause to clause 70.

Amendment agreed to.

The ATTORNEY-GENERAL: The second amendment arises out of the debate on the second reading of the Bill when hon. Members spoke about the period of 10 days after the day of nomi-

ination and asked about public holidays. I agree that there might be difficulty about that, and I move that between the definitions of "polling area" and "public office" the following be inserted:—

"public holiday" means a public holiday within the Public Holidays Ordinance";

The object of the amendment is to draw attention to the fact that Sunday is a public holiday under that Ordinance.

Amendment put, and agreed to.

The ATTORNEY - GENERAL: Question was raised as regards the definition of "pecuniary reward" and "money". I have looked the matter up and I find that the definition is copied word for word from the English Act passed since 1883, and no query has been raised about it.

Mr. J. A. LUCKHOO: I will not press it.

Mr. JACOB: I wish to raise an objection to the definition of "Governor in Council" which reads:—

"Governor in Council" means the Governor acting after consultation with the Executive Council of the Colony but not necessarily either in such Council assembled or in accordance with the advice of the Council";

I suggest that the words after the word "Colony" be deleted. This is not an easy matter I am raising, nor is it something new. In 1941 a resolution was passed at a meeting in my constituency which reads as follows:

"Resolved that the reserve powers vested in the Governor of British Guiana under Article 62 of the Order in Council be amended and be exercised by the Governor, only with the advice of the new Executive Council."

That resolution was moved and seconded at two regularly constituted

public meetings in the North-Western District on the 2nd and 3rd of July 1941. It was also put to two public meetings on the 8th August and confirmed. I am asking this Council to give consideration to it, and that consideration be given the matter by this Government and by the Imperial Government. I believe that similar resolutions were passed at meetings in one or two other constituencies in 1941, and, I think, recently too. I do not think the Attorney-General can say, as he said in the case of "pecuniary reward," that this provision exists in England.

The CHAIRMAN: It is the existing law.

The ATTORNEY-GENERAL: It is Article 2 of the Order in Council.

The CHAIRMAN: So that we cannot accept your amendment without amending the Order in Council.

Mr. JACOB: That is what I am coming to. I say that the whole thing is irregular. We are acting in an irregular and unconstitutional way today, and from the very first day the Bill was introduced, and every opportunity I have I will stress that point.

The CHAIRMAN: I will just say "No" and rule you out of order.

Mr. JACOB: I am speaking on an amendment for the deletion of certain words in this clause, and I am going to say that in Jamaica the Governor is not invested with similar powers to those provided in this Bill. I have not been able to get a copy of the Jamaica Ordinance. As a matter of fact the Attorney-General stated in open Council that if Members wanted to find out where certain clauses were copied from they could consult him and he would be willing to assist them. The hon. Member for Essequibo River (Mr. Lee) and I made a request at the Attorney-General's Chambers that the Jamaica Ordinance be loaned to us

during the week-end so that we might go into it, but we were politely told that the Ordinance must not leave the Attorney-General's office.

The ATTORNEY - GENERAL: About five Members made the same request, which meant that if one was allowed to take it away the others would not see it at all.

Mr. JACOB: We were asking for that Ordinance and for other papers connected with this Bill over the week-end when public offices would be closed. If it was the intention that hon. Members should go to the Attorney-General's office or to the office of the Legal Draftsman and make notes during official hours it would have meant that the officer's work would have been held up.

The CHAIRMAN: The Attorney-General's office is open on Sundays.

The ATTORNEY-GENERAL: The Legal Draftsman has been ill for some days and would not have been worried at all.

Mr. JACOB: We were not facilitated in any way, and were at a great disadvantage to find comparative legislation. While Your Excellency has stated that it is not your intention to railroad this Bill I have found it extremely difficult to make comparisons with other legislation. I am satisfied from what I have read that the Governor of Jamaica can act only with the advice of his Executive Council.

The CHAIRMAN: I will answer that straight away. It is quite different in Jamaica; this provision is not there.

Mr. JACOB: That is the point, and I am saying that since this provision does not exist in Jamaica, and since the Jamaica provision was made by the Secretary of State, he should

be asked to reconsider the matter in the light of the representations that are being made now. For that reason I think this Bill should be deferred so that representations may be made to the Secretary of State. Certain Members may not represent any constituency or just a handful of people, but all Members have equal rights, and we are all vested with the same authority and the same privileges. Although this Legislature is not properly constituted I think the rights and privileges of every Member should be respected, and I am making the request that this Bill should have the same provision as regards the interpretation of "Governor in Council" as obtains in Jamaica.

The CHAIRMAN: What you are asking for is something more than a Franchise Bill; you are asking for a new Constitution. I have advised you before to look at the Jamaica Constitution as the ideal at which to aim, but it has nothing to do with this Bill. The interpretation of those words is taken from our existing Constitutional Law. This Bill is intended to make changes in our franchise and to provide for elections, but not a new Constitution. I think Members should get that into their heads. This Bill deals with franchise and elections; it does not make any fundamental change at all in the working of the Constitution. If we want that to be done we have to ask for something very much wider than a Franchise Bill. It means, of course, an entirely different kind of Bill.

Mr. JACOB: That is my point. I think we should be given the right to ask for it. I want to be as respectful as possible. I hope I will not be termed disrespectful, or be called a blackguard. I have been told before that my objection amounted to blackguardism.

The CHAIRMAN: By a Member of this Council?

Mr. JACOB: Yes, but not in this Council. I want to be perfectly respectful to the Chair and to every Member, but while I want to do that I want to exercise all the rights I have as the representative of my constituency, and I am not going to subordinate those rights at all, even if it is thought that I am behaving like a blackguard.

The CHAIRMAN: I do not think you need use that phrase unless it was used in this Council.

Mr. JACOB: It was used at a meeting of an Advisory Committee but I did not raise objection to it although I felt terribly hurt about it.

The CHAIRMAN: I shall rule that it does not exist in my mind.

Mr. JACOB: It is not my desire to delay this Bill.

The CHAIRMAN: You are perfectly in order in asking for a new Constitution. I am perfectly prepared to see that opportunity is given to you and others to ask for it, but I would like you to understand that it should not be dealt with in this Bill.

Mr. JACOB: That is where I must say, respectfully, that I disagree with Your Excellency. If this Council were differently constituted, and on a division being taken this definition of "Governor in Council" was defeated, what would have been the position? There would have been a deadlock. Because Your Excellency has arbitrary powers is no reason why you should force those powers on us. That is my point put rather bluntly. I am not going to be dictated to by anybody. You cannot dictate to a whole constituency, and I represent a constituency. I am just from there, and every word I utter here has been authorised by public meetings in my constituency. If the majority of the Members of this Council do not want to listen to what I say and

consider it all nonsense, and that we are here to represent ourselves, I wish to make it perfectly clear that I do not represent myself here.

I am requesting that this matter be referred to the Secretary of State. My point is that this definition should not be passed because it is irregular to pass it, and in Jamaica it is not so worded. I think that representations should be made to the Secretary of State for the Colonies who should be asked to reconsider the matter.

The CHAIRMAN: All right, I will tell him. You have not moved the deletion of the definition.

Mr. JACOB: Yes, I move the deletion of the words so that my point may be put on record, but I know what will be the result.

The CHAIRMAN: I put the question. "That the words proposed to be deleted stand part of the clause."

The Committee divided and voted:

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

Against—Messrs. Edun and Jacob —2.

Amendment lost.

The CHAIRMAN: I am surprised because the hon. Member for North-Western District and his friends have always asked me to over-rule the Executive Council and do certain things. The hon. Members for North-Western District and Essequibo River are the real dictators or dictatorially minded people in this Legislature.

I may say that knocking out that particular definition would not have made the slightest difference whatever. It is really put here for the purpose of convenience. If it had been knocked out it would simply have meant that we should have to turn to another Ordinance for the interpretation. It would not have made the slightest difference to the powers of the Governor in Council.

Clause 2 as amended put, and agreed to.

Clause 3—Qualification of Voters.

The ATTORNEY-GENERAL: I move that this clause be taken sub-clause by sub-clause.

Mr. JACOB: I move the deletion of all the sub-clauses.

The CHAIRMAN: We propose to take them one by one.

Mr. JACOB: I move the deletion of paragraph (a). During the debate on the second reading I suggested that "British subject" should be altered to "British citizen," but the hon. Nominated member, Mr. Critchlow, suggested that "a member of the British Commonwealth of Nations" would be better. I do not think we have reached the state of a Commonwealth, or that we have Dominion status. I therefore think the word "citizen" would be more comprehensive, and if you tell our American friends that you are a British subject they will tell you that you are a citizen of the British Empire. While we would certainly like to reach that state of nationhood I do not think we are anywhere near it. I therefore ask my friend to withdraw his suggestion in favour of "British citizen."

The CHAIRMAN: Do you propose to move the deletion of paragraph (a)? You said so, but I do not know whether you meant it.

Mr. JACOB: As Your Excellency has said that you propose to take the sub-clauses one by one I am just moving that "British citizen" be substituted for "British subject."

The CHAIRMAN: You are moving an amendment then, and not the deletion of sub-clause (a)?

Mr. JACOB: That is so, sir.

The CHAIRMAN: That is quite feasible; the question is whether it is effective in law.

Mr. J. A. LUCKHOO: I think, sir, what the hon. Member means is that the word "subject" should not be used, but there is nothing derogatory in the word.

Mr. HUMPHRYS: I do not know what objection there is in the mind of the hon. Member for North-Western District. All the people in Britain are British subjects, and we are also British subjects.

Mr. JACOB: I have said that in the United States the word "subject" is not used.

Mr. CRITCHLOW: I am not pressing my suggestion now, sir, because I am prepared to discuss the matter somewhere else—when we meet at the British West Indies Labour Conference in Barbados.

The CHAIRMAN: It is a matter for practical suggestion.

The ATTORNEY-GENERAL: The point is that the word "citizen" means someone who lives in the City. For instance, one could not call a person living in the North Western District a citizen. The term "British subject" is pretty comprehensive as a legal definition. The people of the Channel Islands and the Pacific, as Members are no doubt aware, are not British subjects.

Not every one who comes from the United Kingdom, however, is a British subject.

The CHAIRMAN: When you say that a person is a "British subject", you know that he is under British protection. Perhaps a better suggestion in this case would be to use the term *Civis Guianensis*. (Laughter).

Amendment put and lost.

Mr. JACOB: I am moving the deletion of sub-clauses (b) to (i). As stated by the hon. Member for Demerara-Essequibo, every Member of this Council has been served with a letter relating to the question of adult suffrage. I did not get mine—I was out of town—but maybe it was posted to me. In order to save unnecessary trouble, I think this clause, 3, ought to be amended, or left alone until further representations are made to His Majesty's Secretary of State for the Colonies. If that is not done, I am saying that there is going to be disharmony, non-co-operation and things like that. I think every hon. Member of this Council who is against the suggestion must know that there is a strong feeling of sympathy for those people who would be deprived of their right to exercise the vote because they do not earn \$10 per month. These people are very much aggrieved and it is only right and proper if we are going to have a democratic Government, that every working man and woman qualified by income should be allowed to exercise the vote.

At the present time, the income qualification is \$25 per month, so that a person who earns \$24.99 is not entitled to have a vote. A little before that, the qualification was \$40 and I think a little before it was \$50. Some hon. Members might say that the qualification has been reduced a great deal, and some have gone so far as to say that \$10 per month is practically as good as

universal adult suffrage. I shall ask these hon. Members, however, to agree that this clause should be deleted and another substituted. There are also those who consider that we are making rapid progress in this Colony, but I shall ask them to consider the position of those people who are not earning \$10 per month. I am prepared to repeat this popular and democratic request for adult suffrage until it is granted. I am not going to change my mind, whatever the consequence, or am I going to put it off. Some Members feel that the best thing to do is to put off the question, but we know what happens here when things are put off. I have talked about this matter over and over again — inside and outside of this Council—at ordinary meetings and at public meetings. My constituency passed a resolution in 1941 which reads:

“Resolved that the Official Members of the new Legislative Council, namely, the Colonial Secretary, the Attorney-General and the Colonial Treasurer, should remain as Members of the new Council for a period not exceeding five years from the date of the expiration of the old Council, and thereafter all the Members of the Legislative Council should be elected by the people on the basis of universal adult suffrage.”

Now, sir, that resolution was passed in 1941 and I went back to the constituency two days ago and every single individual present at the meeting I held said “we confirm the resolution that we passed here in 1941.” One of my friends here, perhaps, thinks I am making a false statement and says the people have not asked me to do so. The meeting was called at 2 hours’ notice and there was a big gathering including many people whom I did not know, and I think it is very improper to make the suggestion that they never asked me to do so. I read the resolution and explained it and I also addressed the meeting asking them whether they agreed or disagreed to have universal adult suffrage. I said “What are you

going to do about it now? and they all affirmed. The two meetings were held without my having an opportunity to speak to the people who attended. I would be a really wonderful man if I could control a public meeting to such an extent as to get the people to agree with whatever I say. I think that would be something in the nature of a libel on my constituency.

In 1941 they agreed that there should be universal adult suffrage. I went back there and they confirmed it two days ago. What am I to do now—agree to something that would enslave the people here for possibly another century? I say it is unreasonable to expect me to agree to the retention of this clause in the Bill. While I feel that there should be universal adult suffrage—the majority of the Elected Members of this Council feel the same—but, of course, this moribund legislature which does not represent the masses of the people in this Colony, is doing something which is grossly irregular and unconstitutional. I cannot understand how His Majesty’s Secretary of State, knowing the representations made directly by the people here, and indirectly through Parliament, continues to press this Bill upon the Colony and has instructed the Government and the Executive Council here to request the Legislature to agree to this measure.

Sir, I cannot know what the Executive Council did. We are reasonable people, however, and we can know what they did by putting 2 and 2 together and making it four, and possibly by putting 2 alongside 2 and making it 22. Several members of the Executive Council spoke at meetings of the Franchise Commission and when the report was laid every member of the Commission who was a member of the Executive Council, was seen to be in favour of this clause in the Bill. So I put 2 and 2 together. I should like to repeat that every Member of the Executive Council is in favour of this

clause. If they have changed their minds now, I shall be glad to know and I shall ask for a division on the question here. I am prepared not to press my motion if I am given an assurance that the 60 per cent. of the people in the Colony who have not got the right to vote at present, will be given the opportunity to do so within 5 years. If the Governor in Council state that they would approve of adult suffrage 5 years hence, I shall be perfectly satisfied but, knowing British Colonial Policy as well as I do—knowing what has happened to India and other places—I am satisfied that a mere promise that it would be done as soon as possible, is worth nothing. I want a specified period mentioned and if it is not done within that time we shall then be able to say that a pledge has been broken.

I think it was the burden of contention before the Franchise Commission that illiterate people should have the right to vote, but nothing is being done to make these people literate. When it comes to children of a certain class, practically nothing is being done and the position 10 years from now would be practically the same. As a matter of fact if we are to argue this thing out logically, the position would be worse 5 or 10 years from now, or it would be practically the same. Therefore, I say that if this Government wants co-operation from the several elements and groups in this Colony, it should take steps to remedy this situation at an early date. But, of course, this Government like most other Crown Colony Governments, do not listen; they just go on as they please. They may listen to a word here and there, but they do not listen to the material things. If this Government wants the Colony to progress and the people to go forward, it would have to put these illiterate people on the same basis as the others, thereby giving them the right to exercise the vote, but this clause deprives them of that

right. It does not even hold out any hope to them as to when they would be able to exercise that right.

I am willing to wager, sir—we are all men of the world—that if we allow the illiterate people of this Colony to vote without looking for any qualification, three quarters of the Members of this Council would not be elected. If you were to ask the people—whether literate or illiterate — about their representation, they would tell you that there should be no Nominated Members in this Council. Therefore, I am tempted to use the words I have used before, when I said that the attitude of certain Members in this matter is due to self-preservation. I have had to tell my constituency that the people of Jamaica have been given adult suffrage by the Secretary of State for the Colonies; while, in Trinidad, the Franchise Commission — fortunately, by a slender majority — recommended adult suffrage for the people of that Colony and it was given to them. In the case of British Guiana, it has been recommended, but the Secretary of State says “I am not going to give something that the people do not want.” That decision has been forced upon the majority of the Members of this Council and, therefore, we should try our best to change it. But, as I have already stated, the majority of Members are trying to preserve themselves and their own interest.

Mr. C. V. WIGHT: I am going to rise to a point of order. The hon. Member has stated that the majority of the Members around this table are only thinking of self-preservation, but he objected to a suggestion that was made about himself.

Mr. JACOB: The statement my friend is making is not to a point of order.

Mr. C. V. WIGHT: I am suggesting that the remarks of the hon. Mem-

ber are improper to this Council—that we are here only in preservation of our own interest.

Mr. JACOB: I have not said that they are here to do improper things. I have as much right to speak here as any other Member of this Council, and I am not waiting for anybody to suggest to me what is improper. If the hon. Member objects to my remark, then I shall ask him to forget it. But I am going to make my point without giving offence to anybody. I began today by saying that I want to see universal adult suffrage introduced as early as possible in this Colony, and I am saying these things because my constituency has authorised me to do so. I am authorised and I am constitutionally bound to do that. I go on by saying that the majority of the members of the Franchise Commission were Members of this Council. They recommended one thing there and nobody expected that they would have done something otherwise here. That brings me to the point of saying that it is the duty of the Secretary of State for the Colonies to fix the qualification of voters so that there should be no income qualification at all, but just the attainment of 21 years. I think I have stated before—but it is necessary to state these things over and over again—that certain members of the Franchise Commission did not consider all the facts that were placed before us. Some of us would not even take the trouble to read an important document relating to our work in this Council; so far as I am concerned, I have not got much time to spare, but I read all the important documents and do my very best to keep abreast of the times. The West India Royal Commission which was appointed to investigate problems and to make recommendations, recommended that universal adult suffrage should be granted to these Colonies immediately. The recommendation which is contained in paragraph 26, reads:—

“We do not support either of the extreme proposals put before us for the grant of immediate and complete self government based on universal suffrage or for a wide increase of the authority of Governors which would convert the existing system into a virtual autocracy;....”

The Commission does not support any of these proposals, and I want to say that I do not support any of them myself. I am not supporting a system whereby a Governor could be an autocrat or a dictator, nor am I supporting the view that even if we get universal adult suffrage under our allegiance to the British Crown, we should be allowed to do as we like. The Governor must have reserve powers to do things by himself and my point is that even if we have a revolutionary Legislative Council, the Governor with his reserve powers could oppose the Legislature, so we could not secede from the British Crown or bring the country under any Dependency. I am asking for an ordinary democratic right, such as that given to the people of Jamaica, Trinidad, Guadeloupe and Martinique. That is, to give to the ordinary man and woman the right to select their representatives, and let those representatives—whoever they may be—come here and decide how this Colony should be governed and assist in governing it. There is nothing that I would call revolutionary in that. Perhaps the seat of the Member for Western Essequibo who feels that universal adult suffrage should not be granted at the present time, would be in jeopardy and perhaps every other Member of this Council would be in a similar position.

Mr. C. V. WIGHT: I should like to point out to the hon. Member that I have two letters from voters in Essequibo and one of them says he does not agree that there should be any extension of the franchise at all. He happens to be a voter of the hon. Member's own race and I have the letter before me, today.

Mr. JACOB: I object to any references to race. Perhaps I should say that the hon. Member for Western Essequibo is so popular that he would be re-elected on the basis of universal adult suffrage. The hon. Member is so quick to speak about improper remarks, yet, before I am finished he attempts to refer to members of my race. What have I got to do with members of my race? I am a British Guianese. Perhaps I will be a citizen of the United Kingdom very soon; perhaps I will go to India, but I want everybody to know that I have not made up my mind as to whether I am going to seek re-election to this Legislature. The hon. the Sixth Nominated Member has just handed me a telegram which reads:—

“Please refuse, at once, discussion of Franchise Bill.”

That means that universal adult suffrage is required, and the telegram has been signed by six people, on behalf of themselves and others. I do not know if all these people are members of my race. I see that one name is Thompson, while there are other names which I cannot make out. I do not know whether the name Thompson is the name of an Indian. The hon. Member has asked for it and he has got it. I am asking, sir, that this matter be very carefully considered and I am asking hon. Members of this Council—perhaps some are tired being around here and are not concerned—to postpone their voting if a division is taken, especially those who are prepared to go back to their constituencies to seek re-election by the suffrage of the people. I am not going to bother this Council any longer, perhaps other Members have something to say. I am sorry the hon. member for Essequibo River is not in his seat, but I am going to ask that the vote on these sub-clauses be left over until tomorrow.

The CHAIRMAN: We are, strictly speaking, on sub-clause (b), but I have permitted you to speak generally on the sub-clauses.

Mr. JACOB: My amendment would be to substitute something which would involve several of these sub-clauses, and I do not know how we shall proceed.

The CHAIRMAN: The Committee has accepted paragraph (a). If you have any amendment to suggest in paragraph (b) you can put it forward in writing.

Mr. JACOB: As a barrister Your Excellency knows very well what the law is in Jamaica, and that the provision in this Bill is entirely different. I would be quite satisfied if paragraph (b) is deleted; I would not say anything more, and I would agree to all the clauses in the Bill. I think it would be convenient to discuss all the paragraphs from (b) to (i), and if my amendment is defeated the whole clause would stand.

The CHAIRMAN: Would you like to move an amendment that paragraphs (b) to (i) be deleted?

Mr. JACOB: Yes, sir.

The CHAIRMAN: The better way would be to take them paragraph by paragraph.

Mr. JACOB: I understand what the position will be but I think it would save time if I moved that paragraphs (b) to (i) be deleted, and that the following be substituted:—

Save as hereinafter provided, every person shall be qualified to vote and be entitled to be registered as a voter on the list of voters for the Electoral District in which he or she ordinarily resides at the time of the preparation and revision of the list of voters therefor, if he or she—

- (a) is of the full age of twenty-one years or will attain that age on or before polling day at the pending election; and
- (b) is a British citizen by birth or Naturalization; and
- (c) has been ordinarily resident in British Guiana for the twelve months immediately preceding polling day at the pending election; and
- (d) was ordinarily resident in the constituency at the date of the issue of the writ for the pending election.

That is an extract from the Jamaica law.

The CHAIRMAN: The procedure is quite simple. I could put that amendment.

Mr. JACOB: I would like to say something on it. There are several clauses in this Bill, very cumbersome clauses, relevant to how a person's name may be put on the list of voters. I do not know why the draftsman has been so careful in drafting all these cumbersome clauses and restrictions. Maybe there are Regulations to be framed.

The ATTORNEY-GENERAL: The hon. Member is quite out of order.

Mr. JACOB: I am just making the point in order to speak on the amendment.

The CHAIRMAN: Incidentally I may say that the Jamaica Ordinance uses the term "British subject." Isn't that a fairly good precedent? (Laughter). There is just one thing I would like to say about this reference to the Jamaica precedent. Jamaica is having a brand new Constitution. When you say "Let us have an Executive Council on the Jamaica model" you are forgetting entirely the other bodies that exist in Jamaica. They are having a peculiar Constitution—universal adult suffrage for the election of a House of Repre-

sentatives, and another kind of election for their second House. They also have an Executive Council with certain of the Governor's powers ruled out, but their Privy Council is still in existence. When you want to copy something from the Jamaica Constitution you will have to remember those other things. The Jamaica model may be a very good one, but do not let us pick little pieces out of it. Here we have the wording of the Jamaica law dealing with the qualifications of voters for elections to the House of Representatives.

Mr. JACOB: I quite appreciate all Your Excellency has said, but I think you must appreciate our point of view also. We must endeavour to make progress and to ask for improvement. I see no objection to the Governor of this Colony or any Crown Colony being guided by the Executive Council. Why a Governor should be allowed to act as he pleases is beyond my comprehension.

The CHAIRMAN: I would not mind a bit; it would remove a lot of trouble and responsibility from me, and then you would not be able to come to me, and ask me to over-rule everybody, which is your very common procedure. (laughter).

Mr. JACOB: I want to speak as impersonal as I possibly can.

The CHAIRMAN: Believe me I would not mind; it would relieve me of a lot of trouble. I should then sit back and have a quiet life.

Mr. JACOB: As you must have noticed, I have changed my tactics completely recently. (Laughter). I say no more on that point. I am not prepared to attend any private conference and ask for things which may be to the detriment of the majority of the people. While I may have asked Your Excellency to exercise dictatorial powers I have asked you to do so in the interest of the majority of the people—

not for any minority. That is what these secret conferences have led to within my knowledge, since I have known the working of the British Guiana Constitution. I have never asked that dictatorial powers should be used for the benefit of the minority. If I have asked for them — and I have asked — and Your Excellency has been good enough to do certain things, you have done them in the interest of the majority. When a Member is elected by the votes of the people he must always remember that they are the dictators. I have always endeavoured to adopt that principle, and I may say right now that if I find it incompatible with my conscience, or that my constituents disapprove of my action, I shall promptly resign my seat. So far I have found that my constituency approves of my action to the extent of 95 per cent.

Mr. ROTH: I rise to a point of correction. One of the hon. Member's constituents has just intimated to me that the voters of standing, the landed proprietors, are not in agreement and are not in favour of adult suffrage although the hon. Members has twice stated that everybody was in agreement at the meetings held this week.

Mr. JACOB: I know who the gentleman is. It is his personal opinion and he was not present at any of the meetings. As a matter of fact he arrived late. While he agreed with most things I said he said he did not think the Aboriginal Indians should be allowed to vote. I am not here to speak about Aboriginal Indians. He never mentioned a single word to me that the ordinary residents were against it. He has seen the documents in my possession and he knows what happened. I took him into my confidence and discussed with him what we were going to do, because he is a registered voter in the district. I repeat that what I have said here is 100 per cent. correct. Any individual can say what he chooses.

I was going on to say that in my constituency, there are 58 registered voters—55 males and 3 females. When I asked those present at the meeting how many voters there were nobody knew the exact figures. I told them there were only 3 female voters and asked them whether they considered that a satisfactory state of affairs. They agreed that it was not. How could it be satisfactory for 58 persons to elect a representative to speak for 7,000 people? Is that what Government wants? I think that is in itself revolting. Why shouldn't there be 500 or 1,000 voters? In Ceylon 43 per cent. of the people are voters. Out of a population of 5,780,000 there are 2,486,412 voters, of whom 1,370,657 are males and 1,115,755 females. In British Guiana there are only 10,000 voters of whom 800 are females. Is that a satisfactory state of affairs? Is that how Members come here and say they represent the public? The exact figures according to the report of the Franchise Commission are 868 women voters out of a total of 10,423, and roughly 3 per cent. of a total population of 360,000 elect the representatives of the people of the Colony in this Legislature. I do not consider that a satisfactory state of affairs.

Let us take the women's position. At present there are 868 women registered as voters. What can we estimate will be the number of women on the register of voters for the next General Election based on an income qualification of \$10 per month? I do not think there will be 10,000 women. While there may be 20,000 voters on the register. I think the total number of voters will not be more than 10 per cent. of the population. As I have said before, large numbers of women do not earn \$10 per month, and will be excluded from voting although they are hard-working people. A man's wife who does not receive any salary or wage will not be eligible to be registered as a voter as this Bill is framed. Is that a desirable

state of affairs when more and not less representation is required? Let me give a personal illustration. My wife receives no wage from me. Let us assume that I earn \$20 per month and I am a registered voter. My wife helps me to earn that \$20 and I think it is only proper that she should be entitled to be registered as a voter on my qualification, in the same way as joint owners of a house or land are allowed to register if the value of such house or land when divided gives each person the required qualification.

I say it is a serious omission that no provision is made in this Bill for a wife to be registered as a voter if her husband earns sufficient to qualify both of them. I am perfectly satisfied that the reason is not to have a large register of voters, and the draftsman has worked with that object in view. Women are left out entirely. I do not know whether the draftsman or draftsmen have been specifically instructed to do this kind of business. I consider it a serious omission and suggest that this clause should be left over in order that something may be done to give a woman the right to be registered as a voter on her husband's income or salary qualification. I have an amendment to that effect and I trust that an opportunity will be given me to suggest how a woman can be registered as a voter. Those Members who propose to seek re-election to this Council will have to consider very carefully what their attitude should be towards large numbers of people who should be given the right to vote, and who would possibly be debarred permanently when this Bill becomes law.

Mr. E. A. LUCKHOO: I am grateful to the hon. Member for the gratuitous advice he has given to Members who are seeking re-election to see eye-to-eye with him with respect to voting on the basis of universal adult suffrage. That matter was thoroughly discussed in all its phases by the Franchise Commission and in other

public places, and the majority of us have come to the decision that a certain concession should be allowed in order to extend the present franchise so as to include a great many people who are at present debarred from taking part in the political life of the Colony. In the new Legislative Council I would like to see all interests adequately represented.

A very big concession is being allowed as regards the income qualification. The present qualification is \$25 per month, but the Bill provides that a salary of \$10 per month will entitle a person to be registered as a voter. I think that will considerably widen the scope of persons who desire to enter into the political life of the Colony, and I feel sure that the lowering of the income qualification will be the means of appreciably increasing the number of voters. At present there are 10,000 voters, and if people take advantage of the opportunity afforded by this Bill the number should be at least 50,000 under the income qualification. It seems to me that the object of the franchise is to ensure that the affairs of the Colony are administered in the most efficient manner and for the benefit of the Colony as a whole.

It has been suggested that those Members who desire to seek re-election to this Council should fall in with certain views expressed by the last speaker. As far as I am concerned the views I shall express will be the result of mature consideration of the various aspects of the Bill before the Council. The newspapers have from time to time published editorials on the subject in an endeavour to give the public some lead on this question. There have been temperate and well-reasoned articles, and I feel sure that those members of the community who feel that they should take an active part in the political life of the Colony will realize that an immense benefit will be conferred upon them by the extension of

the franchise to allow persons earning \$10 per month to be registered as voters. That in itself is a very big concession.

Something has been suggested by the hon. Member for North-Western District by way of a compromise, but we have already made a compromise in the recommendations of the Franchise Commission. It is a little bit short of universal adult suffrage. Some members of the Commission thought that there should be no literacy test in English, while others thought that there should be no literacy test. It is provided in the Bill that a person must be "able to read and write some language," and that view, I maintain, is the correct one. The object of that provision is to secure the right to vote to a large number of people already on the list who cannot read and write the English language.

The qualification in respect of ownership of land has also been considerably reduced. The rental qualification has also been appreciably reduced, and I think the income qualification provided in the Bill should be within the reach of every hard-working individual in this Colony. Every labouring man, if he is a real working man and not an unemployable person, should be able to earn sufficient to give him the right to be registered as a voter. It is a concession which, I think, should be appreciated by the Colony as a whole.

The hon. Member suggested too that Members should be careful, otherwise they may be thrown out at the General Election. At least that is the effect of his remarks, and that Members are only seeking self-preservation. I think those remarks have been appropriately answered by the hon. Member for Western Essequibo, (Mr. C. V. Wight).

There is one point by the hon. Member for North Western District which I think has some merit in it, and that is the question of qualification for wives. It appears to me that a good many wives would be disfranchised unless they could prove to the registering officer that they have an income of \$10 per month. I think that point needs some consideration so that wives could be included with those husbands who earn not less than \$20 per month. As the hon. Member for North Western District has stated, there could be joint qualification, since a good many wives might otherwise be deprived of the right to vote, whereas servants and other women earning \$10 per month would be entitled to vote. The suggestion is one which I commend to Government and I think an amendment to that effect should be considered by the Attorney General.

As regards the question of land qualification, I think there should be another amendment. A good many East Indians have land and would be qualified to vote under this Bill, provided they are able to read and write some language. I admit that it might be the desire of Government to grant the franchise to adults without literacy test, but I would ask whether the time is opportune for such a tremendous leap in the dark. We know that there are other issues involved, but I think it would not be unsafe for Government to hold that adults who could exercise their reason and commonsense should not be allowed to vote because of inability to read and write some language. I am very much in sympathy with those who, through circumstances beyond their control, were unable to get education in English, but I am quite sure that within the next five years everyone of them would be able to comply with the requirements of the Bill. I am also very much in sympathy with the idea of universal adult suffrage, but I do not think it should be introduced at the present time, as it would not be in the interest

of the general public to do so. I think it should be ruled out until the education and the general intelligence of the masses have improved within a certain period which I think could be fixed at 5 years."

With regard to the question of plural voting, one hon. Nominated Member has stated that if a man has property qualification in one district and income qualification in another, he should be allowed to vote in both districts. I am strongly of the opinion also that a man who is qualified in more than one district should be allowed to exercise the vote in all of the districts in which he is qualified.

Mr. ROTH: Are we not discussing clause 3 ?

The CHAIRMAN: We are discussing an amendment to clause 3.

Mr. E. A. LUCKHOO: I think it would be a very confusing arrangement to have all the sub-clauses considered together, and I am sorry it was not decided to consider them separately. This is a very important Bill, and very serious consideration should be given to all the sub-clauses. On the whole, I think my views are quite definite as regards adult suffrage and those are the views I maintain. With me it is not a question of catching votes; we all have to give an account of our stewardship, and if I am asked why I expressed that view, I shall be able to explain.

Mr. JACKSON: I desire in a few words to say that this Council should attach no importance to the resolution read by the hon. Member for North Western District. That resolution, he said, was passed by his constituency in 1941 and ratified by them a few days ago. The hon. Member feels that this Council should be guided and led by the 58 voters in the district he represents, I am satisfied that the telegram he has produced is worthless. The

hon. Member's memory has defaulted. He told us some time ago that the resolution was drafted by his assistant and amended by him, and—

Mr. JACOB: I rise to a point of correction. I never told this Council that the resolution passed in my constituency was drafted by my assistant. The hon. Member refers to the hon. Member for Essequibo River as my assistant. I do not think that is a very complimentary term to use and I object very strongly to it.

The CHAIRMAN: Shall we call him your leader?

Mr. JACOB: I want to make another correction. I never said the resolutions were passed by 58 voters; I said they were passed by the residents of the North-West District.

Mr. JACKSON: I shall change the word "assistant" to "compeer". The resolution that was read was disposed of months ago, and no good purpose would be served by rehashing it here. With regard to the remarks of my hon. friend about carrying out the wishes of his constituency, he is quite at liberty to carry them out here, but he told us he considered it would be wrong and dishonest for him to put his own interest before those of his constituency, yet because he realises that we should not carry his amendment, he states that he is prepared to accept a compromise. It would be interesting to this Council to learn whether he has been told by his constituency to accept a compromise, or whether the desire to accept it now has come from himself. The hon. Member has also brought up this question of the illiteracy of certain people and—in and out of season—he speaks of their having been deprived of the opportunity to educate themselves. No one has deprived them of the opportunity and this Council knows that. I have to remind him of what he has been told over and over again, and that is, it is a great farce to talk of

their being deprived of the right to vote, once they have obtained it. It is this Bill that is giving them their right to vote.

This Bill is setting out the conditions under which they would be entitled to vote and they have no right to vote unless they possess the qualifications mentioned therein. They could not be deprived of a right they have not got. I say so because the hon. Member was very particular about the words and phrases he employed. He speaks of self-preservation, but since I was a boy I was told that self-preservation is the first law of Nature. I should therefore be surprised if hon. Members of this Council are not careful in preserving what has been given to them by a beneficent Providence. I think that if this quality of self-preservation is adopted by the majority of persons here and elsewhere, we would have less of the disasters that are present now, and that at least 30 or 40 per cent of them would disappear. I think it is necessary that we preserve all the gifts we have. Is it not on account of self-preservation that the hon. Member went to his constituency and reminded them of the resolution they passed in 1941—years ago—and urged them, gently, to stick to that resolution? Was it not a desire on his part to preserve the good feeling that they have for him and to keep green the memory of associations that he had made, so that his seat should be preserved for him? I do not think we ought to dislike other persons for grasping the opportunities they have and taking the precautions that we take. It is to my mind childish to speak of Members of this Council as endeavouring to preserve their seats, or of flouting the wishes of their constituents.

This Bill contains recommendations of the Franchise Commission and although the hon. Member for North-Western District and a few of his conferees do not agree that adult suffrage should not be granted at this time, it does not follow that they would be

able to carry this Council with them on that point. They may make representations and do what they like, but I am positive that so far as adult suffrage is concerned, this Bill that is in front of us will be passed without it, and perhaps if the hon. Member for North Western District succeeds in retaining his seat in this Council, he too might say that it should not be granted at the present moment, but in about 5 years' time when the people obtaining it would have deserved it. It should be his duty to go among his constituents and educate them as best as he could, taking with him his worthy compeer, and when he is finished with his own constituency he should go into others and do likewise, so as to assist in bringing the people up to the standard required of them before they could earn the sympathy of the community and of this Council. He should not expect this Council to accept the amendment moved by him on the direction of his constituents.

Mr. J. A. LUCKHOO: So much has been said already about universal adult suffrage in this Council that I do not think it would be wise to repeat what Members have said on the various occasions. I think this Bill provides a very great extension of the franchise for the people of this Colony. As the last hon. Member has stated, I think the hon. Member for North Western District is mistaken when he says that people would be deprived of the right to exercise the franchise, by the measures which this Bill proposes to make law. Rights are now being conferred on the people instead of being taken away. I think if a man cannot earn \$10 per month he is not worth his salt and should not be given the right to vote. I think every cook every butler, every office attendant and workers of that type earn that amount in these days. To my mind, the step which this Council is taking—to withhold universal adult suffrage at the present time—is a wise one. I think there should be a testing period—a probationary or educating period

one might call it—before universal adult suffrage is introduced into a community such as this.

We have heard it stated that certain Members of this Council are indulging in selfish talk in order to protect their own seats, but I think the fact remains that we ought to know what is good for our own people here. Let us be logical and I think very much good would come from the working of the new Constitution. If we abandon the literacy test, it would mean that those people would remain illiterate and would make no effort to improve themselves. We are now spending \$1,250,000 a year on education and I think definite steps should be taken by the people of all races to educate themselves sufficiently as to be able to exercise the very low franchise that is being given to them in this Bill.

I want to remind my hon. friend who represents the North Western District now, of something which took place when I believe he was not yet in politics. The late Mr. P. N. Browne was the person who moved and secured a reduction of the income qualification for voters, from \$40 to \$25 per month, and we know that he was the first Member to have been defeated at the polls after that lower income qualification was introduced. Therefore, let me warn my hon. friend to be careful (Laughter). I understand that a Mr. Brooms is going to oppose him at the forthcoming elections and it may be that that gentleman is going to make a "clean sweep" in the constituency. (Laughter). The hon. Member for the North Western District has, however, made one point to which I think some consideration should be given, and that is the question of qualification for a man's wife who looks after his home and is in a superior position to his servant who might be qualified by income. I think that such a wife should be allowed to exercise the franchise and if I can think of any amendment that could give effect to the suggestion, I shall mention it to

the Attorney-General. That suggestion, perhaps, is the only saving grace in the speech of the hon. Member for the North Western District which lasted an hour. Subject to the proposed amendment I have just mentioned, I think the sub-clauses (b) to (i) should be allowed to remain as they are.

Mr. GONSALVES: The hon. Member who has just taken his seat has somewhat stolen my thunder, and I attribute that partly to the position which I occupy so near to him. I indicated to him a few minutes ago that if the hon. Member for the North Western District was being opposed by a gentleman named Brooms, he should have reason to fear that that gentleman would make a "clean sweep" of the constituency. Having confided in my friend, the last speaker, he made full use of the point without my permission and so I have a little grouse against him. The hon. Member for North Western District has said very much about meetings held there and about the wishes of his constituents, but even if it is conceded that there should be some changes in favour of adult suffrage, could it be said that the resolutions passed at those meetings are representative of the views of the entire Colony? If that is so, there should be no talk whatever about Members adopting self-preservation as regards their seats. The hon. Member for North Western District who made that suggestion was probably speaking from his own point of view, but there has been no suggestion by anybody that there was vote-catching in the views put forward by himself and his supporters.

Mr. JACOB: There is absolutely no ground for that suggestion. Were you at any of the meetings?

Mr. GONSALVES: For one thing, the hon. Member himself has admitted that one of his constituents was present but did not give his views. The gentleman in question is a very prominent resident of the district who

has agricultural interests there, and I am not quite certain that he has not got the backing of the people in that division. The hon. Member for North Western District himself has said that every man has a right to come to this Council and have a seat in it, and if the gentleman to whom I refer is respectable, why should he not have the right to come and sit around this table?

I understood the hon. Member to say that he had nothing to do with Aboriginal Indians. In the same breath a little while before the hon. Member suggested that the words "British citizen" should be substituted for "British subject." Aren't Indians citizens of this Colony? If they are wouldn't he be there to represent those people? It may be that the gentleman who told him that this is not the time when adult suffrage should be extended to those people holds the view that they are not sufficiently literate to exercise the franchise. If that is so I think the gentleman who made that statement was perfectly justified in doing so.

Most of the remarks made by the hon. Nominated Member, Mr. Luckhoo, were made by me during the debate on the second reading of the Bill. Are we going to put a premium on illiteracy? We are spending large sums of money on primary education. We have had the hon. Member for North-Western District (Mr. Jacob) saying repeatedly that we are not doing anything to educate these people, while in the same breath he says: "Don't let us worry about illiteracy." He is not consistent, and I really do not think he feels that he is saying the right thing. The hon. Member also spoke of self-preservation, and said that certain Members do not want adult suffrage because they want to retain their seats. He also suggested at the outset that the Bill be deferred.

The Bill provides for a reduction of the franchise in order to enable a greater number of people to make themselves

eligible for election to the Legislature. I have spoken on the second reading of the Bill and I had hoped that when we came here today we would proceed to make amendments in particular clauses and not have a rehash of the subject matter of the Bill. We have been more or less going over a good deal of the ground already covered in the debate on the second reading. I do not propose to go over that ground but I wish to emphasize whatever I have said on that occasion.

With regard to the suggestion that a married woman should be eligible to be registered as a voter on the income qualification of her husband I think one has to be careful less a wife should claim legal right to half of her husband's salary.

Mr. J. A. LUCKHOO: The suggestion is not that she should claim half of her husband's salary but that she should be qualified on the income of her husband.

Mr. GONSALVES: I fully appreciate what was meant, but the question is whether a wife would not construe it to mean by inference that she is entitled to half of her husband's income. That raises another question. If we were to apply that principle as regards income it seems to me that we would also have to apply it to property in cases where people are married in community of property. I cannot give my support to one and not the other, and unless provision is made to cover both cases I am afraid I cannot support the proposal. It has been whispered to me that I should leave the ladies alone, and I think it is a very wise suggestion. In regard to the several suggestions put forward I do not see any need for any alterations, and I think the paragraphs should remain as they are.

Mr. CRITCHLOW: I would like to know what would be the position of a

man's reputed wife. Would she be allowed to vote on the qualification of her reputed husband? (laughter).

Mr. LEE: I desire to move the deletion of paragraphs (d) to (i). If a salary of \$10 per month is considered such a low income qualification why put it in this Bill? If it is agreed that cooks and labourers employed by the Public Works Department are earning \$10 per month why provide for such a low qualification in this Bill? I object to a person being allowed more than one vote simply because he is wealthy. We are soon to discuss the question of federation with the West Indies. Are we going to allow this qualification to continue and to place us at a disadvantage when we meet our West Indian brothers?

The CHAIRMAN: You are forgetting that only two of the Colonies concerned have adopted adult suffrage; the others have not got it.

Mr. LEE: That is a point to be discussed. If the world idea is person and not property, are we going to stick to property? If we think that there should be a literacy test let us have it. There can be no doubt that the weight of evidence given before the Franchise Commission was in favour of adult suffrage. When Nominated Members say that the Elected Members should not consult their constituencies it is because they do not know the rights and privileges of voters. They have not got the necessary background. In saying that I make an exception of the hon. Nominated Member, Mr. J. A. Luckhoo, who has been an Elected Member of this Legislature and understands that the wishes of the people should first be consulted. Again, with the exception of the Sixth Nominated Member (Mr. Edun), the Nominated Members do not represent the voice of the people. The opinion of the majority of the people in the

Colony is in favour of universal adult suffrage with a literacy test so as to ensure the election of the right type of people at the next General Election.

Mr. EDUN: During the debate on the principle of the Bill I announced my intention to move the deletion of sub-clauses (b) to (i) of clause 3 (1). Members have said that we are covering the ground over and over again. That cannot be helped in a democratic country. It is the inherent right of every Member to debate and to put forward every reasonable argument in order to convince the opposition, and I am going to take this opportunity — it may be the last time — to speak on adult suffrage. I maintain this much — that the whole procedure is wrong, and that if this Bill is passed into law any section of the inhabitants of this Colony can upset it. I say so on the strength of an authority, and I think Members ought to consider it seriously. The matter has reached the stage when the minority interest is doing its level best to subordinate the interest of the majority. Therefore I hold the view that in cases of this kind only His Majesty the King can decide, and I am certain that whatever this Council does, this matter will not rest there because, during this week, there was a conference of several organisations comprising the workers and peasants of the Colony.

One hon. Member remarked that I speak so much of self-government yet I want to take away the right of this Council to determine an issue of this kind. What is self-government? Self-government starts from the bottom, not from the top. Here we are putting the cart before the horse. We are endeavouring to impose on the majority of the people something which they do not want. It appears to me that certain Members do not wish to speak at all on the principle of the Bill. My experience in this Council is that some Members are not courageous enough to ini-

tiate discussion on anything at all. They do not take the trouble to study the subject, but just listen to what other Members have to say and pick holes in their argument. That is one of the easiest things one can do. Ever since my advent to this Council I have not only initiated discussion but I have moved motions from time to time and spoken sensibly on those motions. I take infinite pride in the service I give this country, but it appears to me that whenever I speak on a matter of this kind, representing the sugar workers directly, as I do — and accidentally, perhaps, Indians are in the majority— some Members endeavour to drag in the racial issue and draw a red herring right across the trail, beclouding it altogether. I consider such tactics reprehensible indeed. Quite recently the hon. Member for New Amsterdam (Mr. Woolford) took the opportunity to bring in extraneous matters which did not concern the subject under review, and I want you, sir, to give me some latitude to reply to those extraneous points. The hon Member went so far as to speak across this table and had to be called to order.

It is commonly held by certain Members—they have expressed their views very openly — that the workers and peasants care much more for money than for education, and that it was their responsibility alone to educate their children; the State had no responsibility at all. Curiously enough I had taken the opportunity to study the statistics, and I am going to prove conclusively that the British Guiana Government and those who were Members of this Legislature from 1924 unto this day were guilty of the crime of keeping people illiterate during the last 20 years. I do not want to go further back than that into ancient history, but from 1924 to 1945, an adult period of 21 years, will suit my purpose. I want to prove to this Council that it was not due to lapses on the

part of the parents that their children did not attend school, but rather to lapses on the part of a Christian Government which, in spite of the existence of a Compulsory Education Ordinance allowed the children to be employed and exploited by the sugar companies in order to carry on the Government of this country.

In 1924 the proportion of attendances in school was 70 per cent., which means that 30 children out of every 100 did not attend school although primary education was compulsory. On the basis of the child population in 1942 it means that 8,121 children between the ages of 6 and 12 did not attend school. Within 20 years 8,000 children were kept out of school because of lack of school accommodation and for various obvious reasons. They have remained illiterate from 1924 until today. It is assumed that the 4,000 children who went to school in 1924 learned a little, went to work after 12 years, and forgot the little they had learned. The result was a wanton waste of the expenditure on education by this Christian Government. The fact is that 12,000 persons remained illiterate from 1924 to 1945, and at the General Election to be held in 1946 they will not have the right to vote because this Christian Government did not do its duty in seeing that they were educated, but instead connived with the sugar industry to give them employment in order that the Exchequer of this country might be carried on. If this is not the place for me to protest against that with all the vehemence of my soul where else can I do it?

I hear Members say glibly that the parents of those children were responsible for their being illiterate, but that is the charge I lay against the British Guiana Government in connivance, perhaps, with the British Government and the capitalist interests in England who wanted the creole gangs to produce

sugar because sugar was the sheet anchor of this Colony and the other Colonies in the West Indies, as repeated by His Excellency in this Legislature over and over again. I will quote authority to prove that there was wanton wastage in the educational policy of this Government. I have here an authoritative document entitled "Cost of Education," purporting to have been released by the Development and Welfare Organisation in the West Indies.

At this stage the Council resumed.

The PRESIDENT: We will proceed with the consideration of the amendments to clause 3 of the Bill next Wednesday, and continue our discussion in Committee on Thursday and Friday next week. I shall be absent on Thursday, but the debate will no doubt go on. The Council is adjourned until Wednesday next at 2 p.m.