

## LEGISLATIVE COUNCIL.

*Thursday, 18th December, 1941.*

The Council met at 10.30 a.m., His Excellency the Governor, Sir GORDON LETHBRIDGE, K.C.M.G., President, in the Chair.

### PRESENT.

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

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

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

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

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

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

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

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

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

The Hon. G. O. Case, Consulting Engineer.

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

The Hon. J. Eleazar (Berbice River).

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

The Hon. Jung Bahadur Singh (Demerara-Essequibo).

The Hon. Peer Bacchus (Western Berbice).

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

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

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

The Hon. T. Lee (Essequibo River).

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

### MINUTES.

The minutes of the meeting of the Council held on the 17th December, 1941, as printed and circulated, were confirmed.

### ANNOUNCEMENT.

#### SITTINGS OF COUNCIL.

THE PRESIDENT: Government Officers and myself are getting a little worried about the accumulation of work which we want to get through before the end of the year. I myself have a great amount of work which I have to defer—interviews, etc., and such things as reading of the memoranda on education which I will later circulate. I feel that the Council should do something by sitting longer. I suggest that we sit an hour longer every afternoon. As for the days I am perfectly prepared to sit on Christmas Day next week. You know that Christmas Day has been declared no holiday in the United Kingdom. We can work during a part of the day and rest for the balance of the day. I have been waiting for some time for a statement or intimation from hon. Members themselves. I prefer, however, to see the hours changed. I would like to propose that we begin to sit an extra hour from to-morrow and not to-day as I have an important engagement at 4.15 p.m. We will now proceed with the business of the day.

### ORDER OF THE DAY.

#### ESTIMATES, 1942.

The Council resolved itself into Committee and resumed consideration of the Estimates of Expenditure to be defrayed from revenue during the year ending 31st December, 1942, which have been laid on the table.

#### LABOUR DEPARTMENT.

Item 1—Personal Emoluments.

Mr. ELEAZAR: When the Committee adjourned yesterday afternoon, as far as

my recollection goes, I had just uttered the words that the people of British Guiana have somewhat deaf ears but very sharp and keen eyes. When I made that remark, I was just about to point out to Government that this elaborate Department which Government is now setting up will be another mill-stone around the necks of people of this Colony. When I say that, I must preach from a text from the New Testament this morning.—“No one puts new wine into an old bottle.” We are now adding another Department. During the time I have been here, I have seen so many departments brought in by Government against the views of the people of the country because somebody else not fully acquainted with local conditions got an opinion from somebody else who is also not better acquainted with local conditions. We launch it because the expert says so and so, and the thing naturally fails. But very often that expert's opinion goes into circulation and continues in circulation, and the spurious kind is always in circulation. Mr. So—and—So said so and so and it goes like the old ghost story. All experience is against it but all belief is in it. The economic condition of the country, so far as labour and capital are concerned, has brought about certain forms which cannot be eliminated by the inauguration of new posts which add heavily to the burden of the taxpayer—\$23,083 for a new department to look after labour.

Mr. JACOB: May I rise to a point of correction! Part of this vote was under another Head last year.

Mr. ELEAZAR: If the hon. Member would let me go on and would not interrupt we would get on quicker with the business. When the time comes he will have an opportunity to speak. We are now making a new Government department for the purpose of looking into labour conditions. It does not matter what it costs if it is necessary, and I say this new department is not necessary. Labour in this Colony is not organised as in England, and the people, who come here and ask for a department as they see it in England, do not know it cannot work here. I have heard you cite in this Council the success of the late Sir Donald C. Cameron. I knew him in my youthful days in this Colony, and as an authority on African Colonial Government I have seen his

writings. Over and over he repeated that the aim of government should be to make the African a good African rather than a bad Englishman. That means you must take such of the people's traditions as are good and carry them on and not seek to bring a new plant in Africa because it will not thrive. Labour has come to that and it is through nobody's fault. To-day you have about half the number of sugar estates which existed here 30 years ago. Those had several hundred carpenters, sawyers, brick-layers and coopers employed. Where are they now? Then you go into the field and there you find that they have mechanised field equipment to-day. The sugar growers found that the cost of labour was becoming expensive, the price of sugar having gone down. One machine is supposed to dig a canal or plough a field in about a quarter of the time 100 labourers will take and at very much less cost. All these men are thrown out of employment. Go into the factory and there you find very much the same thing. As regards the estates the people have become permanent free labourers there. What will be the attitude and business of this new department—to get on the sugar estates and make a register and put down all the people there? Is that going to find work for 20 men when you have work for only five? How will that help? Why do we want a department for that?

What is required is to go back and take the things we know about. What we know is that you have very much more labour in the country than is necessary for the work available. I admit at once there is a paradox. You want more people and cannot employ those you have. That is the position we find ourselves in, and that is what we have to seek to relieve. The way to do that is for Government to find some way of opening up the country so that the estates can be relieved. Is this Department going to make the estates instead of giving two days a week work give a week's work to every man? Is this genius we are going to bring out going to remedy that? We are not only making a new department, but I see you have put the Commissioner on the Fixed Establishment. It is not customary in this country to make a new department and put the Head of it on the Fixed Establishment. What will happen after a year and it is found that this thing cannot work? Find somewhere

else to put him where he may be a misfit? Sir, labour for the time being is not organised. I can foresee what is going to happen after the War. Disorganization is going to be intensified, especially when we see a place like Cuba putting thousands of tons of sugar on the world market.

Mr. JACOB: One million tons.

Mr. ELEAZAR: That can swamp out British Guiana, and so we cannot hope for the United States market. That excludes us from the United States market. Canada is also speaking about manufacturing sugar and that curtails the British Guiana market. England, as you know, is also manufacturing sugar and has been doing that just a couple of years now.

THE CHAIRMAN: I must ask the hon. Member to speak to the relevancy of the debate which is Labour Department and the necessity or otherwise of special officers. I do not think we need go into a discussion of the world market and sugar.

Mr. ELEAZAR: The labour problem is based so heavily on the production of sugar and the getting of a market for it that I cannot see how we can discuss the Labour Department or any department without bringing in sugar. For the purpose of sugar-growing you have an excess of labour—much more than you can engage, and the position will be intensified. Any person taking a long view can see nothing but that, and in the meantime you are making a department to enquire into that. You know what has brought Labour into this position. You have seen the possibility of curtailment and you are saddling this country with another department which will mean the taking of thousands of dollars out of the taxpayers' pocket. I know that Government with its cast-iron majority will carry this thing, but that is no reason why I, having had the experience here and seen in this Council new departments brought in, should not stress that it will remain and become a tremendous cost to the country. I cannot forget when in this Council one of Your Excellency's predecessors railroaded the Forest Trust and created a millstone around the neck of the people of this country. He said then "I hope you will live and the people will say that young man is a drawback to the country," because that young man strenu-

ously opposed it. That young man is still here and the millstone has become a white elephant. The chief of that department, who spends three-quarters of his time in Georgetown, is being paid \$660 per month for practically what is a white elephant. He is, however, a versatile officer and is doing all he possibly can to earn what he is getting. It is physically impossible; it cannot be done and Government rebukes hon. Members who warn Government at the start that the thing cannot work, because Government is well aware of "subtraction" but does not know sufficient of "sheep."

Your Excellency, as regards this department I can see reason for it if there is indentured immigration, but you have not got that. Some little while ago before Your Excellency came here we had a series of labour disturbances. It was all due to the fact that the people could not get sufficient money. The sugar producers could not pay them more money. They were growing sugar as a business and not for their health, and they could not pay labour more than they were doing. Some of the labourers attempted to strike here and there, but how long could they last. They thought at first to strike and sit down in their homes for a week or two, but they could not keep themselves at home for a week or two, and they created disturbances all over the place. I suppose that is what Government expects in bringing forward the Labour Bill and making this department. Government is doing this thing with the best intention and hoping for the best, but what is the use of doing it and hoping for the best without seeing the conditions. I think this new department will be an addition to the burden of the people of this country. One single officer is necessary for the purpose of getting all labour organised in a way. That is to say, get a few more Unions where the people will listen to some of their leaders battling for them with their employers. That it is all you require. You do not want a whole department for that. I know that not 17 miles from New Amsterdam we had a gentleman actually residing there, an ologist he was. An ordinary rice grower told him: "Sir, you cannot get rice from that place. It is not going to grow." Over and over he was told so but he would reply: "What do you know about it. It is our department doing it; it is our business." That

place has since been abandoned, and if a crop was got there it must have cost a hundred times more than the value of the yield. One of Your Excellency's predecessors wanted to introduce a new crop he had seen in Africa—ground nuts. He undertook himself to finance the project and he had the whole of the, ologists backing him. To tell you the tale, Your Excellency, the crop did not bring one-fifth of what he spent. We are, however, told not to preach from the old testament.

**THE CHAIRMAN :** I am very interested in the story, but what has it to do with the Labour Department?

**Mr. ELBAZAR :** I was pointing out that when you bring them without taking advice from the local people you will have a millstone around your neck. I am producing argument to show you that this department will go the way of the others before it, leaving a millstone behind it and an expense to the people of the country who are already overburdened.

**Mr. DE AGUIAR :** I wish to preface what I have to say by expressing the view that it is generally agreed that the existence of a Government Department or organization to look after the interest of labour is not only desirable but very necessary. Your Excellency will find that most of the Members who will probably speak against this Head will, as I hope to do, confine their remarks to the amount of expenditure which is involved. To offer properly a useful contribution to this debate it will be necessary to go back a little bit to see what efforts had been made by this Government in the past to set up an organization in respect of labour and what results had been obtained as the result of the organization which was set up. But before I begin to quote any figures I would like to mention for the information of Your Excellency that one of the criticisms levelled at Government in the past has been that there is too much or too great a desire on the part of Government to set up new departments instead of amalgamating or strengthening existing departments. In this Council the view has been expressed on more than one occasion that certain departments, as existing at present, may be conveniently amalgamated with a view to effecting some saving in Government's

annually recurrent expenditure. The efforts that have been made in that direction have failed for one reason or another. This Government has never considered it prudent or advisable to adopt that suggestion with the result that we keep going on and on in the same way and the annually recurrent expenditure continues to rise. Not very long ago it was considered necessary by Government to divide another department, and we know the expenditure under that Head is more to-day than it was three or four years ago. As usual Government came to this Council with what Government considered sound reasons for separating the Department and, although criticism was levelled against the increased expenditure—as the hon. Member on my left said just now—the amount was carried and we had a new department added then. To-day we are asked to have set up another new Department.

In 1930 under the Head of another Department we were asked to introduce the District Administration Scheme. That new Department started with an expenditure of \$8,700. It is true that at that time it was only a skeleton department, but the expenditure rose and in 1931, we had another Head called "Local Government" with an annual expenditure of \$18,172 brought under District Administration. In 1939 we introduced here the Head "Labour and Local Government". The expenditure under that department rose from \$8,705 in 1931 to \$146,152 in 1941. As you will observe, it was all a process of increasing. What is the position to-day? This new Department's annually recurrent vote will be \$17,000 in round figures, but the Department that was set up to look after labour and local government still has a vote of \$146,000. It may be said that the amount of \$17,000 can be offset by the amount which has now found its way under District Administration as advances to Local Authorities. I mention that because I want to use again the term "confusion of estimates." Rather than this Department be met with criticism to-day the expenditure is going to be the same as it was last year, and a new item "Loans to Local Authorities, \$10,717" introduced.

**THE CHAIRMAN :** Has this anything directly to do with the Labour Officer?

Mr. DEAGUIAR: It has. I am speaking under the head of expenditure for the Labour Department, and I am pointing out to the Government that in its desire to set up a new and separate Labour Department it has made a confusion of estimates. I am criticizing Government's policy in dividing the two Departments. The whole of this Department was changed about three times in my recollection. Now we are turning back the clock.

Mr. JACOB: To a point of order! We are discussing the Labour Department. The hon. Member said this Department turned over three times within his memory. I can say he is definitely wrong. I am sorry to say the hon. Member is not following the trend of recent events, and I would suggest to him very respectfully that he change the theme of his debate here this morning.

Mr. DEAGUIAR: I must pay some respect to the hon. Member, but he has said nothing worthy of notice that I should resent except to point out to him that he does not seem to follow the trend of my argument. I may not be able to follow the trend of events and similarly the hon. Member seems unable to follow the trend of my argument. I am pointing out that there is a Labour Department in existence, and if it is now sought to set up another Department to deal with labour then Government must be bold enough to come to this Council and say that its efforts in the past have failed. No one knows whether we are drifting. Despite what any other hon. Member may say, I am very anxious to see that the expenditure of this Colony is kept within its means, and I am not going to bother too much about trend of events. If we cannot afford a silk suit then we must wear a cotton one. As long as I retain a seat in this Council I am not going to sit down quietly and allow the creation of new departments which, as the hon. Member on my left (Mr. Eleazar) said, will add to our existing burden. I maintain that a Labour Department is necessary, but is it necessary to keep on separating those departments which are set up from time to time? We know from experience—sad experience, and that at our own cost—that every time we create a new Department it means a new and complete organization and a new staff. What are we going to do with the other Department

as the result of having set up this new Department? Are we going to reduce the expenditure in the other department that was set up to deal with labour questions? If the intention is to carry on that department in the same way as in the past with the annually recurrent expenditure at the same figure, then I say from past experience that the expenditure on this new department is going to grow as in the case of other departments. It seems that the best thing to do is not to bite off more than we can chew. I am in favour of a labour department. It is absolutely necessary because at the present moment we have various misunderstandings that need smoothing out, but I do not understand the intention of this Government at all and that is what I am criticizing. I am criticizing the policy of Government. It creates a new department and, as soon as it fails, divides it into two. I regret I have to make this criticism, but I do not see how it is possible for us to afford it not only this year but in years to come, how we are going to keep on this expenditure in setting up new departments. How are you going to carry on doing so and having to come back here three years hence to scrap a department or a part of it on the ground of economy? On the ground of economy we must starve essential services, but we must maintain departments such as the one I have referred to.

Mr. PEER BACCHUS: I rise to support the creation of this department, and I am doing so for the same reasons advanced by the hon. Member for Berbice River (Mr. Eleazar)—that labour is disorganized and we really want a register of the unemployed. Though it is a new department that has been created, I think that the increase is just a little over \$6,000.

THE CHAIRMAN: \$5,942, I make it.

Mr. PEER BACCHUS: So far as what the hon. Member for Central Demerara (Mr. De Aguiar) has said—that Government should be bold enough to say that the existing arrangement is not successful—I think that is obvious. If the existing arrangement had been successful I do not think there would have been the necessity for creating this other department. I take it, that is obvious. I am, however, certain that any expenditure under this new Head

is justified if it can produce the desired results. We know the trouble we have had with labour during the past two or three years, and I think it has been said in this Council, or I have seen it mentioned in official papers, that it is the intention of Government to organize such a department with an experienced officer who will also assist in organizing local labour organizations. It has been admitted and has been said in many quarters that because the local people do not know the right way to organise labour in this Colony that has been responsible for most of the trouble if not all. I do not think you can count on the fingers of one hand those claiming leadership who know to organise labour. I think the money will be well spent.

Mr. LEE: I did not want to join in this debate because I thought every Elected Member around this table saw the necessity for organising the workers in this Colony. That can only be done by an expert, but it seems that it is not desired that they should be organised. Apart from that, this morning's debate on this Labour Department points out the necessity, which Your Excellency suggests, exists. If the Elected Members are taken into the confidence of Government in many of these matters these criticisms would not occur in this Council. Hon. Members of this Council do not know what occurs in respect of the workers in this Colony because none of them belongs to any organised Trade Union to know what are the workers' difficulties, and they do not seek to belong to a Trade Union because they do not want to assist the workers. The employers themselves have to admit that if the workers are properly organised they would be better served, but yet we have hon. Members of this Council trying to criticize a department which has been created for the benefit of everyone in this Colony. This is a small sum involved, and it is to benefit and organize the workers of this Colony.

Mr. SEAFORD: I have no desire to delay the session of the Council, but I think it is incumbent upon me to say that I, as a Member of this Council and a representative outside this Council of certain interests, welcome the setting up of a department like this. We feel that anything that can be done for the smooth working between employers and employees

it is the duty of Government to undertake. As has been pointed out by the hon. Member for Western Berbice (Mr. Peer Bacchus) there are set up innumerable Trade Unions. They must exist, but they must be run in the right way. The Trade Unions in this Colony are very young and are still feeling growing pains, and anything that can be done to assist them and by doing so assist conditions in the Colony, I am satisfied the majority of both employers and employees will welcome. I would like, however, to strike a note of warning. In the Colony of Jamaica they started in a small way as we have done, but the Department there has grown and grown and the amount of money now spent on it has assumed astronomic proportions. I hope, sir, that will not be the case here. What we desire is some people with experience to guide and lead us in this Colony, and for that reason I welcome this addition of a Labour Department.

Dr. SINGH: I rise to support the setting up of this Department and I would like to make the suggestion that this Department be assisted by a body of men, so that in the event of anything happening the advice of those men can be sought.

Mr. PERCY C. WIGHT: My fear in this matter is that this Department will be like the main Department—Labour and Local Government. Some years ago when it came up in this Council I was entirely against it. Argument has been adduced that it will relieve the Colonial Secretariat of a considerable amount of work and it will naturally bear its own expense. That Department, as we creoles describe it a department of little Governors, has risen in its expenditure to an absurd figure in the records of these Estimates. I feel that if it is a genuine department and can be controlled in its expenditure there can be no objection, but I look upon it as an absolute waste of money if it is allowed to go on like this. One gentleman, Mr. Howieson, who came out here seconded for service in that Department, said that when he asked Government for money to print certain notices he was told in very emphatic terms there was no money available to vote the sum of money required. That gentleman is going back to the Colonial Office and I would like you to get his expression of opinion on this matter. He has said definitely that it is a disgrace

to send him out here under these conditions and he will certainly express his views to the Colonial Office in very strong language on his return to England. If that is the opinion of that gentleman I consider the establishment and existence of that Department an absolute waste of money.

This Department calls for under £5,000. When we come to consider it, that is a matter of \$800,000 invested at 3 per cent. We are already heavily in debt, and if the people have to be taxed to this extent again I do not know where the money is to come from. This Colony is appealing to the British Government for assistance and help. I am not going to condemn the project entirely. If the Department is carefully watched and properly controlled and the gentlemen who come down only come for a term I would offer no objection, but if they are going to be treated as Mr. Howieson has been treated, I can say beforehand that it would be a waste of money.

Mr. JACOB: I feel compelled to try and correct one or two very unfortunate remarks that have been made particularly by the hon. Member for Georgetown Central (Mr. Percy C. Wight). I consider this to be a useful expenditure and money well spent. As has been stated already, the additional expenditure is only \$6,000. If hon. Members would familiarize themselves with the estimates they would see that a large sum of money has been taken off the Head—Local Government—so that the sum of \$23,083 appearing here does not represent additional expenditure under this Head. It is a new Head I agree, but it is a pity a new Head was not started years ago. I think Government has profited by experience. As I said yesterday, it is necessary to have one versed in labour matters, an official who will come to the Colony with an open mind, view the position and act accordingly. I look forward to when this Department will be of great service to the Colony. The wastage that is going on by unnecessary strikes, strikes which could have been prevented had there been some one responsible in Government in whom there was confidence. I do not cast any reflection on the officer who is serving now, to be quite fair to him, but it is well that the person in charge of the Depart-

ment be an outsider versed in labour matters and one in whom the public will have confidence. The Heads of Departments under the present Constitution should in most cases be gentlemen from outside this Colony. When we have self-government here then it will be another matter. Every hon. Member should welcome this new Department and give it all the support possible if they have the interest of the Colony at heart and want industrial peace and to see this Colony advance.

THE CHAIRMAN: I have listened with a lot of interest to the remarks made as to the past on this matter in this Colony. It seems we are faced with an entirely new condition which arises out of a policy which is not new. This is but a definite decision to proceed with that policy vigorously and advisedly and it is one of Labour legislation for the support and guidance of local Trade Unionism. In that respect we are linked with other Colonies in this part of the world. As I said that was desirable two years ago, and possibly we have learnt from experience.

The hon. Member for Central Demerara (Mr. DeAguiar) took the opportunity to raise a series of questions regarding the general financial policy of the amalgamation of departments and retrenchment. Again, I say if this Council give me two years and the authority I can reduce the annual expenditure of the Colony to \$5,000,000, but it would be highly unpopular and would mean stagnation in development. The policy of the Imperial Government is definitely that the time has come to go forward with development.

The hon. Member for Georgetown North (Mr. Seaford) mentioned Jamaica. I do certainly agree with him and hope that we will not face a mushroom growth in the new Labour Department. I hope there is a great difference in conditions between Jamaica with its million-odd people spread over an area which represents the largest island in the British West Indies and ourselves. Our labour problems are concentrated and we do not have to follow that very bad example. We can do our best to prevent it, but we cannot guarantee what may be the conditions here a year hence.

The hon. Member for Georgetown Central (Mr. Percy C. Wight) raised the question of the future and I do not know that much expansion is possible in these Estimates, but the first appointment, that of the Commissioner of Labour, is only in the first place for one year. That is the principal officer's contract. The term of contract of the Assistant to the Commissioner will be for three years. The matter, therefore, does come up for consideration again at the end of 1942 in the one case and at the end of 1944 or 1945 in the other case. As to the officers I still have no definite information as to the appointment as yet, but I do know the gentlemen proposed for the post of Commissioner has many years' experience and quite recently very special experience of conciliation of trade disputes in a very difficult part of the United Kingdom. The second officer proposed has been a Trade Union official, I think, for 12 or 15 years and have papers, with very high encomiums not only from Labour but from the employers of labour in the particular industry with which he was concerned. I feel that we should go forward with this and hope for the best. I therefore propose to put the question that Head XII—Labour Department—be passed.

Mr. ELEAZAR: I don't believe in appointing a new officer and right away putting him on the Pensionable Establishment. I ask that the post be put below the line. You have put him above the line and therefore make the post pensionable.

Mr. SEAFORD: To a point of correction! The new officer is appointed on contract for one year.

The CHAIRMAN: The question of pension does not arise.

Mr. ELEAZAR: This Estimate does not show that.

THE CHAIRMAN: The question of pension will not arise in the case of that officer, unless he is specially appointed on the Fixed Establishment later on.

#### COST OF LIVING SURVEY.

The COLONIAL SECRETARY: I beg to move a new sub-head 8—Cost of Living Survey in Georgetown and suburbs, \$5,200.

Your Excellency proposes to appoint a Committee to consider details of a scheme for working out the cost of living in Georgetown and suburbs, and the estimated expenditure is \$5,200.

THE CHAIRMAN: I would suggest that we take that under the Head "Miscellaneous."

Mr. PERCY C. WIGHT: I was going to suggest that.

THE COLONIAL SECRETARY: I withdraw my motion.

Head passed without amendment.

#### LANDS AND MINES DEPARTMENT.

Mr. AUSTIN: I wish to make a few remarks on this Department. When Your Excellency's predecessor stated that in his opinion this is one of the most important departments of Government in this undeveloped Colony and he considered it essential that the Head of this Department should more or less have his office in the hinterland or at all events should travel about the Colony nine months in the year instead of directing the functions of this Department from his office, it found favour in this Council. I think I am correct in saying that the Head of this Department since the beginning of this year has only paid one short visit to the outlying stations of the Department. That is subject to correction. I think most of us around this table maintain it is essential that the Senior Officers of this Department should pay more frequent visits to the hinterland and elsewhere. In this direction we have advocated year in and year out the amalgamation of this Department and the Forestry Department. I believe it will be a remedy if these two Departments can be so amalgamated to allow of the Head's visits to outlying stations at regular periods. I am asking you to go into this matter and see whether it will be advisable and convenient to allow the officer in charge to pay more frequent visits to his outlying stations.

Mr. ELEAZAR: Sir, I am very much pleased indeed to hear what has fallen from the lips of the hon. Member who has just taken his seat. That hon. Member speaks very seldom in this Council, but when he speaks you can



collect pearls of wisdom that fall from his lips. When the Forestry Department was established its amalgamation with the Lands and Mines Department was urged but Government would not hear about it. I am glad that a Member, who has served Government for years as a Nominated Member and who is not so afraid of his seat as to say what he does not mean, has also come to the same decision as those hon. Members who had asked Government to consider at the time of the inauguration of the Forestry Department its amalgamation with the Lands and Mines Department. But there is more in it. That officer sitting in his office does not know the foreshore—present company excepted. I remember I brought to the notice of Government that whereas Government was making a law to prevent a man from using his land in a certain way, Government was itself giving land to people, just 25 square rods, at a certain place, and the Commissioner of Lands and Mines asked me where that was. The place was only 17 miles south of New Amsterdam at Whim. Fancy the Commissioner of Lands and Mines, who is supposed to know everything about the lands of the country, did not know where Whim was. That was bad enough, but I am giving you now a piece of my own experience which occurred only a week ago. A man from the Canje Creek came to my office and complained that some people had taken away his wood. When I referred the matter to a Government Officer of this Department he said it was Crown Land, but the man said he had been there for over 60 years and his father had been there before him. The Officer said that prescription does not lie against the Crown. I asked him who told him so and he replied that that was what he was told. I was then told to go and get a surveyor. The poor man had no money and the wood, the result of his labour, was put up for sale because someone said it is Crown Land. It is because the Commissioner himself does not know. If he used to travel about, as soon as he hears the name of a place he would be able to follow what you are talking about, but he leaves it to a Forest Ranger to go and see, and it does not matter what you say against that; it is pushed aside because the Forest Ranger, the lowest officer in the Department, has said something else. Government is the only institution that can carry on in that way, put a manager in charge of a concern

and he does not see that concern. I do not think that is good enough. I think that if the Commissioner of Lands and Mines is to be of any service to the Colony he must not rely on what is told to him by the Rangers. Your Excellency, when you see with your own eyes and hear with your own ears, you will then see how far afield your own experience is as compared with what you get from official files and documents.

Mr. LEE: In respect of this Department I would like to point out to Government that there is too much correspondence between this Department and the District Commissioners' Department. Supposing rent is due to this Department it has to be paid through the District Commissioners' Department. What I want to point out is that many of the officers of this Department in the outlying districts feel they are virtual governors and not that they are servants of the people. I had a complaint from Bartica of Aboriginal Indians applying for permits to cut timber and wood on Crown Lands and having to go through a lot of red tape and suffer much impoliteness. I do ask that some facility be granted to these Indians thereby putting an end to so much red tape in respect of their application. They have to wait a whole week before they get a reply from the Department. If the Officers are more tolerant there would be no complaints. Another matter was brought to my notice which Government Officers should have known. Regulations in respect of precious stones and gold have been brought in that shopkeepers and purchasers will not be able to purchase those minerals from pork-knockers. Complaints have reached me that because of those regulations many of the men suffered as the result of not being able to sell the minerals they had won. The Officers of the Lands and Mines Department know that those Regulations could not take effect without many of the purchasers and people breaking the law. I have not had any complaints about prosecutions and I sincerely hope there will be none, but those regulations are imposing a hardship on the pork-knockers in the interior.

Mr. C. V. WIGHT: If the hon. Member who has just taken his seat thinks that his mention of the abolition of red tape in Government will do the community some

good turn, I would just like to say that he will be disappointed. I do not see when we can ever get away from red tape in any department of Government, especially the Lands and Mines Department. There are two points I desire to ask Government to consider. I have raised them several times before. One is the sale of Crown Lands. I have repeatedly raised that. In 1938 the reply I got was that it was a big issue and one which should be considered a grant by purchase as an encouragement. The other matter is that some attention be paid to the question of unworked land, whether there should be increased rental or some sort of slight pressure applied so as to have them worked. I have certain areas in mind. In the present crisis I think we should be doing everything we can to ensure full production in all these areas. Perhaps one might be inclined to work. One does not necessarily suggest that the Commissioner should function alone but that he should be delegated to make enquiry with a few persons technically suited as to the possibility of certain mineral deposits which we have in the Colony, whether they cannot be worked by Government, if necessary I would suggest, or whether certain relief cannot be granted in the working of such deposits. I have in mind the report by Mr. Bracewell, Geologist, in which he made mention of manganese deposits in the Colony. We may be able still further to take our part in the present crisis by making some small contribution in addition to what we have already done.

**THE COLONIAL SECRETARY:** With regard to the remarks of the hon. Member for Essequibo River (Mr. Lee), it is not clear to me precisely what point he was dealing with. Is it the licence in connection with gold? I think the regulations are fairly reasonable. I suggest that in cases of that sort representations should be made to the Head of the Department or to the Colonial Secretary. Neither of us knows anything about the matter. As regards the incivility of the Officer at Bartica, I think the case referred to was one in which the delay was due to the fact that the Officer quite rightly had to satisfy himself that the persons concerned were Indians. He was carrying out his duties in ascertaining that the applicants were *bona fide* Indians.

As regards the question of the hon.

Member for Western Essequibo (Mr. C. V. Wight) relative to the outright sale of Crown Lands. I think I am correct in saying that Your Excellency's predecessor considered the matter in Executive Council in 1938 and the decision taken was that outright sales should cease. The matter was considered again either in 1939 or 1940 as the result of representations made and a similar decision was arrived at. It is a matter for Your Excellency to take up now.

The hon. Member for Berbice River (Mr. Eleazar) indicating that Rangers have rather too much power, referred to—

**Mr. ELEAZAR:** My point is that the Head of the Department knows nothing of the interior and depends on the Rangers.

**THE COLONIAL SECRETARY:** I agree that all Heads of Departments should travel, but it is not very easy for them to get away from Office on account of staffing arrangements. The hon. Member for Berbice River should recollect that Rangers are directly under the District Commissioners who are Deputies to the Commissioner of Lands and Mines. I am not saying that is any reason why the Head of the Department should not travel about more, but the Ranger has to go and investigate.

**Mr. ELEAZAR:** What the hon. Colonial Secretary has said makes matters worse. I used to get second-hand information but I have it first-hand now.

**THE CHAIRMAN:** Before putting the question I would like to reply to the question raised by the hon. Second Nominated Member as regards the possibility of having the offices in the interior. I have been accustomed to a system exactly the same where the Chief Inspector of Mines had his Office and staff concentrated in the centre of the mining district. That of course did mean that the Secretariat had a special branch dealing with the main correspondence, which is to some extent obviated here by having the office of Land and Mines in Georgetown. I have just given administrative instruction as regards the procedure, in respect of bauxite. All papers must come directly to me and not be hung up in the Secretariat. I will deal with them on the

spot according to the action necessary. It is not so easy for the administration to have offices in the hinterland. As this office deals with lands as well as mines there must be a great deal of work which concerns the immediate neighbourhood of the Coast of Georgetown. As regards travelling we all agree with that. I have observed the extraordinary centralization of administration in Georgetown, which is probably inevitable, and difficulties of getting away and back quickly. I notice the Geological Officers must get about a great deal at considerable expense. The visits of the Geologist serve a useful purpose to the administration. I have not had the pleasure of meeting the Geologist, who is in the Rupununi. The amalgamation of this Department with others, I gather from the hon. Colonial Secretary, has been considered by my predecessors, and I am perfectly prepared to consider it in due course. The question put by the hon. Member for Western Essequibo (Mr. C. V. Wight) is being considered and very definite action is going to be taken for the exploitation of manganese.

Item 12—Registration of Labourers—Payment to Registering Officer—\$900.

Mr. JACOB: I move the deletion of this item. I would like to take this opportunity to state that I am strongly of the opinion that this Department should be amalgamated with the Forestry Department, and I support wholeheartedly the remarks made by the hon. Nominated Member, Mr. Austin. My attention was drawn to the fact that certain leases of Crown Lands have been reduced from 99 years to 25 years, and I am wondering whether there is very good reason for doing that. Certain parties, who have got these leases, have got both contracts for 99 and 25 years and are wondering whether they can have security of tenure for a longer period and why the contracts have been reduced from 99 to 25 years. They have to plant permanent crops on some of these lands and they are somewhat suspicious of the reduction of the term of the lease. I do not know if Government has any valid reason, but since there is a tendency to give security of tenure I think Government may revert to the 99-years period.

As regards the registration of labourers,

now that we are going to have a Labour Department I do not think there should be a duplication of work between that Department and this Department. As I said yesterday, it is a waste of energy having a register there. I think the sooner this item is deleted the better and it will be wise to let the public understand that in all labour matters they must go to the Labour Department. It may have been necessary to have registration in the past when there was big mining activity and certain people required the assistance of the Lands and Mines Department, but I feel sure there is no justifiable reason for continuing it particularly as you are going to have a Labour Department.

THE COLONIAL SECRETARY: I think the hon. Member is referring to the wrong item. That is to be found at page 48 of these Estimates under the Head "Miscellaneous",—item 24 "Labour Registration Bureau". Under the Mining Regulations this registration of miners for the interior must be carried on by the Lands and Mines Department and has been continuing for some time. Even with the Labour Department it will be necessary for this to continue. The same officer registers applicants for employment.

THE CHAIRMAN: Why does it appear in two places in the Estimates if the work is being performed by the same officer?

THE COLONIAL SECRETARY: If you are going to transfer the item "Labour Registration Bureau" to the Labour Department then this individual would only continue to register labourers for the Lands and Mines Department. To put them under the same Head will mean separating them later on.

THE CHAIRMAN: There is some statutory requirement in respect of mining labourers and therefore it requires a sub-head under this Department to deal with it. It is a matter of procedure in its being handled by the same officer who handles the registration for employment.

THE COLONIAL SECRETARY: The officer who is registering miners is keeping a register of unemployed labourers.

Mr. JACOB: I do not think that explanation is satisfactory. If even some registration work is going on in the Lands

and Mines Department, what about all the clerks there? Why put up a separate Head and then give the further explanation that this amount in addition to \$540 is paid to a certain individual. I think it is rather unsatisfactory and causes confusion. I press that this amount be deleted, and I have a suspicion that the majority of the officers in this Department, since the creation of the District Administration Department, have time hanging on their hands. I have been there on a few occasions and I feel so, though I may be wrong. I think there should be an investigation and amalgamation, and further that this item should be deleted and the clerical staff should perform the additional duties of registration.

THE CHAIRMAN: I cannot agree to the deletion until I enquire into the specific reason for having it under Lands and Mines. If there is a statutory obligation to do so then we must make arrangement for it somewhere.

Mr. JACOB: I accept that.

THE CHAIRMAN: We will proceed with the Head, and you can bring it up later on.

Item 10—Indian Captains, \$400.

Mr. DEAGUIAR: May I ask whether this is going to be continuous? It was a new item last year.

Mr. JACOB: The same thing applies to item 13, "Rent for quarters" Maybe an explanation has been offered but I cannot remember.

THE COLONIAL SECRETARY: It has been paid for some time. It used to come out of the Aboriginal Indian Reservation Fund. Government has been advised that that it should be shown separately under this Head.

THE CHAIRMAN: Where is that Fund shown, under Miscellaneous?

Mr. McDAVID: (Colonial Treasurer): It is a private fund kept under the control of the Colonial Treasurer and the Commissioner of Lands and Mines especially for the benefit of Aboriginal Indians and their reservations. It has been found that this payment which is really for a service of

Government is being charged to this particular fund, and it has been decided that it should be properly made from public expenditure. I think it is for work done on behalf of the Government and not really for the benefit of Aboriginal Indians and their reservations, which is the purpose of this private fund.

THE CHAIRMAN: It seems a curious place to have these things—under Lands and Mines.

THE COLONIAL SECRETARY: These Indian Captains do work either for the District Commissioners, or the Police in charge of Indians on reservations.

Mr. McDAVID: The Commissioner of Lands and Mines is Protector of Indians and these captains help him in that particular direction.

Mr. DE AGUIAR: The service they give to Government is to look after boats going up river.

Mr. McDAVID: I understand the term "Indian Captain" is a statutory term used in the Ordinance.

THE CHAIRMAN: It is in an Ordinance which the Commissioner of Lands and Mines administers. If that is so there is some logic in its being here.

THE COLONIAL SECRETARY: The payment is provided by law—Section 7, subsection 4 of the Ordinance.

Item 12 Contribution towards travelling expenses of the Missionaries at Cabacaburi and Moruca for performing duties in connection with Aboriginal Indians, \$260.

THE COLONIAL SECRETARY: Some of the Missionaries are Protectors of Indians under the Ordinance and are given compensation for the work they do.

Item 13—Rent for Quarters, \$400.

THE COLONIAL SECRETARY: Last year approval was given for the appointment of an officer to be stationed at or near Parika to work up the Essequibo River. There are no quarters at Parika, no house to be rented even, and he is allowed an allowance for renting a portion of a house at Roden's Rust. That is why the item

appeared for the first time in 1941. It was a new post created and an allowance was given in lieu of quarters.

Mr. JACOB: What about the other question of security of tenure of lease?

THE COLONIAL SECRETARY: That varies from 99 years to 21 years. There are some issued for 25 years. I do not know the particular case to which the hon. Member is referring.

Mr. JACOB: Windsor Forest, Hague and LaJalousie. That is the case I am referring to.

THE CHAIRMAN: As regards the question asked as to the sale of Crown Lands, I am informed by the hon. Colonial Secretary that it came up before two of my predecessors, both of whom ruled against it.

THE COLONIAL SECRETARY: It was decided in 1938 by Sir Wilfred Jackson and it was raised again before Sir John Waddington.

THE CHAIRMAN: Unless there is the greatest and strongest reasons and foresight of the future for the sale of Crown Lands my experience is against it. That is being done in all the Colonies with which I am acquainted. I am told there is a legal distinction between Crown Land and Colony Land.

THE COLONIAL SECRETARY: I am informed that several of the leases at Windsor Forest, etc., are for 25 years, and the Head of the Department thinks that in respect of the cases to which the hon. Member referred, the applicants applied for 25 years' leases. It is not exceptional to grant leases for 25 years.

Mr. JACOB: Do I understand that if a person wants a lease for 99 years he can get it?

THE COLONIAL SECRETARY: Normally.

Mr. JACOB: Then I take it there is no special reason for granting a 25 years lease and the applicants can get 99 years if they want.

THE ATTORNEY-GENERAL (Mr. Pretheros): This question came up in

regard to another case some time ago. In undeveloped areas where development is likely the term of the lease is cut down to a short period but it may be increased. In those cases where the lease is reduced to 25 years it is subjected to renewal and to rent revision. The idea is that in respect of improvement to the countryside which raises the value of the land the profits should be shared with Government by increasing the rent.

THE CHAIRMAN: That is the normal policy in all the Colonies with which I am acquainted, the lease is reviewed at periods of every few years.

Mr. JACOB: I may recall that a person who had a lease for 99 years and another for 25 years in respect of nearly the same place felt suspicious about it and I told him to consult the Lands and Mines Department. I have heard nothing and so I thought I should raise it here. In addition to that there are other complaints by certain parties who have their second depths—

THE CHAIRMAN: Raise them somewhere more relevant! I am quite prepared to hear you if they are raised in the right place.

#### LAW OFFICERS.

Mr. ELEAZAR: The vote of this Department passes without any criticism. Recently there has been a lot of expenses incurred and members of the public are not feeling quite happy about it. There was a time when we had only two Officers in this Department and the work went on very well. We have four Officers now and we always have to get people from outside to help. Some people do not even know the Attorney-General, and the reason is that he does not go to the Law Courts at all. There is a lot of murmuring outside as to the engagement of private practitioners to carry on Government's work because the Attorney-General's Office cannot spare a man to do this or that thing. I mention that, so that the hon. Attorney-General may see his way to remedy that state of affairs and that Government may find out how all this happens to be. There are extra Judges, extra Magistrates and all sorts of law work done by outsiders though there are now four Officers in that Department as against two before. I think something should be done in the matter.

Mr. JACOB: I merely refer Your Excellency to the debates in respect of this Department during a year or so ago.

Mr. C. V. WIGHT: Is it suggested that Your Excellency must spend a couple of hours going through the debates? Perhaps the hon. Member for North-Western District may assist by giving the page or pages. He does not expect Your Excellency to go through the debates—

THE CHAIRMAN: And expect me to find it.

Mr. JACOB: It is there in the debates under "Law Officers." It is easy to find.

THE ATTORNEY-GENERAL: I would like to answer the hon. Member for Berbice River. He said there previously used to be two Law Officers and now there are four. I do not know where he has got four from. There are three—The Assistant Attorney-General, the Crown Counsel and myself.

Mr. ELEAZAR: I know that at one time we had the Attorney-General and what we called the Solicitor-General. There were only those two, but now we have three Barristers—the Attorney-General, the Assistant Attorney-General, the Crown Counsel—and a lady designated "Clerk to the Attorney-General who is a qualified Barrister-at-Law with honours besides. I do not see how there are only three Law Officers. We have a lady in that Department with qualifications higher than those of some men and yet we are engaging men outside the Department.

Mr. C. V. WIGHT: I would like to say in reply to the hon. Member for Berbice River that I do not think the hon. Attorney-General in this case is responsible. It was passed on to him by one of his predecessors.

THE ATTORNEY-GENERAL: The fourth lawyer in the Department is in fact my clerk and is paid the same salary as a clerk who is not so qualified.

He'd passed without amendment.

#### LOCAL GOVERNMENT.

Mr. JACOB: The expenditure under this Head for this year is \$148,224 as against \$146,353 for last year showing an increase on paper of \$1,871. I do not

know if I made myself clear in the past, but I think I ought to do it now. I share the view of the hon. Member for Central Demerara (Mr. de Aguiar) in regard to these loans by the Department. When the debate on Labour was going on I turned the pages to see what was the difference between Local Government and the Labour Department this year, and I was a little confused to find that the difference was an increase rather than a decrease. When you scan the whole Department you find an item for \$10,717 appears for the first time. I think there should be a separate page entirely for loans, and then we would know where we are. While Government may have expert opinion as to what is right and what is not, I share the view of the hon. Member who spoke so lengthily on this subject. I am not at all satisfied with this Department.

THE CHAIRMAN: I must ask the Council to excuse me for a moment. I have urgent business to attend to and I ask the hon. Colonial Secretary to take the Chair.

At this stage the President retired and the Chair was occupied by the hon. Colonial Secretary.

Mr. JACOB (continuing): I am not at all satisfied that this Department is working satisfactorily, and it is a little difficult to address the Chair now seeing that the occupant of the Chair is the Chairman of this Department. I feel very strongly in regard to this Department and I think I am justified in saying that this Department has been and is a hindrance to the progress and development of this country. I would not like to say it is a menace, but it is becoming so.

At this stage the President returned to the Council Chamber and resumed his occupancy of the Chair.

Mr. JACOB (continuing): I have received many complaints about this Department from time to time, and during my recent tour of the country on the question of the change of the Constitution complaints were made to me with regards to the administration of the Local Government Board and as regards local administration generally. I shall relate a few instances after the adjournment. But, Sir, in my own constituency following the

recommendations of the West India Royal Commission very strong views were expressed, especially when it was known to them that one of the recommendations of the Commission was "Constitutional and Closer Union". Paragraph 26—page 25 of the Recommendations—states *inter alia*: "More and not less, participation by the people in the work of government is a real necessity for lasting social advancement". Paragraph 28 (d) states: "That in order to secure that the elected element in Legislative Councils shall be as truly representative as possible, the object of policy should be the introduction of universal adult suffrage"—

THE CHAIRMAN: I would like to know what this has to do with Local Government. Is it necessary to bring Constitutional Reform in? Has it anything to do with Local Government?

Mr. JACOB: I think it is necessary because the country has expressed a view which was submitted to the Commission.

Mr. ELEAZAR: To a point of order! Is the hon. Member going to accept Your Excellency's ruling and go to something else?

THE CHAIRMAN: I am giving an opportunity to the hon. Member to explain why he wants to bring it in.

Mr. JACOB: I think I am justified fully 100 per cent.

THE CHAIRMAN: Let us hear it.

Mr. JACOB: The country has expressed the view that Local Government should be dealt with immediately and the Franchise Commission that was appointed—I happen to be a member of that Commission—expressed the view that a Commission should be appointed to go into the question of Village Administration as recommended by the Royal Commission, but His Excellency turned down the request and stated that a separate Commission would be appointed shortly. My plea is that the separate Commission should be appointed immediately. While "shortly" and "immediately" have the same meaning. I am going to suggest that there is a difference. My point is to have it on record so that responsibility can be placed somewhere. Reforms in local administration should precede executive administration. What I

mean is unless you have self government in the villages it will be very difficult to work it successfully in this Legislature. I cannot understand why there has been this hesitancy, this desire not to give the people in the villages the right to manage their own affairs. So that they should learn something about it in time the Royal Commissioners recommended and made it perfectly clear, and I think I am quite within my right to show what the Royal Commission recommended. I therefore want to read sub-paragraph (2) of paragraph 28—

THE CHAIRMAN: You are quite in order if you confine yourself to the question of local administration.

Mr. JACOB: I will read paragraph 28 (d) of the Royal Commission's recommendations:—

That in order to secure that the elected element in Legislative Councils shall be as truly representative as possible the object of policy should be the introduction of universal adult suffrage. Some of us hold that this should be introduced forthwith; others that it should be reached by gradual stages and to this end recommend the appointment of local committees to consider the extension of the franchise, both for local and for central government. Such Committees should keep in close touch with their counterparts in other West Indian Colonies, and should consider carefully whether, as is strongly desirable, their recommendations would assure substantial equality as between the sexes!

THE CHAIRMAN: This has nothing to do with local government. If you read the section touching local administration it would be relevant.

Mr. JACOB: It is so mixed up I do not know which to read.

At this stage the Council resumed.

THE PRESIDENT: I shall be unable to take the Chair at 2 o'clock. I may be able to come back by 3 o'clock, but in the meantime the hon. Colonial Secretary will take the Chair at 2 o'clock.

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

2 p.m.—

Mr. DIAS was present.

## PRESIDENT ABSENT.

THE COLONIAL SECRETARY: (in the Chair): His Excellency has asked me to inform the Council that he has received an urgent telegram which requires his immediate attention. He hopes to return before the close of this afternoon's session. He is particularly anxious to hear the debate under the head Local Government, therefore I propose to defer consideration of that head and pass on to the next—Magistrates.

## ESTIMATES, 1942.

The Council resolved itself into Committee and resumed consideration of the estimates of expenditure to be defrayed from revenue for the year ending 31st December, 1942.

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

## MAGISTRATES.

Item 1 (a)—7 Magistrates—(2 at \$3,240—\$3,720 by \$120; 5 at \$2,400—\$3,120 by \$120)—\$21,572.

Mr. ELEAZAR: I see that Government still persists in paying certain Magistrates \$200 per month. It is a positive disgrace. They are put in the country and called Junior Magistrates, but what is the difference between the work of a Junior Magistrate and that of a Senior Magistrate? When a Junior Magistrate pays income tax what is he left with? Hitherto Magistrates were properly paid and I do not think we had better men. I do not think they were as good. One cannot call ex-Police Inspectors and discarded estate managers Magistrates. A man who aspires to become a Magistrate should at least be a man of commonsense and not a failure in his profession. Government treats a man unjustly and expects him to dispense justice, and I suppose this state of affairs will continue so long as local men hold these positions.

Mr. JACOB: I rise to support the remarks of the last speaker. I have always felt that civil servants who have had University or special training should be better paid than they are at present. It is definitely unfair that a Magistrate should start at a salary of \$200 per month. I think his commencing salary should be \$250 per month. After all the adminis-

tration of justice is a very delicate and important matter, and I think the position of Magistrates should be reconsidered.

I take this opportunity to refer to the report of the Director of Colonial Audit, Sessional Paper No. 5 of 1941. On page 4, par. 11, the Auditor makes certain comments in regard to a difference of opinion between Government and the Auditor of the Colony, and I think that if the system has not been changed it should undergo some change. I believe that revenue can be lost by the present system. I recollect that some time ago there was a scandal in regard to stamps and other things, and I believe that if the Auditor's opinion is accepted the revenue would be safeguarded to a great extent.

Mr. LEE: I would like to support the view of the hon. Member for Berbice (Mr. Eleazar) that in considering the salaries of Magistrates one should consider that they must be independent and beyond reproach. When from a salary of £500 per annum you discount income tax, contribution to Widows and Orphans Fund and house rent, what do we find? It is not remunerative enough to attract the good men practising in the Colony, and we get men who are not tolerant enough and who perhaps would not study law or human nature. Some of them are too lazy to administer justice properly. I say that and I can give numerous instances. Magistrates say to a defendant "If you plead guilty I will deal with you leniently, but if you plead not guilty you will see what will happen to you." When such a person pleads "Not guilty" the maximum penalty is imposed. Those things are not fair and just to the inhabitants of this Colony. Some people commit offences sometimes through no fault of their own, and they go before a Magistrate and plead guilty. The Magistrate lectures them for fully half an hour, and I know of a certain gentleman who said he preferred to pay \$1,000 rather than have a Magistrate lecturing him on morals.

I notice that there is a vacancy on the Corentyne and perhaps there will be another Magistrate for the Georgetown district. I am appealing to Government to make the commencing salary of those new posts £600 per annum and to see that the men selected are experienced



practitioners, equally balanced so as to be tolerant with the public. I do admit that there are times when defendants and lawyers try the patience of Magistrates, but after all a lawyer fights his case on the instructions of his client. There are always extenuating circumstances which a tolerant Magistrate would consider in administering justice.

There are certain bailiffs who also perform the duties of clerks, and in considering the appointment of assistant clerks in the Magisterial Department I am asking Government to see that those bailiffs who have rendered and are rendering service as clerks in various districts are given some promotion. I admit that some of them have not the necessary literary qualification, but they are performing the duties of clerks and are doing so competently.

I also wish to suggest that Magistrates should not be required to serve on Licensing Boards or to act as Revising Barristers. They have not the time for such duties, and the result is that their Magisterial work is held up.

Mr. DIAS: I regard this as my maiden speech of the present session of the Council, but I cannot resist the opportunity which the occasion offers to contribute something to the debate. I share the views of hon. Members generally with regard to salaries paid to Magistrates, but I think they have not said enough on that subject. I propose to proceed a bit further and let Government be informed that there is a shortage of Magistrates, and if the work before the Courts is to be undertaken we must have Magistrates. I understand that in some of the Courts there are hundreds of cases hanging fire for months and cannot be taken because the Magistrates have not the time to hear them. Magistrates work hard but it must not be forgotten that every new bit of legislation means that there are new offences created. Such cases, like those under the Emergency Regulations, occupy a great deal of time, which means that other matters are neglected. The position could not be worse than it is at present. I know of cases which have been fixed up to February.

I do invite Government to take a little more interest in matters affecting the

administration of justice in the Colony. The present system is described by all sorts of names. I have heard it described as "railway justice," but if the Magistrates do not work that way they cannot work at all. I have heard the words quoted by the last speaker used by Magistrates, fortunately not in many Courts, but if some Magistrates do not adopt measures of that kind they cannot rid themselves of the number of cases that come before them.

I wish also to draw Government's attention to the necessity for an amendment of the Liquor Licensing Ordinance in order that a Magistrate may be released from the duty of having to attend licensing meetings in all parts of the Colony. For instance a Board of three men travel from Georgetown to Essequibo to carry out a formality which takes about 10 minutes. If opposition is entered so many days' previous notice has to be given. Even when there is no opposition they have to travel. Why send three men at the sacrifice of their work and at cost to the Colony to go through a formality which could be done in Georgetown or by the Magistrate of the particular district? It seems to me a ridiculous waste of time, and I suggest that the Attorney-General should be invited to consider the matter with a view to some amendment of the Ordinance.

If justice is to be done in the Courts there must be more Magistrates. I remember the time when there were 20 Magistrates in this Colony, and there is considerably more work now when we have only 6 Magistrates. I see some alterations being made at the Georgetown Magistrate's Court and I am told that there is another Court. I do very little Magistrate's Court work myself but I know exactly what happens. I attended that Court a fortnight ago and found it so packed—there must have been over 300 persons present—that even practitioners found no seats available to them. I had to stand the whole time and it was not until 11.30 a.m. that a case, in which I intended to enter a plea of guilty, was reached.

Mr. WOOLFORD: I had not intended to speak and I am not going to do so except for a few minutes. The hon. Mr. Austin has invited me to look at page 242 of the Hansard reports for November,

1939 to September, 1940; in other words Volume 12, in which under the heading "Magistrates" I spoke for quite a long while, my speech occupying several columns of the report. I ask you, sir, to read those remarks and I would ask the Attorney-General to re-read them or bear them in mind, because not a single speaker has said anything new. Members complain of repetition of representations made here from time to time. I have simply risen to emphasize that those representations would not be repeated if Government either says it will put them into effect or it will not. We make representations here but we hear nothing about them, and we do not know whether they are likely to be accepted or not. I know that the Attorney-General has not very much time. If he had I would have criticized him as I have had to do other Attorneys-General.

The hon. Mr. Dias has just referred to the unnecessary waste of time in having three Magistrates adjudicating in licensing matters. The Attorney-General has asked me how that could be abolished. I said "Very easily". Let a Magistrate be the presiding Justice and another Justice of the Peace be summoned who would assist the Licensing Justice in deciding whether a spirit licence should be granted or not, but if it is felt that a Magistrate may be prejudiced for a variety of reasons and it is necessary to have someone in the form of an umpire or arbitrator, some third person might be appointed. A Bench of three comprised in that way would provide a trinity of men who could efficiently adjudicate. In Georgetown the Mayor and someone else could sit with a Magistrate, and if there is an appeal it would go to the Excise Board. The Ordinance makes provision for appeals. I would suggest that the Attorney-General make the necessary investigation, and I expect that when we meet again he will be able to say that the idea has been put into practice.

I am sure the Colonial Treasurer does not wish me to again remind him of what happens in the Magistrate's Court. Witnesses are summoned by the Police to give evidence in the interest of public justice. I won't say they are uneducated people, but they are not well-informed people. A man who gets a summons from the Police becomes scared and feels that it is compulsory for him to attend Court. I

will give an instance of the injustice being done to the public by the system under which conduct money is paid. I know of a man who had been summoned to go to Christianburg as a witness in connection with an offence which had been committed at Hyde Park, near where he lived. He was a competent and compellable witness. He had not the money to provide travelling expenses and subsistence, and he appealed to me. I told him not to obey the summons but to tell the Inspector that he had no means. He told me that the Inspector told him that the Police had no means to supply the money. Why shouldn't there be a system whereby the Police can be entrusted with money to pay witnesses?

Witnesses have to wait for weeks without being paid, because an account has to be rendered by the Police to the Magistrate's clerk before funds are forthcoming to pay them. A witness is not bound to attend Court unless money is tendered to him at the time of his sub-poena. I told that man not to attend but I do not know what eventually happened.

I am positive that the Colonial Treasurer said on a previous occasion that he would look into the matter. I understood him to say that he would endeavour to see that the matter was corrected. This is the third time I have mentioned it. What are the difficulties about it? It creates extra work on the Magistrate's Office which could easily be avoided.

I am asking the Attorney-General to visit the Magistrate's Court in Georgetown one of these days around 9 o'clock in the morning. When the Comptroller of Customs had to attend Court the other day I found him on the stairway downstairs. I told him that men in his position sat in their office and were telephoned for when they were wanted. There is not sufficient seating accommodation for lawyers and less room for the public—all due to the accumulation of work in the Magistrate's Court. I sympathize with the Attorney-General in the distribution of the Magisterial work and I also sympathize with the Magistrates

**THE CHAIRMAN:** I am not quite sure, what the hon. Member is suggesting as regards those witnesses. Does he mean that there is too much delay in the Treasury in passing accounts, or that some payment

should be made to witnesses to enable them to make the journey to the Courts?

Mr. WOOLFORD: If an individual is summoned by "B" to appear as a witness in a case with "A" an endorsement is made on the summons that a sum of x \$ has been lodged for his attendance, and he gets the money from the Magistrate's Office. A private citizen is compelled to lodge the money for his witness but the Police are not compelled to do so. The Police summon a person and he goes and gives evidence. I have known of cases where, in the opinion of the prosecuting officer, the evidence was not what he expected, and the witness's fee for attendance was disallowed. There have been other cases where a witness has been kept waiting several days for his money, and although he attended Court on several days he was only paid for one day. On the other hand when the Police win their cases witnesses are paid for all the days they attend Court. In Police cases witnesses have to wait until the end of the trial for their money. It is not done in the Supreme Court. There are certain witnesses who are informants and pretend to know something about a matter. In such cases the Police are quite right to wait and see the nature of the evidence they give. I am not speaking of such cases. In the ordinary course of things the Police should have the money to pay a witness the moment he attends Court and every day he attends. A witness should not be deprived of payment for several days' attendance during which he was unable to earn his livelihood.

Mr. LEE: My friend suggests that the Police should pay a witness as soon as his summons is tendered, but I do not think that system could work. It would encourage more false witnesses than there are at present. There are occasions when a Magistrate disallows the remuneration of a witness because his evidence is biased. I agree with the hon. Member's suggestion that in private matters the money lodged for the attendance of a witness should be paid to the witness by the bailiff who serves the summons, so that if the witness lives in the country he would be able to attend Court.

Mr. WOOLFORD: I never said that.

Mr. LEE: I could not hear the hon. Member properly.

Mr. WOOLFORD: Then you should never have attempted to correct me; you speak without knowledge of your facts. I will repeat what I said. It is the practice of the Police to subpoena a witness without endorsing on the summons the amount the witness should know he is going to receive. They expect the witness to journey, say from Hyde Park to Christianburg, and return home at his own expense and wait days or weeks for payment. That is what I said.

Mr. LEE: I agree with that.

Mr. WOOLFORD: I wish the Colonial Treasurer would say something as to why this system cannot be avoided.

Mr. McDAVID: (Colonial Treasurer): I listened to an equally eloquent appeal from the hon. Member some three years ago on the same subject. He has rather sprung it upon me now. I cannot give him details but I do know that I went most carefully into the matter along with the Police and the Law Officers. What reasons were advanced against it I cannot remember now, but I do know that there was considerable opposition on the part of the Police to the adoption of the system which the hon. Member supports. There is no difficulty of accounting in the matter at all. The police stations in the districts are furnished with impress money and they are bound by law to pay a witness on subpoena. There is no accounting difficulty at all. What we have to be sure about is that they are bound to advance money under the law. I agree with much that has been said. I cannot understand how it is possible for the Police to summon a witness in an outlying district and expect him to travel to the Court without advancing him any money. I promise to get the papers out and go into the matter with the hon. Member to see what can be done. Whether it is for the reason that the hon. Member for Essequibo River (Mr. Lee) has stated, or some other reason, it was not done because it was opposed by the Department concerned.

THE ATTORNEY-GENERAL: I speak, of course, as the Administrative Head of the Department. I have nothing to do with what occurs in the Courts themselves. Three or four hon. Members have mentioned the question of the inadequacy of Magis-

trates' salaries. The matter has been under consideration for some time and a certain decision arrived at tentatively, but hon. Members will realize that it is bristling with difficulties. If Magistrates' salaries are put beyond a certain point other officers will have to be considered. The problem is not merely one of two Senior Magistrates and five Junior Magistrates but those officers and certain other officers in the Government service. That is the point that is causing difficulty at the moment. I have expressed my personal opinion, but this Council will probably hear more about that matter very soon in the new year. I can assure hon. Members that the question of salaries is receiving consideration.

I agree with a great deal of what the hon. Mr. Dias has said, except that I have no personal knowledge of it. The points raised can practically be all answered in one way. If the Council makes funds available I would undertake to provide the Courts. At the moment I am tied down to that building there; I cannot extend the walls, but endeavour is being made at the moment to increase the accommodation in the centre of the building. It is a poor effort but it is all I can do with present funds. If the Council would vote the money I would guarantee that the difficulties would all be removed; counsel would all have seats and there would be plenty of space between the Bar table and the general public, but the money is not there.

The hon. Member for New Amsterdam (Mr. Woolford) also caught me unawares on the question of conduct money. It must have been before I came here; I have not heard of it before. I agree with the hon. Member for Essequibo River (Mr. Lee). It is obviously objectionable for the Police, who are interested in a prosecution, to pay money in any shape or form to witnesses. The Police may be perfectly honest and a witness may be perfectly honest, but it does provide a chance for abuse. That system does not exist anywhere as far as I know. Great care is taken that no money passes between the Police direct to the witness. I mean the Police actually prosecuting, not the Police at headquarters. The Colonial Treasurer said he would look into the matter and I too will look into it in conjunction with him.

The hon. Member also mentioned the question of travelling expenses of witnesses. That, I confess, astounded me. He said that a witness in Georgetown received a summons to attend Court at Christianburg and was told to pay his own transport. I have never heard of a case before in which a witness for the Crown was asked to provide his own transport. Why that particular unfortunate individual was expected to pay out of his own pocket I cannot say. The matter will certainly be looked into. Not only is it grossly unfair but it is likely to impede the course of justice, because when a witness arrives without conduct money he is not likely to take very much care or trouble over the evidence he gives. I am grateful to the hon. Member for bringing the matter to my attention.

On the question of the Intoxicating Liquor Licensing Ordinance Mr. Dias mentioned the fact that three Magistrates were required to attend each session of the Board in the Colony. That is so. The Magistrates themselves brought the matter to my attention on two occasions, and on a third occasion the Registrar also did so and asked to be relieved from those duties. In reply I said that when a new Magistrate was appointed to the Corentyne we would be able to relieve the Registrar of those duties. I agree that it is a ridiculous waste of time for three Magistrates to take themselves off to Suddie or New Amsterdam, or anywhere else, merely to sign their names. The hon. Member told me of another system which was in vogue before. In two minutes' conversation that seemed a much preferable arrangement, cheaper and better all round. I cannot think why that system was altered. There must be a reason for it. Obviously, I shall get hold of the files and ascertain why that system was changed to the present one.

My sympathies are completely with the Magistrates and I would be very glad to relieve them of that duty. Assuming that I come to the decision that the system should be changed I will have to convince Government and then there will have to be an amending Bill put before this Council before the system could be changed. So please do not think that at the next quarterly licensing session there will be one Magistrate and two Justices of the Peace sitting. There certainly will not. I

can only say I will go into the matter. Some change will be made whereby it would be only necessary for the Magistrate of the district concerned to sit. Of course, when the Registrar goes out of town as he does, he takes the opportunity to combine other duties at the same time. Therefore in his case it is not so bad, although he is very anxious to be relieved.

The hon. Member for Essequibo River (Mr. Lee) raised the question of Magistrates acting as Revising Barristers. All the Revising Barristers are, with one exception, Magistrates, and the matter is all bound up with the question of the Constitution. If we are going to have a large increase in the number of voters we will want more Revising Barristers, more centres, and more than one for each district. That being the case the proper sequence is first to decide on the qualifications of voters and then deal with the question of Revising Barristers.

Mr. ELEAZAR: It has given me much pleasure to listen to all that has been said on behalf of Government. Under the Ordinance an applicant for a liquor licence is bound within the four walls of the section, and a person opposing is bound to do so on certain grounds laid down. The Commissary gets those papers and knows long before the day of hearing whether there is any opposition at all. Can't the Magistrate and the other men be informed that there is no opposition? Does it require a lot of talk and a whole Ordinance to remedy that? It sounds to me like child's play. Is that all the brains in the Government Service? All it requires is that the particular section of the Ordinance be repealed.

THE CHAIRMAN: I understood the Attorney-General to say that he hopes in the near future to introduce an amending Bill for that to be done.

Mr. ELEAZAR: I would like to see the amount of \$12,730 for Crown witnesses' expenses halved. This Council is being asked to vote an increase of \$3,730 for witnesses before Magistrates. Sometimes a person is a witness in three or four cases and gets three or four days' pay for attending Court on a single day. It is very annoying and disgraceful.

Mr. PERCY C. WIGHT: I would like to draw the Attorney-General's attention particularly to the change referred to by the hon. Member for New Amsterdam (Mr. Woolford). I happen to have had the pleasure of sitting on the Magisterial bench on two occasions in connection with cinema licences, and although perhaps I was counted among the intelligent inhabitants I felt very embarrassed because of the fact that I was not a lawyer and I did not know that it was necessary to go very much into details in granting such a licence. However, I was approached by the applicant because he had gathered that there would be opposition to the granting of the licence. It struck me very forcibly that because I happened to be Mayor of Georgetown I was included in the Magistracy although I knew nothing about the procedure in such matters. I considered it strange that a man who had been given permission to erect a very expensive building should be told afterwards that a cinema could not be allowed in the district. The plan of the building had been passed by the City Engineer. It happened that one Magistrate was able to assist and the applicant got his licence.

Those are the difficulties the Attorney-General will have to go into. I know I am treading on very dangerous ground but I am no respecter of individuals at all. I am going to say why the system was changed; it was because a rumshop business was a very remunerative business. I happen to have had a very intimate friend sitting on the Licensing Board and he told me it was a nuisance to attend meetings of the Board. Members of the Board were approached by applicants to assist them in getting licences because rumshop licences were worth their while. People paid very large sums to obtain those licences and that is why the system was changed. I am suggesting to the Attorney-General to be careful to investigate the matter before reverting to that system.

#### PRESIDENT RETURNS.

At this stage His Excellency arrived and took the Chair.

THE COLONIAL SECRETARY: Sir, the Committee is doing with the head "Magistrates", item 1. I think most Members have already spoken and I shall

bring to Your Excellency's notice the points they have made. The main point was that there was a shortage of Magistrates and the view was expressed that Magistrates are unpaid.

The Attorney-General has undertaken to look into two minor points with regard to the payment of witnesses who are summoned by the Police, and a suggestion that there should be a change in the method of dealing with applications for intoxicating liquor licences. With regard to the salaries of Magistrates I think Your Excellency is aware of the position and no doubt you will be able in the near future to give a decision.

Item 1a put, and agreed to.

Item c—Head Bailiff, Georgetown (\$672 by \$48 to \$960)—\$660.

Mr. ELEAZAR: Your Excellency sits there as a new jury and you may be able to see the logic of the facts of this officer's case. He was for many years Head Bailiff in New Amsterdam. He is a very able officer indeed but he could not go any higher. He had reached the top of his class in New Amsterdam and the only promotion he could get was a transfer to Georgetown when the Head Bailiff here died or retired. The Head Bailiff in Georgetown was getting \$98 per month while the officer in New Amsterdam got \$60. The officer in New Amsterdam was very glad to get promotion and accepted the appointment in Georgetown when the vacancy occurred. He has three or four times as much work in Georgetown as he had in New Amsterdam where he lived in his own house. He has seven children and is getting the same salary of \$60 per month which he got in New Amsterdam. I have put the matter before the Council year after year but by a system of logic which I cannot understand Government has contrived to give this officer the same salary as he drew in New Amsterdam. If that is not wrong then nothing is wrong on the part of Government. It is not British justice. I am asking Government to enquire into the matter again and give this officer common justice.

The COLONIAL SECRETARY: Does the hon. Member say that the officer is in receipt of \$60 per month?

THE ATTORNEY-GENERAL: The hon. Member is a great friend to this bailiff. The position is that as Head Bailiff in New Amsterdam his salary was greater than the minimum salary of the Head Bailiff in Georgetown. Therefore the Colonial Regulations which say what should happen in a case like that were followed precisely. I can assure the hon. Member that what has happened to that particular bailiff happens to everybody in the Service who is transferred from a post in which the maximum salary is greater than the minimum salary of the new post. The particular officer was not differentiated against. Government followed the ordinary rules of the Service.

THE CHAIRMAN: It is not a question touching his substantive pay but just an incident in his service. We can take a note of it.

Mr. ELEAZAR: I do not know how these Regulations are interpreted. I am asking whether something cannot be done for this officer. If it is possible I suggest that he be given a personal allowance.

THE CHAIRMAN: I will ask the Attorney-General to report to me on the subject.

Item put, and agreed to.

#### LOCAL GOVERNMENT.

THE COLONIAL SECRETARY: move that the Committee revert to the head "Local Government," item 1.

Mr. JACOB: I am very grateful to Your Excellency for putting off the debate under this head until you were able to be present. During the adjournment I read the recommendations of the Royal Commission in regard to local and central Government. Those recommendations were made, as is well known, after a demand by the public, not only in British Guiana but in the entire West Indies, and after exhaustive enquiry and, I think, hundreds of memoranda—

THE CHAIRMAN: I think the hon. Member is a little bit inaccurate. What demand is he referring to?

Mr. JACOB: The demand for an investigation by a Royal Commission.

THE CHAIRMAN: Can you quote me any paper?

Mr. JACOB: The terms of reference of the Commission were to investigate—

THE CHAIRMAN: Do you say that the Royal Commission came out in answer to a demand from the West Indies?

Mr. JACOB: Yes. I think I should make this point—

THE CHAIRMAN: Can you quote me any support for that demand?

Mr. JACOB: This Colony held several meetings and representations were made.

THE CHAIRMAN: Can you give me any proof? I rather differ from you. I was in London when the decision was made after discussions between the Secretary of State and several officials of the Colonial Office, and I am not aware that the Royal Commission was appointed in response to any specific demand or representation anywhere in the West Indies. It was from independent sources, including your late Governor. I believe I am right in saying that. If you have any specific resolution or recommendation I would like to know of it because I am not aware of any.

Mr. LEE: I was present when a resolution was passed at a meeting in the Town Hall requesting the Imperial Government to send out a Royal Commission to investigate—

THE CHAIRMAN: Can you give me the date of that meeting? I must enquire for my own information because my own belief is different. That, of course, has nothing to do with the subject the hon. Member is raising.

Mr. JACOB: I happened to be President of the British Guiana East Indian Association at the time and I was actually in London when the Royal Commission was appointed. I received a cabled request from British Guiana while I was there and while I was a delegate of the West Indies Labour Conference, to interview Mr. Malcolm McDonald with respect to the widening of the terms of the Commission. When I approached the Secretary of State for the Colonies with the cable and my

credentials I told him that the demand from the West Indies was that a Commission should be appointed to investigate.

THE CHAIRMAN: That is all right. I would be glad to hear of that demand later, but let us get on with the subject.

Mr. JACOB: Following the recommendations of the Royal Commission I, as the representative of my constituency, was asked to make certain points clear to the residents of the North West District, and I went there on July 1 and held meetings on July 2 and 3. The following resolution with reference to local government was moved, seconded and carried unanimously at two largely attended public meetings, one of which was held at Coomaka and the other at Morawhanna:—

“Whereas we, the Electors and Residents of Electoral District No. 12, Essequibo River, are aware of the urgent need for changes in the Constitution, and we are dissatisfied with the manner in which it is proposed to effect such changes,

And whereas we are certain that if fuller representation and responsibility are afforded us and the Elected Members of both the Executive and Legislative Councils, better progress in the Colony's life would be achieved;

And whereas the proposed changes in the Constitution, as enunciated by His Excellency Sir Wilfrid Jackson, K.C.M.G., in his Message No. 9, dated June 9th, 1941, and in his Speech to the Legislative Council on June 11th, 1941, will not meet the wishes of the people;

And whereas the present terms of reference of the Franchise Commission are not wide enough to enable us to express our opinion as to the kind of Constitution we require;

And whereas the terms of reference of the Commission are inconsistent, when compared with His Excellency's Message No. 9, dated June 9th, 1941, paragraphs 3 and 4, and delivered to the Legislative Council on June 11th, 1941, as follows:—

“As Honourable Members are aware a representative Franchise Commission has been set up as recommended by the Royal Commission to review the position in this Colony and to make recommendations. The Commission is also empowered to advise on the qualifications which should be required for election to membership of the Legislative Council and as to any alterations which may be desirable in the boundaries of the existing electoral districts.”

“4. It is hoped that the Commission will proceed with its enquiries with all possible despatch, but as sometime must necessarily elapse before its report can be presented and new electoral rolls can be compiled it was also been proposed that in the meantime the composition of the Legislative Council should be modified

on the lines recommended by the Royal Commission."

And whereas the dissatisfaction felt by us and others has had no effect on the administration of the Colony, under its present form of Government:

(1) Be it resolved that the Official Members of the New Legislative Council, viz:—the Colonial Secretary, Attorney-General, and Colonial Treasurer should remain as Members of the new Council for a period not exceeding five years from the date of the Constitution of the new Council; thereafter, all the Members of the Legislative Council should be elected by the people, on the basis of Universal Adult Suffrage;

(2) Be it further resolved that the composition of the Executive Council of British Guiana be restricted to Members of the Legislative Council only, the Elected Members to the Executive Council being elected and chosen by the Elected Members themselves, who shall be in the majority in the said Executive Council;

(3) Be it further resolved that in the proposed *interim* change of the said Legislative Council that the number of Nominated Unofficial Members should be increased from five to seven; that there should be a new nomination for these seven seats, and that the different interests and organisations should be entitled to send in a panel of names from which His Excellency can choose, provided that where there are no recognised bodies, His Excellency the Governor shall have the right of nominating any member of the public to serve those interests or organisations;

(4) Be it further resolved that the reserve powers vested in the Governor of British Guiana, under Article 62 of the Order in Council, should be withdrawn and the privilege of exercising those reserve powers shall only be exercised by the Governor with the advice of the new Executive Council;

(5) Be it further resolved that each department of the Government shall be administered by a Committee, the Chairman of which shall be nominated by the Governor from the Elected Members of the Legislative Council, in collaboration with the head of the said Department and two other members nominated by the said Governor.

(6) Be it further resolved that a Committee of the Franchise Commission should confer with the Franchise Commissions of Trinidad and Jamaica and the other West Indian Islands, with the object of obtaining unanimity in regard to the composition of the Executive Councils, Legislative Councils, and the qualifications of voters and the compilation of Electoral Rolls, so as to facilitate early federation of British Guiana and the British West Indies.

(7) Be it further resolved that the Franchise Commission should request the Governor to widen its scope of enquiry to include: (a) the qualifications of voters and Members of the Georgetown and New Amsterdam Town Councils and of voters and Members of the Village Councils, on the basis of Universal Adult Suffrage, and (b) the number of Members to compose the Legislative and Executive Councils of British Guiana."

I have read those resolutions to show

that the inhabitants of the Colony took a very keen interest in the matter, and that representations were made to the Governor that the terms of reference of the Franchise Commission should be widened to include village or local administration. The Franchise Commission received several letters from the Colonial Secretary which were dated July 21 and September 5. Reference was made in those two letters to the fact that in view of there being no unanimity among the members of the Franchise Commission the Secretary of State had decided that the question of village franchise be deferred to a later date. Your Excellency was good enough to state very clearly in your speech delivered to the Council on December 3, 1941:—

"My inclination on arrival, and I find it confirmed by individual discussion with Members, has been to go forward with the first step of constitutional change."

I submit with all confidence that the first step toward constitutional change should be from the villages, and I am surprised, in view of this recommendation and the representations made by the public, that up to the present the Franchise Commission has been appointed by Government in regard to village administration. I do urge that the earliest possible step be taken to appoint a Commission to go into the question of village franchise. Apart from the appointment of a Commission I maintain that the recommendation of the Royal Commission that the people should participate more largely in the affairs of Government should be followed by the local Government.

When I look at the composition of the Local Government Board I find that the Chairman is no other person than the Colonial Secretary, one of the executive officers of Government, the Deputy Chairman, Hon. M. B. Laing, Commissioner of Labour and Local Government, and there are a number of other officials and gentlemen of the public including four hon. Members of this Council. If an administrative Board has been charged by the Secretary of State for the Colonies to carry out recommendations of the Royal Commission which have been circulated very widely, that the people should be given greater opportunity in the management of their own affairs, and we actually find that they are given less opportunity,



or that opportunities that they had are being curtailed, what conclusion would one come to? The conclusion I have come to with a little bit of regret is that this Government.—I say Government because after all I cannot dissociate Your Excellency from it, although you have been here only one month—will not release its hold on the administration of the Colony. I will give a specific instance. I happened to be a member of the Canals Polder Local Authority which looked after the Canals Polder area consisting of about 20,000 acres. It was decided that that Authority should be abolished and that the administration of the district should come under the Local Government Board. The Authority was abolished by resolution of the Authority itself. I happen to be the person who moved the resolution which provided for the creation of one or two Village Districts within the area. The resolution was carried unanimously.

At this stage I should like to point out that the Authority was elected by the rate-payers or the people themselves. Six members were elected by the people and Government appointed the Chairman, the Director of Public Works. The Authority gave up its control and Government took it over. I do not know who took it over actually. The plain fact remains that up to the present time, although the Authority relieved itself of that burden in December last, there is not an overseer to look after that district. In July Government appointed a Country Authority, which meant that Government nominated six or nine persons. Hitherto the people elected six representatives and Government nominated one person. Instead of giving the people an opportunity to select the best form of local government, a Village Council, the Local Government Board definitely went against the recommendation of the Authority and against the representations by the people themselves that the Canals Polder should be made a Village District. There is great dissatisfaction and everything is in a chaotic state in that area. I maintain that the Local Government Board should have taken the initiative and should have given the people what they asked for and what was recommended, but the Local Government Board thought otherwise.

Recently two complaints have come to

my notice, one in respect of the East Coast and the other on the West Bank of L'emerara. The tendency up to the present time is to nominate persons to be village councillors who have been recommended by certain officials of the Government. Recently one or two councillors found it very difficult to be re-elected, and in this particular case a village councillor knew that he would not have been elected and did not stand for election. Government, however, nominated that particular individual and he is on the Authority again. I know that a petition will be sent to Government protesting against that method of nominating persons who find it very difficult to be elected by the villagers themselves. It may be argued that the Local Government Board has the right to nominate any person it considers proper, but I submit with all confidence that a person who had served for several years and did not seek election because he felt he would not have been re-elected should not have been nominated by the Board to fill a vacant place.

The other case on the West Bank concerns a village councillor who was actually defeated at an election. He had served over six years prior to his defeat, and the Local Government Board has appointed him to be a councillor on the same Authority. I cannot understand the reason for keeping certain people on these Authorities perpetually. We have all seen the recent despatch from the Secretary of State, dated May 22, with regard to the composition of this Council and the Executive Council, but instead of following that principle the Local Government Board is going backwards. I should like the Local Government Board to think of the future welfare of the Colony and to forget the past. I know that representations have been made and are being made continually, but they are being ignored. I know that the parties concerned wanted to come to Georgetown to see Your Excellency at Government House. They asked my advice and I told them that was the last thing they should do, but that they should make representations in a constitutional manner. I believe that a petition is being circulated. I bring these things out here so that Government and the Local Government Board should know and take notice of the wishes of the people.

I have always advocated that the proceedings of Boards of this kind should be made public. The proceedings of this Council are public, and the proceedings of the Georgetown and New Amsterdam Town Councils are also public. Why should the proceedings of the Local Government Board not be public? This hush-hush policy, this way of carrying on the administration of local government behind closed doors has had a very disastrous effect on the Colony. Various suggestions have been made, and whether they are true or not I think they are justifiable in view of the attitude adopted by Government. I plead, therefore, that the affairs of all administrative Boards should be made public, particularly those of the Local Government Board. We would then have cleaner village administration.

I want to say further that not only did I get a specific request from my constituency in this matter but I have had numerous requests from various parts of the Colony. It is not possible to enumerate them all. In addition to that the hon. Member for Essequibo River (Mr. Lee) and I held 19 meetings throughout the Colony, and we challenge any Member to say that we do not represent public opinion in various matters. I throw out a challenge to any Member to put his views before a regularly constituted public meeting and see whether the statement I have made here with regard to village administration will not find support in any part of the Colony. The hon. Member on my left (Mr. Jackson) challenged my statement that I represent 95 per cent. of the inhabitants of the Colony. I say with all confidence that I do represent 95 per cent. of the villagers with regard to local administration. Your Excellency may smile at the statement but I have taken the trouble to send out notices convening meetings throughout the Colony, to organize those meetings, to speak and take votes by a show of hands. If that is not a test of public opinion I do not know in what other form public opinion can be obtained.

My friend, the hon. member for New Amsterdam (Mr. Woolford), is not here but he has warned Your Excellency as regards public opinion. I do not think it would be out of place to recall just what happened last night. I attended a meeting at the Town Hall at which a resolu-

tion was put. While it was being put not a single individual left the Hall as suggested by the hon. Member for New Amsterdam. When the resolution was carried unanimously I was the first individual to leave the Hall. In fact, I feel sure that Your Excellency will be guided by opinion, and if there is any doubt as the expression of public opinion on matters I have raised I invite any Member to let us call a public draft the terms of the notice and the agenda and see what resolutions would be carried. That is an open challenge. I am prepared to bear the cost of the printing and the organization of the meeting.

Mr. DEAGUIAR: In a speech I made this morning under another head I took the opportunity to refer to the expenditure under this head, and I do not propose to make any further observation on that score, except to express the hope, however pious it may be, that the expenditure under this head will gradually be reduced to a figure which I think this Colony can afford to carry rather than that it should continue to rise in the manner it has been rising year after year. It is true that the increase this year represents only \$6,000, but if we keep on multiplying it we would see what a handsome sum it would be.

I wish again to request that the item "Loans to Local Authorities" might be more conveniently put under another head, and in that respect I endorse what the hon. Member for North Western District (Mr. Jacob) has stated. I think the words he used were that loans of this kind, or any loans that are recoverable at some future time, should be put under a separate head so that Members would have a better opportunity of examining them and seeing how repayments are being made.

I would like some information in regard to the allowances to be paid to officers performing distillery duties under item 11, and for some further explanation in regard to items under Miscellaneous.

Before I take my seat I wish, as a member of the Local Government Board, to correct one or two statements made by the hon. Member for North Western District. I start off by excusing him for some of the things he has said, for although he has displayed a certain amount of knowledge of

village matters generally, he will agree with me that his knowledge is not quite accurate. I challenge his statement that he represents the views of 95 per cent. of the villagers. I do not know what villagers he referred to. Perhaps he was referring to Morawhanna.

Mr. JACOB: I referred to a village in your constituency, Beterverwagting.

Mr. DEAGUIAR: I think the hon. Member knows that I know as much about my constituency as he does. I know this: that at the meeting at which the resolutions he referred to were passed there were only 18 persons in the hall, and the population in that area—Beterverwagting and Triumph—is only 500.

Mr. LEE: I challenge the hon. Member's statement. I was present at the meeting.

Mr. DEAGUIAR: I have the information in black and white. It happened that the meeting was held when I was out of the Colony. The hon. Member always does that sort of thing. I can assure the hon. Member for Essequibo River (Mr. Lee) that I have it in writing from a voter in the district that only 18 persons attended the meeting and that I must not take any notice of the resolution.

In so far as the Canals Polder Authority is concerned, the Commissioner of Labour and Local Government will probably deal with that matter again. The hon. Member raised that question some time ago. I think he spent half an hour talking about it and he received a reply. Why he should bring it up again I do not know. Perhaps he was not satisfied with the answer. I do not know how he will be satisfied with the answer to-day because it will be the same. It is distressing to sit here and listen to the hon. Member raising a question of that kind when the answer has previously been supplied to him.

The answer is very simple and in spite of his knowledge of local government he does not seem to know why the necessary machinery cannot be set in motion. It is not a question of the Local Government Board not wanting to give the Canals Polder the status of a Village District. The Board did not want to make

the district a Country District at all. I do not know why the hon. Member should think so. He knows that Government wanted to give the people what they asked for. The whole fact of the matter is that there are certain statutory obligations to be carried out. I am sorry if I am robbing the Commissioner of his reply, but I would like the hon. Member to know that a Village District is comprised of elected and nominated councillors. A Country District is comprised of nominated members alone. The law says how, when and where an elected Council can be achieved. The hon. Member was told that in this Council when he raised the question some time ago. I am quite willing to concede that when he raised it then he was ignorant of the law, but it cannot be said now that he still remains ignorant of the statutory obligations that are imposed on the Board to carry out certain things before it could create a Village District such as the one the people are clamouring for and this Government wants to give.

With regard to the question of making the proceedings of the Board public, I do not know that there is going to be any serious objection to that. When the hon. Member was speaking I thought he would have been bold enough to suggest that the meetings of the Executive Council should be made public, but he did not go so far as that, perhaps wisely. No member of the Local Government Board is ashamed of any decision which is arrived at, and if Government feels that publicity should be given to the proceedings of the Board, as a member of the Board I personally have no objection, but I can assure the hon. Member that the reports of proceedings of the Board would make very dry reading because we do not have brickbats thrown across the table. We sit down like hard-headed businessmen, as I am accustomed to do. We do not have to be always correcting each other and doing things of that kind. I can assure Your Excellency that the minutes of the meeting of the Board make very dry reading. I sometimes wish that we had a member like the hon. Member, because the minutes would be more interesting, but the only trouble would be that the meetings would be more frequent and I doubt whether we would get through the business at all.

In so far as the nomination of councillors

is concerned that is not a matter I would like to deal with. I prefer that question to be answered from the Official side. Nominations of councillors are not made in the manner the hon. Member thinks. A councillor is not put on the Council for all time. A list of names is prepared, and where there are three vacancies four or five names are mentioned. I do not think it is correct to say that people are put on the Councils with any motive whatever. It is perfectly true to say that in making nominations due regard is paid to the ability of the persons nominated to serve. The Board would not nominate a man who it feels would not be able to carry out the responsible duties which would be imposed on him, therefore some care must be taken to see that a person nominated is efficient in every respect and has no axe to grind. That is how nominations are made. Nobody railroads the nomination of any member, whether he is the Commissioner of Labour or anybody else.

Speaking as a member of the Board I accept full personal responsibility for every nomination that is made to those Village Councils, and I can assure the hon. Member that in every case when names are put up each one is examined and very careful enquiries are made. In some cases an individual is known by almost every member of the Board. For instance, if the hon. Member's name was put up as a member he would be known to everybody on the Board who would say "Of course, let him come in," or they may say "No." I was one of the severest critics of the Local Government Board years ago, because I knew that there were certain things which should have been done but were not done. We do not put ourselves up as being absolutely right, but the method employed in bringing matters to the attention of the Board should be remedied. If the hon. Member has any representations to make and he makes them they would receive very careful consideration.

Mr. ELEAZAR: I claim to know and I ought to know as much about village administration as anybody in this Council. I was born in a village and I became Chairman of the village. Since politics were brought into the affairs of the villages there has been a lot of trouble. The villagers

asked for a Committee which sat and recommend the worst thing they could have done. I said it then and I say it now, that it was a great mistake to give the villagers the right to nominate their own Chairmen. Everybody in the village wants to become Chairman. The man who has the loudest voice, and is perhaps the most ignorant in the village, is made Chairman. He then seeks to reduce the rates because he should not pay. I think the hon. Member for North Western District (Mr. Jacob) should approach this Council with candour. He knows very well that the members of his own community, the East Indian community, number 10,000 more than everybody else, and that if there was manhood suffrage the other members of the community would be outvoted.

Mr. JACOB: Do I understand the hon. Member to say that East Indians predominate all over the country?

Mr. ELEAZAR: I say so and the statistics are there. That I say is the reason for preaching manhood suffrage all over the country—because they want to have a monopoly in this Council.

Mr. JACOB: May I correct the hon. Member and refer him to the report of the Registrar General for 1939 which gives the East Indian population as 144,350 (42.3 per cent.), Blacks 131,756 (38.6 per cent.), and Mixed races 41,815 (12.25 per cent.). I submit that the mixed and Black races should be added together and in that case the percentage would be 51 per cent. as against 42.3 per cent represented by East Indians.

Mr. ELEAZAR: Balderdash! I said that the East Indians exceed the others by 10,000. Is the hon. Member going to reckon half a dozen Chinese and Black people who attended his meetings? He must not hide the whole thing and try to correct me.

Mr. JACOB: I am not hiding anything. Those figures were read out for your information.

Mr. ELEAZAR: Please do not interrupt me again. I do not make statements here that are not correct. Every one can be vouched for. The hon. Member goes all over the country and preaches manhood suffrage to the people because he is aware

that the East Indians are 10,000 more than anybody else. I will ask him if he has not heard that he has said that he will put an East Indian candidate up in every constituency?

I do not like the present form of local government by District Commissioners because it is a misnomer. Your Excellency knows what a District Commissioner stands for in countries where that system obtains. You cannot have a Village Council and a District Commissioner in the same district. The Village Council is dependent on the Commissioner who acts as an adviser but has no voice.

As regards the item "Loans to Local Authorities" I say it humbly and honestly that your humble servant was responsible for its appearance on the Estimate. In the village which I have the honour to represent as a Councillor and Chairman I discovered that at certain periods of the year when the season was favourable for work the Council had no money to do it because the taxes had not been collected. The result was that when the taxes were collected the work had to be done out of season with negligible benefit to the village. I therefore suggested to the Combined Court that it would be good policy if Government voted a certain sum every year to enable the Village Councils to carry

out certain work during the favourable season and repay the amounts advanced by Government when they collected their taxes. It was called a short-time loan, but after a time the money was given as a grant, and in every case it was denied.

The District Administration scheme was suggested by the late Sir Gordon Guggisberg who left it half-baked. It was then put forward by his immediate successor but was thrown out by the Council. It was introduced a second time and the Council accepted it, but it has not fulfilled what was expected of it. A District Commissioner as known in other countries is king in his own country, but a District Commissioner does not occupy that position in this country. He has to make his recommendations to the Local Government Board in Georgetown and very often they are turned down. It was originally stated that the scheme would cost \$8,000, but it did not cost that, and the cost has been growing ever since. Government has amalgamated the Commissaries Department with the District Administration scheme and has destroyed a very useful branch.

As this stage the Council resumed and adjourned until 10.30 a.m. the following day.