

LEGISLATIVE COUNCIL

*(Constituted under the British Guiana
(Constitution) (Temporary Provisions)
Order in Council, 1953)*

THURSDAY, 22ND JULY, 1954.

The Council met at 2 p.m., His Honour the Speaker, Sir Eustace Woolford, O.B.E., Q.C., in the Chair.

PRESENT :

His Honour the Speaker, Sir Eustace Gordon Woolford, O.B.E., Q.C.

Ex-Officio Members:—

The Hon. the Chief Secretary, Mr. F. D. Jakeway, O.B.E. (acting).

The Hon. the Attorney-General, Mr. G. M. Farnum (acting).

The Hon. the Financial Secretary, Mr. W. O. Fraser, O.B.E.

Nominated Members of Executive Council :—

The Hon. P. A. Cummings (Member for Labour, Health and Housing)

The Hon. W. O. R. Kendall (Member for Communications and Works).

The Hon. G. A. C. Farnum, O.B.E. (Member for Local Government, Social Welfare and Co-operative Development).

The Hon. G. H. Smellie.

The Hon. R. B. Gajraj.

The Hon. R. C. Tello,

Deputy Speaker:—

Mr. W. J. Raatgever, C.B.E.

Nominated Officials :—

Mr. W. T. Lord, I.S.O.

Mr. J. I. Ramphal.

Nominated Unofficials :—

Mr. T. Lee.

Mr. W. A. Phang.

Mr. W. A. Macnie, C.M.G., O.B.E.

Mr. C. A. Carter.

Rev. D. C. J. Bobb.

Mr. H. Rahaman.

Miss Gertrude H. Collins.

Mrs. Esther E. Dey.

Dr. H. A. Fraser.

Lt. Col. E. J. Haywood, M.B.E., T.D.

Mr. R. B. Jailal.

Mr. Sugrim Singh.

Clerk of the Legislature—

Mr. I. Crum Ewing.

Assistant Clerk of the Legislature—

Mr. H. H. Tross (acting).

Absent :—

The Hon. Sir Frank McDavid, C.M.G., C.B.E. (Member for Agriculture, Forests, Lands and Mines).
—Indisposed.

Mr. L. A. Luckhoo, Q.C.—on leave.

Mr. E. F. Correia—on leave.

The Speaker read prayers.

The Minutes of the meeting of the Council held on Thursday, the 15th of July, 1954, as printed and circulated, were taken as read and confirmed.

ANNOUNCEMENTS

LEAVE OF ABSENCE

Mr. Speaker: I have to announce that Sir Frank McDavid, Member for Agriculture, Forests, Lands and Mines, has asked to be excused from attending today's meeting of Council as he is indisposed. The hon. Member, Mr. Luckhoo, has also notified me of his inability to attend today's meeting and asked to be excused. The hon. Member, Mr. Correia, has been granted leave of absence from today's meeting and subsequent meetings, as he will be out of town.

REPORTS AND DOCUMENTS

The following documents were laid on the table:

The Annual Report of the Georgetown Fire Brigade for the year ending 31st December, 1953.—(The Chief Secretary).

Supplementary Estimates for the months of March and April/May, 1954.

Annual Report of the Comptroller of Customs and Excise for the year 1953. (The Financial Secretary).

Interim Note 1: Population Statistics.—1953.—(The Member for Labour, Health and Housing).

Mr. Speaker: I do not understand what is "Note 1."

Mr. Cummings (Member for Labour, Health and Housing): It is the first time I have seen it so described, but it is an interim report of the Registrar-General on the population statistics for 1953. I use the word "interim" because a final and full report will be submitted.

Mr. Speaker: Why "Note 1"?

Mr. Cummings: I think the Registrar-General proposes to give a series of interim reports.

GOVERNMENT NOTICES.

SUPPLEMENTARY ESTIMATES FOR MARCH —MAY, 1954

The Financial Secretary (Mr. Fraser) gave notice of the following motion:

"That this Council approves of the Supplementary Estimates for March and April/May, 1954, which have been laid on the table."

INTRODUCTION OF BILLS.

Notice was given of the introduction and first reading of the following Bills:-

A Bill intituled "An Ordinance further to amend the Post and Telegraph Ordinance"—(The Member for Communication and Works).

A Bill intituled "An Ordinance further to amend the Summary Jurisdiction (Offences) Ordinance with respect to the power of a Court of Summary Jurisdiction to impose corporal punishment."

A Bill intituled "An Ordinance further to amend the Prisons Ordinance with respect to corporal punishment"

"A Bill intituled "An Ordinance to amend the Whipping and Flogging Ordinance with respect to its application to juvenile offenders."—(The Member for Local Government, Social Welfare and Co-operative Development).

ORDER OF THE DAY

AUXILIARY FIRE BRIGADE (AMENDMENT) BILL

The Chief Secretary (Mr. Jake-way): I beg to move the first reading of a Bill intituled:

"An Ordinance to amend the Auxiliary Fire Brigade Ordinance, 1952"

The Attorney-General seconded.

Question put, and agreed to.

Bill read a first time.

EDW. A. CARTER PENSION BILL.

The Chief Secretary: I beg to move the second reading of a Bill intituled:

"An Ordinance to make special provision in regard to the Pension and Gratuity payable to Edward Arden Carter."

Edward Arden Carter was a Sergeant-Major of the British Guiana Militia Band. In 1941 he was re-engaged for the normal period of five years which, if it had been carried through to its full limit, would have taken him to the age of sixty-two. Later in that year the Militia Ordinance was amended to empower the Commandant to call upon a member of the Band to retire at the age of sixty. It was a permissive condition. Under that provision the Commandant called upon Mr. Carter to retire about 16 months before his term of engagement was due to expire. Since that date Mr. Carter has never ceased to regard his retirement as a breach of contract. Legally he is not correct but, perhaps, it is understandable he should feel that way.

Recently the Governor in Council gave further careful consideration to his case, and it was felt it would be reasonable to grant him the pension and gratuity that he would have earned had his period of service run its full term, that is, to the end of the last period of engagement. This will involve an increase of approximately \$90 a year in pension and \$300 in gratuity. There is no way of achieving this object except by legislation, and that is the object of this Bill. I

beg to move that the Bill be read a second time.

The Attorney-General seconded.

Question put, and agreed to.

Bill read a second time.

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

COUNCIL IN COMMITTEE

Clause 4—*Commencement.*

Mr. Speaker: "1st November, 1944" is a very long time ago.

The Chief Secretary: That is the date of his retirement.

The Council resumed.

The Chief Secretary: I beg to move that this Bill be now read a third time and passed.

The Attorney-General seconded.

Question put, and agreed to.

Bill read a third time and passed.

TEACHERS' PENSIONS (AMENDMENT) BILL

The Chief Secretary: I seek the approval of this Council for the deferment of the second reading of the Bill intituled:

"An Ordinance further to amend the Teachers' Pensions Ordinance with respect to the Teachers' Pensions Register."

Since this Bill was published two further amendments have come to light which are required in this Ordinance. It is felt, therefore, that rather than deal with this legislation piecemeal we should produce one amending Ordin-

[The Chief Secretary]

ance including all the amendments. It is proposed to do that whereupon this Bill will be withdrawn.

Question put, and agreed to.

Consideration deferred.

HOUSE TO HOUSE AND PUBLIC COLLECTIONS (CONTROL) BILL

The Chief Secretary: I rise to move the second reading of a Bill intitled:

“An Ordinance to regulate and control the collection of money or the sale of articles for charitable or other purposes from house to house and in public places.”

This Bill has a history with which hon. Members are more familiar than I. Perhaps, I may briefly relate it. In 1952 a Bill was introduced into this Legislative Council with the objective of controlling public collections for philanthropic, religious and charitable purposes. Public collections had greatly increased in numbers, and it was felt that some control was desirable in the public interest. During the course of examination of that Bill in Council, representations were made that the privilege of making public collections under permission of the Commissioner of Police should also be granted to political parties and Trade Unions, and further consideration of the Bill was deferred to consider those points. Before the matter was fully considered and brought back to the Legislative Council the Council was prorogued and the Bill lapsed.

This Bill is not in exactly similar terms, but a Bill with substantially the same objects is now being re-introduced because it is felt that the need still exists for the control of public collections. This Bill prohibits collections from house to house or in the streets except for charitable, religious or philanthropic purposes, and then only

after permission has been obtained for such collections from the Commissioner of Police. There is provision for appeal to the Governor in Council in cases where the Commissioner of Police has refused permission or has attached conditions to such permission. It will be observed that the definition of “charitable purpose” does not include collections made on behalf of a Trade Union or a political party. It specifically refers to collections made for any charitable, religious or philanthropic purpose.

The point raised when the Bill was introduced two years ago has been considered, but it is felt that such bodies as Trade Unions or political parties should collect the funds they require from sympathisers and from their own members and should not be permitted to augment their funds from the general public by means of house to house collections or street collections. It will be observed that the Bill does not control indoor collections, and that clause 11 exempts certain collections from the provisions of the Bill. I beg to move that the Bill be now read a second time.

The Attorney-General seconded.

Mr. Tello: I would like to support this Bill. I think the time is long overdue for some sort of control to be provided over these collections. One can hardly move along the streets of Georgetown without being accosted or molested by collectors for organisations, in many cases genuinely run for specific purposes, while in other cases some were very questionable. I notice that no exemption has been made as regards collections for political parties, and I fully agree with that. I think that anyone who is prepared to join a party or to champion its cause should be willing to support it financially. Such persons are free to make voluntary

contributions to the party and, I believe, the party will be free to make such collections. I am more a trade unionist than a politician and, as regards trade unions.

I think the passage of this Bill also offers an opportunity for the introduction of legislation to provide for the protection of unions so that they would not have cause to resort to the taking up of collections or donations on the whole, on the streets. I refer to what is known as voluntary deductions with the consent of members of trade unions. In progressive countries there is legislation, and I see behind that legislation protection for the public—protection of the sort we are now asking for in this Bill. Possibly, the protection in the Bill also offers itself as a protection of the trade unions in providing for the deduction of trade union dues. I have thought of mentioning that because I would not like the passage of a Bill of this sort to create any hardship as regards trade unions. I should rather like it to be understood that the passage of this Bill will be regarded as an opportunity for considering legislation to provide for the deduction of union dues, and I hope that Government or some private Member will take early action in that respect.

Question put, and agreed to.

Bill read a second time.

COUNCIL IN COMMITTEE

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

Clause 2—*Interpretation.*

Mr. Ramphal: I want to refer to the definition of "Commissioner" which says: "“Commissioner” means the Commissioner of Police." This is a matter which concerns public welfare rather than law and order, and I am suggesting to the hon. Member who has brought forward the Bill that

unless there is very strong reason it should not be placed in the hands of the Police. I know that similar legislation is in the hands of the Police in Trinidad and also in Barbados, but that is no reason why we should act the same way here in British Guiana. I am suggesting that unless a very strong reason is forthcoming for the present position, this legislation should be put in the hands of the Commissioner of Local Government.

Mr. Smellie: In reply to the last speaker, I would say that the Commissioner of Police has said that he would be in a better position to decide whether or not a charitable institution should be given permission to make a collection of this sort.

Mr. Ramphal : This is really a welfare matter which concerns the people generally. The Police are concerned with law and order, and it seems to me to be a little out of place to put them in charge of matters relating to charity.

Mr. Speaker : I think there is a particular reason for doing so. I think the Police would be in a better position to enforce the provisions of the Ordinance.

The Attorney-General : I merely wish to put the reply to the hon. Member (Mr. Ramphal) in a slightly different form. The Commissioner of Police is surely in a better position than the Commissioner of Local Government to know whether a charity is a genuine charity or not. I think that reason is worthy of some weight.

Mr. Ramphal : I would not hold to that point of view. You, Sir, have suggested a point of view that is much more cogent. My point is that we must keep as far as we can from having Police control in these matters. I agree that the Commissioner of Police

[Mr. Ramphal]

would know whether a charity is a genuine charity or not, but I made my suggestion merely because I feel that we need to give an assurance to the public at large that we are not trying to put the Police in charge of everything. There are other people who can take charge of these things.

Mr. Raatgever: I agree that this matter could be better dealt with by the Commissioner of Local Government because he is more familiar, in my opinion, with the charities in this country. The Commissioner of Police has said that the Police Department has more to do than the staff can cope with, and we are now putting more on them. The Commissioner of Local Government has members of his staff all over the Colony, but the Commissioner of Police has more to do with his staff.

Mr. Gajraj: I am sure that those hon. Members who have listened to Mr. Ramphal and the Deputy Speaker would feel that there is some cause for their thinking that way. It is true that in so far as knowing charitable organisations is concerned the Department of Social Welfare would be in a better position to do so, but we have to think in terms of the Ordinance particularly as regards the refusing of applications, and I want to suggest that the Commissioner of Police would be in a position to know the *mala fides* of an applicant, whereas the Commissioner of Local Government would know the *bona fides*. These points were considered by the Executive Council, and the decision on the question of control went in favour of the Commissioner of Police as against the Commissioner of Local Government.

Mr. Speaker: Would the hon. Member (Mr. Ramphal) be in favour of making a formal motion on the point, so that we can hear the views of all the Members?

Mr. Ramphal: If it is your wish, Sir, I beg to move that the definition "Commissioner" be amended to read "Commissioner means the Commissioner of Local Government."

Mr. Jailal: Before the motion is moved I want to suggest that this definition be allowed to remain as it is. It is a matter of giving one person as against another the authority to grant permission to make collections. There are some cases which might be known to the Police as bad cases, and I would suggest that instead of having the Commissioner of Police we should have a small panel of three persons to deal with applications.

The Attorney-General: I do not know if it has been overlooked that in case of refusal of an application a right of appeal lies to the Governor-in-Council, and that a member of that body would be the Member charged with the responsibility for Social Welfare and Local Government.

Mr. Ramphal: I did not overlook that particular point: My main consideration is that, especially in times like these, we must not give any appearance of putting the life of the community actually in the hands of the Police. I know that that is not the intention, but I want to avoid any talk by giving it to a Department which deals with human beings on the charitable side.

The Chief Secretary: I appreciate the strength of the hon. Member's point, but I would ask him to consider that the Commissioner of Local Government and Social Welfare could never decide whether to approve or disapprove an application made under this Ordinance without referring to the Commissioner of Police. He could only decide from information given to him and, personally, he would not know whether it

was a *bona fide* application or not. He would always have to refer to the Police, even in matters of routine, for a report. There are several clauses in this Bill which are closely concerned with the Police. I refer to clause 7 which deals with traffic, and that is definitely a Police matter. There is a right of appeal to the Governor in Council and, as the hon. Member has stated himself, there is no reason to suggest that the Commissioner of Police would arbitrarily refuse such an application. I feel that we are not, in this Bill, giving the Police overwhelming powers, and that we can safely entrust them with these comparatively minor duties in the knowledge that there is ample provision for appeal if anything goes wrong.

Mr. Bobb: I quite appreciate the point raised by the hon. Member, Mr. Ramphal, and I share with him the admonition that every precaution should be taken to avoid giving the appearance that the welfare of the people depends upon the Police. We are very mindful that that should be so, but I do not think it is possible for the Commissioner or Member for Local Government and Social Welfare to see that the intention of this Bill is carried out.

As far as I am able to see, except for two, or rather, three clauses at the most, all of the remaining clauses contain matters which can only be properly investigated by the Police, and where there is any contravening of the law detections can only be made by the Police. Take, for instance, the obstruction of the carriage-way of any public place. I do not think that officers of the Local Government Department would be able to detect persons breaking that particular regulation. In respect of clause 8, subclauses (1), (2) and (3), if the case is made out that the police already have too much to do, a stronger case can be made out for the staff of the District

Commissioner's Office. They have far too much to do, and I think they are least trained to look after a matter like this and to ensure whether "A" or "B" is a fit and proper person to whom permission ought to be given, and whether "A" or "B" has indeed broken the rules. I think it is a matter entirely for the Police, and with all respect to the Commissioner of Local Government and the Member for Local Government and Social Welfare I think they will have their hands full and they would not want to interfere with this. I hope my friend Mr. Ramphal will see it this way.

Mr. Tello: I am indeed a little surprised at the lively debate on this question because already the practice is for a person to apply to the police for permission. The Bill only seeks to legalise it, so that if there is any fear we can safely say we have it under control. This country is not under police control, and I am sorry the phrase has been used. We are only legalising what is already in practice.

Mr. Ramphal: What I said was intended to suggest that it should give no semblance that the place is under police control; I am in the forefront with the hon. Member who just sat down, and I shall not yield any ground on that score. But the position having been cleared up somewhat, I beg to withdraw my suggestion.

Mr. Macnie: My hon. friend Mr. Ramphal beat me to it, Sir. What I really intended to say was somewhat along the lines of what Mr. Tello has said, but I think I may add that having served in both those departments of Government years ago, that the success of their work depends on their interest in the welfare of the community and their good relations with the public. I cannot accept the suggestion that the Police Department is not in the welfare of the people.

Mr. Speaker: The question is that the hon. Member be given leave to withdraw his amendment.

Agreed to.

Amendment withdrawn.

Clause 6—*Assistant collectors to be duly authorised.*

The Attorney-General : I beg to move that the word "shall" be substituted for the word "may" in sub-clause (1).

Question put, and agreed to.

Clause 6 (1) amended.

Clause 6 passed as amended.

Clause 7 — *Traffic not to be obstructed.*

Mr. Macnie: I must ask the hon. the Attorney-General to inform me whether the mere approach of a collector to a person walking along the pavement would be held to be importuning. I know that under certain circumstances, though not during the same hours such an approach would perhaps be so interpreted. I would suggest that worthy persons who go out into the streets to collect for the Red Cross and other organisations would be placed at a disadvantage, for sometimes they would be afraid to open their mouths and would just shake their tins with money. Would that be importuning, when it is only done by gesture and not by word of mouth?

The Chief Secretary: I defer to the hon. Member, my legal friend (the Attorney-General) because he would be able to answer that question better than I, but I suggest that it is answered by the presence of the word "annoyance".

Mr. Macnie: I did not overlook that. We know that people who collect for worthy organisations have sometimes been called an annoyance. What I am asking is, would the mere approach constitute importuning? We have seen people make only an approach and have been turned away with "Oh, I have no time for that" and so on.

The Attorney-General : Perhaps the fears of the hon. Member may be assuaged if sub-clause (2) were amended to read—"no collector shall importune any person in a manner likely to cause an annoyance."

Mr. Macnie: I think that would meet the point I tried to make, and which I am sure hon. Members around the table appreciate.

The Attorney-General: I beg to move that sub-clause (2) be amended by the substitution of the words "in a manner calculated to cause annoyance to such person" for the words "to the annoyance of such person."

Question put, and agreed to.

Sub-clause (2) amended.

Clause 7 passed as amended.

Council resumed.

The Chief Secretary: I beg to move that the Bill be read a third time and passed.

Question put, and agreed to.

Bill read a third time and passed.

EXPLOSIVES (AMENDMENT) BILL

The Chief Secretary: I rise to move the second reading of the Bill intituled:

"An Ordinance to amend the Explosives Ordinance to regulate the sale, purchase and possession of explosives."

The Explosives Ordinance which was enacted as far back as 1889

does not provide for the control of explosives in quantities of less than ten pounds. Recent events in this Colony such as the explosion at Blairmont Police Station and the partial destruction of the statue of Queen Victoria in Georgetown have indicated the necessity for a tighter system of control. This has already been done by the passing of an Order under the Emergency Order—I refer to the Explosive Substances Order, 1954—but it is advisable to place the provisions of this Order, or something similar to them on the Statute Books to allow for control of the sale, purchase or acquisition of explosives in any quantity. That is the principal object of this Bill. It is done in an enabling form—provision is made for the Governor in Council to make regulations for the purpose.

The Bill also empowers the courts to levy heavier penalties for the unlawful possession of explosives than they are required to levy under the present laws. Opportunity has also been taken to bring the definition of the word “explosive” in the Ordinance up to date. I formally move that the Bill be read a second time.

The Attorney-General seconded.

Question put, and agreed to.

Bill read a second time.

COUNCIL IN COMMITTEE

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

Clause 2—*Amendment of Section 2 of the Principal Ordinance.*

The Chief Secretary: I beg to move an amendment that the following words be added after the word “defined” at the end of the clause “but does not include safety cartridges”. The reason

for this is, that special provision for the control of safety cartridges is already made in the Firearms Ordinance.

Mr. Ramphal: Taking my cue from the hon. the Chief Secretary, the definition is not really brought up to date. I have before me the definition in Halsbury and quite a number of things are omitted here. I do not know how near we are to being up to date. Firearms, explosives, cartridges and ammunition of any description are all included in this definition. It may be that there is provision already for them.

The Attorney-General: We have the Firearms Ordinance. The expression “safety cartridge” as defined in the Explosives Ordinance means ammunition and firearms. That is taken care of in the Firearms Ordinance.

Mr. Ramphal: My only reason is that we should have one bite and be finished with it.

Clause passed as amended.

Clause 4 — *Regulations as to sale, purchase and possession of explosives.*

Mr. Macnie: This new clause described in the Bill as Section 12A, 1 would like to know whether that gives the Governor in Council power to make Regulations covering the movement of explosives from one place to another. Is that already covered?

The Chief Secretary: I think I am right in saying that in the existing Ordinance there is provision already covering transportation, etc.

The Attorney-General: I would like to move an amendment to sub-clause (1) substituting the word “or” for the word “and” in the second line.

Clause as amended passed.

Council resumed.

The Chief Secretary: I move that this Bill be now read a third time and passed.

The Attorney-General seconded.

Question put, and agreed to.

Bill read a third time and passed.

LEGAL PRACTITIONERS (AMENDMENT)
BILL

The Attorney-General: I beg to move the second reading of a Bill intitled:—

“An Ordinance further to amend the Legal Practitioners Ordinance.”

Under the Legal Practitioners Ordinance a legal practitioner or Barrister, before he is allowed to appear in the Courts, has to be formally admitted to practise. The Ordinance, however provides that the Attorney-General and the Assistant to the Attorney-General was then called, should have the right to appear on behalf of the Crown or the Government without fulfilling the requirements of admission. In those days the work of the Attorney-General's Department was carried on by the Attorney-General and the Assistant to the Attorney-General alone. The position is somewhat different today. The work has increased tremendously and the staff of the Attorney-General's Department has increased in number. Now not only do we have the Attorney-General and the Solicitor-General, but in addition, there are the Legal Draughtsman, three Crown Counsels and the Clerk to the Attorney-General, which post had existed before but is now filled by a legal practitioner. Provision has been made for the new post of Assistant to the Attorney-General but it has not yet been filled. From time to time it has been found neces-

sary for the Clerk to the Attorney-General to prosecute, owing to the long list of cases at the Criminal Sessions and as the result of the overlapping of the Demerara, Berbice and Essequibo Sessions.

It is quite obvious that, at the time Section 4 of the Legal Practitioners Ordinance was enacted, it was contemplated that the Law Officers should appear in the Courts without being admitted, and it seems only logical that now that there are so many other Officers of the Department who are required to appear in the Courts on behalf of the Government and of the Crown, they too should be exempted from the necessity of being formally admitted to the Bar of this Colony before they are entitled to practise. I want to make this quite clear, that where an officer prior to his appointment has been in practise there will be no question of his claiming the benefit of any exemption now, but cases may arise where an officer is transferred from another Colony or, perhaps, appointed from England and it is only right and just that he should be enabled to perform his duties without having to go through the formality of being admitted to practise in the Courts of this Colony. I do not think there is anything more for me to explain, and I beg to move that the Bill be now read a second time.

Mr. Speaker: The only thing is that he has not to pay the stamp fee on admission.

The Attorney-General: That is also under consideration.

The Financial Secretary seconded.

Question put, and agreed to.

Bill read a second time.

The Council resolved itself into Committee and considered the Bill clause by clause without amendment.

Council resumed.

The Attorney-General: I beg to move that this Bill be now read a third time and passed.

The Financial Secretary seconded.

Question put, and agreed to.

Bill read a third time and passed.

CRIMINAL JUSTICE BILL

The Attorney-General: I beg to move the second reading of a Bill intitled:—

“An Ordinance further to amend the Law with respect to the administration of Criminal Justice, and otherwise to amend the Criminal Law.”

As indicated in the Objects and Reasons, Clause 3 of the Bill seeks to increase the penalty in cases of conviction for cattle stealing and the stealing of other animals specified in Section 88 of the Summary Jurisdiction Offences Ordinance, the other animals being horses, mares, sheep, etc. Section 88 of the Principal Ordinance deals with the larceny of cattle and certain other animals, and Section 89 deals with the killing of those animals with the intention of stealing the carcass. Section 88 also provides for the summary trial of persons charged with the larceny of cattle. Persons convicted of such offences are liable to a period of imprisonment not exceeding six months. Curiously enough, each of those sections contains a proviso to the effect that where a person has been previously convicted of the larceny of cattle or of killing cattle with intent to steal such person cannot be tried summarily again. The effect of this proviso is not quite what the draughtsman contemplated, because

cases of cattle stealing in the remote parts of the country are definitely of very frequent occurrence, and in many cases it has proved quite impractical to prosecute for such offences for two very obvious reasons—to get the animal or its skin down to the town and the witnesses to get to the town. In many cases the witnesses may be Amerindians residing on the Brazilian border. For that reason it is quite impractical to prosecute for all those offences. Consequently, Clause 3 of this Bill seeks to do away with that proviso which at present requires a person charged a second time to be charged indictably. It also seeks to provide that the maximum punishment of six months be increased to twelve months.

Clause 4 seeks to amend Section 3 of the Criminal Justice Ordinance to enable a Magistrate to take, summarily, a case of larceny in which the value of the article stolen is limited to \$200. I do not intend to say very much as regards Part II of the Bill which is self-explanatory, but in view of certain references which appeared in the Press the other day I feel it incumbent upon me to say a few words to allay any fears which hon. Members may have. Part II of this Bill has been taken from the Criminal Justice Act of 1925 and the provisions contained therein have been in force in England for the last 19 years. The suggestion was made that the prohibition of taking photographs within the precincts of a building in which a court is being held, was the thin edge of the wedge. It is suggested, as far as my memory goes, that if this were allowed the next step would be secret trials. With all due respect to the author of that article, I quite fail to see how the provision prohibiting the taking of photographs of counsel or parties to any proceedings within the precincts of a building in which a court is being held

[The Attorney-General] could lead to any future provision for holding trials in secret. Be that as it may, I wish to emphasize that these provisions have been in force in England for the last 19 years.

It detracts from the dignity of a Court to have someone within the precincts of the building taking photographs of Judges or Magistrates, or other parties, in the gallery of the Court. Photographs can be taken of people standing on the road, but it is most objectionable to indulge in this practice of taking photographs in the gallery of a Court. On one occasion photographs were taken in the courtroom itself in the Magistrate's court, and this Bill seeks to stop this practice. I do not think there is anything further I need say.

The Chief Secretary seconded.

Mr. Lee: I think it is time that Government should know that the Members of this Council are greatly in need of copies of the volumes of our laws. Here it is, I have just had to send and borrow from the Speaker's table the volume that refers to this Bill. I want to draw the attention of Government also to the fact that if they are going to pass this law—and I doubt that they will—the Magistrates in the interior ought to be qualified men and not merely District Commissioners who are not qualified to adjudicate in cases in a proper manner. This point has been mentioned in this Council before, and Government promised to remedy the matter to some extent. I hope that the promise would be implemented as early as possible.

Mr. Sugrim Singh: I rise to support the point made by my hon. friend (Mr. Lee) and, consequently, I wish to invite the attention of hon. Members

to certain consequences if this Bill is passed. First, I will refer to the extension of the jurisdiction of the Magistrates to adjudicate in matters involving up to \$200. At the moment they can go up to \$100; and the result of the extension is that a large amount of additional work will be placed on Magistrates.

The Attorney-General: To a point of correction. Under the law as it stands—the Criminal Jurisdiction (Offences) Ordinance, 1952—a Magistrate can deal with a case involving value considerably more than that, with the consent of the parties.

Mr. Sugrim Singh: That is only done on the application of the prosecutor, but if a man is charged a second time with cattle stealing, for instance, he has to be taken to the Supreme Court. We are saying now that provision should be made for such a charge to be brought summarily. I agree with the argument advanced, but we have to deal with cases where there have been several convictions for cattle stealing in some of the most important Magisterial districts—places like Mahaica and Mahaicony—and I would invite the hon. Mover of the Bill to say how many such cases have occurred in these districts within recent times.

Mr. Speaker: Would any other Member like to discuss the principle of the Bill? I should have thought that there was much to be said on it, but I have heard very little up to the moment.

Mr. Cummings: I fully support the Bill.

Mr. Ramphal: I support the Bill very strongly, with the amendments as proposed by the Attorney-General. I should like to point out that this is

an agricultural country and that we must support the man who has his farm and his cattle. This should be a very salutary provision, and when we reach the Committee stage I am going to suggest that catting be substituted as a penalty for imprisonment. The reason for that is that a man should not reap where he has not sown, and if we desire to develop as an agricultural country we should see to it that a man who is raising his cattle is protected to the utmost. I am told that in places like Brazil this offence is dealt with in a very serious way, so much so that the death penalty is attached to it, while in cases of murder there are substituted penalties. Before the war there was provision for inflicting the cat in cases of praedial larceny, and I am going to suggest at the proper time that such a penalty be re-introduced.

I should like to support the remarks made by the hon. Mr. Sugrim Singh, as regards the question of additional work for Magistrates which is likely to result from this Bill. Shortly before he went on leave, the Chief Secretary read to us a long list of cases before Magistrates that called for additional work. This law calls for an extension of jurisdiction, and these cases place additional work on the Magistrates and Judges. I understand that there is some restriction as to the number of Magistrates to be appointed, but I think that from what the Attorney-General himself has said, these offences have increased very much within recent years and are still increasing. I think opportunity should be taken to provide a sufficiently large number of Magistrates so that our judicial work in the City and in the country districts would be effectively carried out.

I wish to refer also to the 2nd Part of the Bill which deals with the question of taking photographs. The learned Attorney-General has already spoken

about the length of time England has had this law in operation. I am surprised that we have not had it before in this Colony, but I am glad we will have it because law and order, today, seem to be assailed on all sides. I think that the dignity of the Courts should be maintained at all costs, and I wish to support this Bill in its entirety.

The Attorney-General: I propose to reply very briefly to the hon. Member, Mr. Sugrim Singh. I think that he has, to some extent, missed the point in dealing with clause 3. The question of statistics, I am going to suggest, really has nothing to do with the matter. Perhaps I can deal with it better by stating a hypothetical case. Let us assume that somewhere in the Rupununi or on the Brazilian border a sheep was stolen, valued at \$10, and the Police collect sufficient evidence to justify a prosecution. Then it is discovered that the accused has been previously convicted of sheep stealing; under the law as it stands, he cannot be proceeded with summarily. He would have to be brought all the way down to Georgetown or to the Ancient County of Berbice to be tried indictably with the larceny of a sheep. All the witnesses would have to be brought down also and, on the other hand, the prosecution might not be able to proceed with the case because the witnesses might be unwilling to give evidence against the accused. Only the other day a man was charged with the larceny of a sheep valued at \$7.50, and the witnesses had to be brought down a great distance for the trial. It was perfectly clear that because of the law, as it now stands, the accused had to be brought down and tried in the Supreme Court.

The hon. Member also spoke suggesting that a provision such as this will increase the work of the Magis-

[The Attorney-General]

trates considerably. Well, in answer to that, I must remind my friend that in every indictable case you must have a preliminary inquiry. So, I do not think my learned friend will insist in pursuing that particular argument. This measure does not compel the police to institute summary proceedings in every case — that is a matter for their discretion.

Mr. Speaker: May I be permitted in all humility to make some remarks. My excuse for doing so is that my experience has been that whenever matters affecting the Legal Profession, as for example, Bills of this kind, come up for consideration, the lay Members of the Council have always said, "We will leave this to the Legal section," and I have seen them leave the chamber and go into the lobby where they discuss other matters as though legal business were not their concern.

I have tried for some time to interest the authorities—Chief Justices, Attorney-Generals and some Members of the Interim Government, some of whom are aware of the conditions—on this question of additional work being imposed on Magistrates following on the increased legislation in matters concerning which they have been given jurisdiction.

If it were possible for Magistrates to be appointed and be commissioned to preside over preliminary enquiries in indictable matters only, not only would, I think, the glut of work in the Magistrate's Court, but the glut in the Supreme Court also would be reduced. Magistrates have to write down in indictable enquiries word for word, everything the witnesses say that is material to the investigation coming before them. They do not, however, when taking notes in summary

offences, have to do this. Everyone whose business takes him to the Magistrate's Court can testify to the delay experienced in having his case heard when fixed for hearing. His case is postponed over and over again, not wilfully, but owing to the Magistrate having to take evidence in indictable cases.

That has been going on, and will continue to go on, until some remedy is found. Judges, Law Officers and Magistrates to whom I have spoken as well as members of the public have agreed with the suggestion I have made and yet nothing has been done.

My suggestion was and is, that a Magistrate or two be appointed who will do nothing else but conduct preliminary enquiries. We do not necessarily want a highly qualified man to take notes of evidence. The occasion does not arise for him to decide any legal issues, except in rare cases. The Law Officers can settle this when the deposition comes before them, and before the accused person is indicted. The Magistrate's duty is to consider if a *prima facie* case is made out against the accused. Throughout the Colony every Magistrate has had his work held up by having to interrupt his other duties taking indictable matters. Under the law he is bound to determine whether a person should be committed to the next ensuing Sessions as fixed by the statute. He has no alternative—he cannot refer an accused person to any later session in any year. He has to warn the accused and all the witnesses who have given evidence to attend the ensuing sessions and none other. In order to do this though, other persons' business before him is constantly being postponed.

If my suggestion were adopted, one clerk—a stenotypist preferably—could then record what the witnesses have

stated under the direction of the Magistrate presiding over the enquiry, and duplicate copies of the evidence and what has taken place at the enquiry can then be sent to the Attorney-General. There seems to be some form of old-fashioned tendency in this Colony to resist reform. If it were properly put before the Administration they could not overlook its importance. It is hopeless to make suggestions for legal reform of any kind in this Colony—and I think I am speaking accurately. They are simply not considered.

Thousands of dollars in the saving of the costs incurred by the attendances of witnesses and the cost of their travelling to various Courts might have been saved if my suggestion had been put into use. Why is there not some means of achieving this simple system? That is why, in recent years, I have hesitated in welcoming Judges and Magistrates on their appointments, or to speak in public about the necessity for certain legislation to be enacted—not only because I am supposed to be inaudible, but because I am gradually losing interest in these matters. I do ask that the acting Attorney-General should give this matter his attention.

Mr. Cummings: Mr. Speaker, permit me to make a few comments before you put the question. I feel that not only Members of this Council, but the entire legal profession would realise the force of the suggestion you have put forward, and some of us might even assist the Attorney-General in implementing your proposal. But it was not without alarm that I heard you, in your eloquent and persuasive way, suggest that indictable matters could be heard by unqualified persons. You were careful, Sir, to limit that at a later stage of your remarks by referring to solicitors or lawyers' clerks. I make no comments as far as solicitors are concerned, but may I suggest that in indictable offences—take murder, for in-

stance—the person taking the notes must have a tremendous appreciation of the Rules of Evidence. He must also be a person capable of appreciating a legal submission and making a decision thereon. I shudder to think that if I were unfortunate enough to commit a crime, my fate should to some extent be at the discretion of a mind so immature *vis-a-vis* the law. I say, Sir, that I do think your suggestion is a good one, but I would ask that when the time comes for consideration, the question of qualifications for appointment will not be overlooked.

Mr. Speaker: In the event of my suggestion being adopted the persons to be appointed need not be highly qualified legal men, as the proceedings are not a trial but merely an inquiry.

Mr. Lee: May I be permitted to add that, from my experience, a prosecutor should also be a trained person.

Question put, and agreed to.

Bill read a second time.

COUNCIL IN COMMITTEE

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

Clause 4— *Amendment of section 3 of the Criminal Justice Ordinance, 1932. No. 21 of 1932.*

Mr. Lee: I would like to draw to the attention of the hon. the Attorney-General the fact that we are providing that a Magistrate should be permitted to try cases where the value of the property is \$200. Any indictable case now, where the sum of money or the value of property concerned is between \$25 up to \$100 can only be tried by the Magistrate, if the prosecutor make an application that the person, on account of his antecedents or otherwise, would like to be so tried. The Magistrate puts to the accused the question

[Mr. Lee]

whether he would like to be tried there or by a jury. For the purpose of this Ordinance the alternative is not put, and the Magistrate can try a case involving up to \$200, and if I am wrong, I would like to be corrected.

I would like to read from Ordinance No. 21 of 1932 which makes reference to this. Section 10 says:

“Sections sixty and sixty-one of and the first schedule to the Principal Ordinance are hereby repealed and the following is substituted for section sixty and the first schedule to this Ordinance is substituted for the first schedule to the Principal Ordinance.”

What does the substitution for section 60 say? It reads:

“60.—(1)—Where a person who is an adult is charged before the court with any indictable offence specified in the first schedule, the court, if it thinks expedient so to do, having regard to any representation made in the presence of the accused by or on behalf of the prosecutor, the character and antecedents of the accused, the nature of the offence—”

The Attorney-General: To a point of correction. My learned friend is dealing with indictable charges, and is reading the section which enables the magistrate to assume the power to try an indictable charge summarily. Clause 4 of the Bill enables the police to put in a summary charge, and not an indictable charge where the value of the article does not exceed \$200. I am sorry to interrupt, but I think it might save some time.

Mr. Lee: I do not think I am wrong. I would again submit for the consideration of the learned Attorney-General that the Principal Ordinance deals with offences up to \$25, that is, Ordinance No. 21 of 1932, and gives power to the magistrate, in Section 60 to deal with the matter summarily on representation made by—

The Attorney-General: Indictable matters.

Mr. Lee: I am dealing with indictable matters. So that the person can be tried summarily if he so desires. The purpose of this Bill is not to leave it to the discretion of the prosecutor, but to give the power to the magistrate.

The Attorney-General: This merely enables a summary charge to be put in, where the article exceeds the sum of \$200 in value. Otherwise the section remains quite unchanged.

Mr. Speaker: To bring a complaint.

The Attorney-General: The section, the hon. Member has quoted, remains quite unaffected. The Magistrate will have exactly the same power of trying indictable cases summarily as he does in these days. This does not affect the section the hon. Member has quoted.

Mr. Speaker: The Magistrate's jurisdiction was formerly limited to \$25 and then later, so as to bring more cases within the range of the Magistrates for summary trial, the amount was raised up to \$100.

Mr. Lee: This 21 of 1937 gives the Magistrates power to try cases where the property is valued \$100, but the Magistrate can only do that on the representation of the prosecutor.

The Attorney-General: To a point of correction! I am talking of a summary charge. The Magistrate has to ask permission of no one to try that.

Mr. Lee: I am saying that a summary charge where the value is \$100 can be tried by the Magistrate only when representation is made by the prosecutor. Now you are asking that it be for \$200.

Mr. Speaker: Supposing a diamond ring is stolen that is only worth \$120. Because the value of the article, not the nature of the offence is under consideration in doing so, is over \$100 the case has to go to the Supreme Court for trial. The object of the section is to increase the power of the Magistrates to hold a trial summarily where the subject matter of the charge exceeds in value \$100 and not limited as now to \$100. It has nothing to do with indictable offences.

Mr. Lee: What I am trying to point out is that application has to be made.

Mr. Speaker: Application is not made.

The Attorney-General: May I give a hypothetical case? A diamond ring of mine is stolen. It is worth \$100. The Police discover the thief and charge him summarily, as they are entitled to do. Is the hon. Member suggesting that having charged him summarily the Magistrate cannot try the case unless the prosecution makes representation to have it tried summarily?

Mr. Lee: I am not suggesting that.

The Attorney-General: At the moment if a diamond ring worth \$101 is stolen a summary charge cannot be put in. This Bill seeks to provide that if the diamond ring is worth \$200 the Magistrate can try the case. In other words, a summary charge can be made, but if instead an indictable charge is made the Magistrate cannot try it even if this clause is passed. Where the value is \$5 or \$10 and it is an indictable charge, the Magistrate can only try it on representation of the prosecution. The hon. Member's argument has no bearing on this clause, at all.

Mr. Speaker: (to Mr. Lee): You had better give way.

Mr. Lee: When the prosecutions come we would see.

Mr. Ramphal: I want to suggest, if hon. Members would agree, we must inflict the severest penalty in order to protect the producer. I am suggesting to the hon. the Attorney-General, who is in charge of the Bill, to include some words to the effect "a term not exceeding twelve months together with a number of lashes or strokes with the cat." This business of protecting the ordinary man is not going very far. I just want to refer to the keeping of ordinary domestic stocks. The other day we heard over the air the Police calling for persons to go to identify 100 fowls which had been stolen and recovered by the Police. In the country districts the people have stopped rearing stocks because the hands of vandals fall on them so often. When it comes to cattle it becomes more important. I feel that salutary treatment should be meted out to people bent on doing this kind of thing. We should treat them in a manner they are deserving to be treated. I suggest the additional words "together with a number of lashes or strokes with the cat" be introduced so as to put a stop to these offences.

The Attorney-General: I am afraid I cannot accede to the hon. Member's request. I wish to point out that cattle stealing carries a maximum penalty of fourteen years, and the course adopted is to put in an indictable charge instead of a summary one.

Mr. Ramphal: Here the penalty only goes to twelve months.

The Attorney-General: That is to make it practicable to proceed with the case summarily in the Interior.

Mr. Ramphal: Do I understand this will be only operative in the interior districts?

The Attorney-General: It deals with summary charges on the whole.

Clause 3 passed as printed.

Clause 4— *Amendment of Section 3 of the Criminal Justice Ordinance, 1932.*

Mr. Smellie: I am not quite clear as to what the amendment of the Principal Ordinance that this Clause seeks really means. Is it intended to apply not only to cattle stealing but to things like malicious damage? Does it cover all those things?

The Attorney-General: I would read the section to which Clause 4 refers:

“Wherever by the Principal Ordinance, or by any other Ordinance creating an offence punishable on summary conviction, the jurisdiction of the Magistrate is limited to cases in which the value or the amount of the property or the article or matter in respect of which the offence is committed does not exceed twenty-five dollars, that jurisdiction is hereby extended to cases in which the value or the amount of the property or the article or matter in respect of which the offence is committed does not exceed one hundred dollars.”

It refers to any offence in relation to property, malicious damage or anything. Prior to the coming into force of the 1932 Ordinance the Magistrate could not try summarily any case in which any property was involved, where the value of the property exceeded \$25. Section 3 of the Criminal Justice Ordinance extended the application to property the value of which did not exceed \$100. We are now trying to further extend it to cases where the value of the property does not exceed \$200.

Mr. Smellie: I quite appreciate what the hon. the Attorney-General has said. I think it is high time we make

this change, because a private person having his property damaged in the old days was faced with the expenses of bringing witnesses hundreds of miles to Georgetown or with the alternative of placing the value of the property under \$100 so as to have the case heard summarily.

Clause 4 passed as printed.

Clause 5— *Prohibition on taking photographs, etc. in Court.*

Mr. Speaker: May I ask why definitions are appearing in sub-clause (3)?

The Attorney-General: Because they relate only to that particular section and nowhere else.

Council resumed.

The Attorney-General: I beg to move that this Bill be now read a third time and passed.

The Chief Secretary seconded.

Question put, and agreed to.

Bill read a third time and passed.

CINEMATOGRAPH (AMENDMENT) BILL

Mr. Cummings (Member for Labour, Health and Housing): Arising out of certain discussions I have had with the Attorney-General I do not propose, subject to the consent of the Council, to proceed this afternoon with the second reading of this Bill intituled—

“An Ordinance further to amend the Cinematograph Ordinance with respect to the granting of Licences.”

Mr. Speaker: You wish consideration to be deferred.

Mr. Cummings: Yes, Your Honour.

Consideration deferred.

HOLIDAYS WITH PAY
(AMENDMENT) BILL

Mr. Cummings: I beg to move the second reading of a Bill intituled:—

“An Ordinance to amend the Holidays with Pay Ordinance, 1952, with respect to the procedure for making orders under section three thereof.”

In moving the second reading of this Bill, I think I should invite the attention of hon. Members to the provisions of Ordinance No. 3 of 1952. Section 3 of that Ordinance reads:—

“(1) Subject to the provisions of this Ordinance, the Governor in Council may by Order direct that workers in any occupation shall be allowed such holidays with pay as may be determined in such Order.

(2) An Order made under this section may provide for the conditions on which and the time at or the periods within which, any holiday with pay shall be allowed and shall make provision for the duration of, and the minimum holiday remuneration payable during any such holiday.

(3) The provisions of an Order made under this section in respect of—

(a) the duration of the holiday with pay, shall be related to the duration of the period for which the worker has been employed or is engaged to be employed;

(b) the minimum holiday remuneration, shall be related to the worker's earnings during such period prior to the date of the commencement of the holiday with pay as may be specified in the Order.

(4) An Order made under this section may specify and define the occupation to which it applies, and may be applicable either generally to all such occupations or specifically to such occupations as may be within a specified area.

(5) The holidays prescribed by an Order made under this section shall, unless such Order otherwise prescribes, be in addition to any public holiday.

(6) The Governor in Council may, by a subsequent Order, revoke or vary the provisions of any previous Order.”

I am advised that the accepted practice and procedure is to provide legislation permitting objections to an Order before it becomes law. It is regarded as a serious omission in our Holidays with Pay Ordinance, and this Bill now seeks to rectify that omission. In the Objects and Reasons it is clearly set out that the Bill seeks to provide for this omission, and also for the lodging of objections to such an Order and for the consideration of those objections prior to the making of the Order.

Mr. Ramphal seconded.

Mr. Lee: I think this Bill should have been long before today. The workers were promised this in the old Legislature, and Government has deemed it fit to bring it forward now. I hope that the Governor in Council would make Orders as early as possible so that they can come into force.

Mr. Cummings: I think the hon. Member is overlooking the Ordinance to which I referred and has probably forgotten there is a Holiday with Pay Ordinance. This Bill is merely seeking to rectify an omission in that Ordinance. Certain Orders have already been made under that Ordinance. It is felt that employers should be given an opportunity to place their case before Government so as to be able to play their part in their particular industries. I do think the hon. Member's point is not relevant.

Question put, and agreed to.

Bill read a second time.

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

COUNCIL IN COMMITTEE.

Clause 2— *Procedure for making Orders, etc.*

Mr. Lee: I desire to make this comment in reply to the hon. Member for Labour, Health and Housing. There were certain workers in other industries who were promised that Orders in Council would have been made in respect of Holiday with Pay for them. Perhaps I did not explain myself fully in support of the Bill. The workers were expecting the Governor in Council to make Orders and I am glad that the hon. Member for Labour, Health and Housing has seen fit to bring this Bill early, and I desire that the Orders be published very early.

Mr. Ramphal: I take it that the hon. Member is still slightly off the point, if I may put it that way. Very many Orders have been made under Ordinance No. 3 of 1952. All this Bill seeks to do is to provide that wherever there is delegated allegation to any authority that the other party should be heard. It is a fundamental principle of law. The Bill seeks to provide that the parties affected — the employers and employees—be given a chance to say what they feel before any occupation is prescribed in respect of holiday with pay. Those in an occupation can approach the Member in charge of Labour in that respect and, I am sure, they would get a hearing.

With regard to sub-clause (6) I beg to move the deletion of the words "the Commissioner of" appearing in the fourth line of the sub-clause. That part of the sub-clause would therefore read "or any Officer of the Department of Labour."

Question put, and agreed to.

Clause amended accordingly and passed.

Council resumed.

Mr. Cummings: I beg to move that this Bill be now read a third time and passed.

Mr. Ramphal seconded.

Question put, and agreed to.

Bill read a third time and passed.

CO-OPERATIVE SOCIETIES
(AMENDMENT) BILL, 1954

Mr. Farnum: I beg to move the second reading of the Bill intituled:—

"An Ordinance to amend the Co-operative Societies Ordinance, 1948, to provide for the minimum number of persons capable of registration."

Government is very anxious, and desires to encourage the formation of these co-operative societies. They encourage thrift and the means by which the small man can get together and improve his economic position by undertaking purchases involving large sums of money. The object in bringing this Bill forward is to achieve that aim. The Objects and Reasons appended to the Bill state that clause 2 seeks to amend sections 5, 6 and 29 of the Principal Ordinance by reducing the minimum number of persons required for registration of a society to seven, thus avoiding the cancellation of an otherwise successful society by reason of the reduction of the number of its members to less than ten, and also to enable societies with a membership of not less than seven persons to be registered: I need not say anything further about the Bill because it is a very simple one.

Mr. Gajraj seconded.

Question put, and agreed to.

Bill read a second time.

Council resolved itself into Committee and considered the Bill clause by clause, without amendment.

Council resumed.

Mr. Farnum: With the consent of Council, I beg to move that this Bill be now read a third time and passed.

Mr. Gajraj seconded.

Question put and agreed to.

Bill read a third time and passed.

MINUTES OF MEETING OF JULY 15

Mr. Speaker: I would ask hon. Members to allow me to move the confirmation of the minutes of the last meeting, held on July 15. There was something which I thought had been

omitted, but I have since found out that it is all right. The question is that those minutes be now taken as read and confirmed.

Agreed to.

NO PROVISION FOR RECESS

Mr. Speaker: There will be a meeting of the Finance Committee tomorrow, and another may be held next Friday.

Mr. Lee: Mr. Speaker, it is usual for legislative bodies to be granted a recess and I am asking that a recess be granted for August.

Mr. Speaker: There is nothing providing for it in our Rules. Council will be adjourned until 2 p.m. on Thursday, August 5.