

## LEGISLATIVE COUNCIL.

*Thursday, 16th October, 1941.*

The Council met at 10.30 a.m. pursuant to adjournment, His Excellency the Officer Administering the Government, Mr. G. D. OWEN, C.M.G., President, in the Chair.

### PRESENT.

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

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

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

The Hon. J. S. Dash, Director of Agriculture.

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

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

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

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

The Hon. W. A. D'Andrade, O.B.E., Comptroller of Customs.

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

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

The Hon. L. G. Crease, Director of Education.

The Hon. B. R. Wood, Conservator of Forests.

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

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

The Hon. J. I. de Aguiar (Central Demerara).

The Hon. Peer Bacchus (Western Berbice).

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

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

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

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

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

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

### PRESENTATION.

THE PRESIDENT presented the Imperial Service Medal to Mr. Daniel Levi Simpson, retired Postmaster, the Members standing.

THE PRESIDENT: It is my pleasant duty to present to Mr. Daniel Simpson the Imperial Service Medal which His Majesty the King has been graciously pleased to award to him in recognition of services which he has so efficiently rendered to this Colony.

Mr. Simpson entered the Public Service at a very early age 48 years ago to-day, and he retired on the ground of age in May last. Mr. Simpson began his career in the Post Office Department and by dint of hard work and good services rose to be Postmaster in Georgetown, the post which he held at the time of his retirement and to which he had been appointed in 1935.

(Addressing the recipient): Mr. Simpson I offer you my heartiest congratulations.

### MINUTES.

The minutes of the meeting of the Council held on the 15th October, 1941, as printed and circulated, were confirmed.

### ORDER OF THE DAY.

GRANT FOR GOVERNMENT ESSEQUEBO ESTATES' DRAINAGE.

Professor DASH (Director of Agriculture): I beg to move the following motion—

THAT, with reference to Governor's Message No. 12 dated 30th June, 1941, this Council con-

firms the grant of \$6,500 from the Development Trust Fund as an addition to the capital grant of \$25,000 approved by Legislative Council Resolution No. VI. of 20th December, 1939, in order to increase the acreage under rice on the estates by breaking down a further 230 acres which are available for the purpose, thus bringing the total rice area to 1,480 acres.

Sir, I do not think I need detain the Council unduly with any remarks whatever that I may have to make concerning this motion. It is a perfectly straightforward motion and the Message, No. 12, which has been laid before hon. Members, deals, I think, as fully as necessary with the motion. It asks for the confirmation of an additional grant of \$6,500 from the development Trust Fund for the breaking down of a further 230 acres to plant rice on the Anna Regina estates. There is an appended statement which gives the details. Hon. Members will recall—and it was referred to also in connection with another motion yesterday—that the Council approved of the expenditure of a sum of \$25,000 on the outbreak of the war in connection with the development of those properties for rice-growing and improving the condition of the tenants generally. This motion seeks to extend the work there to the extent indicated. We have had to proceed with that work, as stated in the Message, because we wanted to get the land in preparation for the mid-year planting of the rice crop. The Council is now invited to confirm this grant, and I therefore beg to move the motion.

Mr. D'ANDRADE : (Comptroller of Customs) seconded.

Mr. JACOB : I was waiting for the hon. Member for the Division (Mr. C. V. Wight) to say something, but I see he is so busily engaged in other matters that he does not think it advisable to make even favourable comment on the motion. If this is necessary work and work which this Council ought to approve of at any time, I am sorry that the amount is not \$650,000 rather than \$6,500, because if we were to do 100 times more of the work that is being done in connection with the production of food and of various crops, this Colony would be in a far better position. I do not want to say much about rice, but as this motion materially affects the rice industry and as it is a step in the right direction I think I would be lacking in my duty here if I did not commend Government

for this. As Government has the initiative and no hon. Member of this Council dares to initiate anything like this, my complaint is that that initiative is not being used as it should. If it is used even now this Colony would be far better off. Why this delay, this hesitancy, in bringing lands under cultivation beats me. I will be told, as I have been told before, that this Colony will have 30,000 tons of rice to export in 1940-41. This figure has not been repeated and I do not know when it will be repeated, but I hope it will be repeated next year. I can say at once, however, that if such a figure is repeated I would divide it by half. Next year the export of rice, unless a miracle happens, will not be 15,000 tons. Unless Government adopts a different attitude from now on it will not be that. Government has a whole year to do it and it can be done. When Government began to control the rice industry 29,000 tons odd of rice was exported, but this year I would be surprised if 10,000 tons is exported. Last year the figure was 12,000 tons and the previous year, I think, it was 12,000 tons. The exports had declined from 29,000 tons to approximately 10,000 tons this year, and yet this Government says and continues to say "We are helping the industry." Government says the industry is affected by droughts and floods. It is true that recently drought has been responsible to some extent for the drop in exports, but the majority of Government Members in this Council continue to mislead other Members of this Council and the public in regard to these matters. I emphasize it.

Let me make passing reference to the sugar industry. That is an industry which, I say, is very efficiently controlled by men of initiative. Ten years ago the exports were slightly over 100,000 tons and this year, provided ships are available, they will be around 180,000 tons and next year, if I can predict right and I would like to be contradicted, the exports will be over 200,000 tons. That is in spite of droughts, in spite of floods, in spite of limitation of production and limitation of export markets. In spite of all these things the exports of sugar next year will be double what it was twelve years ago.

In the case of rice, with all the encour-

agement Government has offered the industry—Government says it gives it every possible encouragement—the exports have declined from 29,000 tons to 10,000 tons. Let us say that at the most it will be 15,000 tons next year. What grieves me is that hon. Members of this Council and a large number of Elected Members continue to support that retrogressive policy, a policy that has brought chaos and distress among a large section of the community here. I cannot speak too strongly about it and must indict Government for keeping Essequibo in the position it is to-day. Government's initiative has been responsible for Essequibo being in such a parlous state with more than half of the people being unable to find more than two or three meals a day. Government has all the means available in the Colonization Fund, but Government will not do anything. The majority of people say that there is a reason for it, but I am not prepared to say as yet whether I agree with that or not. I am collecting further information as to why? I shall come to a conclusion one way or the other shortly, and I shall then say whether I agree with those who are saying that Government has a reason for not developing this industry. I conclude by saying that this is good work and work which Government ought to do and which this Council ought to commend this Government for doing. I am sorry the amount is not \$650,000 rather than \$6,500.

Mr. C. V. WIGHT: Perhaps I have not been paying the necessary attention to the hon. Member when he referred to me and said he did not know whether I was going to say something on this motion. The hon. Member seems to conveniently listen to some remarks sometimes and allow them to go through one ear and come out through the other for reasons best known to himself. I have already said on several occasions that I do not think that Government is wrong on every occasion nor do I think Government is right on every occasion. On this occasion I think Government is right and, therefore, I have not to get up and say Government is right and so waste the time of the Council. The hon. Member has brought me to my feet with a very significant admission he made this morning that he has suddenly discovered the

sugar industry is being run efficiently for the benefit of the Colony.

Mr. JACOB: To a point of correction I want to correct that statement. It is not sudden. I have always said it here.

Mr. C. V. WIGHT: I am not going to argue with the hon. Member. I do not want to go through the Hansards here page after page to show that the hon. Member has dilated on the misery brought on the labourers on the sugar estates and has suggested that the sugar industry can do this and that, culminating in what I told him here, which is also on record. I have no hesitation in saying openly, as I have said on that occasion, that I know why he has discovered that the sugar industry is running efficiently. We all know why, whether we like to say so or not and I have not the slightest hesitation in saying so. Perhaps he is hoping that it will run a little more efficiently some day, though he goes around talking about the Essequibo Coast. I see Government is doing exactly what he advocates—assistance for the Essequibo Coast. I am already in touch with the Officers of the Department concerned. Though the papers report what they like, it is very significant that remarks I make here pass unnoticed in the *Argosy* and *Chronicle* while the hon. Member gets all the headline splashes. That, however, is a matter for the papers; they can report what they like. Whatever I endeavour to do for my constituency I do in the proper way and as it should be done. I interview those concerned and try to persuade them not by abuse, not by telling them they are wrong in every other direction and can never be right, and not by suggesting that their motives are dishonest. One does not attribute dishonesty because of an omission. The hon. Member expects me to speak because he knows I know what the "middle" man does. I ask Government to eliminate the "middle" man and, if necessary exterminate him like rats are exterminated and see that the producer gets his fair share, and not allow these economic parasites to exist as the weevil in rice and to continue to say by so doing "I am the champion of the rice market for myself not for you. I am champion. Government is wrong. Give me a chance and I will make a lot of money and you starve." All I am asking Government is to follow up what they have done, continue

what they are doing in relation to that matter and see the producer gets a fair return. In that I mean all those primarily interested and connected with the industry.

Professor DASH: Sir, the hon. Member for North-Western District (Mr. Jacob) has left me very little to which to reply as regards the motion itself, but there are one or two agricultural features, I think, which he sought to bring out before the Council and which I think, need some explanation. First of all I would like to say this is not the only country of the world where there is crop fluctuation. As a general rule weather conditions and production are inseparably bound up, and it is often true that no matter how good artificial facilities are, such as irrigation for example, failure of rainfall or some similar factor may impose itself to bring about reduced production. The longer the cycle of the crop the less subjected it is to such variation and fluctuation. The hon. Member tries to compare sugar with rice. Even sugar itself suffered considerable fluctuation in recent years we know—

Mr. JACOB: To a point of correction! The sugar industry, I say distinctly, has not suffered save fluctuation in regard to production.

Professor DASH: I said considerable fluctuation. Rice being a short crop is subject to greater fluctuation. Take the wheat crop of Canada. It is a crop grown over a few months of the year, something similar to rice. You get a maximum production some years and half that other years. It is largely a question of weather. Those are facts we cannot lightly pass over, and some of these remarks may be misleading to Members of the Council who perhaps do not stop to think what is behind them all. I would remind the hon. Member with respect to his general remarks on the production of rice that recently we had the visit of the Comptroller of the West Indian Welfare and Development Fund and his advisers here and their reports have been laid before this Council which indicate that plans are afloat for considerable improvement of conditions on the coastal belt of this Colony when our crops will be certainly more assured as regards production. I hope that we may before very long see

some advance made in that direction. That is to say, that the recommendations will be implemented to the advantage of the rice growers in this Colony. I do deprecate remarks which show very superficial knowledge of crop production not only in British Guiana but in other parts of the world.

During the discussion Messrs. Dias, Humphrys, Woolford and De Aguiar entered the Chamber and took their seats

Motion put, and agreed to.

Motion passed.

#### SUPPLEMENTARY APPROPRIATION (1940) BILL, 1941

Mr. McDAVID (Colonial Treasurer): I beg to move that the following Bill be read the second time:—

A Bill intituled an Ordinance to allow and confirm certain additional expenditure incurred in the year ended the thirty-first day of December, 1940.

This Bill is merely a formal measure confirming excess expenditure incurred during the year 1940. All excesses are already included on supplementary estimates which have been approved by this Council. This Bill merely provides legislative enactment required to confirm those excesses. I beg to move the second reading of the Bill.

Mr. AUSTIN seconded.

Question put, and agreed to.

Bill read the second time.

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

Mr. Laing entered the Chamber and took his seat.

Bill passed without amendment.

The Council resumed.

Notice was given that at the next or a subsequent meeting of the Council it would be moved that the Bill be read the third time and passed.—(Mr. McDavid).



JUDICIAL PROCEEDINGS (REGULATION OF REPORTS) BILL, 1941.

THE ATTORNEY-GENERAL (Mr. E. O. Pretheroe): I rise to move the second reading of—

A Bill intituled an Ordinance to regulate the publication of reports of Judicial proceedings in such manner as to prevent injury to public morals.

In doing so I feel that this Bill will have more or less the general support of the Members of this Council. I have been informed the Press themselves are in favour of it. As far as the Bill itself is concerned, it is copied almost word for word from an English Act of the same name, which was passed in England in 1926. The first difference between the English Act and this Bill appears in clause 2 where "judicial proceedings" is defined. In respect of the definition in the English Act the learned editors of Halsbury's Edition pointed out the defect of the Act, and I think high legal authorities have adopted that definition.

In clause 3 the only thing which was required to be done was to restrict the meaning put on the word "publish." The word "publish" in this connection has got the same broad meaning as it has under the law of defamation. The meaning can be gathered, if hon. Members look at the proviso to sub-clause 2 which says:

Provided that no person other than a proprietor, editor, master-printer, or publisher shall be liable to be convicted under this Ordinance.

In other words, publication for the purpose of this Ordinance can only be made by those four classes of persons and, therefore, it does not apply to other individuals such as contributors of printed letters or any form of communication. The rest of the Bill follows the English Act word for word. I beg to move the second reading of the Bill.

Professor DASH seconded.

Mr. C. V. WIGHT: I do not intend to say very much on the Bill here, because it seems we are going to deal with quite a number of matters. Clause 3 (a) and (b) prohibits in relation to judicial proceedings the publication of certain matters calculated to injure public morals. That is a great controversial issue. I do not

know if anything dealing with birth control and matters of that kind injures public morals. There is probable divergence of opinion on matters of that nature. One section holds it does and another it does not. Then we have the question of other matters pertaining to judicial proceedings. It seems that the Judiciary and its power must be kept rather within a circumscribed area. On this matter I do not crave to express an opinion one way or another, except that I would have thought that before a Bill of this kind is brought or placed before this Council we would have had one of paramount importance to those who frequent the Courts not necessarily as complainants, or criminals or otherwise—an Ordinance or Bill for the introduction of a Criminal Court of Appeal. I say that *en passant* because I will have an opportunity at a later stage of dealing with it a little more in detail. That is a matter which, I think, is as important as this present matter before the Council. It is one which cries out for attention. Notwithstanding it is a matter of interest to the community, it will entail some cost to the community as there is also the question of providing an official reporter. Surely something may be done in the nature of arrangement, something as economical as possible can be devised by those responsible to have official reporters appointed to the Courts to take down exactly what is said and what is done. It is of paramount importance to the community. I am not speaking as a lawyer or on behalf of the lawyers alone, but as a lawyer one comes into contact with a considerable number of matters, a considerable number of questions in the course of one's practice of one's profession. I think it is more important to place before this Council a Bill, if it becomes necessary, or to place on the Estimates the salaries, emoluments or otherwise for the creation of the post of official reporters in the Courts of this Colony. When I speak of the Courts I naturally refer to the Supreme Court.

Mr. JACOB: I beg to move that this Bill be deferred to a date six months hence, though I do not know whether it will find a seconder. I think this Bill endeavours to restrict the privileges of the Press. It may be desirable in certain places but I do not think it is desirable in this Colony. I have no direct interest in the

Press. I am not a lawyer. I have not to sit down in the Supreme Court and take notes. At the present time I believe most of the lawyers look in the newspapers the next day after a trial to get their information from what is reported. I am not concerned with the disadvantages which will accrue from this Bill, but I do urge that this is not the right time to introduce such a Bill. It is unnecessary and I do not think the liberty of the Press should be curtailed in this manner. I am hoping that other hon. Members more versed in this matter than I am will say something about it. I think, if anything, the Press should have freedom and liberty to print what it thinks would be of benefit to the community, and this method of restricting the liberty of the Press I condemn wholly. I think the Editors of the newspapers here are far more competent to know what the public would like to know in matters of this kind, and I do not think this Bill which has been initiated by Government is a step in the right direction. I move that the Bill be deferred for a period of six months.

Mr. WOOD (Conservator of Forests) : I understood, sir, when the learned Attorney-General made his speech on the motion for the second reading of this Bill that he explained to the Council that the Press themselves were strongly in favour of these restrictions. The hon. Member, who has just resumed his seat, talked about the liberty of the Press. I would very much like to stress what the learned Attorney-General has said. The Press out here want this Bill. They want these restrictions put on. I discussed the question with the Editors of both the leading newspapers during the publication of a case, which occurred recently and which received very wide publicity and occupied large spaces in the Press to the exclusion of, perhaps, more important news. I asked each of them "Why do you publish these long accounts?" and each said "We would do anything to get out of publishing them, but if I do not publish them and the other Editor does everybody is going to buy his paper to get the spicy bits of news and I would lose circulation. If, however, it is controlled and neither of us can publish the full report, both of us would be delighted to suppress the details"

I think that was the case in England when the law was brought in there.

During the discussion Mr. Seaford entered the Chamber and took his seat.

Question put, and agreed to.

Bill read a second time.

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

Clause 3—Restriction of publication of reports of judicial proceedings.

Mr. PERCY C. WIGHT : For the protection of my own head I would like this particular clause—sub-clause 2—to be amended. It reads :

If any person acts in contravention of this Ordinance he shall in respect of each offence be liable on summary conviction to imprisonment for terms not exceeding four months, or to a fine not exceeding \$1,000, or to both such imprisonment and fine.

I would ask the hon. and learned Attorney-General in his generosity to make the fine less, because it is likely to occur that a reporter may find himself in accord with these spicy bits of information and put them in and they may escape the principal officers and so get through into publication. I am referring particularly with regard to the position of a proprietor. I do not know if the hon. and learned Attorney-General would explain to me whether a shareholder or a proprietor should suffer imprisonment for something he is not responsible for, as the publication generally appears before he knows anything about it.

I am entirely in agreement with the Bill and I think it is a necessity in protecting public morals, but I ask that it be defined particularly what a proprietor means, because it may be that an individual owner or a shareholder or a director who is the responsible person to go to prison. The fine, I think, is excessive for a first offence.

Mr. C. V. WIGHT : I am going to move a motion that in clause 3 (1) (b) iv) the word "legal" be inserted between the words "and" and "observations." I think those hon. Members who happen to be legally inclined by profession or otherwise will agree that it is somewhat necessary.

THE ATTORNEY-GENERAL: With regard to the suggestion made by the hon. Member for Georgetown Central (Mr. Percy C. Wight) if he cares to move an amendment that the penalty be \$500 or three months I will accept it.

Mr. PERCY C. WIGHT: I certainly will. I beg to move as an amendment that the fine be \$500. Why not make the term of imprisonment two months? I move that the penalty be \$500 or two months. As regards the question of the proprietor I hope the hon. Attorney-General would find some way of amending that. I further move the deletion of the word "proprietor" and leave it to the Editor and Master Printer and Publisher.

THE CHAIRMAN: Is the hon. Member's amendment that the word "two" and not the word "three" be substituted for the word "four?" I am not sure that the hon. Member heard what the hon. Attorney-General said.

THE ATTORNEY-GENERAL: It is usual to have with a fine of \$500 the term of imprisonment three months.

Mr. PERCY C. WIGHT: Make it two months. It is a term of imprisonment whether it be one year or two months.

Mr. SEAFORD: I beg to second the amendment. The only thing about it is I am surprised the hon. Member does not like going to gaol for three months but he will go for two months.

Mr. C. V. WIGHT: I think both hon. Members are finding themselves in the same boat. If the hon. Member moves another amendment I would support it because I would admit that proprietors have not the remotest idea what is going into the paper.

THE CHAIRMAN: The hon. Member moved in the first instance an amendment to sub-clause (2) of clause 3. I am dealing with that one first. As the hon. Attorney-General has said, if the hon. Member would move it using the word "three" instead of the word "four" Government is prepared to accept that amendment immediately. But if the hon. Member adheres to his proposal that the term of imprisonment be two months and not three months I am afraid

the whole of the amendment cannot be accepted by Government.

Mr. PERCY C. WIGHT: After that you cannot expect me to adhere to what I want done. I certainly accept the suggested amendment.

Mr. HUMPHRYS: What I would like to point out, is that there is a weakness in the proviso. It says: "No person other than a proprietor, editor, master-printer or publisher shall be liable to be convicted under this Ordinance." That is all right as far as it goes, but where the proprietor is a company I think the provision should be that conviction shall be on the chairman or director of the company, otherwise you can only exact the fine as you cannot send a company to gaol. If it is provided that the chairman of a company is also liable to imprisonment it might have a salutary effect. I am only suggesting it.

THE ATTORNEY-GENERAL: With reference to the remarks just made I think in that particular case there is no need to define proprietors of newspapers. The proprietors of newspapers are usually companies and not individuals. That is the case with all big newspapers. In such a case the alternative three months of imprisonment has no application. If a company is fined and the fine is not paid you must levy on the property where the newspaper is owned by a company. There is no danger of proprietors going to prison at all. I may add that proviso was taken word for word from the English Act, and if hon. Members are interested they may look at Halsbury's Statutes of England which gives an annotated list of cases.

Mr. PERCY C. WIGHT: I am quite satisfied that I am not going to gaol and therefore there is no use my opposing the amendment as suggested that the words "four" and "one thousand" be deleted and the words "three" and "five hundred" respectively substituted therefor.

Question "That clause 3 as amended stand part of the Bill" put and agreed to.

Clause 3 passed as amended.

The Council resumed.



Notice was given that at the next or a subsequent meeting of the Council it would be moved that the Bill be read a third time and passed.—(*The Attorney-General*).

#### PENSIONS (AMENDMENT) BILL.

**THE ATTORNEY-GENERAL:** I rise to move the second reading of the following Bill—

A Bill intitled an Ordinance, to amend the Pensions Ordinance, 1933, by making provision for the payment of pensions to the dependents of certain officers who lose their lives owing to enemy action while travelling to or from the Colony during war time; by providing for the grant of increased pensions to officers permanently injured while so travelling and by making certain minor amendments.

There are two main objects of this Bill. The first makes a number of minor amendments in the method of calculation and not in the actual figures. I will draw attention to each one individually in turn. They all appear in clause 3. The second one is to make the conditions which are applicable to a Civil Servant who dies in the course of his duty applicable where his death is due to enemy action. In other words that they shall be extended to those who lose their lives by enemy action. That includes the journey going on leave and returning from leave. I think all hon. Members will agree that it is a very deserving case. In fact when the question came up in respect of the victims of the S.S. *Simon Bolivar*, this Council was quite quick in giving compensation.

There is one other point and that is that injury received while proceeding to or returning from leave is not likely to be frequent. As hon. Members know it is very difficult indeed for any Civil Servant in this Colony or any other Colony to get leave to the United Kingdom at the moment. Shipping restrictions and the fact that they want no extra people there and other considerations prevent him getting leave to go to England unless it is for a very special purpose. The result is that very few Civil Servants from this Colony will be travelling in what is known as the danger zone. It is unlikely that any great claim will be made on the financial resources of this

Colony to meet that particular part of the clause. All the other Colonies are accepting or have enacted legislation identical with this Bill in every respect. I hope this Council will agree so as to enable it to be put on the Statute Book. I said there are differences between this Bill and the existing section of the principal Ordinance. The first difference is in Section 20 of the old Ordinance as set out in clause 3 of the Bill. Sub-clause 1 (c) (i) says—

If the deceased officer leaves a widow, a pension to her, while unmarried and of good character, at a rate not exceeding ten-sixtieths of his annual pensionable emoluments at the date of the injury or seventy-two dollars a year, whichever is the greater.

In the existing legislation it is \$48 instead of \$72. A pension of \$48 per annum to a widow in these days is totally inadequate, and there can be no objection to increasing the amount to \$72. The next difference appears in the next sub-clause (ii) which says "an amount not exceeding one-eighth of the pension prescribed by the preceding paragraph." That is in the case of a child or children. In the existing legislation it says "not less than \$48 or more than \$288." It is a difference in the method of calculation. The next change is in the arrangement. The old Ordinance had no specific provision for a case where a widow dies and leaves children. It is quite obvious that if a widow is in receipt of a pension and she has children and that widow dies before the children attain the adult stage they are left almost starving because the widow's pension lapses with her death. Clause 4 makes special provision for that particular occurrence.

The next change is in proviso (b)—the second part. It states:

...and if it appears to the Secretary of State at any time that the mother is adequately provided with other means of support, such pension shall cease as from such date as the Secretary of State may determine;

In the existing legislation you have the words—"the deceased's father is in a position to support her." In other words, at the present moment the only consideration that arises is that the deceased's father is in a position to support the widow. The father may not be in that position but some other relative or some other source may. As the proviso is



recorded now, if a widow receives support from any other source then the Secretary of State may determine her pension. The definition of "child" in subclause (3) is new. Those are the only changes it is thought to be made in the Bill, as all the other clauses—4, 5 and 6—are consequential and arise out of what I have just mentioned. I move that the Bill be read a second time.

Professor DASH seconded.

Mr. C. V. WIGHT: There seems to be a lot of reluctance on the part of hon. Members in getting up to speak on this matter. I personally have no objection to an officer, who while coming back from leave to take over his job happens to be killed through enemy action or otherwise, coming under the same provision as he normally would, but I do object to an officer, deciding here that he wants leave and going into the war zone, if his ship is sunk, coming under the provisions of the Pensions Ordinance. I notice the words "or of a period of leave therefrom" are specifically used. I take it that is intended to convey from the commencement of his service. In other words an officer, who is appointed to this colony, can on the way stop at the United Kingdom to take his leave before he gets here and will come under the provision. Here are some people who think that Government Officers are always on leave, whether they are here or not. I do not approve of that wholly but it does seem that these words "or of a period of leave therefrom" need very careful consideration, and I must say that I am not inclined to support at the present moment the inclusion of those words. I may be induced or inclined to support it in the case of the death of an officer through no fault of his own. I do not think that any officer is going to commit suicide unless he is driven to it by circumstances and even then one may excuse that. I do think those words need careful consideration.

Question put, and agreed to.

Bill read the second time.

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

Clause 6—Amendment of regulation 15 of the schedule to the Principal Ordinance.

Mr. HUMPHRYS: I did not wish to speak on the second reading because all objections can be taken in the Committee stage. I submit that Government should not press the inclusion in this clause of the case of an officer who is on leave. If an officer is on leave or wants leave while a war is on, I do not think he has any right to risk injury or death by enemy action. I do not think this clause should be included in the Bill. If an officer wants to go away on leave he should go to Barbados or Trinidad or other places of comparative safety until the war is over. I cannot see why this Council should countenance the risk an officer takes in going on leave to England during war operations. I think they should be made to confine such activities to the West Indies during the war. I can understand that while going away from here or coming here on duty an officer, who has to spend some time in the United Kingdom, should be protected. I am going to move that these words "or of a period of leave therefrom" be omitted from the clause. I do not think it is fair to the taxpayers that they should be asked to pay extra taxation to provide pension, if an officer wishes to take risk while on leave by going into the war zone. Let him go somewhere else. We all have to put up with restrictions during a war.

Mr. SEAFORD: I cannot help feeling that the hon. Member has overlooked the case of an officer who wishes to consult a medical expert on certain things. There are cases which do come up in which local medical men not having the experience have always recommended that you go to some other country to get expert advice. Although you may say you are not running any risk, one does not know how the war is going to expand and what will be the end of it. I think it would be very hard on the officers of the Service if they cannot get this protection in the event of having to go abroad to get the best medical advice recommended by local practitioners. I think that in the majority of cases it is for only health reasons that Government gives officers permission to go to England on leave. I think it is rather a handicap, and the hon. Member overlooked that when he made his suggestion.

Mr. JACOB: I do not agree with the last hon. speaker's remarks. I think there is protection here. The clause says: "If an officer proceeding by a route approved by the Governor to or from the Colony..." There is some amount of protection. An officer may be combining business with pleasure for domestic and other reasons, and I do not think it is wise to restrict or amend this clause at all.

THE ATTORNEY-GENERAL: What I said in moving the second reading was in effect that it is extremely difficult for officers to get leave at this period to go to the danger zone. Hon. Members may say "Why not recall the people who are on leave now?" The fact is most of them are people on agreement and not on leave, and if they come back they come under a fresh agreement. But they do not come under this Bill. There are people out here who have to go home on leave in consequence of having been ordered to proceed to England as soon as they can to consult a specialist; it may be by the doctor who had been looking after their case. In a case like that an officer must go to England and it would be unfair to remove from him this right. Then there are individuals who have to go home on study courses; certain improvements have taken place and they desire in the interest of the Service to go home and become acquainted with those particular improvements. Although on leave they spend a part on duty and, I think, in that case they deserve the recognition sought to give them under this Bill. There is one other class and that is those people who go home for the purpose of getting their sons into the Fighting Forces. I know one case like that. Hon. Members should not grudge them the benefit now sought to give them if they go home in order to get their sons into the Fighting Forces.

Apart from these—(1) Ill-health which makes it necessary for Government Officials to go to the United Kingdom on leave, (2) the desire to attend a course of studies, (3) the desire to get their sons into the Fighting Services—you will find that leave is not granted to go there. The Civil Servant is told to take two or three months in the West Indies. He cannot go to the United Kingdom or Canada, and so it is most unlikely that what hon. Members call "leave" will be

spent by Civil Servants in those places. I do hope hon. Members will not support the amendment moved by the hon. Member for Eastern Demerara, (Mr. Humphrys).

THE CHAIRMAN: There is another matter, and that is the case of public officers who are recommended by medical advisers for leave for a period longer than three months. An officer is not allowed to spend his leave in the Colony if it is for a period longer than three months without the Governor's permission. If a medical officer recommends it, one must assume that the Governor is not going to allow an officer to spend his leave in the Colony when he has been definitely told he must go away. Probably he will go to one of the West Indian Islands. As the hon. Member for Georgetown North (Mr. Seaford) said, we cannot guarantee any particular route where an officer may not come to grief. I hope hon. Members will not press this amendment. As the hon. Attorney-General has said twice, and I would like to say it again as it is a perfectly correct statement, officers are not allowed to take long leave away except in cases which are exceptional.

Mr. HUMPHRYS: As far as I am concerned, I never wish to be hard on Government Officers who may come to grief in a case of this kind. I accept Government's assurance that leave is not granted indiscriminately to officers to run the risk of being killed. Your Excellency has given the assurance of leave being granted only in very rare circumstances, such as if a man is ill, or is taking his sons away to the war, or anything of the kind. I am quite prepared to accept that, and I am not going to press the amendment with that assurance having been given. Ordinarily I do not like the look of it. It does seem that leave is being given right and left, and if officers go to England on leave and are injured it would not be fair to the taxpayers to give a pension. I withdraw the amendment.

THE CHAIRMAN: I hope the hon. Member is not asking me to give an assurance that officers will only be given leave to go outside the Colony if recommended on medical grounds, because I know there has been one case, and possibly two, where

in a large Department an officer has been given vacation leave because it has been realized that if no one is allowed to go on leave there would be congestion when peace is declared, as officers will be accumulating leave. I can assure the hon. Member that Government is making it very difficult for officers to get leave, and I do not mind saying frankly that very few officers wish to go away now on long leave. Not many want to go to the United Kingdom for six months; they would be miserable.

Mr. PERCY C. WIGHT: I visualize in my mind that after peace is declared Government Officers will be rushing for leave in a hurry. The expression "going home" has been often repeated during the discussion, but I am not saying "going home." When peace has been declared and all the mines are not recovered, there will still be danger. If in the interval between three, or six, or nine months after the war a shipping accident occurs, are we going to be still responsible for these pensions? A man may take the risk immediately after the cessation of hostilities and rushes to go on leave to the United Kingdom and something of the kind occurs, are we going to be responsible for that as will be the case during the war?

THE ATTORNEY-GENERAL: The hon. Member has drawn attention to the fact that after the war Government Officers will all wish to go on leave, but I may point out that they will not be allowed to go together. I agree and admit at once that those who do go will run a sporting chance of meeting a stray mine. Six years after the last war a mine exploded near my own home. There have been very few casualties through mines. The risk is so small that we need not make provision to cover such contingency. I suggest that if such a claim arises, it may be dealt with then. As far as one can reasonably foresee, we are in no danger of incurring any heavy financial commitment. If in the remote future there is the possibility of striking a stray mine, I do not think that is sufficient to justify an amendment of the general principle which only applies to action arising out of the war.

Mr. C. V. WIGHT: Perhaps Govern-

ment would repeal this clause dealing with it as soon as peace has been declared?

THE CHAIRMAN: Is the hon. Member for Eastern Demerara (Mr. Humphrys) prepared to withdraw the amendment?

Mr. HUMPHRYS: Yes, Your Excellency, I withdraw it. As regards the point made by the hon. Member for Georgetown North, I do not think that question will arise. My own view is that after the war if a ship strikes a mine, how can it be considered as enemy action? That is a point of law which may be discussed at the time.

THE ATTORNEY-GENERAL: In respect of the last war it will be recalled that enemy action persisted for two years after.

Title and Enacting Clause.

Mr. PERCY C. WIGHT: Is it necessary to have these words "Dependents of certain officers" in the title? The word "certain" seems to be superfluous.

THE ATTORNEY-GENERAL: A change in the title of a Bill is very important. I cannot recollect at the moment why that word has been put in, and I will have to read through the notes to see why. I therefore ask that you leave it, and I will find out why.

Mr. SEAFORD: I think all the hon. Member wants to know is the hidden meaning behind it and he will be satisfied with that.

THE ATTORNEY-GENERAL: It is only put there in the interest of accuracy.

THE CHAIRMAN: There is no special officer in view, if that is what the hon. Member wants to know.

Bill passed without amendment.

The Council resumed.

Notice was given that at the next or a subsequent meeting of the Council it would be moved that the Bill be read the third time and passed—(*The Attorney-General*),

INCOME TAX (AMENDMENT NO. 2) BILL,  
1941.

THE ATTORNEY-GENERAL: I rise to move the second reading of —

A Bill intituled an Ordinance further to amend the Income Tax Ordinance by substituting a new definition of the word "Company" and by defining more accurately the deduction allowed in respect of the payment of Excess Profits Tax when ascertaining the chargeable income for the purpose of Income Tax.

Hon. Members will remember that

on the last occasion there was a question of amending a Bill then before the Council dealing with the payment of taxes in the United Kingdom and elsewhere—it was an Excess Profits Tax Bill—the hon. Member for Georgetown North (Mr. Seaford) proposed to move an amendment and on Government giving an undertaking that Government will move an amendment itself he withdrew that amendment. This Bill is the amendment which Government proposes to make.

The first thing I desire to draw attention to is Clause 2 where the definition of "Company" is changed. I may say that the principal Ordinance, Chapter 38, is a Colonial Model Ordinance. I believe this Colony was the first to draw attention to this curious oversight in the definition of "Company." The effect is this, a company registered or incorporated elsewhere than in the Colony and having no place of business in the Colony for the purpose of this Ordinance pays the tax. That was never intended as it could be avoided by simply taking a room and putting a clerk in it. The object of this Bill is to make it that all companies, whether they have a place of business in the Colony or not, pay as a company and not as individuals.

The second part like most income tax provisions starts off smoothly and then gets involved. Clause 3 merely says that when computing the gains or profits from a trade or business the amount of the excess profits tax may be deducted as expenses incurred. There is nothing in that. It is the old provision reworded. All the amendments in Clause 3 make no financial difference to anyone but merely give effect to the proposed amendment of the hon. Member for Georgetown North. Sub-clause 1 reads:

The amount of the excess profits tax payable in respect of a trade or business for any chargeable accounting period under the provisions of the Excess Profits Tax Ordinance, 1941 shall in computing for the purposes of income tax under this Ordinance the gains or profit from that trade or business, be allowed to be deducted as an expense incurred in that period

Then there is a proviso as to when payment has been made. The hon. Member will recall that under Section 11 of the Excess Profits Tax Ordinance, when there are deficiencies of profits there may be repayment. The question is if there has been repayment how it affects sub-clause (1), and the answer is where repayment has been made the amount allowed under this section shall be taken into account as if it were a profit of the trade or business. In other words, you leave it as you found it at first and make a deduction on the other side.

Sub-clause (2) is the amendment Government promised to move. It does not actually mention that the National Defence Contribution be waived, but any agreement made by this Colony and the United Kingdom under the Excess Profits Tax will in fact include the National Defence contributions. That being the case the sub-clause as set out gives full effect to the request of the hon. Member for Georgetown North. I beg to move that the Bill be read the second time.

Professor DASH seconded.

Question put, and agreed to.

Bill read the second time.

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

Bill passed without amendment.

The Council resumed.

Notice was given that at the next or a subsequent meeting of the Council it would be moved that the Bill be read the third time and passed.—(*The Attorney-General*).



## RENT RESTRICTION BILL, 1941.

THE ATTORNEY-GENERAL: I rise to move the second reading of—

A Bill intituled an Ordinance to restrict in specified areas the increase of rent of certain classes of dwelling-houses and the right to recover possession thereof, and for purposes connected with the matters aforesaid.

Mr. PERCY C. WIGHT: I want to ask that consideration of this Bill be postponed. I have been requisitioned for an interview by some interested persons—the Georgetown Ratepayers' Association—and I would like to be given a little time to interview them in order to be able to put their views before the Council. I ask that you defer the second reading for another day.

THE PRESIDENT: I may draw the hon. Member's attention to the fact that this Bill was published on the 20th May, and I think ample time has been given them already in the matter.

Mr. PERCY C. WIGHT: The people in this Colony wait until the last moment before they do anything. As I have been asked, I want to show them that I am quite willing to accede to their request to put their views before the Council. It will save the hon. Attorney-General repeating himself at some other time.

THE PRESIDENT: I think the Council should proceed with the second reading at any rate and we might see later on if it is necessary to postpone further consideration. I am not anxious to postpone the second reading.

Mr. PERCY C. WIGHT: Very well, sir.

THE ATTORNEY-GENERAL: This Bill is a wartime measure. It is introduced in the order to meet special conditions which arise out of and are caused by the war. Quite frankly it is an attempt to interfere with normal economic relations. It will be acknowledged that in a measure of this sort, however it is worded or framed, there is going to be hardship somewhere. You cannot ameliorate distress on one side and not cause hardship on the other side. Bearing that in mind, certain broad principles in the Bill are essential. On the other hand there are minor parts which are not

essential and where amendments make no difference at all. Where people of local knowledge consider amendments necessary there is no difficulty about it, provided they are minor. The main structure must stand or fall as one.

The Bill itself as drafted is made applicable to the City of Georgetown and an area of three miles beyond the City bounds. That follows the Rent Restriction Ordinance of 1919, and secondly it applies to houses, parts of houses, room or rooms whose annual standard rent does not exceed \$720. On the question of standard rent I imagine there is difference of opinion. That figure is copied from the old Ordinance. I notice that the Bill which afterwards became that Ordinance was originally drafted with \$480 a year but was amended in this Council to \$720. It is obvious that the figure must be sufficiently high to protect all classes requiring protection. The figure was fixed so that it would serve to protect those classes. The other classes to which it does not apply are found in sub-clauses (3), (4) and (5). It does not apply to—

(1)—a dwelling-house let in good faith at a rent which includes payments in respect of board, attendance or use of furniture, or to any premises used for business, trade or professional purposes:

Provided that the application of this Ordinance to any house or part of a house shall not be excluded by reason only that part of the premises is used for business trade or professional purposes.

That means that furnished quarters do not come within the orbit of the Bill.

(11)—a house or part of a house let together with land other than the site of the house.

That means if you let a house with 20 acres of land for farming purposes the Ordinance would not apply there.

(111)—a dwelling-house erected after, or in course of erection on the third day of September, nineteen hundred and thirty-nine.

The object of that is that there is no intention to act as a break on building operations. No one will build houses if the Ordinance applies to houses built since then, as it will be said that as the rent is restricted it is not worthwhile building now. It is in order to encourage building that it is put in. Sub-clause (6) is im-

portant. It says once the Ordinance becomes applicable to any dwelling house or land it shall remain applicable. In other words once the Ordinance is applicable you cannot get out of it by making improvement and increasing the rent of the building. Clause 5 is the most important of all the provisions dealing with the restriction of rent. Hon. Members will notice on the Order Paper that I have suggested an amendment which will mean a complete fresh clause. I will not comment on that now, as it may not be accepted.

Clause 6 deals with the permitted increase of rent. The suggested increase is 8 per cent. for the cost of repairs effected to the building and any increase paid by the landlord in respect of rates and taxes. The rest of the Bill follows precisely the 1919 Ordinance. Clause 7 restricts the right of the landlord to regain possession. That is necessary. Clause 8 restricts the right to levy distress for rent. It is no good providing protection for the tenant if the landlord can get him out by levying distress. Clause 9 deals with restriction on premiums. That is the one way to get out of the Ordinance altogether. You may agree to the rent but the landlord may say "Before you go into the house pay \$1,000." In that way you would get out of the Ordinance altogether. Clause 10 gives the conditions of statutory tenancy. A tenant is not to pay more than the statutory rent and it is necessary to say what the tenant should do, and Clause 10 says what he should do. Clause 11 provides for avoidance of notice to quit. Since first it was heard of the introduction of this Bill the landlord had ample time to give notice to quit and this is to avoid that. Clause 12 is practically copied from the old Ordinance. Clause 13 is merely procedure. Clause 14 provides for appeals to the Supreme Court. Clause 15 gives power to make rules to enable the Ordinance workable. Clause 16 provides the limitation of the operation of the Ordinance.

As I have said this is a war measure arising out of the war and it is not intended to continue it after the conditions which have caused it have been changed. Therefore clause 16 says the Bill shall remain in force for one year and thereafter may be renewed by resolution of this Council. Such proposal will be made before the

termination of one year. I now move that the Bill be read a second time.

Professor DASH Seconded.

Mr. C. V. WIGHT: I take it that Government is in possession of a request made on the 7th April, 1941, by the Georgetown Town Council in which they asked if this Ordinance is being put forward that simultaneously an Ordinance affecting the landlord's rights be put through. I notice the omission and I shall read from a copy of the letter forwarding the request:

The Council was informed that it is proposed by Government to enact a Rent Restriction Ordinance, and in view of the proposed new basis of assessing City properties, the Council will be glad if Government would see its way to enact also simultaneously such amendments to the Law of Landlord and Tenant as would protect the landlord against loss of rent through the present restriction of the right of the landlord to levy distress on goods brought on his premises which are the property of the tenant only.

I expect to hear that it is receiving attention. How long it will be receiving attention one is only left in a state of conjecture. I do ask Government to consider a request of that nature because there are other things dependent on it, and if it is not done it leaves us with a considerable amount of difficulty trying to adjust the various conditions which are arising and which are merely transitory or otherwise. It is very difficult, as while dealing with this subject it was practically indicated that there would be no enabling Ordinance other than this. The Town Council had forwarded as early as March certain proposals, and up to this day we have not heard whether they have been accepted. I do not know whether we have to come back to this Council and, perhaps, I may leave the remarks I am making to that time. I do ask that when requests are made to Government that they be given due consideration. There are definite and important reasons for making the request. It places one in a very invidious position in trying to hold the scales as evenly as possible. It seems on the one hand, we have the tenants being protected—I do not say they do not need protection—and on the other hand we have the landlords who must pay their taxes and are endeavouring to do so as best they can. They need some sort of protection too.

Mr. PERCY C. WIGHT: Your Excellency took me to task by saying the Bill has been in the hands of the public since May last. I can answer that myself. You have been aware that prices have increased considerably since May last, certain things are almost impossible to be obtained and for some considerable time certain materials are almost unobtainable at any price. That is undoubtedly a good reason for saying that I think you should give the property-owners an opportunity of presenting any complaints they may have. I quite appreciate there are difficulties on both sides—tremendous difficulties. When I speak I do so with authority as a very large property-owner. There is no money in owning properties whatever. I have been accused of renting my properties too cheaply. I can show my books and convince you that it is not a profitable business. You have heard why—

THE PRESIDENT: May I remind the hon. Member that he is now speaking on the second reading and if by any chance the Bill is deferred he will not be able to speak a second time. I do not think the hon. Member has given any indication as to what length of postponement he proposes to ask for. If it is a matter of a day and we proceed with the Bill to-morrow, I would have no objection to a postponement of further consideration until to-morrow. We are getting towards the end of the business of the Council, and I am afraid I cannot agree to a resolution deferring consideration to another session. Would the hon. Member indicate the length of postponement he proposes?

Mr. PERCY C. WIGHT: I have never been an obstructionist.

THE PRESIDENT: I do not suggest that. I only ask that you give an indication of the length of postponement you have in mind. If it is for 24 hours I am quite prepared to accept it.

Mr. PERCY C. WIGHT: I am one of those persons amenable to reason. I have no desire to detain the business of the Council. It is, however, the people's fault that nothing has been done before. I may get what their views are and bring them here to-morrow.

THE PRESIDENT: If the hon. Member

is prepared to move a motion that further consideration be deferred until to-morrow, I would accept that.

Mr. PERCY C. WIGHT: In that case I move that consideration of the Bill be deferred until to-morrow.

Mr. C.V. WIGHT: To a point of information! A request has been made. I do not know what is the position as regards the request in relation to this Bill which has been received by Government in a letter from the Georgetown Town Council. I am perfectly prepared to go through with the Rent Restriction Bill at the moment, but if a resolution for a postponement is being moved I would have to ask that the information sought be given. My attitude will depend entirely on the answer I receive from Government.

THE PRESIDENT: I had hoped to give the hon. Member the information he asked for in a few minutes, but I am afraid I cannot give it now. I will be able to give it after the adjournment. Does that affect the motion before the Council? Are you prepared to support the motion to defer consideration of the Bill until to-morrow?

Mr. C. V. WIGHT: Yes, I second it.

Question put, and agreed to.

Debate on the second reading of the Bill deferred until to-morrow.

#### WORKING OF T. AND H. DEPARTMENT.

THE COLONIAL SECRETARY: The motion before the Council is—

THAT, with reference to the Officer Administering the Government's Message No. 15 dated 3rd October, 1941, this Council approves of any increase in the net deficiency on the working of the Transport and Harbours Department which will be necessary as a result of the adoption of the proposals embodied in paragraphs 2, 3, and 4 of the Message.

The Message which has been laid before hon. Members sets out the position somewhat fully, but I think I should remind hon. Members that in March, 1939, a Committee was appointed to consider matters in connection with claims for increased pay and better working conditions from the employees of the Transport and Harbours Department. That

Committee consisted of the Conservator of Forests as Chairman—the only Official on the Committee—and six Unofficial Members of this Council, but in no sense was it a Select Committee of the Council though comprised entirely of Members of this Council. Government was in no way committed to the adoption of such recommendations as might be made by the Committee. That was made clear at the time. It was pointed out that any recommendations which were governed by financial consideration would be subject after consideration by Government to consideration by the Legislative Council and the Secretary of State. It is unfortunate that a number of circumstances contributed to the report of the committee not having been presented until June, 1940. In the meantime the position had materially changed. War had broken out and certain interim concessions had been granted to the workers of the Department, particularly the concession in respect of superannuation benefits, which hon. Members of Council would recall, had been approved by this Council. Nevertheless after further consultation with the Committee it was considered that consideration should be given to those recommendations made by the Committee in the first instance.

It is Government's view that in the main the recommendations should be accepted, but that a modification should be made in respect of the scales of salaries recommended by the Committee for the clerical workers. That was one of the main recommendations of the Committee, and I should say it was the one which entailed the greatest financial consideration. Adoption of the scales submitted by the Committee would have meant an approximate increase of \$11,000 per annum minimum and an approximate maximum increase of some \$18,000. The scales submitted to the Council, as set out in the Message to the Council, entail a minimum increase of some \$3,000 with a maximum increase of some \$12,000. Reference to the Message will indicate that apart from that modification relating to the salary scales of the clerical workers, the recommendations of the Committee in substance have been accepted.

There is set out in paragraph 2 of the Message a number of proposals which Government is prepared to accept. In

paragraph 4 there is set out a number of proposals which in the interim have already been put into force in the Department. There are six proposals set out in paragraph 5 which Government does not find itself able to accept. Perhaps by way of explanation I would refer briefly to the reasons why those recommendations cannot be accepted by Government. The recommendations are :—

(1)—*The appointment of a staff officer*—(recommended in paragraph 33 of the Committee's report). Perhaps that may be taken in conjunction with (f) of paragraph 5 of the Message regarding a recommendation for a Council to consider differences between the Department and its employees. As regards the appointment of the Staff Officer it is not very clear what functions that officer would perform nor is it very clear that the appointment of such an officer would obviate the various representations that will be made to "Caesar." That is to say the General Manager will still be approached, the Colonial Secretary will still be approached and the Secretary of State for the Colonies will still be approached. The Committee itself on further consideration advised Government that they did not think the appointment was necessary at the present time. Taking that particular recommendation along with (f) the one relating to the appointment of a Council, I would add that the whole position in regard to representations concerning pay, hours of working and general conditions of employees of Government now under consideration. My hon. friend, the Commissioner of Labour and Local Government (Mr. Laing) is now very actively engaged in preparing conditions for the appointment of Whitley Councils in this Colony. It is hoped that on the establishment of these councils there would be a definite avenue for representations to be made and a definite procedure for the consideration of any such representations.

(2)—*The provision of uniforms for night watchmen*.—While this is only a small matter in some way it has rather far reaching effect. It is desirable that those watchmen be given some identification and, I think, the Department provides them with badges and whistles. If they are provided with uniforms I am afraid we would have also to provide the watchmen in



other spheres of Government with uniforms. All the watchmen on public roads will demand uniforms.

(3)—*Daily paid men to be made weekly men*—This has bearing on leave conditions, and that is the reason why Government cannot see its way to accept it. The actual effect of the recommendation would be the doubling of leave facilities with a consequential increase in staff. Daily workers now receive or are given one week vacation and one week sick leave, and if they are made weekly workers they would be entitled to two weeks vacation and two weeks sick leave, so that the effect of raising the daily paid men to a weekly status will immediately double the leave facilities and necessitate an increase in staff. Apart from that, however I think, with all due deference to the Committee, that this recommendation is somewhat in variance with the recommendation in paragraph 86 of their report.

(4)—*The question of overtime pay for weekly paid lorry drivers*—That has particular reference to the drivers of the Bartica-Potaro Road Transport Service. I do not think I need say more than that it will be practically impossible to control a measure of this kind and such a provision will be open, I submit, to abuse.

(5)—*A six day week for plate-layers* (paragraph 72). One of the recommendations accepted by Government is increased rates of pay for plate-layers, and Government cannot see its way to accept the six day week for plate-layers for the reason that it will result in a reduction in the number of plate-layers, as the gangs will have to be reduced in numbers because the work that is at present carried out or the organization for carrying it out does not permit of its being spread over six instead of five days as at present. In addition to that, by the time the men arrive at their destination on Saturdays it will be almost time for them to return home. These are all the reasons why Government is unable to adopt the proposal as set out in paragraph 5 of the Message.

Reverting to the main recommendation of the Committee with regard to the salary scales, these scales, as put up by the Committee and as I mentioned before, involve a

minimum increase of some \$11,000 and a maximum increase of some \$18,000, and Government does not feel it is in a position in these days to accept a recommendation involving such an expenditure Government therefore asked the Transport Board to consider scales of a more modest nature which will give some benefits to the workers above that which exist and above all hold out greater prospects than those arising from the present scales. It will be noticed that in the Message reference is made to the fact that the Secretary of State for the Colonies has consented to the increases proposed rather hesitatingly. It was only on consideration of the very strong recommendation made by the Governor that the Secretary of State agreed to any increase in salaries being paid at all, and it is only for the reason stated here that the enquiries which resulted in the recommendations now before the Council had actually been instituted before the war. I may mention there are many cases of Government Officers whose emoluments are recognized to be on the low side, but it has invariably been the policy of Government that no increases will be granted during war conditions except in very exceptional cases.

A further word about these scales, because a great deal of stress has been made in other quarters on the question as to the adequacy or otherwise of the scales recommended. I think the Council will agree with me that the true test of a good scale of salaries is not whether it will afford an immediate increase to every single employee concerned, but whether it holds out reasonable prospect of advancement in the sphere of employment. That is the true test. I know no scale of salaries ever introduced in the Civil Service that has given immediate benefits to every single employee. Such a scale, if adopted, would surely have several disadvantages especially to the junior employees and would result in several inequities arising later on. It is submitted that the scale now recommended by this Government is a reasonable one, providing an increase to practically all of the employees. There are 35 employees out of the total number involved who will not receive immediate increases. It is submitted that all these employees have now reasonable advancement lying before them.

In paragraph 42 of the Committee's report they themselves stressed that the incremental scales of the Department were too many and too narrow in range. The new scales answer the criticism of the committee. There are six grades as against the present classification of eleven scales, and it will be noticed that under the lowest scale 67 employees will eventually rise to \$420 a year. Reference to the scales as put forward by Government will show that they are graded evenly in decreasing order with the numbers in each scale and with a progressive increase in the standard of the scale. That is to say, in the higher posts there are lower numbers and there is a progressive decrease. The other scales put up did not contain that even distribution in each scale.

The matter has been gone into very fully by Government with the aid of the Board of Management of the Department, and it is considered that the scales now put forward offer the best solution in the interest of both the employee himself and the Department as a whole, bearing in mind the main point of the future prospects of the employees. I do not think there is any other point to which I need refer. I daresay there may be points arising out of the debate, in which case I will endeavour to reply to them. I submit that this is a motion which will, I am certain, find favour with the Council. It is to be noted that the object of the motion is that the Council approves of any increase in the net deficiency which may accrue as the result of the adoption of these proposals. As far as this year is concerned I do not think that any actual increase will be necessitated, as a result of certain capital works not having been carried out. In future years most certainly it will mean an increase in the net deficiency and this Council is asked to approve of the motion accordingly.

Mr. DIAS seconded.

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

2 p.m. —

The Council resumed.

Mr. JACOB: I rise to support this motion but I would like to make a few observations on the working of the Trans-

port and Harbours Department. I notice that the Board of Commissioners is composed of the Colonial Secretary as permanent Chairman (I think it is fixed by Statute), three Elected Members of this Council, a Nominated Member, three businessmen, the Comptroller of Customs and the General Manager. That is the Board called the Transport and Harbours Board of Commissioners. This Council is being asked to approve of another "increase in the net deficiency on the working of the Transport and Harbours Department which will be necessary as a result of the adoption of the proposals embodied in paragraphs 2, 3, and 4 of the Message." I am not at all satisfied that the Department is being satisfactorily managed, although when one looks at the personnel of the Board one would think that with the acumen of that Board the Department would be efficiently managed. I do not know whether a capital of \$2,000,000 would have been sufficient to operate that Department, if it had been a separate concern, but seeing that the words "net deficiency" are embodied in this motion I extracted certain figures—Government figures—from the Draft Estimates presented to this Council year after year giving the net deficiency, further expenditure on capital account, and the total.

I have the figures here from 1929, the year after the Constitution was changed, to 1941, and from the figures extracted from the documents I have referred to the net deficiency amounts to \$2,127,293 for 13 years; further expenditure on capital account amounts to \$152,776, and the total deficiency for 13 years from 1929 to 1941 amounts to \$2,280,069. The figures for 1940 and 1941 are, of course, estimated. In the document I looked at—and I have to thank the Clerk of the Council for giving me the opportunity—there were no actual figures for 1940 or 1941. The estimated figure for 1940 was a net deficiency of \$155,218, and further expenditure on capital account \$2,000, making a total of \$157,218. For 1941 the estimated net deficiency is \$217,171 and further expenditure on capital account \$37,000, a total estimated net deficiency of \$254,171. This Council is asked to approve of a further sum in view of this necessary increase to the workers of the Department. If the Department had a capital of \$2,000,000 when it started in 1929 the

entire sum would have been spent, and I think the Board would have been bankrupt long ago, but of course it had no capital. The taxpayers are asked year after year to pay these large sums of money and I do not think they grudge paying them, but I think for all this expenditure there should be some kind of satisfactory service and some kind of contentment among the junior employees at least. I find myself in this position: that there is great discontent throughout the service, particularly among the junior employees.

Then again, if the rolling stock, equipment and other things were in a satisfactory condition one would know that the money is being spent in maintaining equipment, steamers, rolling stock, and the like, but there we find that necessary improvements have not been made. Some people have great fear in travelling on some of the steamers, with the result that it cannot be stated that some of the deficit year after year was due to expenditure on improvement of the service generally, rolling stock and steamers.

A report was issued by a Committee consisting of seven hon. Members of this Council, the Conservator of Forests as Chairman, Mr. Austin, Mr. Jackson and four Elected Members. On page 5 of that report, paragraph 17, which deals with the financial position of the Department, I notice certain figures which are to my mind incorrect. I will give some figures which I have extracted from the Draft Estimates of expenditure. A portion of paragraph 17 of the report reads as follows:—

“When capital charges, renewals and replacements for the same years are included the net deficits of the services were \$226,226, \$317,463 and \$252,547 respectively, or a net cumulative deficit of \$816,236.”

Those figures refer to the years 1936, 1937 and 1938. In other words in this report the net cumulative deficit is stated to be \$816,236 for the years 1936–38, but the figures I have got from another document which comes before the Council year after year, relating to the net deficiency together with further expenditure on capital account, are: 1936, \$125,206; 1937, \$174,327; 1938 \$148,037, making a total of \$447,570 for the three years as against \$816,236 recorded in this report.

Mr. McDAVID (Colonial Treasurer): To a point of explanation. If the hon. Member looks in the fifth line of paragraph 17 he will see that the report deals in that case with the Transport services alone, whereas the other figures which he quoted refer to the Transport and Harbours Department after deducting surplus revenue.

Mr. WOOD (Conservator of Forests): That is quite clear in paragraph 18 if the hon. Member would read it.

Mr. JACOB: I am referring to paragraph 19—

Mr. WOOD: The hon. Member is still missing paragraph 18 in that case.

Mr. JACOB: I have referred to the figures in paragraph 17. The figures given in the Draft Estimates amount to \$447,570 as against \$816,236 in paragraph 17 of this report. In paragraph 18 the report goes on to say:—

“When the attention of the representatives of the Seamen’s Union was called to the annual recurrent deficits reported by the Department they asserted that they did not believe that the reports were correct”.

The point I wish to make is that those people were of the distinct impression that the figures were not correct. Whether that impression was right or wrong I am not concerned; I am reading the documents presented to me. That is where I say dissatisfaction exists and will always exist owing to the very complicated and unsatisfactory system of accounting, but of course Government will say it is satisfactory and not complicated. Later on in paragraph 18 it is stated:—

“In the calculation on which the statement was based, the receipts of the Harbours and Pilotage Departments which had been amalgamated with the Transport Department in 1931 were found to be included. When it was pointed out that this should not have been done the weakness of the argument was admitted.”

Then par. 19 reads as follows:—

“It is misconceptions such as the foregoing and the concessions which the demands of the Unions have recently secured that have had, in our opinion, a psychological effect on the minds of the workers and their leaders.”

I am endeavouring to prove, sir, that it is absolutely necessary when you are submitting accounts, and especially when it is



known that you are dealing with people who are not very well educated, particularly in accounts, that statements should be submitted which are easily understood, and care should be taken not to submit various statements at various times. Let me say here (I see the General Manager in the Chamber) that I asked one of the responsible officers of the Department to give me the deficits of the Department from 1928 to last year. I am not calling the officer's name, but I will say that although I spoke to him twice, up to this moment I have not been supplied with the figures. He told me they were difficult to obtain. It looks rather strange, with the very satisfactory system of accounting, that a responsible officer of the Department could not give me the information I asked for. I do not think the question of refusing to give it came into it—he could not from his records give the actual deficits of the Department for several years.

THE PRESIDENT: If the hon. Member had gone to the Head of the Department he might have got it.

Mr. DE AGUIAR: The Colonial Secretary's Office is the place where the hon. Member might have applied.

Mr. JACOB: I do not think my statement is going to be disputed. It may have been a little bit unofficial (laughter), but when I have to get something I get it. It does not matter how I get it. (laughter).

THE PRESIDENT: By fair means or foul.

Mr. JACOB: I got the information though with the assistance of the Clerk of the Council. I looked at the documents I see here year after year, and with the assistance of another very obliging officer I extracted those figures which I read out here just now. The point is that a responsible officer of the Department was unable to give me those figures after a period of a week, and I think if I had written a letter I might not have had the information in time. In fact I do not think it will be disputed that if I ask for any information it takes three or four weeks to get it. If I get a reply in two weeks I am lucky. Maybe if I had asked the General Manager it might have been given earlier, but I thought it best to get the figures in the way

I got them—from one of the officers of the Council at least.

The figures vary so considerably, and if after I extracted the figures from the Draft Estimates (I think I know something about accounts) presented to this Council year after year, going through the Estimates from 1929 to 1941, I find that I cannot reconcile the figures very easily, it is clear that there is something seriously wrong with the accounting system. That has led, whether rightly or wrongly, to misconceptions throughout the service, and maybe that is one of the reasons why there is so much dissatisfaction in the Transport service.

The report, according to paragraph 17, makes out that the net cumulative deficit for the three years, 1936–38, was \$816,236. I am saying that the net deficit of the Transport and Harbours Department for that period is not more than \$447,570, a little more than half the figure given in the report. Surely that is going to cause misconception amongst the employees, particularly those who are so thoroughly dissatisfied, and attempts should be made to remove those misconceptions or to avoid them altogether. I cannot understand why accounts are not presented in such a form that the figures can be added easily, and I question very much whether any Union in this Colony can approach the Transport and Harbours Department (and we have several Unions) and ask for figures. I am sure they would not be easily supplied, and they would be none the wiser after they get them. If that is a satisfactory state of affairs then it is a matter for Government. I am merely making a comparison of several documents issued by Government and the Transport Department, and especially by the Committee which investigated this matter, and I may say that I am at a loss to understand what is the exact position.

I feel sure that the employees of the Department would be very reasonable and would be satisfied to a large extent if they were told that the Department was being run at such a huge loss that it was impossible to meet all the demands they were making at the present time. But I find myself in this position: I am not satisfied that the Transport Department is working to full capacity; I am not satisfied that



more revenue cannot be obtained, and I will instance my own constituency. There is only a fortnightly service to the North West District. Complaints have been made since I had the honour to become a Member of this Council and before that, and suggestions were made that the service should be improved. If there was nothing to bring away from the North West District one might suggest that it be made a monthly service; but I felt from 1935, and I feel so now, that a weekly service would be profitable to the Department, to the residents of the district and to the Colony as a whole. I claim to know something about the North West District. Perhaps in the opinion of certain hon. Members of this Council I do not know anything about my own constituency too. The Department had to compete with ordinary sailing craft which were making a reasonable profit. In spite of the difficulties the sailing craft were doing very well and if they were sure that they would not be disturbed by legislation which would be rushed through this Council I believe it would have been necessary to close down the North West steamer service altogether. Perhaps it would be the best thing if the service was closed altogether, because when I make representations to the Board and the General Manager I am always faced with the statement, and I have always questioned the accuracy of that statement, that the service was not paying at all. How can the service pay if the Department does not cater for everything that should come to that service? How can it pay if it does not take all the people who want to go there, and bring all the goods? Why run a service at all?

The service to the North West District is nothing short of a scandal and disgrace to this Crown Colony. Furthermore, Government knew the weather and other conditions in the North West District, but Government and the Department have not yet been able to design a steamer suitable to carry passengers and a larger quantity of freight. Lack of initiative again. Passengers to the North West District have to remain on the steamer for at least 20 hours, sometimes 26 hours. They leave Georgetown usually at 2 p.m. and arrive at midday the next day. They have to be on board overnight, and an hour or two after the

steamer leaves the Georgetown stelling the voyage is most uncomfortable. No sleeping accommodation is provided for either second or third class passengers. People are afraid to go to the North West District, afraid to travel under those conditions. That is another reason why the service does not pay, and if I say that the accommodation for third class passengers is not fit for good breed cattle it may be said that I am over-drawing the picture, that I am making a statement which is exaggerated, but I am confident that the statement is not exaggerated. In fact it is a mild statement to make. I have travelled to the North West District almost twice a year and I have seen the conditions. At times I have never wanted to go down to the third class compartment to see the conditions under which those people have to travel. When it is remembered that the voyage has to be done overnight, and that the sanitary arrangements are unsatisfactory, the conditions can be better imagined than described. Can a service like that pay?

Other services are very bad too, but not as bad as that. I have been travelling to the Essequibo Coast for over 20 years and the service there has been very unsatisfactory all these years. Fortunately the *Massar* does not operate there now, and why? For over 20 years no improvement had been made, but recently a launch was put on the service and I had the pain, not the privilege, to travel on it during the constitutional meetings we had.

THE PRESIDENT: Was it the *Warspite*?

Mr. JACOB: It may be that, sir. I do not think I am a coward but I felt pretty sick when we were crossing the river. I felt as if the launch would either topple over or break in half. Women and children were screaming and I thought there must be something seriously wrong somewhere. Well, the *Warspite*, that wonderful launch, was withdrawn and was replaced by the *Canje*, something just as bad. It is slightly bigger and I am told it is an unsinkable launch (laughter). At least the people there were told so, but maybe it is unsinkable like the *Titanic*. I do not know if it is still there; I hope it is not. I had complaints recently—I do not know why I am told these things (laughter)—and I advised the gentleman

concerned to tell the General Manager, and I believe he did. His complaint was that the *Canje* left Parika one Saturday afternoon and had to return because it could not make the crossing to Leguan. When it did succeed in making the crossing at 10 o'clock in the night there was no connection with Wakenaam available, with the result that he had to remain all night on the open stelling at Leguan. The gentleman in question is a school teacher. He became sick and swore that he would not go on that launch again.

I mention these things to show that there is something fundamentally wrong in the Transport service. I understand, and I make concessions for the fact now, that owing to the war conditions it is not possible to get a steamer or spares, but whether there was a war or not I do not think conditions would have been very much improved. I do not think there was any steamer on order. The war is going to be blamed for everything now. Everything in the Department has been starved and we are getting the ill effects of that now.

There was a steamer called *Baiara* which went down in the Berbice river. Maybe owing to war conditions in the Berbice River some mine or something of that kind struck the steamer. Maybe a mine was laid there by some enemy and the steamer went down with the loss of one life and 40 head of cattle. I would not be surprised if some similar occurrence took place on some other route, perhaps on the Bartica route. It may be easier to lay mines there. On the whole I say that something is fundamentally wrong in the Department, and in view of the fact that the Colonial Secretary is permanently Chairman of the Board I ask where is the responsibility to be placed?

**THE PRESIDENT:** On the Colonial Secretary, I suppose. (laughter).

**Mr. JACOB:** It must be placed somewhere and I accept the suggestion that it has to be placed on the Colonial Secretary, because we cannot go on at this rate having responsibility fixed nowhere. Who is responsible for this unsatisfactory business, the Transport Board or certain members of the Board? Since I have been taught and made to believe that Government must initiate everything, the responsibility must be placed on Govern-

ment, and I think the Chairman of the Board must take the greater responsibility. I am told that the members of the Board work very hard and work for nothing. I sympathize with them working for nothing (laughter) and I sympathize with them working so very hard.

I began by saying that if the Department had started as a separate concern with a capital of \$2,000,000 the entire capital would have been lost, and whether those responsible for its management were paid handsomely or not or were giving their services with the hope of reward, I do not know what the shareholders would have thought of a body of persons managing a concern in which a capital of \$2,000,000 was lost after 12 or 13 years. I have not attempted in these observations to get nearer a solution. I merely got up to support this increase and to draw the attention of Government and the Commissioners to the fact that the whole Transport Department is in a very unsatisfactory condition. Such a state of affairs should not be allowed to continue indefinitely.

**Mr. DE AGUIAR:** The hon. Member, after a speech lasting for about 25 minutes, had to admit himself that he could offer no solution to the problems which, he considers, face the Department, and I presume he also referred to its workers. I am not prepared to bore the Council for such a long time with a general survey of the activities of the Department. I prefer to wait for a more appropriate time as I am sure hon. Members will have all the time at their disposal to carry out such a survey. What I am concerned about is the very important question of procedure. In my opinion the motion before the Council to-day is not in proper form, and I frankly admit that I do not know what we are discussing. If, of course, it is the intention of Government to give Members of the Council an opportunity to make observations on the report of the Committee which enquired into the working of the Department then I am prepared to offer my humble contribution to the debate. But I do not wish it to be understood that although I am raising the question of procedure, I have any intention to press the point, because it is far from my intention to bring about any further delay of the relief to the workers of the Department for which Government has introduced this motion.

THE PRESIDENT: I think I can throw some light on the matter. Government need not have come to the Council at this stage to deal with the report of the Committee but it is anxious to grant these additional payments as from the 1st July this year. If that were done without coming to the Council, and when the Estimates for 1942 were put before the Council and hon. Members were then informed that the net deficiency of the Department would have to be increased in 1942 because certain things had been done as from the 1st July, 1941, and if by chance hon. Members did not see their way to approve of an increase of the net deficiency, it would have been very unfortunate, because the recommendation referred to by the Colonial Secretary would have been given effect to as from the 1st July. I hope hon. Members do not feel that their time is being wasted, and will appreciate what Government had in mind. I admit that it was difficult to know precisely how to put the matter before the Council, because the money is available this year, but Government wanted to put all its cards on the table and get the matter settled so that when it came forward for an increase of the net deficiency in 1942 this point would have been cleared up.

MR. DEAGUIAR: I need hardly say how glad I am to know what is the true position. I happen to have read the mind of Government correctly. That point having been disposed of, sir, with your permission I will now proceed to make the observations I have in mind regarding this report. In doing so I would like to remind Members of the Council and the Government in particular, that when it was decided to appoint a Committee to go into the working of the Transport Department it was well known that things were not as right as they might have been. There was pressure on the one hand by individual workers and on the other hand by representative trade unions, and on the whole it was considered that some enquiry should be made. This Committee was appointed, and as most hon. Members will remember, one of its first decisions was to publish a notice in the Press, and I think by circular as well, inviting persons interested in the matter to appear before them to give evidence so that they would be able to arrive at certain conclusions. I mention that because the memories of people

in this Colony are very short, and it is quite easy for one to get up, especially in this Council, and criticize not only the acts but the intentions of certain people.

I am not going to say too much about the work of the Committee because, whether fortunately or unfortunately, I happened to be one of the members, and it might be thought that I am trying to defend the report. Far from it, but I would like to emphasize that the report sent in by the Committee was a unanimous one, and that alone I think would bring home the fact that the whole question was very carefully gone into, and that the recommendations which were put forward were only arrived at after very careful consideration of the whole subject. It must be remembered too, that during the deliberations of the Committee the members had the opportunity of not only examining the witnesses who appeared before them but of studying their general demeanour, and in that way that Committee, in my opinion, was more competent to arrive at the conclusions it did than certain people who did not have that opportunity.

There was perhaps one regrettable feature of the whole matter (and this is only my humble opinion) that although members of the Committee had the opportunity of examining not only the workers but some of the responsible officers of the Department, none of the Directors of the Department took the opportunity to express their viewpoint. I mention that because I personally have heard the criticism that the Committee did not afford the Commissioners an opportunity to appear before them in order to express their views, and I want to say right here and now that such a report is wrong in every phase of it. Apart from the fact that the Committee invited persons to appear before them to give evidence, the Department was communicated with officially through the Secretary of the Committee asking for certain information and for responsible officers to appear before them, because it was felt that after having heard one side of the question it was only fair to give the Department an opportunity to furnish its side of it too.

I am not going to criticize Government at this stage for accepting only a portion of the Committee's recommendations and re-



jecting others. That, after all, is a matter entirely for Government. This Committee was only appointed to do certain duties, and after making its recommendations I consider its duty was ended. Government decided to accept a portion—some of it has already been put into operation; it is now proposed to put another portion into operation, while other portions have been rejected. I would like to tell the Council that the Committee were never told at any time that they should not recommend any increases in salaries or anything like that, therefore the Committee went into the matter with a perfectly open mind. There were no restrictions whatever. I would like to make that statement in as clear terms as possible. The Committee was not restricted in its scope of work. It had certain terms of reference and it was not informed at any time that its recommendations should not include suggested increases of wages. As stated in the report, the Committee found that things were not as they should be and it proceeded to make those recommendations.

I am going to say right here and now that although the final decision rests with Government I cannot entirely agree, and it is only reasonable to expect me to disagree with Government's final decision in the matter. I do not agree, for instance, with the revised scale of salaries of the clerical workers which have been put up by Government. Government no doubt received advice from the official side, *i.e.* the Department, and is perhaps inclined to accept that advice. I can only hope that the flowery language used by the Colonial Secretary that this revised scale will work, will be borne out, but sitting in this Council as I have been for some years, all I can say is that when one hears a Government mover of a motion adopting very flowery language to bolster up the position of Government it is time to feel that even Government itself has little or no faith at all in the matter, and it is only an attempt to compromise.

There is one point that occurs to me in so far as this revised scale is concerned, and that is that when it is put into operation certain clerical workers will no doubt be drawing less pay unless, of course, it is intended to transfer them to another scale. If they are going to be put on a higher scale it may mean immediate

benefit to the particular worker I have in mind, but we find—and I am going to quote one figure at random—that there were a number of workers in the Department earning salaries of \$40 and \$35 per month, and it would be interesting to enquire in what scale they will now fall. There is no doubt about it that the old scale in operation was most unsatisfactory, and I think the Committee makes reference to it in its report. It was so confusing that it was impossible to make anything of it.

Mr. JACOB: Did I hear the word "confusing?"

Mr. DE AGUIAR: Unfortunately the hon. Member's dictionary and mine are not the same. The word "confusing," in my opinion, does not mean what he thinks it means. An attempt was made to put up a scale which was more uniform and would more fit in with the general salary scales of the Department. I say again that I hope the salary scale put up by Government will work. My own view is that Government will find itself adding to that list, and perhaps in another four or five years' time it might go right back to the original position it was in when it was extremely difficult to find out whether a vanman fell into one scale or another.

There is one further point I wish to make. I do not think I am repeating something which perhaps my colleagues on the Committee would not like me to do. As a matter of fact I think reference was made to it very briefly in the report. I refer to the recommendation of the appointment of a Staff Officer. I would like to tell Government that as a result of enquiries we made we found—and I make the statement without fear of contradiction—that there is absolutely no liaison between the workers of the Department and the Chief Executive. I know that the hon. Colonial Secretary stated, when he dealt with that subject, that any recommendation or decision would finally have to be made by the Chief Executive, and I presume he referred then to the General Manager. If he did so I would like to correct him, because I sincerely hope that the General Manager of this Department, or the Head of no Government department would make that final decision, especially where there is a Board. I presume he meant that the decision would



be made by the Transport Board and not by the General Manager.

That brings me to the point I wish to make. What did we find? I hope it does not exist to-day. We found that if there was any grievance by a worker it never reached the General Manager in the first instance, if at all. There were cases in which we discovered that the complaints did not reach him at all because along the line there were a few Pooh Bahs who perhaps received those representations in the first instance and just simply brushed them aside, with the result that when they eventually reached the Chief Executive the answer was only "No" without any further enquiry. I personally challenged one of the officials when they appeared before the Committee, as to whether that was so or not in view of the evidence which had been given, and the answer I received was in the negative, but I would like to say here and now, without any desire to cast reflection on any of the Executives, that I was perfectly satisfied in my own mind that proper investigations were not being made into the complaints by the workers. It was for that reason I had in mind that if there was an officer who could make enquiries into any complaints received from workers it would have resulted in smoother working of the Department. It must be remembered that the Transport Department employs over 900 persons, and it is absolutely impossible for one General Manager, no matter who he may be, to be able to put his finger on the workers of his Department. He has to rely on some of his "Sub-heads," and there was one particular case enquired into in which I was perfectly satisfied that the complaint of the worker was brushed aside by one of those "Sub heads" and never reached the General Manager until it was too late. It was my opinion at the time and I expressed it, that if that particular matter had been investigated at the time the trouble that arose in that case would not have arisen.

I do not wish to prolong this debate, but there is one further point I wish to make in answer to my colleague, the Member for North Western District (Mr. Jacob), who quoted figures and criticized certain figures. I have every regard for his knowledge of accounts, but on this

occasion he erred when he quoted certain figures.

Mr. JACOB: I only gave the figures; I did not come to any conclusions.

Mr. DEAGUIAR: If the hon. Member had allowed me to continue he would have heard me say that he said he got certain figures from the Clerk of the Council. I am sorry for the poor unfortunate Clerk of the Council.

Mr. JACOB: I said I got them with his assistance; he did not supply me with the figures.

THE PRESIDENT: I think the hon. Member said he got them informally and partly through the Clerk of the Council.

Mr. DE AGUIAR: I want to tell him where he got the figures from and I am sure he will now be satisfied. I can only quote one. The hon. Member is very fond of quoting things but I would ask him once again when he is quoting what somebody else has written to give the full quotation and not quote just two lines of a paragraph, because very often it does not make sense. Paragraph 17 of the Committee's report states:—

"From the statement published in the Colonial Treasurer's annual reports reconciling the Department's accounts with the Colony's accounts, we ascertained that there was an operating profit on the transport services of the Department in the years 1936 and 1937 of \$86,393 and \$41,632 respectively while in the year 1938 there was a loss of \$12,547. When capital charges, renewals and replacements for the same years are included, the net deficits of the services were \$226,226, \$317,463 and \$272,547 respectively, or a net cumulative deficit of \$816,236."

The Committee state where they got the information from, and I have in my hand now the report of the Colonial Treasurer for 1938, and I invite the hon. Member's attention to page 89, Appendix 11, dealing with the Transport and Harbours accounts, and there it is shown that the net deficiency in connection with the Transport service for the year was \$272,547, the identical figure stated in the report of the Committee. The Committee was dealing with the Transport service. I venture to suggest that the hon. Member took some other figures, probably figures which are given further down in the Colonial Treasurer's report.

Mr. JACOB : I read from the report of the Committee and I extracted figures from the Draft Estimates, which are about half the figures quoted by the Committee.

The PRESIDENT : I think the hon. Member for Central Demerara (Mr. DeAguiar) is pointing out that the Committee was dealing with one particular aspect of the Department's activities whereas the hon. Member is dealing with the whole of the Department.

Mr. DEAGUIAR : It is so stated in the report, and at the risk of boring them I am going to give hon. Members of the Council the reason why I am explaining to the hon. Member where the figures came from. When he was speaking I began to form the impression that he was trying to make it appear that the deficit of the Department was not as great as the Committee had made it out, and therefore the Committee could possibly have been more liberal in its recommendations. Although the hon. Member did not say that I came to that conclusion, but I may be wrong, although I do not think I am, because he went on to read a subsequent paragraph of the report which confirmed the opinion I formed at the time. I would like the hon. Member to know that the Committee did not run hither and thither to collect their information in order to arrive at the figures which appear in their report, but obtained them from a very authentic document such as the report of the Colonial Treasurer. I do not think any Member of the Council, or for that matter any person at all with a smattering of knowledge of accounts could ever challenge any figures published by the Colonial Treasurer relating to the Colony's accounts.

I am supporting the motion, but I merely raised the question of procedure because I would have preferred to see the deficiency made up by approaching the Council by the usual method of supplementary estimate, but I appreciate that Government, without making it too apparent, wanted to give Members an opportunity to deal with certain phases of the Committee's report.

THE PRESIDENT : Government would certainly have approached the Council by way of supplementary appropriation schedule, but the point was that it would

not be necessary to do so this year because there will not be an increase in the net deficiency.

Mr. JACKSON : It is gratifying to note that Government has found it possible to accept a fair number of the recommendations of the Committee, and I would like to say here that I appreciate to the full the difficult position in which Government is placed. I know that there are those who are directly concerned in this matter who are viewing most keenly what the decision of Government will ultimately be. I know it is a difficult position for a large institution to make increases. If there are a few workers in an organization and it is the desire of those who are in charge to give increases of salaries it might be a simple matter, but when an institution employs a large number of persons, each asking for an increase of salary, Government or that institution cannot but view most seriously and carefully whatever increases might be given. I do not blame Government at all for going very carefully into the matter before deciding to adopt the recommendations made by the Committee.

I am thoroughly in favour of the motion, but there is one point I would like to make, and I believe that a consideration of that point may lead to amelioration of the condition of some of the workers without very great expense to Government. I am referring to the clerical workers of whom there are 163. The scale submitted by Government places 103 of those workers in the lowest grades—67 in the lowest grade and 36 in the grade above that—while in the fourth grade there are 60. I think it would be a relief to some of those clerical workers if the numbers in the first two scales—the lowest scales—were reduced somewhat. Perhaps if there were 90 or even 93 in the first scale there would be 30 persons in those lowest grades who might be able to receive some immediate relief.

I am told, and I have reason to believe it, that there are already 16 workers in those lowest grades who are receiving the maximum salaries of those grades. The hon. Member for Central Demerara (Mr. De Aguiar) touched lightly upon it, but I would like to know definitely if those clerical workers who are already at the maximum of their grade will remain there or will automatically go into the immediate

or the next grade, which is the same salary they are drawing? If a man who is getting \$35 per month and has been getting it for some time is classified in the same grade I think it would be a little hardship unless it was found possible to move him up to a higher grade. As a matter of fact I understand there are 16 workers receiving \$35 per month, six receiving \$34 and one receiving \$33 in the last two grades. While the one who receives \$33 and the six receiving \$34 will go up the 16 who are receiving \$35 per month will remain there unless they are put into the next grade and given perhaps the minimum. I think something might be done to help those men. I know that in any scheme of re-organization there must be anomalies, but I think those who have to re-organize should take note of those anomalies and endeavour to set them right. I am in thorough accord with the motion but I do hope that some consideration might be given to those clerical workers who are at the top of their grade already and who will receive no benefit whatever.

I have not touched on any points in the report because I do not think it is my duty to defend the report of the Committee. We have worked very hard upon it and have given our views conscientiously. I appreciate Government's difficulty and I am grateful for what Government has done in respect of the recommendations it has decided to accept. I do not think it would be necessary, but I would be quite willing to go over with the Colonial Secretary, if he so desires, my suggestion with regard to the lowest grades so that something might be done for those who fall within those grades.

Mr. C. V. WIGHT: At one stage of this debate I thought that as one of the signatories to the report I might have been called upon to defend it for instance when the hon. Member for North Western District (Mr. Jacob) suggested that the figures given in paragraph 17 were incorrect—but I see no reason to defend the report on that score because he says he has drawn no conclusions. He has left it in doubt whether we have submitted incorrect figures or incorrect figures were placed before us. The hon. Member also suggested that the Department does not work at full capacity, but whether that is cast on the management or the workers we

are left in a state of doubt. He also suggested that the Department should earn more revenue, but although that was not part of the Committee's terms of reference that point was considered and discussed, and persons who gave evidence submitted certain proposals to the Committee. The matter however petered out because it did not form part of the terms of reference.

I support the remarks of the hon. Member for Central Demerara (Mr. DeAguiar) and the hon. Mr. Jackson with regard to the question of re-classification. I speak subject to correction, but the classification scheme submitted by the Committee was not accepted by Government. I understand there was another scheme put forward by the Union (I speak also subject to correction) at the instance of Sir Wilfrid Jackson, or after discussion with him. There may be some cause for discontent in the matter but this is an attempt at a compromise. I am in possession of certain figures which amount to a re-classification of the two groups and I think Government is aware of those proposals. I appeal to Government to re-consider the matter and adopt some method of re-grouping which would give some immediate benefit to those employees who are at present drawing their maximum.

There is also the point mentioned by the hon. Member for North Western District, and while I do not quite appreciate his throwing blame hither and thither I agree with him that the Colonial Secretary has enough work to do and should not be saddled with the additional burden of the Chairmanship of the Transport and Harbours Board. I raised the point on the last occasion and His Excellency then indicated that if I consulted the Hansard I would be able to see the reason why the Colonial Secretary was made Chairman of the Board. I have done so but I am afraid I have found Hansard useless on that point. I cannot go into any further research. Perhaps the General Manager, in his moments of leisure, might find out for the information of the Council how it was that the Colonial Secretary became the permanent Chairman of the Board. Perhaps there is something in the point that perhaps if those duties were delegated to some other Head of a Department there might be less criticism and the blame might be attached elsewhere.



There is only one other point. One hon. Member was quite disconcerted by the fact that his confrere took 35 minutes in speaking on the motion, but he himself took 25 minutes.

Mr. DEAGUIAR: To a point of correction. I took exactly 24½ minutes. (laughter).

Mr. WIGHT: Anyway it was long enough. With regard to the curtailment of the services I would like to know why the Essequibo service has been curtailed. I am not concerned whether the hon. Member for North Western District gets seasick travelling to the North West District. I understand that Government had intended to increase the service and make it more amenable to the general welfare of the public, but owing to the war conditions they have been prevented from importing other vessels and machinery. Notwithstanding that, I would like to know when we are going to have a general reshuffle and that we are not going to let one particular area suffer for the benefit of another.

Mr. WOOD (Conservator of Forests): I do not propose to discuss any of the recommendations made by the Committee; I do not think there is any necessity to do so. The Committee had an advantage which nobody else has had in that it could observe the demeanor of the witnesses, sometimes impressive, sometimes not. On the other hand Government had the advantage of reviewing the findings of the Committee against the background of its general policy towards all Departments, and what is before the Council to-day seems a very just compromise between those two points of view. I had no intention to speak but I felt it might be worth while for the Colonial Secretary in his reply to deal with some of the points raised by the hon. Member for North Western District (Mr. Jacob). We have had it from him that he has an intimate knowledge of his constituency; in fact he informs us that he visits it twice a year, but he does not care for the journey very much. He said that the Transport Department was so badly managed that it showed a deficit of something like \$2,000,000 up to date, and having done that he proceeded to blame it for providing inadequate services and very bad steamers to the North West District, and insufficient protection for first class passengers to the North West.

It seems to me that the hon. Member was walking on a rather shaky tight rope. He wants a sort of luxury liner to take him to the North West, and he wants a place like the North West District to show such a large quantity of traffic at such lucrative rates as would pay that luxury liner to run there.

Mr. JACOB: I rise to a point of correction. I did not refer to my own passage; I referred to the 3rd class passengers.

Mr. WOOD: I think the hon. Member complained that the service was insufficient; that he would like a service once a week, and that he would like the Department to show a surplus and not a deficit. I am perhaps no greater expert on transport problems than the hon. Member, but I did once serve at the headquarters of a railway which does pay its way very well, and I have always understood that in a commercial transport concern the rate of freight charged is the rate the traffic can bear.

The hon. Member knows his constituency much better than I do; he visits it twice a year while I perhaps go there once every two years, but it seems to me that his constituents are doing very well compared, shall we say, with the constituents of the hon. Member for Tobago in the Trinidad Legislature I had the privilege of travelling from Trinidad to Tobago and back in one of their luxurious liners which was nothing like as luxurious in the first, second and third class as the *Tarpon*. The crossing is notoriously bad, the journey lasts 10 hours and the fare is \$14 first class. To the North West District, a journey of 20 hours, the fare is \$5.10. I think it will also be found that the freight rates for a number of things from the North West District are actually less than they are from Bartica. The hon. Member represents the North West District and I represent Bartica. He has been elected once for the North West District; I have been Chairman of Bartica six times and I am prepared to fight him for that. (laughter). Bartica has to pay in order that his constituents may travel cheap, and then he blames the Transport Department because it shows a deficit in favour of his constituents. He cannot have it both ways. He says that the figures in the report regarding the deficit are incorrect because he has read the Treasurer's report and not



looked into the column which affects it. He should let the Council know which way he wants to have it.

Mr. GONSALVES: We have a report by a Committee criticizing in a proper way the Board of Commissioners of the Transport Department, and we have had Members criticizing that Committee who criticized the Transport Board. That is the position, briefly, as I see it. If an appeal were made to Your Excellency by some Members that a Committee be appointed to report on the criticisms of those Members I think we would go on with Committees and reports *ad infinitum*. The hon. Member for North Western District (Mr. Jacob) started off by giving credit both to the constitution of the Board and of the Committee and proceeded to criticize the actions and working of the Board, which he is entitled to do. He has also criticized the findings of the Committee as submitted in their report. He then dealt with the question of finance as stated in paragraph 17, but I think perhaps he overlooked the fact that there were at least two hon. Members of the Committee who knew something about finance. I refer to the hon. Member for Central Demerara (Mr. LeAguiar) and Mr. Austin who are interested in very large financial concerns in this Colony. Leaving out the lawyers and Mr. Jackson, there were at least two members of the Committee to whom I would give credit for knowing something about finance.

The hon. Member referring to the feelings or impressions of certain employees of the Transport Department, remarked that they may be right or wrong, but he was not concerned whether they were right or wrong. I do not agree with him. His concern should be to find out whether they were right or wrong. If he is representing their grievances at any point it should be part of his duty to ascertain whether the complaints they were making were justified, and not merely to come here and say that certain things have been represented to him and he is not concerned whether they are right or wrong. That is not helping the Transport Department or this Council. If he persists in making those statements it is no wonder that when he makes recommendations in certain quarters they are not dealt with seriously, because that may be the founda-

tion on which perhaps he has based many of his representations.

Dealing with the question of steamers the hon. Member said he did not know why the Department had not or would not get another steamer. I do not think he was serious when he said that because, in view of his wide and extensive knowledge, he should know that it is difficult at this time to get new steamers and rolling stock. He represents the North Western District but he has often told us that his interest is throughout the Colony. He must have known why the East Coast railway and other services have been curtailed. It is because we cannot get rolling stock and other machinery for those services.

He mentioned—I do not know whether he meant it seriously but I was inclined to take a serious view of it—that the *Baiara* was sunk in the Berbice river and he did not know whether it had struck a mine. If the hon. Member had knowledge that the steamer was mined in the Berbice river during this time of war when we have Defence Regulations, it was his duty to give that information to Government, and if Government is satisfied that there are fifth columnists or saboteurs I think it is time that Government should make enquiries. From whatever source the information can be got the hon. Member should supply it. If the hon. Member had a suspicion he must have grounds for that suspicion, and as a loyal colonist it is his duty to assist the Government. From the information supplied to the Transport Board I gathered that something submerged caused the accident, but I was not told either by the General Manager or anybody else connected with the Department that it was a mine that the *Baiara* struck. I have taken the matter seriously because at the present time there is a lot of whispering about the Colony, and Government has been asked to take action with regard to it. If the hon. Member makes the statement that the steamer struck a mine—

Mr. JACOB: I think I had better correct the hon. Member. I said "Maybe."

Mr. GONSALVES: A person who says "Maybe" has an idea that it may have been a mine.

Mr. JACOB: I am of the opinion that nothing struck the steamer, but it went down by itself.

Mr. GONSALVES: After that statement I will not pursue the matter. With regard to the hon. Member's attempt to get information from a clerk of the Transport Service I hope that so long as I remain a member of the Board no information regarding the working of the Department would be given out by any clerk, but by the General Manager. I think the clerk acted wisely when he did not give the information, and it is to his credit. There is a proper way of getting information. At one time we hear that there is a Board and a General Manager responsible, and at another time we hear that a Member gets information from other people.

The hon. Member for Central Demerara (Mr. De Aguiar) referred to the question of the net deficiency which has already been dealt with. He is correct as regards the figures. On the question of salaries I would say that it had been engaging the attention of the Board for quite a long time. There had been several representations and several decisions by the Board from time to time. As a matter of fact even at the time the Committee was appointed the Board was dealing with certain questions relating to salaries and wages. I would like to refer to the point made in paragraph 21 of the Committee's report which the Board always had to bear in mind in dealing with representations as regards wages. The paragraph reads:—

21. We, however, find that the conditions of service of certain employees are in need of urgent amelioration. From our discussions with the Unions, we believe that they accept the principle that general improvements in pay and working conditions of employees of the Department should be governed by the economic factor, and we have borne this in mind in pursuing our investigations, as well as the questions raised in the two preceding paragraphs.

So far as those questions are concerned the economic factor was the principal thing. Paragraph 24 reads:—

In the circumstances we do not consider that the seamen, as a whole, have any grievance in the matter of pay, and we are, therefore, not prepared to recommend the adoption of the rates asked for. We would, however, strongly recommend that the system of service allowances should be abolished, and the amount added to the present rates of pay of seamen."

It is to the credit of the Department that it is paying higher wages than other concerns employing a similar class of peo-

ple. The hon. Member said that it was remarked that members of the Board did not appear before the Committee, but the General Manager appeared before the Committee and was prepared to give whatever information it desired. For myself I will say that I never understood that any member of the Board was required to appear before the Committee. I was never asked personally to attend, but the General Manager was the person who, I understood, was asked to attend. I have asked my friend on my right (Mr. Percy C. Wight) whether he was asked to attend or understood that he was expected to attend, and he repeated what I have said.

With regard to the proposal to appoint a Staff Officer, on a previous occasion I said I did not agree that such an appointment would carry the matter any further, because unless his decisions would be final, matters would always go back to the Board and there would be continuous inquiries. The employees would not accept the decision of a Staff Officer as final; they do not even accept the decisions of the Board as final, and very often the decisions of Government too. Whether it is proposed to appoint someone in the Department as Staff Officer or somebody from outside the position would be no better.

As regards the question of grades raised by Mr. Jackson and the hon. Member for Western Essequibo (Mr. C. V. Wight), that is a matter which has been considered, and I think the Colonial Secretary will reply as to what it is proposed should be done.

There was one observation made by the hon. Member for Western Essequibo which I do not think was quite correct. He said he thought he would get some information from the General Manager who was a man of leisure.

Mr. C. V. WIGHT: Not that he is a man of leisure but in his moment of leisure.

Mr. GONSALVES: In his moment of leisure would take him out of his official hours, and I do not see how he could give the information because he would hardly have any moment of leisure. As far as the Transport Department is concerned we have had approval of the motion.

THE COLONIAL SECRETARY: It is quite apparent after listening to the debate,

that this motion has the general approval of the Council. A good many of the points raised by individual Members have been dealt with by hon. Members in turn, so that it leaves very little for me to say about them. Taking first of all the remarks of the hon. Member for North Western District (Mr. Jacob), the reply of the Conservator of Forest so adequately dealt with the question of freight rates and transportation that I have nothing more to add, but I would like to say that despite the fact that the hon. Member represents the North Western District he kept referring to third class passengers. My information is that there is no such thing as third class on the steamers which cater only for first and second class passengers.

The hon. Member's criticism of the business methods of running the Department cannot, I think, be taken too seriously, because one must remember that if it were a purely business concern no one would countenance the cheap fares and freight rates that exist to-day; it would be run on a purely commercial basis. But as long as it is a public utility service it must be run as a subsidized service.

I think the Conservator of Forest also replied to the hon. Member's remarks on the question of ships, and so did the hon. Member for Georgetown South (Mr. Gonsalves). The fact remains that we did have a ship on order but we just cannot get it. As regards the hon. Member's remarks about the state of the service to the North West District, he said he wondered whether there was any other branch of the service that was as badly run to-day. I wonder if the hon. Member has ever heard of the Berbice Chamber of Commerce, because the curtailments which have been found necessary in the Berbice service have really drawn the Berbice Chamber of Commerce out from time to time.

Mr. JACOB: I did not refer to curtailment; I referred to the general service.

THE COLONIAL SECRETARY: With regard to the general service one must take the whole picture. For instance the Essequibo service has suffered very badly. The hon. Member is a great supporter of the administration of Government Departments by Boards, yet he criticizes this

Department so severely that one wonders whether it is as badly run as the Public Works Department. He wondered, too, whether the Board ever elected to work overtime and without pay. As far as I know none of the members of the Board has ever objected to giving his services to the work of the Department. My experience of the Board is that it is an extremely hard-working Board, and I think the unofficial members of it are really serving the public in a very admirable way.

The remarks of the hon. Member for Central Demerara (Mr. DeAguiar) on the question of procedure have already been answered by Your Excellency, and I will deal with one or two of his other points. He referred to the fact that the Committee's report was unanimous and that they were not told that they were to be restricted in any sphere. That is perfectly true. The Committee was given entirely wide scope to enquire into everything, but perhaps the hon. Member misunderstood my opening remarks which were that the Committee was investigating before the war and since the war it has been Government's policy not to grant increases in salaries except in very rare instances.

On the question of the Staff Officer I think he again misunderstood me in some reference he made to the position of the General Manager. I do not think I said that any representation would have to come from the General Manager. What I said was exactly what the hon. Member for Georgetown South (Mr. Gonsalves) said—that the appointment of a Staff Officer would not solve the difficulty because everything would go from him to the General Manager, then to the Colonial Secretary, the Governor and probably to the Secretary of State.

Mr. DEAGUIAR: I never suggested that it would solve the problem, but that the officer would have time to investigate the complains of workers and forward his recommendations to the Chief Executive. I also expressed the opinion that the General Manager has not the time to do that.

THE PRESIDENT: That is what the hon. Member said.

THE COLONIAL SECRETARY: Per-



haps we misunderstood each other, but I would like to point out that since its report was submitted the Committee was asked to reconsider certain phases of it and it suggested itself that with the appointment of a civil engineer the appointment of a Staff Officer would not be necessary, because the General Manager would be able to devote himself more to staff matters. All these things have to be looked at from the background of general economic policy. So far as the General Manager is concerned and the question of *liaison* I can say this: that any employee of the Department can have access to the present General Manager. The General Manager deals with a certain number of staff matters, but the Board has dealt with a considerable number of matters affecting personnel.

With regard to the point raised by the hon. Mr. Jackson and the hon. Member for Western Essequibo (Mr. C. V. Wight) who suggested alterations of the last two scales, I would remind the hon. Members that even under the scales recommended by the Committee some officers would not have got an increase because they may have been at the maximum of their scale. No true scale affords benefits to every single officer, because some officers may find themselves at the maximum of one scale, and unless we are going to increase the cost of running the Department considerably they must await their chance. The scales suggested by the Unions would cost the Colony \$8,000 a year more and that is one of the reasons why Government did not see its way to accept their proposal. Incidentally, the Unions threw out the warning that it might be necessary to return to the Government within four or five years for further adjustment of the scales.

The hon. Member for Georgetown South has dealt very fully with the position of the Board, and I do not think there are any other points I can deal with. I do ask that this motion receive the unanimous approval of the Council.

**THE PRESIDENT:** There are only two points to which I wish to refer. One is the statement made by the hon. Member for Western Essequibo (Mr. C. V. Wight) which I do not think was correctly put by him. I would like to correct him, because it was a reference to the Governor of the

Colony. The hon. Member said he understood that the Governor had suggested to the Unions to put forward a scale which they considered would be the fairest. As I was present at the interview I would like to make the matter clear. The spokesman for the Unions told His Excellency that they happened to know the scales which had been recommended by the Committee, and in their opinion the Unions could improve on those recommendations. His Excellency then said that it would be better if they were given an opportunity to submit their recommendations at that juncture rather than when the report of the Committee was released and the matter came before the Council. It had been made clear to them that the report would be laid on the table before the Council and could not be released before. His Excellency said there would be no objection to the scales referred to in the report being given to the Unions who would be allowed to put up to the Board any revised scales which they considered better than those recommended by the Committee.

It happened to be a Friday or Saturday when that interview took place, and I mentioned to them that the Board was meeting the following week, and I hoped they would put forward their proposals in time for the Board to consider them. The Unions did put up their proposals and they were considered by the Board at the meeting. The Board was able to pick holes in many of the scales and we asked representatives of the Unions to appear before us which they did. We pointed out to them what we considered were mistakes in their proposals—that some employees would not be better off in some of the grades. The spokesmen admitted that perhaps they had gone wrong and asked for time to give the matter further consideration. They said they required three or four days and the Board decided to adjourn and meet again to consider their second revision of the scales. I mention that because I do not want members of the Board to think that the Governor told the Unions to put up proposals. I quite agree that His Excellency thought the best time for them to put up their proposals was before the matter came before the Council.

My second reason for bringing these matters to the notice of the Council is to show that members of the Union saw for themselves that it is not easy



to sit down and revise salary scales, as their first attempt was not as successful as it might have been. The Board felt that certain employees of the Department would suffer by the recommendations put up by the Committee. The chief point was that a large number in the lowest scale would not reach as high as the maximum in that scale as they would if the Board's recommendations were adopted.

My second point is the statement made by the hon. Member for Central Demerara (Mr. DeAguiar). As a Commissioner I would like to say that I am not a little surprised to know that the members of the Committee expected members of the Board to appear before them.

MR. DEAGUIAR: I said I was informed since the report of the Committee was issued, that some of the Commissioners had stated that the Committee had not given them an opportunity to appear before them.

THE PRESIDENT: As a Member of the Board I would like to make my position clear. There had been some difference of opinion around 1938 between the employees of the Department and the Commissioners. Various representations were made to the Board who had to consider salaries month after month. Things were not satisfactory and the Governor

decided to appoint a Committee of Members of the Legislative Council to investigate the matter. I would like to say frankly that it never occurred to me for one moment to suggest that the Committee should hear anything I had to say. I thought that the further the Commissioners kept away from the Committee the better, because they had dealt with the matters before and we wanted the Committee to deal with them with a perfectly open mind. If the Committee desired to get any information from the Commissioners they would ask one or more of them to attend. I knew that certain officers of the Department were being summoned to give evidence. It was not that I did not wish to go before the Committee, but I thought it was just as well for the Commissioners to keep away from the Committee unless asked to attend.

In conclusion I wish to say that the Committee put in very hard work. I can quite realize what hard work they had to do and the amount of time they devoted to their very difficult task. I appreciate the work they did for Government because I have sat on Committees myself.

Motion put, and agreed to.

The Council was adjourned until 10.30 a.m. the following day.