

LEGISLATIVE COUNCIL.

Thursday, 6th September, 1945.

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

PRESENT:

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

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

The Hon. the Attorney General, (Acting), Mr. F. W. Holder.

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

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

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

The Hon. H. N. Critchlow (Nominated)

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

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

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

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

The Hon. Peer Bacchus (Western Berbice)

The hon. C. R. JACOB (North Western District)

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

The Hon. T. Lee (Essequibo River)

The Hon. A. M. Edun (Nominated)

The Hon. V. Roth (Nominated)

The Clerk read prayers

MINUTES.

The minutes of the meeting of the Council held on Wednesday, 5th September, 1945, as printed and circulated were taken as read and confirmed.

ANNOUNCEMENTS

SCHOONER OWNERS' ASSOCIATION.

The COLONIAL TREASURER communicated the following Message:—

MESSAGE No. 5.

Honourable Members of the Legislative Council.

With reference to my message No. 15 of the 28th of October 1942 and to Resolution No. XXXII passed by the Council on the 30th of October, 1942, approving of this Government's joining with the Governments of Trinidad and Tobago, Barbados the Leeward Islands and the Windward Islands in the establishment of the West Indies Schooner Pool, I have the honour to inform the Council that the Comptroller for Development and Welfare in the West Indies has invited the Governments concerned to support the formation of a Schooner Owner's Association to encourage the future maintenance of an organised inter-colonial Schooner traffic in the waters of the Eastern Caribbean and in particular between the abovementioned Colonies on the lines of the Schooner Pool Organisation.

2. The Schooner Pool will cease to exist when the Defence Regulations providing for its incorporation are repealed or when there is an insufficiency of cargo to induce schooner owners to remain voluntarily in the Pool. When that time comes a rapid reversion to the pre-war

plight of the schooner trade is anticipated unless steps are taken to encourage the maintenance of an organised schooner service for the transport of intercolonial cargo and transhipment cargo. Such a service is of importance to the West Indian Colonies; although the volume of transhipment cargo will decrease with the re-establishment of steamship services, there will always be a considerable volume of inter-colonial cargo and of transhipment cargo for which transport between the Colonies of the Eastern Caribbean will have to be provided, and delays in shipment will be less if a fleet of schooners operating in an organised service is available for the carriage of such cargo. Also, apart from the above and from the undesirability on economic grounds of allowing one of the active West Indian "home industries" to disappear, the schooner owners and their crews have performed a valuable service to the West Indies during the war in maintaining essential trade communications especially during the difficult period of the enemy submarine campaign in the Caribbean, and the Council will doubtless agree that every effort should be made to repay the debt which is owed to them for their work since the outbreak of war by assisting them to maintain the higher standard of efficiency and safety which have obtained in schooners since the establishment of the Schooner Pool Authority.

3. The matter has been receiving the attention of the Comptroller in consultation with the Schooner Pool Authority and a proposal for the formation of a Schooner Owners' Association has been submitted to the Governments concerned. This proposal has also been discussed by the Schooner Pool Authority with the schooner owners, schooner Agents and other interested persons. As a result, a detailed scheme for the establishment of such an Association has been prepared by the Comptroller in consultation with the Schooner Pool Authority.

4. The scheme contemplates the establishment of the Association as a company incorporated in Barbados under the Barbados Companies Act, and in order to facilitate the transition from the existing machinery of the Schooner Pool Authority to that of the new Association, the draft Memorandum and Articles of Association provide that the first Governing Body shall consist of the Schooner Pool Agents in each of the Colonies concerned with a Schooner Owner from Barbados. At the conclusion of the first

year of operation, the members of the Association will be at liberty to elect schooner owners to replace the Pool Agents on the Governing Body.

5. The proposed Executive Officer of the New Association now holds the post of Schooner Pool Authority. He will continue in that post while serving also as Executive Officer of the Association, until such time as the Association becomes firmly established, when the Defence (Schooner Pool Authority Incorporation) Regulations will be withdrawn and the post of Schooner Pool Authority abolished.

6. The normal expenditure of the Association, i.e. salaries of its officers and agents, and administrative expenses will be met from revenue collected in the form of payments by schooner owners of a percentage of the earnings of their vessels. However, in order to provide the Association with working capital at its inception it is proposed to transfer \$5,000 as a grant from the funds of the Schooner Pool Authority to the Association on the day when the Authority is wound up and the Association commences to operate, and the interested Colonial Governments have been asked to agree to this. It is possible that the Association when fully established will be able to repay this grant.

7. The interested Governments have also been asked to agree that the balance remaining to the credit of the Schooner Pool Authority (estimated at \$78,000 after allowing for the transfer of \$5,000 to the Schooner Owners Association as working capital and for the refund of the initial capital contributions made by these Governments to the Authority) be passed to Barclays Bank (D.C. and O.) in Barbados, to be invested in British Government Trustee securities, the interest thereon being payable to the Association. The Bank is not to sell, deliver, or in any way reduce the capital sum so entrusted to it except on the joint instructions of the Governments concerned. If the Association is dissolved the Bank will refund the amount to the Governments concerned in the appropriate proportion due to them.

8. It is further proposed that the Association should establish an insurance fund for the benefit of its members. Vessels will be insured for not more than two-thirds of their real value and compensation will only be paid in the event of total loss. The premium payable annually by schooner owners wishing to insure their vessels will be adjusted annually according to the losses incurred. In the first year the premium will be fixed at 6%.

9. The estimates of revenue and expenditure of the proposed Association indicate that (apart from the interest on the capital sum to be invested by Barclays Bank) the Association should be able to cover its expenses from its own revenue. The estimates are, however, necessarily tentative at this stage, and, if in the light of experience it appears that the revenue will more than cover the expenditure, the percentage of commission to be levied on freight rates will be reduced. If the revenue should be inadequate, the Comptroller for Development and Welfare is prepared to recommend to the Secretary of State for the Colonies that a grant be made under the Colonial Development and Welfare Act to cover part of the cost of central office expenses to assist in giving the Association a fair start. Such assistance would be limited to the minimum necessary and to a period of two or three years, and would be in such form that it would not jeopardise the independence of the schooner owners themselves.

10. This scheme for the establishment of a Schooner Owners' Association has the support of the Secretary of State for the Colonies and of the local schooner owners; with the advice of the Executive Council, this Government has agreed to join with the other Governments concerned in supporting it. Accordingly, I have signified to the Comptroller this Government's agreement to the transfer of \$5,000 to the Association as working capital from the funds of the Schooner Pool Authority, and have forwarded to him for transmission to Barclays Bank (D.C. and O.) in Barbados a letter requesting the Bank to take into custody such sum of money as may be due to this Government from the funds of the Schooner Pool to be used as indicated in paragraph 7 above.

11. The establishment of the proposed Association is generally acceptable to all the Colonies concerned, and I now invite Council to give it their approval, and, in particular, to approve of the action taken as indicated in paragraph 10 above.

GORDON LETHEM.
GOVERNOR.

3rd September, 1945.

PAPER LAID.

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

Twenty-fifth Annual Report of the Imperial War Graves Commission.

GOVERNMENT NOTICES.

SCHOONER OWNERS' ASSOCIATION.

The COLONIAL TREASURER gave notice of the following motion:—

That, with reference to Governor's Message No. 5 dated 3rd September, 1945, this Council approves of the establishment of a Schooner Owners' Association and of the action taken as set out in the Message under reference.

● ORDER OF THE DAY

LOCAL GOVERNMENT BILL

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

A Bill intituled "An Ordinance to consolidate and amend the enactments relating to local Government".

The PRESIDENT: As I announced yesterday, we will proceed with the second reading of this Bill today and if we complete that we will go into Committee on the Franchise Bill. The Attorney General is ready to answer the points raised on certain difficult clauses in that Bill last week. I think the hon. the Sixth Nominated Member (Mr. Edun) was speaking when the debate in motion was adjourned.

Mr. EDUN: Sir, I have taken the opportunity to do some research work in relation to the Bill now before this Legislature. I carry with me no hostile feelings against the members of the Executive Council, but I should not be considered ungenerous if I declare that the arbitrary spirit shown in this Bill found sanction with the members of the Executive Council and that they completely overlooked the interests of the rural communities. As I see it, sir, these members have no confidence in the future of British Guiana, but if they had taken opportunity to consult the report of the Committee on Local Government and Administration—Leg.

✓ Council Paper No. 7 of 1931—they would have found therein ample ingredients for democratic procedure in local administration. I find, however, that the whole Bill is of an arbitrary pattern—power from the top exercising itself on people at the bottom. This report was made by a former Attorney-General of this Colony, Mr. Hector Josephs, along with the then Colonial Treasurer—Mr. Millard, the Commissioner of Lands and Mines—Mr. Mullin, and legislators in the persons of Messrs. A. V. Crane, the late Mr. A. R. F. Webber, J. Gonsalves and Dr. J. B. Singh.

I see within the periphery of this Bill a reversion of the whole democratic programme outlined by this Committee and I would like with your permission, sir, to quote one or two of these paragraphs in order to bring home forcibly to hon. Members the points I wish to make. Some people would wish me to believe that this report is an ancient document and should not be considered at all, but I see in it a modern constitution for local administration and I think that this Government, instead of shaping the matter in this arbitrary manner, ought to have taken a leaf out of this report. With your permission, sir, I will read paragraph 6 on page 3, under the heading "New System of Local Administration." I do not want to burden the Council with these cumbersome paragraphs, but they disclose what was the ideal in the mind of that worthy Committee and how that ideal is being perverted now. This paragraph, 6, states:—

"6. The Committee is of opinion that there should be a radical change in the mode of Local Government and Administration to remedy the defects in the present system. This system, if advantageous at the time of its introduction, has ceased to meet the needs of a community which has made considerable advance in matters and ideas sociological, educational, industrial and sanitary, in the period that has elapsed not only since its inception, but also subsequent to its modifications in 1892 and 1907. A change is therefore necessary in order to meet the more important requirements and complex problems of later genera-

tions, and the change should be of such a nature as not only to provide for immediate necessities, but also to lay the foundations of a system which constructed with reasonable foresight, should be permanent and yet be capable of growth and easy adjustment to suit other circumstances arising in the future."

Now, sir, this was written in 1931, and what a comprehensive way it is of dealing with this very important matter. I shall now proceed to paragraph 7 which reads thus:

"7. The Committee therefore recommends that in place of the Local Government and the present local authorities, whether of a special nature, as village councils and country authorities, or the Board itself functioning as local authorities, there should be established County Councils and District Councils, and that there should be in such County an officer to be styled "the County Administrative Officer," representing the central government and the heads of departments and responsible for the administration of the County so far as Government is concerned. The County Administrative Officer would also be able to furnish advice and guidance to the District Councils."

Within the periphery, of these two paragraphs, sir, one sees an ideal of democratic administration in the local authorities, and if we go further to paragraph 10—headed "Districts and District Councils"—it would be found that the Committee made particular reference to sugar estates and rural sanitary districts normally under the Board. The Committee thought that not only the country districts but also sugar estates and private proprietors owning estates in the districts ought to have representation on the County Councils, while the District Commissioner ought to be an officer working in co-ordination with the County Councils. Referring to the composition of the council, the Committee points out that there are 70 country districts and 25 village districts while another 53 districts could be included in the form of sugar estates and private estates, making a total of 120 country districts. All the proprietors in the

village and the country districts would then have had representation in the County Councils and that is how the Committee laid down the charter of democratic local administration in this Colony. Instead of this being followed, however, I see a complete change over to a system that is leading us to and bordering on the Fascist system.

You will pardon me, sir, if I proceed to compare the system with others. The Fascist system has obtained in Germany—German National Socialism—the same bad system whereby the party in power nominates its officers in the districts, forming a kind of spy system and running the whole organisation in accordance with the views of the party responsible to the central government. There is no democracy in that at all, and in this case I see the District Commissioner not as an officer of the administration, but as a kind of spy watching over everything and telling the central government “this person is not fit to be a member of the local authority”—“that person is not good enough”—and things like that. That is equivalent to a Fascist system, and is the kind of thing we ought to guard against. We cannot introduce a system of that kind into this country in the year 1945. Instead of endeavouring to see that decentralisation works satisfactorily, this Bill seeks to give more power to the Board to act against the local authorities, and I would term that nothing less than usurpation. I do not know whether Your Excellency has had an opportunity to go through this report, but I venture to state that you will find in it a vision which discloses that since the year 1930 this country was ripe for democratic progress. Instead of giving more power to the average villager, however, this Bill is taking more away from him. Therefore this matter should be referred to a committee to be examined in all its phases, including examination of this and other reports, as well as Sir Edward Denham’s minute as contained in

Leg. Co. Paper No. 9 of 1930. ✓

Sir Edward had practically pledged himself to carry out the principle of County Councils but we find nothing in this Bill—absolutely nothing—to make us feel that the ideal of giving power back to the people is being reached. Unless this matter is referred to a committee, I feel certain it will be said that Government is rushing it, —because of its painful growth—it is necessary for us to examine this Bill with a sense of proportion, as best appertaining to a democratic country.

I remember very well that at the first meeting of the Franchise Commission great stress was laid on the fact that we were at the beginning of a democratic era and that there should be a good foundation. It was felt that we should begin with the country and the village districts, going to the County Councils and then to the City Council and the Central Legislature. And, although there is this excellent report by the Denham Committee, this Bill contains nothing which gives me the idea that democratic progress is its purpose. This is what Sir Edward Denham says on page 8, paragraph g. of his minute on the question :

“(g) A considerable amount of unnecessary correspondence and delay is caused at present by the number of channels through which correspondence has to pass. Decentralisation of Administration is essential and if it is to be effected it must mean not only decentralisation of work which is supposed to be done today by the Local Government Board but also decentralisation of the work of all departments. Within the funds available for their expenditure local Officers should be able to work out a scheme of policy for the improvement of conditions in their districts.”

On page 11 another paragraph reads:—

“It will be for them to recognise that they are in a sense the deputies of the Governor in the district, that they are in no sense local autocrats though they must maintain their position as being the principal *official* medium of communication between the Local Authorities

and Government, that in doing so they will be required to keep in the closest touch and the friendliest relations with the Village Councils to consult them and to assist them in every possible way."

I consider these two paragraphs to be nothing short of a pledge on the part of Government in the year 1930 — a pledge which ought to be respected and fulfilled. I ask you, sir, in all earnestness to examine this Bill from one end to the other and say whether there is anything in it regarding County Councils. I do not want to refer to the war which was more or less a war between two ideologies—Democracy and Fascism. Much blood was shed and millions of lives were lost on the battle-fields of Europe and Asia in order to preserve this right—this right by which the virtues of all human beings should be developed gradually and step by step. In the Franchise Bill which we have just examined we endeavoured to give voters a more liberal qualification than hitherto, yet in this Bill before the Council we find provisions which have been in existence since 1892 recurring to the detriment of progress. I say in all sincerity that this Bill will frustrate the efforts of the rural communities toward the goal of self-government and self-rule.

Only yesterday when we were discussing the question of West Indian Federation the hon. Member for North-Western District (Mr. Jacob) made an excellent point with respect to the despatch from the Secretary of State in which he states in par. 6:

"I attach particular importance to the development of village councils and community work on the lines already recommended by the Comptroller and his Social Welfare Adviser as a step towards the growth of social responsibility".

I see no reference to County Councils at all in this Bill, and I would like to know whether the report of the Committee and the Minute by Sir Edward Denham were forwarded to the Secretary of State in order that

he might determine whether this draft Bill contains the democratic ingredient so ably put forth by the Committee and Sir Edward Denham.

I will examine the Bill clause by clause in the Committee stage, but I wish to draw particular attention to clause 3 (2) (f) at this stage. I believe I have behind me the sentiments of the entire rural communities with respect to paragraph (f) which reads:

(f) one person nominated by the association commonly known as the British Guiana Sugar Producers' Association;

I am perfectly indifferent as to what the Sugar Producers' Association may say about what I propose to say this afternoon. What right has the Sugar Producers' Association in village affairs if there are not to be County Councils? County Councils would have included representatives of the sugar estates and private proprietors, and they would have had the right to nominate. By what process of reasoning can the Sugar Producers' Association claim the right of representation on the Local Government Board, constituted as it is proposed to be, except it is intended in due course to establish County Councils? If the Bill is to remain as it is without provision for County Councils I say that the Sugar Producers' Association has no right to be represented on the Board. I take the liberty to say that it is giving power to people who have no right to put their noses in village affairs, and I deprecate the action being taken by Government to bring in the Association everywhere. I find that policy also in the Public Health Ordinance, and I am yet to know that the Sugar Producers' Association is a corporate body or a registered body. This is nothing but class legislation.

Paragraph (e) reads:

(e) two persons who are members of village councils or of country authorities;

By whom will those two persons be nominated? By Government on the recommendation, perhaps, of the Local Government Board, or on the recommendation of the District Commissioners. I think it should be provided that the nominations would be made by the Village Chairmen's Conference. Those who are principally concerned in this Bill are to be given second-class treatment and the Sugar Producers' Association first-class. I would like to be shown what germ of democracy there is in this Bill. I have a high esteem for the officer in charge of the Local Government Department, and I cannot understand how these anomalies could have escaped him...how he could have brought such a Bill before this Council and asked us to support it in this age of triumph for democracy. I thought when the hon. mover of the Bill went to England some years ago and studied labour conditions he would have taken the opportunity to study the constitution of trade unions and how the democratic ideal runs through it from the top to the bottom. Had he done so he might have advised Government that this is no time to give more power to Government officers. After all they are the paid servants of the people. This is no time to give District Commissioners arbitrary power to nominate persons.

I could go on enumerating anomalies in the Bill, but at this stage I would suggest that the Bill be referred to a Committee to hammer out something which would not fall short of what those stalwarts have recommended. I am glad to see that there is one alive in this Council, the hon. Member for Georgetown South (Mr. Gonsavles). I trust he will stand up here and tell the Council that we should examine this Bill and see how we could provide a democratic constitution in the villages. There is no tangible ingredient of democracy in this Bill. In my speech on the last occasion when this Bill was being considered I referred to several clauses which give the Local Government Board the right

to do work in the Local Authorities. This is an administrative matter dealing with communities and training them towards the greater ideal of self-government, and it cannot be treated lightly by giving the Local Government Board the right to go into a Local Authority and usurp power.

If there is to be any democratic progress in this country we must begin from the rural communities. It is not good enough to say that because two Municipalities have not been able to appoint two Town Clerks it is due to defective administration. Because certain Local Authorities do not do their work and others have not taken the opportunity to secure the status of villages, does not mean that they are not ripe for self-government. I have in my hand a report of the 43rd Annual Conference of Village Chairmen at which the Officer Administering the Government, the present Colonial Secretary, made this very pungent statement: I quote from the report of the Conference:

"Referring to the Report of the Franchise Commission which has recommended a wide extension of the franchise, and which is now being considered in London. His Excellency asserted that the result must affect largely the rural population, and suggested that there should be more Village Councils in Local Government Administration than Country Authorities"

"At the moment, he pointed out, there are ninety-one Local Authorities under the Administration of the Local Government Board. Of these twenty-five only are Village Councils, the remaining sixty-six being Country Authorities. His Excellency appealed to those Country Authorities which now shrink from making the change, to do so, adding that it will not only be a valuable experiment in the primary steps of Local Government, but it will be a valuable preparation for the wider form of political representation".

If it is claimed that the report of the Hector Joseph's Committee of 1930 and the Minute by Sir Edward Denham are old, what about the remarks of the Officer Administering the Government in 1944? I may be told that he did not see the implication. He saw that

once the franchise in the Central Government was touched there were bound to be repercussions in the Local Authorities. That is why he made that pronouncement. On examination of this Bill it will be found that the constitution of the Village Districts and Country Districts remain the same as it was in 1892, and in the name of progress I suggest that the Bill be referred to a Committee to be hammered out in the light of present-day conditions. It seems to me that in the minds of the Administration and the Heads of Departments there is a complete distrust of the future of British Guiana while Your Excellency has been proclaiming a vision of a greater Guiana. We cannot have a great country if we believe that what was good for the country in 1892 must necessarily be good in 1945.

With all due deference to the capabilities of the draftsman and the energy and capabilities of the Commissioner of Local Government, I think he has erred greatly and erred against the people whose philosopher he has been all these years. He has been their counsellor and father in local politics, and as such he ought to reconsider the matter and suggest to Government to refer the Bill to a Select Committee of this Council. I do not think I should proceed any longer.

Mr. LEE: I propose to move that the Bill be referred to a Committee for consideration in the light of the despatch from the Secretary of State with respect to West Indian Federation, and the recommendations of the Royal Commission with respect to the advanced methods of local government as applicable to this Colony. It has been my policy that the people of the Colony should accept responsibility in its administration, and with that in view I have always advocated that Elected Members of this Council should be Chairmen of all Boards and should be responsible to the people for local government. I made that suggestion some time this year and I

was told that the Local Government Board was a statutory body, therefore I should wait until the Local Government Bill came before this Council. That opportunity has now presented itself, and I will try to convince Government and this Council that Elected Members should assume the responsibility for governing at least the Local Authorities. In paragraph 36 of the recommendations of the West India Royal Commission it is stated:

“.....Some initiative is required of Government to ensure the proper organisation under the Local Government Law of all rural and village communities, wherever situated, and whether or no they have happened to express a desire to be brought within the scope of the Local Government Board.”

That recommendation is quite definite, but since that recommendation was made in 1939 can we seriously say that Government has ever attempted in any instance to encourage and enlighten the people in this connection? I regret to say that Government has not taken that initiative. How then can I say that this Bill has been drafted in the light of that recommendation of the Royal Commission? I therefore suggest that the Bill be referred to a Committee for the purpose of comparing it with the recommendations of the Royal Commission and the Secretary of State's despatch of March 14, 1945. We petitioned His Majesty the King to send a Royal Commission here, and that Commission has recommended certain policies to be adopted which are being carried out by the Imperial Government. As recently as March 14, 1945, the Secretary of State, in his despatch on West Indian Federation, states in paragraph 6:

“.....At the same time all such advances should be based on the general policy of fostering the growth of citizenship and a sense of responsibility. Much could be done in that direction by the development of institutions of local government which, even in the form they would have to take among the less advanced sections of any community,

should give valuable experience in committee work and so forth, and might be expected, therefore, to lead in time to more participation by the people in the work of the central government. I recognise that the history of local government organisations in the West Indies has been a mixed one, and that there has been serious criticism of the work of some. Others, however, have proved themselves, and I trust that they will develop since local government work is essential to the full participation of the people in the conduct of affairs and to the reality of the West Indian citizenship. I attach particular importance to the development of village councils and community work on the lines already recommended by the Comptroller and his Social Welfare Adviser as a step towards the growth of social responsibility."

What has Government done towards doing that? Nothing whatever. I have not had time to read the entire Bill; I have only read as far as Part III.

In the whole constitution of ten members, no one is directly responsible to the people of this Colony—not even to the Elected Members of this Legislature. It is entirely within the discretion of the Officer Administering the Government to say whether he would nominate Elected Members to that Council; there is nothing in the Ordinance providing for it. The Elected Members have the interest of the village communities at heart since they represent the villages which include the local authorities and the proprietors, but it is on the recommendation of certain persons that Your Excellency nominates the people to guide the local authorities. There is nothing in the Ordinance to compel them to hold meetings in the country districts—they are held at the whim and caprice of the chairman and that is not good government. In the light of Imperial guidance are we not going to take notice of that fact? The Imperial Government desires that the West Indies should progress but we in this country retard progress by our own narrow-mindedness, whether shown by the representatives of sugar, rice, bauxite or anything else.

The people should be made responsible for their own affairs and you, sir, with the advice of the Executive Council, could guide them and tell them that it is time they be made responsible. That is not being done, however, and so I say as an Elected Member that I cannot approve of this Bill as put before the Council. In view of the manner in which it has been drafted—giving no responsibility to Elected Members—I cannot support it. There is the superseding authority of the Local Government Board to over-ride any action by the local authorities, but that is not in keeping with the political advancement that has been taking place in the world within recent times. I urge that this Bill be referred to a committee to be reconsidered in the light of present circumstances, so that we could have something throwing the responsibilities of the Local Government Board on the local authorities.

There is one part of this Bill in which I find a new kind of authority being created—a rural authority, as shown in clause 27. This clause says:—

27. (1) The Board shall be the rural authority of every rural district.

(2) The Board, as a rural authority shall have and may exercise all the powers conferred by this Ordinance upon the local authority of a village or country district.

(3) The Board shall not be under any obligation to perform any act required by this Ordinance to be performed by the Board as a rural authority where it appears to the Board that it is inexpedient so to do.

Now, sir, what is the constitution of a rural authority? This is a declaration whereby Government would be able to nominate certain persons to function as such. Is that fair to a people to whom responsible government should be given? I say no. If Government desires to supervise the country districts they should say so plainly, but it would be far better to have the Local Government Board comprised of Elected Members of this Council and of the village districts, because if they

make a slip today they would have to pay for it tomorrow. Sub-clause 28 (5) says:—

(5) The Board may appoint any fit and proper person who resides in the village or within five miles of the boundaries thereof to be a councillor.

The villages desire to elect people to be responsible for their affairs and I should like to know why this Bill is stipulating that such persons must reside within the villages, whereas the Board would be able to appoint persons residing within five miles of the boundaries thereof to be councillors. I can cite a case from Wakenaam where the chairman was living within the village but did not care one farthing about what happened to it, because he had no interest in the district. The basic principle is that a man should have some interest in the district in which he is chairman or councillor. In order to be a voter under this Bill, a person must have income and reside in the district, yet it is possible for the Local Government Board to appoint as chairman a person living outside the boundaries thereof and one who might not have any interest whatever in the district.

I plead with Your Excellency to reconsider this Bill in the light of recent political advancement and see whether we cannot give the people the kind of responsibility the Imperial Government desires them to have. Otherwise, I would rather leave the responsibility for nominating the members of the Local Government Board in the hands of Your Excellency, and you can give representation to interests like the Sugar Producers' Association although they have no right to it. Why shouldn't the Rice Producers' Association be given a chance of representation on the Board when the members are owners of rice-fields and other interests in the villages? I do not think Your Excellency's advisers have ever considered this point carefully. In the light of all that I have said, I ask Your Excellency to refer this Bill to a committee for further consideration.

Mr. PEER BACCHUS: In my view, sir, this Bill is more important than the Franchise Bill because it affects the administration of the rural districts and upon the prosperity or otherwise of these areas depends the progress of this Colony. When the District Administration Scheme was introduced it was with a view to improving the economic status of the people in the rural districts, but today we have nearly 100 villages under the wings of the Local Government Board although they only cover about 20 per cent of the rural areas in the Colony. I do not know whether Government thinks that improving the standard of living and training the people in civic affairs—as the Commissioner of Local Government had said—as only 20 per cent. of the rural areas would assist in the progress and prosperity of this country. If so, I wonder what length of time it would take to cover the rural areas entirely.

In order to bring prosperity to these areas and achieve the purpose for which it has been created, the District Administration Scheme must have confidence in itself—confidence to explore the entire Colony and take it under its wings. At present, we find one district functioning under the Local Government Board and then, about three or four miles away, we find another. On the other hand, it would be found that the cost of maintaining and draining a single village is sufficient to give the same service to an area of five or ten miles, covering several villages, perhaps. I hope the day is not far distant when the District Administration Scheme would be bold enough to take bigger steps in the interest of the Colony as a whole.

So far as the Bill is concerned, I am supporting it in principle and subject to certain amendments which I propose to move. The intention of this Bill, I venture to say, is very good, but I do not think certain clauses would be in the best interest

of the Colony. I propose to ask Government to consider my amendments and to say whether they would agree to accept them. One of them refers to clause 32 and the five-mile limit relating to residence by a member of a village or country district. We find that the Local Government Board has delegated unto itself the right and privilege of choosing as a member of a village or a country district a person residing up to five miles away from the district, yet that right is being denied ratepayers when it comes to selecting their councillors. Why should the ratepayers be denied this right if in their judgement a person living outside the district would serve them better as a councillor than one residing within it?

As regards clause 37 which deals with the qualification of voters, I notice that no rental qualification is being provided for voters in the districts, but I think it is only right and fair that it should be provided, since any person could register as a voter and exercise the franchise with respect to Legislative Council elections on rental qualification.

Clause 51 (1) states that "the Board shall appoint Returning Officers" but I think it would be very much appreciated if the words "other than a member of the Board" be added thereafter. I do not think it would be wise for the Board to appoint any of its members to be a Returning Officer in any district. We who have some experience of rural areas know of dissatisfaction over one thing or another relating to Returning Officers. Complaints have been made many times against the conduct of certain Returning Officers and the Board has had to investigate them, so that it would be embarrassing both to the member and to the Board itself if he is appointed to be a Returning Officer. Therefore, in the interest of all concerned it should be specifically stated in this Bill that no such

appointment should be made. These are some of the amendments I intend to move and, of course, there are others which have nothing whatever to do with the rural areas.

This Bill proposes to interfere not only with the owners of property, but also with the property rights of adjoining neighbours to some extent. The hon. mover of the Bill has suggested that the complaints which I have made with respect to adjoining dams on two estates would be settled, but this Bill as arranged would not remove the difficulty at all. Government will have to give serious and early attention to the question of adjoining dams and provide the necessary legislation, since this is a very troublesome question in the country districts.

I suggest that a Committee be appointed to consider the question of side-line dams throughout the Colony and to make recommendations thereon to this Council, especially in view of the fact that large sums of money are being spent on drainage and irrigation in rural districts, and that in all these drainage areas there would be such dams. If legislation is not made to protect the interests of those proprietors I am afraid that would be a contributory factor to their not being able to pay their rates in the drainage areas. In addition they would not get the use of the dam which is intended, and perhaps their crops might be lost. Government should take early steps to remedy that defect.

I am supporting the Bill in principle but I have suggested certain amendments. I must admit that they did not find favour on the Committee, but I told the Committee that I was so convinced that my suggestions were reasonable that I intended to place them before this Council and get its decision on them. I hope the Council will give due consideration to those amendments in the interest of the villages.

Mr. SEAFORD: As the hon. Member who has just taken his seat has said, this is a very important Bill because on the carrying out of its provisions depends, as he says, good government in the country districts. This Bill is to consolidate the enactments relating to local government, but opportunity has been taken to make a few amendments. I feel that in making those few amendments Government might have gone a little bit further and made a few more amendments. I think slightly wider powers might be given to the Village and Country Authorities which, as the mover has said, are the training ground for the government of the future. It may well be an augury of future self-government in this Colony, as the way the villagers handle their own affairs will determine whether we are fit to govern ourselves. For that reason I suggest that wider powers might be given them.

The hon. the Sixth Nominated Member (Mr. Edun) and, I think, the hon. Member for Essequibo River (Mr. Lee) asked what right have sugar producers to be represented on the Board? I can answer that question straight away—I say absolutely none. They have no right to be represented and do not wish to be represented. There is one representative on the Board today at the request of the people. They asked that he should be there because they want his very wide experience of drainage and irrigation for the assistance of the Board. I may remind the hon. Members of another member of the Sugar Producers' Association who was Chairman of a village for a good many years. On several occasions he asked to be allowed to resign but the people asked that he be not allowed to do so.

The hon. Member for Essequibo River asked that the Bill be referred to a Committee to consider the whole question. I may mention that I have

been in consultation with representatives of the Village Councils who told me that when the Bill was first published they sent to Government certain suggested alterations, some of which have been accepted while others have not. They however told me that they would be quite happy with the Bill as now put before this Council, with one or two additional amendments. I agree with the majority of the amendments they have suggested, and I shall move those amendments when we reach the Committee stage.

I do not propose to delay the Council by going into the various clauses of the Bill now. I regret that I have not been able to follow my custom of consulting the officer responsible for the Bill about the amendments I propose to move. Owing to the very long time we have been sitting in this Council—for three or four weeks—I regret I have not had an opportunity to do so.

Mr. GONSALVES: I was not inclined to take any particular part in the debate on this Bill, but the hon. the Sixth Nominated Member (Mr. Edun) having referred to the report of the Hector Josephs Committee in 1930 and said that I was the sole surviving member of that Committee in this Council, I think that perhaps I should say just a few words. The Committee spent quite a little time in going into the question of District Administration, and had as its Chairman, the then Attorney-General of this Colony, the late Mr. Hector Josephs, who had very wide experience of District Administration in Jamaica, and I am glad that the report was produced by a Jamaican who was Attorney-General of this Colony.

It is some time now since I last saw that report, and the hon. Member, having gone carefully through this Bill, has found it necessary to refer to certain sections of that report which he thinks may be applied to the

arguments which he has put up in connection with the Bill. It is correct to say that one of the things considered by the Committee and recommended in the report was that at some time it might be considered necessary to establish County Councils. It was felt at the time when the Committee sat that that might have been an opportune time to do so, but I think it was stated in the report that it was a matter for future consideration. The point, therefore, is whether the conduct of Village Councils during the period of 15 years from 1930 to 1945 justified the creation of County Councils. To answer that question perhaps some investigation is necessary, and until and unless we hear from the Commissioner of Local Government with regard to the conduct of the Village Councils it seems to me that it might be unreasonable to press further the claim for the establishment of County Councils.

There can be no doubt that the ultimate goal should be the enlargement of the Village Authorities. I do not know whether the answer is going to be that although 15 years have gone by the time is not opportune for the creation of County Councils. There must be some time, unless Government wants to have the charge made against it that it was never intended at any time to establish County Councils. If it was intended that that step forward should be taken then I can see no reason why the matter should not be considered.

As regards the section of the Bill dealing with franchise one hon. Member raised the question that provision should be included in the Bill for rental qualification for voters in the villages. I am inclined to think so too, because in view of the recent extension of the general franchise of the Colony I think we should make a similar concession to the villages. In one of the clauses of the Bill it is

provided that a person must be resident in a village for 12 months before he is eligible to be registered as a voter. In the Franchise Bill I think the period is six months, and unless I hear something against it from those intimately acquainted with the village districts, like the hon. Mr. Jackson whose lifetime has been spent in the villages, I think the period of residence in a village might well be reduced to six months.

The hon. Member for Georgetown North (Mr. Seaford) said, and I agree with him, that nobody from the Sugar Producers' Association requested or desired to be on the Local Government Board. The hon. the Sixth Nominated Member (Mr. Edun) was dead against any such representations because, he said, the sugar producers had nothing to do with the villages.

Mr. EDUN: What I meant was that if the intention is to establish County Councils the Sugar Producers' Association should have representation on such Councils.

Mr. GONSALVES: At any rate the point I was getting at is that whatever the hon. Member's views might have been regarding the Association, having heard the hon. Member for Georgetown North he cannot say that the representation of that Association would be detrimental to Village or County Councils, because the hon. Member for Georgetown North has told us that the representatives of the sugar industry have in the past assisted in the administration of the villages. I cannot see myself why they should be debarred because, being in the area of the villages, they must be to some extent interested in their administration. After all people living in the villages work on the estates, and in some districts there is connection between the estates and the village districts in the matter of

irrigation, drainage, water supply and things of that kind. I do appeal to the hon. Nominated Member not to be always so suspicious of the help which the Sugar Producers' Association might give in matters relating to the villages,

In view of what has been said by Members, and particularly in view of the representations made to the hon. Member for Georgetown North, I am inclined to agree that three or four Members of this Council might be appointed a Committee to go through the Bill in the light of the amendments which have been suggested. A similar procedure was adopted in the case of the Franchise Bill and another Bill about two years ago, when the Attorney-General and two or three other Members of this Council went into the Bill. I think it would serve a very useful purpose and should enable the Bill to be put through as quickly as possible.

Mr. JACKSON: I desire for a few moments to make some observations on the Bill before the Council. I am strongly of the opinion that certain Members of this Council are mistaken as to the reason why the Bill has been brought forward. It seems to me that they have the idea that the Bill is intended to give the people of the villages everything they want, and to have a new Village Ordinance altogether. Their reference to County Councils gives that impression. What I would like to impress on the minds of certain Members is that when a Commission or a Committee is appointed to consider any matter its recommendations need not *ipso facto* be carried out *in toto*. They are simply recommendations, and if the Council feels that certain of them should not be accepted, or are not perhaps suitable to the conditions existing at the time, it should not be blamed for not accepting them. I do not understand that the object of this Bill is to give to the people in the villages more than they can chew.

With respect to the question of having nominated members in a Village Council I would like Members to understand that at the bottom of it all is the desire to give a measure of autonomy to the villages by giving them the opportunity of assistance from persons who may not be resident in a village but who, in view of their ability, may be able to help and guide the Village Councils in their work. Those of us who know the average village councillor will tell this Council that but for the assistance given by the nominated councillors the Village Councils would have made a mess of village administration long ago.

The idea that the sugar interests should not be represented on the Local Government Board is to my mind wild. At the inception of the Village Ordinance, which gave wide powers to the people, I am in a position to mention that in one of the largest and most important villages in the Colony at the time a sugar planter was the first Chairman of the Village Council. He was a neighbour of the village to which he was appointed Chairman, and had taken a very deep interest in the affairs of the people of that village, some of whom worked on the estate which he managed. Large numbers of people of that village earned their living on the estate, and when the Manager accepted the position of Chairman of the Village Council the villagers were delighted and gave him every support. As a matter of fact he only resigned the appointment when he felt that he had assisted them to a great extent, and that perhaps they might be able to carry on. I do not understand why there should be such a feeling among certain Members of the Council against sugar and against those who have in the past done so much for the villages and for the people generally when they were required by the people and their assistance gratefully accepted.

The object of this Bill is not to create a new situation altogether in the villages; that was never intended. Villagers and councillors complained that there were so many amendments to the Ordinance that they did not know where they were. Some of them even attempted to procure an Ordinance under which they could work, and it was thought that in the interest of the villages and the Councils the existing Ordinance and its various amendments should be consolidated and placed within their reach. I do not know of any other Bill which, before being considered by this Legislature, was placed before the people to be governed under it to go into it and make recommendations. Before this Bill was introduced into the Council the members of the Local Authorities and the organisations which work for the benefit of the Local Authorities were given an opportunity to consider it in detail and make recommendations. I consider that a fine gesture—to give the people an opportunity to study the Bill and suggest amendments, and then to incorporate into the draft Bill as many of their suggested amendments as seemed feasible and worthy of being included in the Bill.

Every opportunity was given and everyone who has made recommendations knows that some of them are accepted and others are not. I do think that the manner in which this Bill has been drafted is a clear indication on the part of Government to give the people a free hand and every opportunity to assist in getting the various sections in order.

To my mind, sir, this Bill is a distinct improvement on the Ordinance which it is intended to supersede. First of all, the bringing of the various enactments into one volume is a consideration which should be gratefully accepted and I am quite sure that if the village and the country districts were represented in this Council by members from those areas,

they would not have adopted the attitude that has been taken by certain hon. Members in relation to this Bill. I think the members of the various local authorities would have accepted the Bill and would have endeavoured in a mild and temperate manner to see whether they could get more amendments adopted. I say it, sir—and I say it with authority—that nothing would give the Local Government Board greater pleasure than to meet the wishes of the villagers, so far as they are not in keeping with what they ought to be. If certain recommendations were not accepted, it is because the Board in its wisdom and by a majority considered that they should not form part of this Bill. I am satisfied, nevertheless, that this Bill is a distinct improvement on the present Ordinance.

I do not know whether anyone could expect the villages to have better representation on the Board than that proposed in the new constitution. If the clause goes through, there would be three members of the Board who would be regarded as fixtures and is it not a compliment to the village authorities to know that one of the members who would be considered a fixture is the President of the Village Chairmen's Conference? I think they should regard that as a privilege and record it with pleasure, doing all they could to support the Bill before this Council. The three members who would be regarded as fixtures on the Board are the Commissioner of Local Government, the Director of Medical Services or his deputy; and the President of the Village Chairmen's Conference. I wonder if anyone is so blind as not to be able to see why the Commissioner of Local Government should be a member, when he has to exercise his mind towards the smooth working of villages? I wonder also whether anyone could be so dull as to say that the Director of Medical Services or his deputy does not deserve a place on the Board?

I have already accounted for six members and in addition to these there are to be two members of village councils or local authorities. In all, the villages will have three representatives on the Board and if we take the Elected Members of this Council as representatives of the villages also, we would have to add to the number. One member of the Board is to be drawn from the Sugar Producers' Association and I am satisfied that that proposal is correct. I think the villages should regard the sugar people as neighbours interested in their welfare and there is no reason why they should not be included in the personnel of the Board. One other person is required to complete a list of ten members, but that selection has not yet been decided by the Village Chairmen's Conference. The Conference gave no authority to the Board in that respect, because certain persons felt that the seat should be given to an officer of the Agriculture Department, while others felt that the situation should remain as it is in the Bill. One or two hon. Members may not be satisfied with the personnel of the Board, but I want to tell them that the persons most interested—the villagers themselves and the village councils as their representatives—are perfectly satisfied and I think they are wise in that respect. The Board is as representative of the villages as one could expect it to be.

As regards the question of elected councillors in the village and the country districts, we have heard over and over again in this Council the complaints expressed here today. It is urged that there should be all elected councillors in the village districts, but if they are to be of the same type as those advocating the change in this council, then Heaven help us, because I know the Village Ordinance would have to be scrapped and the people taken under the wings of the Board. I have endeavoured to give my impressions of the Bill before this Council and I am quite sure that if hon. Members are convinced that

certain amendments are necessary, they would be prepared to consider them in a spirit of "give and take." I say again that no hon. Member should expect all his recommendations or suggestions to be accepted feeling that he is infallible and that whatever he says should stand. No one should endeavour to hound down any body of men who do not agree with all his views, or feel that they are opposed to him and to the progress of the people. This Bill, if carried out in the spirit in which it has been presented, would be of very great benefit to the village communities which it is intended to assist.

Mr. JACOB: I merely rise, sir, to move an amendment to this Bill.

The PRESIDENT: I am afraid you have spoken already.

Mr. JACOB: I am moving an amendment, sir.

The PRESIDENT: I am afraid you have spoken already. You can, if you will, pass the amendment up. Mr. Attorney General, would you formally put it forward?

The ATTORNEY GENERAL: The amendment proposed by the hon. Member is that this Bill be deferred for a period of six months and that in the meanwhile it be referred to a committee for consideration and report.

The PRESIDENT: Is that being seconded?

Mr. EDUN: I beg to second that, sir.

The PRESIDENT: Does any other Member wish to address Council? If not, I will call upon the Commissioner of Local Government to reply.

Mr. LAING: The purpose of bringing this Bill before this Council has been referred to by the hon. Mr. Jackson. It is in order to consolidate

the various amendments to the principal Ordinance which provides for local government in this Colony. The Village Chairmen's Conference has stressed for many years the necessity for bringing this Bill forward, because it was found almost impossible for village authorities to follow the Local Government law, scattered as it is in many amending Ordinances. Another reason is that members of the Village Chairmen's Conference have told me that their request for a consolidating Ordinance has celebrated its silver jubilee. I think that is an exaggeration, but I do feel, sir, that this Bill is very necessary, and I am sure the villagers and other persons are looking forward anxiously to its enactment.

In regard to the system of local government, the hon. Member for North-Western District, the hon. Member for Essequibo River and the hon. the Sixth Nominated Member (Mr. Edun) have all condemned it, but I do not think the system of local government in this Colony is so bad. I have visited many West Indian Colonies and have found nothing like it. When I was in Jamaica, an officer of the Imperial Government had just left there after completing an investigation into the possibilities of establishing a system of local Government in the island. Reference to the development of Local Government in these parts has been made by the Comptroller for Development and Welfare in the West Indies and I think it would be right for me to read what the Social Welfare Adviser thought of Local Government in British Guiana, after I had the pleasure of accompanying him on a visit from the Pomeroon to Crabwood Creek in the Corentyne District, and giving him a full opportunity to meet village councillors and discuss their affairs with them. He writes—and I quote from the report of Professor Simey, a Professor at Liverpool University in Public Administration and an authority on Social Science:—

"The most striking feature of social administration in British Guiana is the sound system of local government which the Colony possesses. The existence of this machinery provides an excellent political and administrative education for the people in the localities it serves, and also affords a means of dealing with a wide range of problems which affects social life in these districts".

That, sir, is not a condemnation of local government in this Colony. It is just the reverse. I hope the hon. Member for North-Western District, the Sixth Nominated Member (Mr. Edun) and the hon. Member for Essequibo River have read this report. I doubt very much whether their experience in local government is as wide as Professor Simey's.

Mr. EDUN: To a point of correction. I do not think I condemned the local administration at all. What I said was that there is great room for democratic improvement—not what the Commissioner of Local Government said.

The PRESIDENT: I understand that.

Mr. JACOB: Similarly, sir, I did not condemn the system; I condemned the methods by which it is being carried out. That is the point I have been trying to make.

The PRESIDENT: We understand that.

Mr. LAING: The hon. Member said the system should be consigned to the waste-paper basket. References were also made by the hon. Members for Essequibo River and North-Western District to the effect that Government should show some initiative and bring all the rural districts under guidance of the Local Government Board.

Mr. EDUN: To a point of correction again, sir. I do not remember referring to the rural districts at all.

Mr. LAING: I have made a note of what the hon. Member said; perhaps he has forgotten. His criticism was that Government has shown no initia-

tive whatever in this matter and that this Bill should not be passed. This matter has received the careful consideration of the Local Authorities which are spread over the whole of the populated coastlands. Those areas which have no local authorities are those which have no drainage and it is a question whether it would be correct policy to appoint local authorities to administer areas which are nothing more than large swamps. Government's policy in this matter—a policy to which I have already referred—is that these areas should be properly drained and thereafter brought under the administration of local authorities. The policy is quite clearly set out in Your Excellency's despatch to the Secretary of State on drainage and irrigation, and also in a Bill which was placed before this Council recently in connection with the partitioning of certain areas. Government is endeavouring, as funds become available, to drain these areas and to appoint local authorities for them. That is the initiative which I feel the rural communities desire Government to exhibit.

I would refer to the improved areas of Dartmouth, Sisters, the whole of the Mahaicony—Abary area, Kiltearn on the Corentyne Coast, and others where Government has executed drainage works with the object of bringing those areas under local authorities. I do not know whether hon. Members would describe this policy as a good one, but I should prefer to know that all local authorities have a responsibility to administer some area which has already been drained, rather than giving them the responsibility of trying to administer areas without drainage. For instance, there is no local authority between the Mahaica and the Mahaicony rivers, except the central Mahaicony area on the left bank of the Mahaicony river, the reason being that there is no area there with good drainage. What would be the use of appointing local authorities to administer these areas?

Mr. LEE: To a point of correction. I would like to refer to the case where a petition was sent from Kingston, Leguan, praying for the appointment of a local authority, but up to the present nothing has been done.

Mr. LAING: My hon. friend has a faulty memory. Kingston was granted a sum of money to establish drainage but the people there did not accept the money because they refused to be brought under a local authority. In rural districts where there is no drainage the Local Government Board is the local authority so that if there is anything that could possibly be done to help them it can be undertaken by the Board as the local authority.

One hon. Member referred to the rural districts and said they did not receive any attention but, of course, that is not so. The whole of the Colony, exclusive of Georgetown and New Amsterdam, and exclusive of the village and the country districts, is a rural district, and the Local Government Board is the authority, so that if any assistance is required in those areas it can be given by the Local Government Board.

With regard to the position of the Local Government Board, I would like to add a word to what the hon. Mr. Jackson has said and to point out that copies of this Bill were sent to all the local authorities, the Unions of Local Authorities and the Village Chairmen's Conference, for their comments. The only suggestion which the villagers made regarding the constitution of the Board was that the "one other person" provided for should be an officer of the Agriculture Department.

Now, the hon. Member for North-Western District and the hon. Member for Essequibo River are urging that the Board should be comprised of Elected Members of this Council and that the Chairman should also be an Elected Member. The question is,

however, whether that would be acceptable to the villagers. The villagers have never expressed such a desire, and I feel uncertain whether they would approve of such a Board being forced upon them against their wish.

The hon. Member for Western Ber-
bice (Mr. Peer Bacchus) referred to the qualification of village councillors and suggested that a person living five miles away from a village, if otherwise qualified, should be eligible for election to a Village Council. There again the same objection applies. The villagers themselves have not expressed the wish that a person living as far as five miles away should be eligible for election to the Village Council. The present Ordinance provides that candidates for election must be resident in the village. The five mile radius applies to nominated councillors, and here I will again refer to the remarks made by the hon. Mr. Jackson as to the value of the nominated member in a Village Council.

One hon. Member suggested that it would have shown progress had the Bill contained a provision that instead of two-thirds the whole Village Council should be elected. I am not at all sure that that would make for progress. I think it right that villagers should have the right to elect the majority of their Council, and that the councillors should elect their own Chairman, but it is of great assistance, as Mr. Jackson was at pains to point out, that the Local Government Board should be given the right to select other persons interested in village affairs and ask them to accept nomination to Village Councils. It works very satisfactorily. We have been able to place on those Councils schoolmasters and others, who have been of very great assistance to the village authorities, and I feel that the village authorities would be the first persons to acknowledge the assistance the nominated members have given.

The hon. the Sixth Nominated Member (Mr. Edun) referred to the system of local government here as being built upon the form of government in Nazi Germany. I cannot claim to be a student, as he appears to be, of that system of government. The system of local government here is that the Local Government Board, which has powers of general supervision, has a very large unofficial majority, and the people in the villages have the right to elect two-thirds of the members of their Council. I personally have never heard of any such thing in the Fascist regime, but my friend tells this Council that that does exist. However, I cannot see where the two systems are in any way comparable, but perhaps he may be able to explain later on.

The PRESIDENT: The suggestion is that the Commissioner is a spy. (laughter).

Mr. LAING: The hon. Member referred to the District Commissioner as a spy, and said that he has powers of nomination. Of course that is not true. The District Commissioner knows the people in his district and submits the names of persons he thinks are suitable for nomination to the local authorities, but the appointments are made by the Local Government Board. He is quite mistaken in thinking that the District Commissioner, the spy of the district, nominates those people and has power to do so. All the power he has is that he has the right under the Ordinance and under this Bill, to attend meetings of the local authorities, take part in the discussions and guide their deliberations, but he has no vote. That I think is what was contemplated in Sir Edward Denham's memorandum to which my friend referred.

He referred also to the report of the Committee appointed to consider local government. I know that report very well; I wrote it and I know its contents. I know that the objective of the persons who formed

the Committee under the late Mr. Hector Josephs was to set a target at which we should aim, and that target was the enlargement of the present districts with the ultimate goal of County Councils, with special Committees to deal with public works, roads, education, financial matters, etc.—certainly a very long step forward in our system of local government. As the hon. Member for Georgetown North (Mr. Seaford) pointed out, a condition precedent to the appointment of County Councils was a very large extension of the present village areas.

I have some personal experience in trying to combine village districts. I am quite sure that Members of this Council who have some experience of life in the rural areas will know that villagers take great pride in their villages and would submit to amalgamation with other villages only when they have been convinced on the strongest possible grounds that it is to their advantage that they should be so amalgamated. In the East Demerara district I was successful in combining the village of Mahaica-Helena-Supply, and Clonbrook with Ann's Grove, but as soon as my back was turned Clonbrook separated from Ann's Grove. I spent much time in trying to combine Sparendaam, a very small but delightful little village which adjoins Plaisance. It is drained through Plaisance and is really a part of Plaisance, but although they were small they said they would prefer to remain that way.

The point is: are we, as certain Members suggest, going to force upon these villages something they do not want and have never expressed a desire for? Are we willy nilly going to extend their boundaries to include other districts against their wishes? I personally feel that such a thing would not be wise, and I do not think it would be in accordance with democratic prin-

ciples so dear to the hon. Nominated Member. County Councils are all very well in large and developed countries, and as one of those who had an opportunity to study the matter and contribute to the report, I feel that it is something we should aim at.

The hon. Member for North-Western District (Mr. Jacob) and other Members have deplored the number of Country Districts as compared with the number of Village Districts. In that matter they have my most sympathetic support. I have said in this Council on several occasions that it is very desirable that we should have more Village Districts and fewer Country Districts. I have asked hon. Members to assist me in bringing that about. They have not given me that assistance, and they must know the reason why.

Mr. JACOB: I rise to a point of correction. The Local Authority of Kitty petitioned this Government and the Imperial Government to have their status raised to a village, but they have not got that yet.

Mr. LAING: The hon. Member is quite well aware, from remarks made earlier in the debate, that Kitty will be made a Village District. I am merely waiting on the passing of this Bill, which he desires to be postponed, to create Kitty a Village District.

Mr. JACOB: That again is absolutely incorrect. The status of Kitty was reduced, and it should have been raised in the same way as La Grange was reduced and raised.

Mr. LAING: Perhaps the hon. Member can show me how it can be improved in status under the existing Ordinance. I myself, with a lot of experience in these matters—perhaps not equal to that of my friend—have said that one of the difficulties under the present Ordinance is that there is no easy means of converting a Country District into a Village District. Such a provision is in the Bill now before the Council.

Mr. JACOB: Will the Commissioner state whether La Grange was reduced and subsequently raised to the status of a Village District?

Mr. LAING: I have no idea; it may have occurred many years before I had any part in local government.

Mr. LEE: I know as a fact that La Grange was reduced to a Country District and later restored to a Village District.

Mr. JACOB: There was no amendment of the Ordinance, and the law remains the same. My friend is quibbling, I am sorry to say.

Mr. LAING: I am afraid my hon. friend has not studied the Local Government Ordinance. The amendment of that Ordinance provided in 1934 a system of secret ballot and complete arrangements were made in that Bill for the making of a register of voters. The law before 1934 made no provision for a register of voters, therefore one could convert a Country District into a Village District easily. Under that system the Ordinance took away the rights of voters, and the Chairman was the Returning Officer. There was no ballot. It was the duty of the village Chairman or Returning Officer to record the votes, and the villagers quite rightly object to such a system. The law was changed in 1934 and provision was made for a voters' register. This register takes a long time to prepare, and that is the reason why at the present time it is difficult, if not impossible, to convert a Country District into a Village District. This Bill before Council makes this easy. It is quite possible that La Grange was restored to village status under the law prior to 1934.

In regard to the question of Country Districts I have asked hon. Members to assist me in this difficult task. I have received no assistance

from them for reasons they probably know. The reason is that Country Districts, for some reason or another, do not wish to be made Village Districts. The President of the East Indian Association recently brought to me the Chairmen of Country Districts on the Corentyne Coast, and said that they desired village status for their districts. I welcomed it, got them to send a petition, and visited the districts myself. I held meetings in the villages with the councillors, but they unanimously decided that they would prefer to remain as Country Districts. I say again that it is as disappointing to me as it is to hon. Members that I should have been unable to loosen the grasp that these Country Districts have upon the apron strings of the Local Government Board.

Mr. LEE: For the information of the Council I may point out that in my own constituency the District Commissioner asked the Local Authority whether they desired to be raised to the status of a Village District, but the villagers were of the opinion that if they were made a Village District their houses and land would be taxed, whereas in a Country District only their land was taxed.

Mr. LAING: My friend, with his knowledge of the law, should have been able to explain that there was no difficulty of that sort. I rather fancy he did not explain this because no petition from the district has come before me for an improvement of the status.

Mr. LEE: We are waiting on the passing of this Bill.

Mr. LAING: The passing of this Bill will not be expedited by asking for its deferment for six months. (Laughter). I think I have dealt with all the remarks except those of the hon. the Sixth Nominated Member on the question of franchise. No progress, he said, has been made in village administration because the franchise remains

on a property qualification to the value of \$50, which he said has existed since 1892. I do not know whether that is right. My memory only goes back to 1907. If it was so in 1892 it shows how progressive local government has been in this Colony that in all these years the qualification has been as low as \$50. This Council recently accepted my report on rural housing in which the value of a house in a village is estimated at \$650. Where in any village can the hon. Member tell me that a house and land together are worth less than \$50? What then would have been the advantage in reducing the franchise below a sum which is actually the minimum? Does that show that there has been no progress in local government, as he would have us believe? I do not think the hon. Member is right. A property qualification of \$50 is a very low qualification for a voter in a Village District.

The hon. Member for Georgetown North (Mr. Seaford) asked whether persons renting property in a village should not be qualified for election as councillors in their village. This has been discussed on many occasions with the village authorities, but on every occasion they have rejected it. Whether this Council will be able to convince them that it is desirable that a person who has no property in a village but merely rents a house, should be eligible for election as a councillor, or even as Chairman of the village, I do not know. I think we will find the villagers hard to convince on that point, but it is a matter that should be considered when the proper time arrives.

The PRESIDENT: The points raised during the debate on the second reading of the Bill have, I think, been very adequately answered by the Commissioner, but before putting the question I would just like to repeat what he has said—that this Colony enjoys a system of local government which is vastly in advance of anything that exists in the British West Indian

islands. In saying that I am not only repeating an expression of opinion by many qualified advisers in London, and those who have visited this Colony, including Professor Simey, but speaking of my own personal knowledge which after all, is not small. Incidentally, the first twelve years of my Administrative service were spent in little else than village and district administration.

I do regard sound village administration as being the very rock basis of good administration of the Colony. I am not anything like intimately acquainted with the details of the working of village and district administration in this Colony. That is my regret but, as you know, I have a great many and very important things to carry, and an immense amount of my time is taken up with the extraordinary burden of administrative detail which, in this Colony, is cast upon the Governor for many reasons, and if I had to give that close personal attention and study to village administration I should have to throw something else overboard—shall we say, for example, the question of the franchise, or drainage and irrigation? But when I find in this Colony an officer so well equipped as Mr. Laing I am prepared to rely and lean heavily on that officer and the assistance of the Department for which he speaks. During my period of nearly four years in this Colony I have never once asked a question or addressed a point to Mr. Laing without having it fully and adequately answered.

I have the strongest reason to believe that this Bill, however much I or others might have improved it had I given weeks, days and hours to the study of it, does represent something that is wanted by the village authorities themselves. I therefore cannot accept the proposal that it should be deferred. It has been suggested that we should defer it for six months while we appoint a committee

of ourselves to study the United Kingdom law and so on. Just think what would happen. In the year 1949 we might get the report. I can see that committee sitting and not getting a quorum, and members refusing to turn up. I have had far too much of that that sort of thing myself. I am quite satisfied that this Bill is desired by the village authorities themselves, and therefore we should get on with it.

One matter was raised during the the debate which is of some importance, and that is the establishment of County Councils. My own personal inclination is towards that, because I do believe we have far too much centralisation in this Government, far too much departmentalism at headquarters, and I should be very glad indeed to see machinery composed of Government officers and representatives of Local Authorities in each County, or each section of this Colony handling its affairs as much as possible on the spot. I found Professor Simey, with his very considerable knowledge of local government, against the proposal. I regretted to find that, and I should be very glad myself if I had the opportunity and the necessary knowledge to go on with it. but I am certainly not prepared to interrupt this Bill because it does not contain that provision.

We have an amendment before us that the Bill be deferred for six months, and that in the meantime it should be referred to a Select Committee of the Legislative Council. The manner in which I shall have to put that amendment is as provided under Rule 17—"That the words of the question stand as in the original motion." which is that the Bill be read a second time.

Motion put, and agreed to.

The PRESIDENT: I now put the question that the Bill be read a second time.

Agreed to.

Mr. LEE: I would like to say that I do not wish the Commissioner or Your Excellency to feel that in my remarks I have attempted to belittle the officer's ability in the administration of local government in this Colony. I have worked with him and I know of his ability. My policy is that the Ministry system should be worked up to in this Colony, and I shall pursue that policy, but it does not form part of the Bill before the Council.

LEGISLATIVE COUNCIL (ELECTIONS)
BILL, 1945.

The PRESIDENT: The other business was to proceed with the Franchise Bill, but we have just five minutes left. I think it would help Members if I asked the Attorney-General to explain what he will put up to us tomorrow. The amendment for the introduction of 48 hours in clause 20 (1) has been accepted, but it means that I shall have to re-commit half a dozen clauses for consequential amendments.

The ATTORNEY-GENERAL: Two amendments were proposed with regard to clause 3 (1) (h), one by the hon. Member for North-Western District (Mr. Jacob) and the other by the hon. Member for Essequibo River (Mr. Lee). The amendment by the hon. Member for North-Western District deals with giving a wife qualification on her husband's income. I shall deal with that in detail to-morrow, but I would suggest to the hon. Member that from the point of view of principle it cannot be entertained. It is an innovation, and the hon. Member will appreciate that in this Bill and in all legislation of this nature there are first of all three basic qualifications, which are that a person must be a British subject who has attained the age of 21 years; must be able to read and write some language and is not subject to any legal incapacity.

Apart from those there are property or income qualifications, or qualifica-

tions based on taxation. The income qualification has to be accompanied by residence, and the income is something personal to the person who is registerable. Consequently we are being asked to provide a fictitious or unreal qualification by saying that where a husband earns \$240 per annum *ipso facto* his wife should be registerable. That is contrary to principle because it opens the door to several difficulties. Where a wife has an income either by way of possessing property or paying taxes, or by having an income of her own, she is, of course, registerable, but it would be going beyond all accepted principle to say that a wife should be registerable on the income of her husband. I do not know who is to do the registration—the husband or the wife, or if the wife lives in the North-West District and the husband in Georgetown, whether the husband attracts the wife to his place of residence or not. I am sure the hon. Member appreciates the point and I will not pursue it.

Mr. LEE: What is the position where a wife lives with her husband?

The ATTORNEY-GENERAL: I do not know what the hon. Member means by "living with her husband." (laughter). I am sure the hon. Member knows that the term carries a number of pitfalls. The hon. Member's suggestion was that we should reduce the income qualification from \$120 to \$60 per annum. The hon. Member is fully aware of the history of this Bill and I am sure I need not emphasize it. There has been a Franchise Commission, the majority report of which recommended an income qualification of \$120 per annum. Then the matter was discussed some time last year by this Council which accepted the principle of an enlargement of the franchise so as to embrace a large number of people of the Colony who were hitherto excluded from becoming voters.

There must be a limit. If we are to have an income qualification at all it

is necessary that there should be a limit. That limit has been fixed at \$120 per annum after serious consideration had been given the matter. We must stop somewhere, otherwise the hon. Member would be entitled to say: "Why not go a little lower and make it \$48 or \$24?" We would then taper off right down to the point of adult suffrage. If it is considered that we are not at the present time ripe for adult suffrage it must obviously mean that there must be a limit in respect of the earning capacity at which a person can become registerable. That being so I am sure the hon. Member appreciates that we cannot go below what is already fixed after serious discussion and after the matter has been decided in this Council.

The other point raised by the hon. Member for Essequibo River (Mr. Lee) was that there should be a period of grace—48 hours—allowed a candidate for the delivery of a statutory declaration of his qualification to the Returning Officer after nomination. As Your Excellency has informed Council, that suggestion has been accepted by Government, and entails certain consequential amendments. The point bears on clause 20 (1), but it will be appreciated that following upon that acceptance other amendments will be necessary. For instance, where there is one candidate nominated, and at the end of the nomination he has not delivered his statutory declaration he would have 48 hours within which to do so. Consequently, on account of the fact that he is the only candidate nominated, he cannot be declared duly elected until he has delivered his declaration of qualification. The period of grace allowed him would cause delay in the declaration by the Returning Officer that he has been elected. I am sure the hon. Member will appreciate that.

The hon. the Sixth Nominated Member (Mr. Edun) suggested an amendment to clause 80 to provide for a

deposit to be made by the petitioner in an election petition. My answer to him is that it is covered by clause 93 (1) which provides that Rules of Court may be made for the deposit or giving by a petitioner of security for costs. I hope the hon. Member is satisfied.

The hon. Member also suggested an amendment to clause 48 (1) to make it an illegal practice for any person, or directors of an association or corporate body, to make a public statement of the withdrawal of a candidate for the purpose of promoting or procuring the election of another candidate. My answer to him is that it is covered by clause 50 (b) which reads:—

50. Any person who—

(b) before or during an election knowingly publishes a false statement of the withdrawal of a candidate at such election for the purpose of promoting or procuring the election of another candidate,—shall be guilty of an illegal practice.

The suggested amendment would make it redundant because in the Interpretation clause “person” is defined as including an association or body of persons, corporate or incorporate.

Mr. EDUN: There are already libel laws, so that by putting this provision

in this Bill we are duplicating it.

The ATTORNEY-GENERAL: My answer is that here we are providing a particular bit of legislation directed to a particular purpose. Propaganda might be used inimical to a candidate’s interest, and that is covered here directly.

Mr. EDUN: It was not included in the previous Order in Council.

The ATTORNEY-GENERAL: I understand the hon. Member; he is agreeing with me, then. (laughter).

Mr. EDUN: I do not think we should continue like this. I cannot accept the Attorney-General’s explanation at all.

The CHAIRMAN: I did not anticipate when I called upon the Attorney-General, that we would have had such a display of oratory and wit from him. (laughter). What it all amounts to is that I think we have to consider about half a dozen clauses round about the neighbourhood of clause 20 which we deferred the other day, and we have to recommit clauses 19, 20 (1) and 24 for consequential amendments.

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