

LEGISLATIVE COUNCIL.

Friday, 8th March, 1940.

The Council met at 10.30 a.m. pursuant to adjournment, His Excellency the Governor, SIR WILFRID JACKSON, K.C.M.G., President, in the Chair.

PRESENT.

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

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

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

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

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

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

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

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

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

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

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

The Hon. G. O. Case, Director of Public Works and Sea Defences.

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

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

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

The Hon. J. Eleazar (Berbice River).

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

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

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

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

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

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

The Hon. T. Lee (Essequibo River).

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

MINUTES.

The minutes of the meeting of the Council held on the 7th of March, 1940, as printed and circulated, were confirmed.

ORDER OF THE DAY.

NEW BUILDING SOCIETY BILL, 1940.

The Council resolved itself into Committee and resumed consideration of the Rules in the Schedule to the following Bill:—

A Bill intituled an Ordinance to incorporate The New Building Society, Limited, and to transfer to that Society the assets of the British Guiana Building Society, Limited.

Rule 49—Removal.

Mr. ELEAZAR: When the Committee adjourned yesterday afternoon I was about to move the deletion of the words "any of its members or" in the fourth line of Rule 49. This Rule contains a mild form of oppression which will give rise to what is known as conspiracy of one's equals, a most distressing form of oppression. It is sought by this Rule to give a majority of the directors the power to suspend one of their colleagues who might not agree with their views. It is like giving three persons of equal standing, like three Judges, the power for two of them to put their heads together to get rid of the third whom they might consider a nuisance.

Amendment put, and agreed to.

Mr. Lee and Mr. De Aguiar entered the Chamber and took their seats.

Rule 44—Qualification.

Mr. C. V. WIGHT: I move that Rule 44 be amended by deleting the word "five" in the third line and substituting the word "ten", and by deleting the words "two hundred and fifty" in the fourth line and substituting therefor the words "five hundred". While this Society has been formed for the benefit of the poor, and the directors are sympathetically inclined towards those persons, it must be remembered that sympathy is a quality which never appears in a more attractive guise than when it is practised at the expense of somebody else. The position is that a qualification of \$250 seems to me very small if one takes into consideration the fact that if the remuneration granted to a director was say \$20 per month, in one year he would recover the amount, and in the second year he would get 100 per cent. I think this Rule is an exception to what the Attorney-General has stated, for this reason: that I cannot conceive that the directors would have the effrontery to suggest to the shareholders that it be altered, or that the amount of the qualification be diminished in any way. Perhaps that is one of the very few Rules which, whether they could or could not, they would be disinclined to change.

Mr. SEAFORD: I am not quite sure about what the hon. Member has moved. Does he think his amendment would provide any greater security?

Mr. WIGHT: It would just show a little more confidence on the part of the directors in rehabilitating or continuing the Society by investing a little more money than \$250.

Mr. SEAFORD: If I could see any advantage in doing so I would be willing to support the amendment, but it seems to me that no advantage whatever would be gained. If people have not sufficient interest in the Society to attend meetings for the purpose of appointing directors it is entirely up to them, but I cannot help feeling that it is rather casting a slur on the directors. It rather points to the fact that they have no faith in the Society before it starts, and we are trying

to bully them to put more money into it in order to show that they have faith in it. I hardly think that is necessary in any business.

Mr. GONSALVES: I understood that the Society was intended for the ordinary man, to help him to invest. If that is so I think every opportunity should be given for that class to be represented on the Board. If we make the qualification for a director too high it might tend to prevent the ordinary man from obtaining a seat on the Board. I suggest that the hon. Member should not press his amendment.

Amendment put and lost.

Rule 44 passed as printed.

Mr. Percy C. Wight entered the Chamber and took his seat.

Rule 46 (1) (v)—When office of director to be vacated.

Mr. DIAS: I observe that by Rule 46 (v) it is proposed to permit a member of the Board to be absent from attendance at meetings for a period up to five months and 29 days without leave. That is unprecedented so far as this Colony is concerned, and I think it is wrong. In all the Articles of Association of companies in this Colony there is a proviso that if a director is absent from either three or four meetings without leave he shall forfeit his seat. If a director wants to go on leave for six months he can apply to the Board for leave, but he cannot be a member of the Board and be away for five months and 29 days without leave, and resume his seat again. This Rule is contrary to all the practice that obtains here, and I do not know how it came to be inserted in this draft Bill. I propose to move an amendment that paragraph (v) be amended by deleting the words "he absents himself from the attendance at Board meetings for a continuous period of six months" and substituting the words "he is absent from four consecutive meetings of the Board." That would conform to the practice obtaining in the Colony. There is no desire on my part to prevent a director obtaining leave to go abroad. A director who is absent for nearly six months and remains in the Colony is not a director at all. He is no use to the

Society. Directors have certain duties to perform in the interest of the shareholders.

Mr. SEAFORD: As far as I can see there can be no objection to the amendment, and I have pleasure in supporting it.

Mr. GONSALVES: I would invite the hon. Member's attention to Rule 53 which provides for the holding of Board meetings as often as may be necessary, but as far as possible at least once a month. If there happens to be three meetings in the following month and a director is absent from them it seems to me that he loses his seat. I would suggest that the period be three months instead of six months. That would mean that assuming that there were meetings once a month a director would be absent from three meetings.

Mr. DIAS: The hon. Member knows as well as I do that he cannot show me a precedent for that in this Colony. This Society is being launched under somewhat difficult circumstances and conditions, and it requires all the attention which the directors can give to it. Although provision is made for meetings to be held once a month I can visualize that meetings will have to be held very frequently in order to get the institution into working order, and therefore it calls for all the attention the directors can give to it. To say that a director can absent himself from meetings of the Board for three months is to introduce a state of affairs with which I do not think any shareholder would be satisfied.

Mr. GONSALVES: I do not press it. I agree with the hon. Nominated Member that the members of the Society would not be satisfied with a director absenting himself, but the director himself would not be satisfied to allow himself to be absent if he is being paid for attending the meetings.

THE CHAIRMAN: There is always the possibility of special leave.

Mr. PERCY C. WIGHT: My hon. friend has forgotten that a lump sum is voted for the remuneration of directors whether they attend the meetings or not, so that it would not be a catch to them to attend.

Rule 46 as amended put and agreed to.

Mr. PERCY C. WIGHT: I would ask Your Excellency to be good enough to have laid on the table the information I asked for as regards the names of the persons who signed the petition to the Governor in Council, because under Rule 41 the first directors are to be appointed by the Governor in Council and will include at least two of the persons named in the petition.

THE CHAIRMAN: I do not see any objection to that.

Mr. WIGHT: Yesterday I asked the solicitor and he was good enough to let me see the petition, but I think other Members are as inquisitive as I am.

THE CHAIRMAN: I do not think there is any objection to that. The petition will be laid on the table.

Schedule passed as amended.

THE ATTORNEY-GENERAL (Mr. E. O. Pretheroe): I move that clause 2 of the Bill be re-committed.

Agreed to.

Clause 2 was amended by deleting the word "First" from the first line of the definition of the word "Rules."

Mr. LEE: Have all the Rules been considered, sir? I think Rule 51 is very strong.

THE CHAIRMAN: The hon. Member has had the fullest opportunity to discuss the Rules. I think the Council will agree that there has been the fullest opportunity to discuss all the Rules.

The Council resumed.

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

COMPASSIONATE GRATUITY TO KOODABACCUS.

THE COLONIAL SECRETARY: I move:—

THAT, with reference to the Governor's Message No. 7 dated 24th January, 1940 this

Council approves of the payment of a compassionate gratuity of \$153 to Koodabaccus, formerly Ranger of Pln. Hague, one of the Government owned estates on the West Coast, Demerara, who served continuously for seventeen years and whose employment was terminated on the 4th May, 1939, at the age of sixty-seven years, as the result of impaired vision.

There is nothing I can add to the motion, except to say that the calculation is based on the formula usually used by Government.

Mr. DIAS seconded.

Motion carried.

EX GRATIA AWARD TO GANGA PERSAUD.

THE COLONIAL SECRETARY: I move:—

THAT, with reference to the Governor's Message No. 8 dated 4th February, 1940, this Council approves of the payment of an *ex gratia* award of \$468 to Ganga Persaud, formerly a section ganger (Driver), Public Works Department, who served the Department continuously for twenty-eight years, and whose services were dispensed with consequent on the re-organisation of the work of road maintenance on the Corentyne Coast, as he was fifty-four years of age and his efficiency was lowered by advancing age.

Mr. DIAS seconded.

Motion carried.

EX GRATIA PAYMENT FOR SALVAGING A PUNT.

THE COLONIAL SECRETARY: I move:—

THAT, with reference to Governor's Message No. 9 of the 6th of February, 1940, this Council approves of the grant of an *ex gratia* payment of \$70 in connection with a claim by Mr. C. C. King for the cost of salvaging a punt which grounded on submerged piles in the Canje Creek and sank with its load of firewood.

This punt was taking a load of firewood used in connection with the Pure Water Scheme. The tide fell before the punt was unloaded, and it rested on a pile. It eventually slipped off the pile and sank, and had to be salvaged. The amount is considered a reasonable sum to be paid as an *ex gratia* award.

Mr. DIAS seconded.

Motion carried.

ADDITIONAL INSPECTOR OF LABOUR.

THE COLONIAL SECRETARY: I move:—

THAT, with reference to Governor's Message No. 11 of the 4th March, 1940, this Council approves of the appointment of an additional Inspector of Labour on the salary scale \$2,400 x \$120—\$3,120 per annum, and of the necessary provision for his salary being included in the First Schedule of Additional Provision for the year 1940.

The work of the Labour Branch of the Local Government Department is increasing rapidly, and when the Labour Code comes into force there will be still more work for that branch of the Department to do. Hon. Members will recollect that this is one of the recommendations of Mr. Orde Browne who recommended that there should be two Inspectors of Labour. Two were actually included in the Draft Estimate for this year, but it was found necessary to economize, and one was deleted. It is now found essential that Government should appoint another.

Mr. DIAS seconded.

Motion carried.

ADDITIONAL DETECTIVE SUPERINTENDENT OF POLICE.

THE COLONIAL SECRETARY: I move:—

THAT, with reference to Governor's Message No. 12 of the 4th of March, 1940, this Council approves of the appointment of an additional Detective Superintendent of Police on the salary scale \$2,160 x \$120—\$2,880 per annum, and of the necessary provision for his salary being included in the First Schedule of Additional Provision for the year 1940.

This post will be an addition to the present strength of officers of the Force. In other words, if the salary is voted nobody in the Force would be debarred promotion. As stated in the Governor's Message, an officer from outside the Colony with detective experience will be appointed. It is felt that an older and more experienced officer is necessary at this stage, and I hope hon. Members will see their way to increase the strength of the Force by the appointment of this officer. The salary proposed is equivalent to that of the present Detective Superintendent, and is also equivalent to that of a County Superintendent of Police.

Mr. ELEAZAR: I am not going to oppose this motion but I do wish to express my opinion on it in view of the fact that we are told that Government intends to bring somebody from overseas to be Detective Superintendent. Government proposes to increase the strength of the Force by one officer, and a stranger, for what purpose I cannot divine, because at present we have quite a number of Superintendents of Police, and in proportion to the number of men they have to supervise I think they are quite sufficient. It seems to me that what we really require are a few more men in the detective force, and Government should see to it that those men have taken advantage of the higher education insisted upon in the Colony, so that from their ranks we might get men capable of making deductions. After all a detective is a man who should be able to use his brain as quickly as the ordinary criminal, and I do not think Government would be erring if it selected a few more men who have taken advantage of higher education. In order to do that Government will have to increase the stipend and make it so decent as not to be despised by the right type of men.

We have young men in the Colony who would not despise the Police Force, as some of them are bound to do under present condition. It is absurd to expect a young man who has been to College and attained the standard of the Senior Joint Board examination, to accept a salary of \$25 per month. It is not worth his while. Such a man, if he had the prospect of becoming a Warrant Officer, would join the Police Force and be very useful. I do not decry the standard of the men we have in the Force at the present moment. We have some very excellent men, but I think the age in which we live now calls for a higher standard of efficiency all round. Even in industry we want more skill. Even unskilled labour can do with a little more skill in the performance of their work. While I do not oppose the motion I throw out the hint to Government that there are persons who think that in making this appointment Government should also have in its mind the possibility of increasing the Police Force generally, and in doing so would take cognizance of the higher education which is being provided all round. I lay very great stress on that, and I emphasize that Government should take into deep consideration the possibility of draft-

ing into the Force men of higher educational standard who would be looking forward to promotion to minor, if not major, positions in the Force which they are capable of filling.

Mr. DE AGUIAR: I am in agreement with the proposal for the appointment of an additional Detective Superintendent, but it is not quite clear whether it is proposed that the officer should be appointed from outside the Colony. Perhaps I am speaking without full information on the subject, but what does occur to me at the moment is this: At the present time we have in the Police Department Assistant Superintendents, Superintendents, and County Superintendents, the post of Detective Superintendent being apart from the three I have named. Within recent years we have increased the number of Assistant Superintendents, and I have always heard it said that promotion in that branch of the Force is exceedingly slow because there is such a small number of the higher posts. There is a good officer in the service who, on account of the paucity of promotions higher up, has had to await his turn. Now that opportunity has arisen I cannot see the necessity of going outside to fill this post. Perhaps it is an admission on the part of the Head of the Department that some of his officers are unable to fill the post.

The position at the moment, as I understand it, is that the Detective Superintendent is at present on leave, and there is someone acting for him. Then there is someone else who is an assistant to the officer who is acting. We have two men at the present moment in that branch of the Department, and the position must be that those officers are not capable of filling the post. I am not taking up anybody's case in the matter, but it does seem to me that there is something wrong about having to go outside to bring a new officer into the service. What is going to happen is that promotion is going to be blocked again. I understand that the salary has been fixed on the same scale as that of a County Superintendent. It seems to me that an opportunity now presents itself to promote those officers we have. That was our difficulty before. We have only four County Superintendents, and there must be something wrong when we have to go outside the present personnel. I know that

the question of these appointments is entirely in the hands of Government, but I do ask that the matter be looked into. One does not want to create an additional post and at the same time block the promotion of those on the lower rungs of the ladder. We have quite a number of youngsters coming up in the service. I do not know many of them, but I do feel that it would be creating a distinct hardship if in bringing somebody from outside to fill this new post their promotion was blocked. I am asking that consideration be given to that aspect of the matter.

THE PRESIDENT: I would like to clear up a misunderstanding which appears to have spread. The hon. Member spoke of promotion in the Force being slow. I do not think he is correct in that. As a matter of fact it has been rather rapid, and the average time of promotion is three to four years. I do not think that is slow. The situation has arisen precisely from the fact that we are getting short of officers with experience. An officer with three or four years' experience is an experienced officer in a sense, but for detective work long specialized training is necessary, and one of the things required in connection with this Force is to strengthen the detective branch by having a man who has already had long experience and has been fully trained in detective work. If we promoted a young officer it would be some time before he has had the necessary training. It takes two or three years at least to make a trained detective, and we want to strengthen the detective branch immediately. I have had very strong representation on that matter from a considerable number of people, and especially to increase the facilities for the training of the detective branch as a whole, which needs an experienced officer to assist in that work. It is no reflection whatever on the present officers. So far from blocking promotion it will ultimately create another senior post.

Mr. AUSTIN: It is frequently said that comparisons are odious, but in this instance the one I wish to make is appropriate. In Trinidad they decided to bring out a trained detective officer and subsequently they got another two. Those officers trained the Warrant Officers and the men under them, and now two of those officers have left and only one remained.

That means that they have trained the Inspectors and policemen to such a standard that local men can take the places of the two officers who have left.

THE COLONIAL SECRETARY: There is no need to add much to what I have already said. We are increasing the number of senior officers and therefore there will be greater opportunities for promotion for the younger men later on. Your Excellency has already referred to the fact that the Assistant Superintendents are all very junior officers, and the senior Assistant Superintendent has had less than three years' service. The acting Detective Superintendent's promotion will not be blocked, because he was recently promoted to be a County Superintendent, and he will be on the same scale as the new officer.

Mr. DE AGUIAR: I was not thinking of the officer who is acting as Detective Superintendent. I know he is a County Superintendent and that his promotion was recent. I was thinking that if some other officer who is now acting as a County Superintendent was made a Detective Superintendent there would be a vacancy in the County Superintendent's post for an Assistant Superintendent. That was the only reason why I made the remark.

Motion carried.

APPOINTMENT OF ADDITIONAL JUNIOR MAGISTRATE.

THE COLONIAL SECRETARY: I move:—

THAT, with reference to Governor's Message No 13 of the 6th of March, 1940, this Council approves of the appointment of an additional Junior Magistrate on the salary scale \$2,400 x \$120—\$3,120 per annum, and of the necessary provision being made on Supplementary Estimate.

Hon. Members will recollect that in the 1939 Estimate provision was made for such an appointment, but at that time it could not be allowed. Permission has now been granted to create this new post, and I am sure hon. Members will be only too glad to support this motion.

Mr. EL CAZAR: I am very glad of this motion, and naturally I want to congratulate

late Government, but I hope there is no fly in the amber. I hope I will not be told it is necessary to have a trained Magistrate from abroad, even from Nyassaland (laughter). I know that if Government casts its eyes around, not very far, it will find—I do not say many—at least two men who are eminently qualified to be Magistrates, apart from those in the Government service now, and who would be only too glad to be appointed as Magistrates. I think that for this appointment Government should look around locally and see whether it is not possible to find men who can fit in. I know there are some people in the country who never can see anything good in the local product. For instance, a lady who recently came from abroad could not appreciate our sapodillas. Her complaint was that they had too much sugar. In the Magisterial and other branches of the Service we have men who are as capable as any we can find anywhere to do these small jobs.

When we were discussing just now the appointment of a Detective Superintendent I omitted to say that I could understand a man trained in England in detective work coming out here to assist our local policemen. In the old days we had officers from the Irish Constabulary who knew their jobs. I do not think we have any officers now as good as those men. I do not despise new blood coming from more advanced countries to fill important posts, but the post of a Magistrate is not one of those from my point of view. I think a knowledge of the people of the Colony and their mode of expression is very essential. Magistrates from abroad, and Judges too sometimes, are absolutely at sea to understand what a person is saying. A local man, if otherwise qualified, has a distinct advantage over the man from abroad. I am very pleased indeed that Government has decided to appoint another Magistrate, and I hope that in making the appointment it will not be prejudiced in favour of an imported man just because he is imported. All things being considered there is no reason why British Guiana should not be like Barbados, for the Barbadians, and Jamaica, for the Jamaicans. In our case it is British Guiana for everybody. I happen to know that there are certain persons in the community who think that we should have a Magistrate or two from outside. I do not agree with

that. If Government wants a Magistrate it can find one just here.

Mr. WOOLFORD: There are a good many other matters which hinge on the successful administration of the duties of a Magistrate which I hope will be enquired into. At the present moment the Colony does require an additional Magistrate. It has been suggested in this Council for many years, and I cannot help feeling that public opinion outside has more influenced Government in making this appointment than the recommendations that have been made from time to time in this Council. That is most regrettable, because it has led to a condition of things in Magisterial circles that is nothing short of disgraceful, and I opine that dissatisfaction is going to occur unless Government thinks it wise and expedient enough to consult experienced members of the Bar who come into contact with Magistrates and their duties far more frequently than any member of the Government.

I have always been accustomed to speak very openly. The Attorney-General of this Colony is the person who is supposed to be in charge of the administration of the Magistrates' Office and their respective jurisdictions. There has existed on the Estimates for many years a vote which was specially put there to enable the Attorney-General to visit the various Magistrates' Courts. Now I do hope that the present occupant of the office will not do what his predecessors did, and never visit the Magistrates' Courts at all. I cannot conceive that any one, however brilliant he may be, can from the seclusion of his chambers know what is going on in the Magistrate's Court by merely looking at returns. If the Attorney-General of the Colony practised in those Courts he would realise that very great dissatisfaction is being caused to the public. I wish Members to understand that this is not a legal matter at all. I do not think anybody, whatever his position in life is, would like to have to go to the Magistrate's Court ten or fifteen times about the same matter. That is a matter which affects the public. If a lawyer is engaged to go to the Magistrate's Court he cannot ask his client to pay, as he has the right to do, for several appearances in that Court, and every Member of this Council who is a lawyer knows that

that is so, and it is simply because the Magistrate is unable to reach and dispose of the cases.

This appointment will be a mistake unless the matter is grappled by experienced people and not by the ordinary administrative officers. The difficulty is the administration of the various Ordinances. We have the Traffic Ordinance, which at times would require the services of a Magistrate for a whole week. I went to the Magistrate's Court this morning. I did not know how many traffic cases there were, but it is impossible for the Magistrate to hear them all to-day. Government must correlate the duties of the Magistrates, with special reference to the Ordinances they have to administer. Besides the Traffic Ordinance there is the Matrimonial Causes Ordinance giving rise to a number of married and unmarried ladies visiting the Magistrate's Court with their respective grievances. Those cases are supposed to be tried. It is not fair to the public that the Magistrate should have to tell them to come back. It is not justice, but owing to the difficulties in which Magistrates are placed those things are occurring every day. What is Government going to do with this Magistrate? Where is he going to be posted? Is he going to be sent to the Corentyne? If so, is he to be the guest of somebody and to sit at the police station? There are no quarters on the Corentyne for him. If he is going to be stationed on the West Coast of Berbice which is also within the Berbice Magistrate's jurisdiction, where is it proposed to put him? There is the initial difficulty at once, because a Magistrate is compelled by law to reside in his district.

Despite the representations that have been made from Berbice there is not sufficient work for two Magistrates in Berbice. I know the district quite well and I am qualified to say so, and I do say so. If two Magistrates are going to be stationed in Berbice Government will find that the congestion in the Georgetown Courts will remain the same. Where is the new Magistrate going to be stationed, and what duties are going to be assigned to him? Unless these things are clearly studied and settled disappointment is going to be created. There is far greater need for the appointment of an additional Magistrate in Georgetown or on the East Coast that

there is in Berbice, although I am not denying the right of the Berbice community to suggest it. I admit that it is difficult for the Magistrate in New Amsterdam to visit the country Courts because, if he has to go to Skeldon, he has to rise early in the morning and cannot always finish his work, and he cannot remain until next morning. If he has to go to Coomacka he has to go by steamer, and if he has to go to Fort Wellington he has to cross the river. I do ask Your Excellency to appoint a Committee to consult with the Attorney-General, not merely to decide where this Magistrate is going to be stationed, but to assign him certain duties and so relieve the congestion in all the Counties. If he were stationed in Georgetown he could reach other Courts from time to time.

I have often stated that much of the time of the Magistrates in the various districts is taken up with what are known as indictable matters, and I am emphasizing a fact which the average person does not know, that when a Magistrate has an indictable case before him he has to take down the evidence, not as he likes, but most of the material evidence or all the evidence given by a witness, and has to read it over to the witness. That takes time. If there are two indictable cases it means that all the other work is left over. Surely it would be easy for one Magistrate to be assigned all the indictable cases in Georgetown and on the East Coast so as to relieve the Magistrates of that work. Why should a Magistrate go to Berbice to decide whether A's licence for a rumshop should be renewed? All those things are wrong, and I am asking the Attorney-General to adopt the suggestion I have made by asking certain members of the profession and the Magistrates themselves to consult with him first in re-arranging their duties and, secondly, to determine, if possible, whether there should not be a change in the jurisdiction of the various Courts so as to render it possible for the East Coast Magistrate to go to Fort Wellington, if necessary, or to exercise jurisdiction almost anywhere. I do not believe in limiting the jurisdiction on the coastal districts. All of these things require examination, and I hope I am not going to be told that the matter will be considered, because those are explanations I do not wish to

hear at all, for although well meant they are never respected in their observance.

So far as Magisterial control by the Attorney-General's Office is concerned it has never been satisfactory, and it is well that Government should know that. It is a wrong and pernicious system whereby Magistrates are supposed to send to the Attorney-General's Office a list of postponed cases. What has the Attorney-General to do with that? How does it concern him whether a private matter is postponed ten times? That return of cases has been abused. The only thing the Attorney-General could ask to be supplied with by a Magistrate is a list of criminal cases where the liberty of a person has been involved. It concerns the Attorney-General to-day because some narrow-minded predecessor of his wanted to know everything that was going on, and whether a Magistrate was wasting his time. It prevents the public from obtaining postponement of their cases, sometimes on reasonable grounds.

Another matter which I feel it is only right that I should mention is that there is in every Magistrate's possession (I hope this Magistrate is not going to be supplied with one) a circular, of which I have a copy, issued from the Colonial Secretary's Office instructing Magistrates that in certain circumstances they are not to grant bail. What right has the Colonial Secretary to issue such a circular to Magistrates? It tells Magistrates in effect that a man who has been arrested is not to be released until he can produce a transport or something of that kind, and those hide-bound Magistrates have not got the pluck to resist such an order. They are creatures of the Attorney-General; they all feel so, and until those things are remedied we will have a very unsatisfactory state of things. A man who has been arrested cannot get bail because the Magistrate insists upon a transport being produced showing that he has immovable property. A man might have transport for a property worth perhaps \$1,000, but on the face of a transport its value might be only \$4, because the property had been acquired at execution sale, and a hide-bound Magistrate refuses bail because a C.S.O. circular tells him he must not accept it. I hope all those obstacles to the power of Magistrates and the respect they should have

for their position will be terminated upon this new appointment, and that all of those old-time circulars will be withdrawn. I hope also that the Attorney-General will examine the position in which Magistrates find themselves, and persuade them to believe that they are respectable persons, and that it is their duty to administer the law and to grant postponements, and what is more, that if they wish to release a man on his own bail they have the right to do so.

THE ATTORNEY-GENERAL: When I saw the Order Paper to-day and observed this particular motion I looked around and noticed that the hon. Member's seat was vacant. I then had some hope that I would not have occasion to say anything. The hon. Member, however, crept in later, and I knew from that moment what he would say. The hon. Member stuck to his guns. This is the third time I have heard this lecture. As the proposal to appoint an additional Magistrate has only just been approved by the Secretary of State, the actual appointment has not yet been considered, at least as far as I know. The question of accommodation has been considered in anticipation of the appointment. The Colonial Secretary saw me about that some time ago, but it is dependent upon how the jurisdiction of the Magistrates is re-arranged. That is a point which has not yet been decided.

The hon. Member mentioned something about a circular, but I have never even heard about it. At the Budget session the hon. Member mentioned the question of bail and also said that my predecessor had written to all Magistrates on the subject, but although they all agreed they did nothing. Immediately afterwards—the following week—a Bill was drafted dealing with bail. The draft Bill is in my chambers where the hon. Member can see it.

The amount of work in the Georgetown Magistrates' Courts is an old subject with the hon. Member. It is also an old subject that the Attorney-General does not go into the country and see these things. I can assure the hon. Member that no one is keener than I am to see the country. I enjoy travelling, and I can assure the hon. Member that the first chance I get I shall go and see all the Magistrates in their

Courts, but since I have been here it has been absolutely impossible. For two months of the time I have worked single-handed, and I have not been able to get away, but at the first opportunity I shall do so.

Regarding the appointment of a third Magistrate, that is a matter which I cannot understand. The number of cases tried by two Magistrates in Georgetown compares most unfavourably with those tried by Magistrates in other Colonies. In fact they are fully 50 per cent. below those tried in the neighbouring Colony of Trinidad. At the present moment I am engaged in investigating the matter, and before this Council started I had arranged with the Magistrates to have a meeting about that and one or two other matters mentioned by the hon. Member. The hon. Member also said that if I went to the Magistrates' Court and practised I might understand the conditions better. I have not the slightest intention of practising in the Magistrate's Court. I must get the information from other people who practice there. Regarding the hon. Member's suggestion that the Attorney-General should persuade the Magistrates to believe that they are respectable persons I really do not think that is necessary. I am sure they realize that now.

With regard to the returns sent in by Magistrates, that matter is also under consideration. They are very large returns which are sent in monthly and serve a useful purpose, but the question is whether the purpose they serve is commensurate with the amount of trouble taken over their preparation. However the matter will be looked into.

Motion carried.

THOMSON PENSION BILL, 1490.

THE COLONIAL SECRETARY: I move that "A Bill intituled an Ordinance to make special provision in regard to the pensionable service of Robert Leslie Thomson" be read a third time and passed.

Mr. DIAS seconded.

Question "That this Bill be read a third time and passed" put, and agreed to.

Bill read a third time and passed.

EMPLOYMENT OF WOMEN, YOUNG PERSONS AND CHILDREN (AMENDMENT) BILL, 1940.

THE ATTORNEY-GENERAL: I move that "A Bill intituled an Ordinance to amend the Employment of Women, Young Persons and Children Ordinance, 1933, (No. 14 of 1933) in certain particulars" be read a third time and passed.

Professor DASH seconded.

Question "That this Bill be read a third time and passed" put, and agreed to.

Bill read a third time and passed.

EDUCATION (AMENDMENT) BILL, 1940.

THE ATTORNEY-GENERAL: I move that "A Bill intituled an Ordinance to amend the Education Ordinance, Chapter 196, with respect to the minimum age for the employment of children" be read a third time and passed.

Professor DASH seconded.

Question "That this Bill be read a third time and passed" put, and agreed to.

Bill read a third time and passed.

ACCIDENTAL DEATHS AND WORKMEN'S INJURIES (COMPENSATION) (AMENDMENT) BILL, 1940.

THE ATTORNEY-GENERAL: I move that "A Bill intituled an Ordinance to amend the Accidental Deaths and Workmen's Injuries (Compensation) Ordinance, Chapter 265, in certain particulars" be read a third time and passed.

Professor DASH seconded.

Question "That this Bill be read a third time and passed" put, and agreed to.

Bill read a third time and passed.

PRISONS (AMENDMENT) BILL, 1940.

THE ATTORNEY-GENERAL: I move that "A Bill intituled an Ordinance to amend the Prisons Ordinance, Chapter 32, with respect to the carrying and use of firearms by prison officers" be read a third time and passed.

Professor DASH seconded.

Question "That this Bill be read a third time and passed" put, and agreed to.

Bill read a third time and passed.

APPROPRIATION BILL, 1940.

Mr. McDAVID (Colonial Treasurer): I move that "A Bill intituled an Ordinance to appropriate the supplies granted in the current session of the Legislative Council" be read a third time and passed.

Mr. AUSTIN seconded.

Question "That this Bill be read a third time and passed" put, and agreed to.

Bill read a third time and passed.

BILL OF ENTRY TAX (AMENDMENT) BILL,
1940.

Mr. D'ANDRADE (Comptroller of Customs): I move that "A Bill intituled an Ordinance further to amend the Bill of Entry Tax Ordinance (No. 2), 1932, by exempting importers of printed books and newspapers from the payment of the Bill of Entry Tax" be read a third time and passed.

Mr. LAING (Commissioner of Labour and Local Government) seconded.

Question "That this Bill be read a third time and passed" put, and agreed to.

Bill read a third time and passed.

FIREARMS BILL, 1940.

THE ATTORNEY-GENERAL: I move that "A Bill intituled an Ordinance to make provision for the importation, sale,

possession and use of firearms and ammunition and for the registration, and licensing of firearms, and for matters connected with the matters aforesaid" be read a second time. Hon. Members will notice that the title of the Bill has been slightly changed from the old title of "Arms and Ammunition Ordinance," to "Firearms Ordinance," because that more accurately describes the Bill which does in fact deal only with firearms. I think all hon. Members will agree that there are large numbers of firearms of various descriptions in this Colony unknown to the authorities, and in respect of which their owners possess no licences. In every country in the world it is necessary in the interest of public safety to control the circulation, use and possession of firearms, and that is what is intended in this particular Bill. The old Bill was deficient in two or three respects, and through the loopholes left in that Bill our present difficulties have arisen.

In preparing this Bill I had the advantage that in 1937 the firearms laws in England were codified under the Firearms Act of 1937, in the following year in the United States, and last year several Colonies followed suit and codified their laws. The result is that with the exception of Part I all the rest of the Bill is very similar to Ordinances or Acts in operation elsewhere. The method of control intended to be adopted is this: Firstly, that no firearm shall be imported by any person into the Colony unless that person either holds a licence in respect of that particular weapon, or that person happens to be a firearm dealer. Besides holding a licence for that particular weapon it has to bear a distinguishing number and mark, so that in future if anybody is asked to show his licence for a particular gun it would be possible to say that it is a licence for that gun. At the present time a person can have five weapons and when asked for his licence for any one of them he can produce it. If he is asked whether he has any other guns he would say "No." According to this Bill, from the time a firearm is imported it must not change hands without certain particulars being noted by the authorities and the holder having a licence.

There is one small change made in this Bill as compared with the existing Ordinance, and that is this: Up to now any-

body can buy an unlimited amount of any sort of ammunition. It is now proposed that he should only be allowed to acquire by purchase or otherwise the amount stated in his permit. In other words, before he can obtain actual possession of the ammunition he must acquire a permit giving him permission to acquire that amount. There are one or two other alternations to which I will refer as I go through the Bill. One thing I may mention now is that the fees charged throughout the Bill are identical with those provided in the old Arms and Ammunition Ordinance.

Part I of the Bill is designed to deal with arms in the country now, lawfully and unlawfully. It is required that within a month of the coming into operation of the Ordinance everybody shall produce his particular firearm to the Police in order that the number may be noted. If a person producing a firearm also produces a valid licence in a matter of a few minutes he will be given a new licence free. If persons who possess firearms and no licences hand those firearms in at a police station they will not be liable to any forfeiture or penalty. It is hoped that such persons will take advantage of this opportunity and deposit their firearms with the Police. If they do not do so they become liable to a penalty of \$250 and/or six months. In drafting that I thought the penalty was not heavy enough, because I noticed in a recent case in the United States the penalty was 5 years and \$1,000, and two persons were sent to gaol for four years for this offence.

Part II of the Bill deals solely with the importation of firearms and ammunition. Hon. Members may think it strange that before any person can obtain firearms through the Customs he must state the numbers and marks on them. Hon. Members may ask how can a person state those numbers and marks when the Customs have the firearms? The answer is that in all countries in the world a package containing firearms has to be opened in the Customs warehouse, and the numbers and marks noted in order that a licence may be obtained.

Part III of the Bill relates to the regulation of purchase, possession, manufacture and sale of firearms, and is based

on law which is more or less universal throughout the Empire. One or two alterations have been made to meet local conditions, but substantially it is taken from English and colonial legislation. One cannot import firearms or their component parts, except air guns, air rifles or air pistols which are not declared specially dangerous by the Governor in Council, without a permit. This does not include ordinary air guns or toy pistols.

Parts IV and V are miscellaneous and general provisions. There is one alteration in which I have followed the English and American precedents, that if certain offences named in the Third Schedule are committed by a person with a firearm in his possession there is an extra penalty provided.

There is one other change. At present an Aboriginal Indian need not hold a firearms licence at all. He holds a permit, and that is one reason why the Police have been unable to trace many firearms now. An Indian is very easily persuaded to part with his firearm for a small sum of money. Now an Aboriginal Indian will be required to comply with all the provisions of this Bill, except that he can get a free licence which will only be valid as long as he keeps a firearm within the area specified in the Second Schedule.

There is one other change which affects dealers. At the present moment dealers take out an annual licence at a cost of \$20. Under the system proposed in this Bill they will not take out an annual licence at all. They will register and obtain an annual certificate or copy of the registration, and as a result of that they will only pay \$20 once, and \$5 for a certificate, which will be a copy of the entry in the register. I move that the Bill be read a second time.

Professor DASH seconded.

Mr. HUMPHRYS: I would like the Attorney-General to make it quite clear whether or not this Bill is intended to cover air guns of a powerful nature, and what is meant by the term "firearm." In my view there are certain types of air guns which are quite as dangerous as a small-bore rifle, and should certainly come within the purview of this Bill.

THE PRESIDENT: I suggest that the hon. Member deal with that point in Committee.

Mr. ELEAZAR: There seems to be some reason for amending the Ordinance owing to what I consider a very unnecessary hue and cry about guns being in the country. I have known of occasions when guns have been used unlawfully, but I do not think to any extraordinary extent as to cause this unnecessary alarm. For all the years I have lived in this country I do not think there is any greater need for some of the provisions in this Bill than there was 20 or 30 years ago, and I do think that some of the restrictions proposed in the Bill are far too drastic. If a man has a gun and is evilly disposed, the fact that he has a licence for that gun would not prevent him from using it, and there can never be any mark on the bullet that he used in his gun. I think too much has been made of the hue and cry which has brought this Bill before the Council.

There are some useful provisions in this Bill, but some of them are very unnecessary and very absurd as far as I can see. A man is to be fined \$250 if he does not surrender his gun within a month. Another penalty is that he should not have a gun at all because he told somebody that he would kick him and he is under a recognizance. A few people will be punished severely, and then this Bill will go the way of all the other bad laws which have been passed from time to time. I look upon this Bill as a great trespass upon the liberty of the King's subjects. A policeman searches a man's house for bush rum and he sees a barrel of a gun. The man has no licence for a gun and is charged and sent to prison although he could not use the barrel as a gun.

This Bill has been introduced as a result of what is called public opinion, the opinion of a few people, and it is said to be the opinion of the whole community. I do not know how some of the men in the interior will be able to surrender their guns within one month. Almost every man who goes into the interior carries a gun which is a necessary protection, and 75 per cent. of the country is interior. These provisions are made by people who do not consider the conditions prevailing locally. We are told it is done in England. I have never

been to England and I am getting too old now to go, but I do not know of any part of England which can be compared with 25 miles beyond Pln. Diamond or Mara, or even Bartica. I sincerely hope that what has brought this hue and cry within recent times will not be heard about for another century. It has happened twice in 25 years.

Mr. LEE: I would like Government to consider two amendments. The hon. Member for Berbice River (Mr. Eleazar) has referred to the time within which firearms must be surrendered to the Police.

THE PRESIDENT: Is the hon. Member dealing with the details of the Bill?

Mr. LEE: I am asking Government to consider certain points now.

THE PRESIDENT: I suggest that the hon. Member might raise them in the Committee stage.

THE COLONIAL SECRETARY: I would like to correct an impression which might be misinterpreted outside. The hon. Member for Berbice River (Mr. Eleazar) suggested that Government has brought this Bill before the Council as a result of something which occurred recently. That is not so. I would like the hon. Member to know that it was one of the first files that came before me when I arrived here 18 months ago, and I know that it had been floating about long before that. The Attorney-General has explained to the Council that he has a large number of Bills to bring before the Council. This is one. The hon. Member seems to think that a man who was found with a barrel of a gun in his house would be harshly treated. I would refer him to the definition of "firearm" in the Bill and point out that such a man would not be taken before the Court if he was only found in possession of the barrel of an old gun.

Question put, and agreed to.

Bill read a second time.

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

Clause 2—Interpretation.

Mr. LEE: With regard to the interpre-

tation of "aboriginal Indian" I would suggest that Government consider the advisability of extending it to include half-castes. There are several people living in the interior who are not pure aboriginal Indians, but who should also have some sort of protection.

THE ATTORNEY-GENERAL: That particular subject has been discussed at some length before. This definition is taken substantially from the old Ordinance. Only a pure bred Indian is now permitted to carry a firearm without a licence. The whole idea of the Bill is to restrict the number of people who should carry firearms free, and the hon. Member's suggestion, if adopted, would tremendously extend it. Besides, who could define the particular caste the hon. Member has referred to? It is both impracticable and undesirable.

Clause 2 agreed to.

Clause 3—All firearms to be surrendered at nearest police station within one month of the commencement of this Ordinance.

Mr. ELEAZAR: In view of the importance and number of clauses in the Bill Government might allow the Bill to remain in Committee until the next sitting of the Council. We cannot be expected to go through the Bill this afternoon.

THE CHAIRMAN: The Bill has been published for ten days.

Mr. ELEAZAR: I quite appreciate that, but ten days is not very long for a busy man to deal with a Bill of 46 clauses.

THE CHAIRMAN: I cannot agree to hon. Members having unlimited time to defer Bills after they have come into Council. It is not infrequent for hon. Members to come into Council without having read the Bill before the Council. It cannot be reasonably expected that these can be postponed. I have no wish whatever to rush the Committee stage of the Bill; there is plenty of time to consider it quietly. I am rather unwilling to postpone it to another sitting of the Council, and I do not know that that is the general wish of the Council. I think most Members would be prepared to go on quietly with the consideration of these clauses. I presume the hon. Member has read the Bill,

Mr. ELEAZAR: What I read was the "Object and Reasons" of the Bill, but when I looked at the Bill itself I saw so much more in it than what is set out in the "Object and Reasons" that my curiosity was aroused.

THE CHAIRMAN: The hon. Member is perfectly at liberty to move that consideration of the Bill in Committee be postponed.

Mr. ELEAZAR: That is what I am moving.

THE CHAIRMAN: I quite agree that there is no desperate hurry over the Bill, but it is a matter of the convenience of Members who have been brought here at considerable inconvenience, and I imagine that most of them wish to get through the business.

Motion for adjournment put, and lost.

Clause 3.

Mr. LEE: I move that the period within which firearms should be surrendered to the Police be increased from one month to six months. Many of the people residing in the rivers will not know of the introduction and passing of this Bill within one month, and the penalty for failure to surrender is \$250.

THE ATTORNEY-GENERAL: Towards the end of the Bill it is provided that it is to be brought into force on a date to be fixed by proclamation. That would be some time after the actual passing of the Bill, because a great deal of printing has to be done, so that it will be some time before the Ordinance comes into operation. In that period it is proposed to publish a notice at every police station and public building, and to request managers of estates and business places to publish the notice also. Every effort will be made to bring the provisions of the Ordinance to the notice of the public before it becomes effective. I would resist a change from one month to six months. Proviso (b) allows of an extension to be granted by the Police. I think one month is a reasonable period.

Mr. ELEAZAR: My experience has been that when Bills are framed in this way they are forgotten long before their coming into operation is gazetted. It is most likely that nobody will remember it

even a month after it has been gazetted. I know that in the case of the Magistrate's Court Rules which were passed and remained hanging out in the Attorney-General's office, when they were gazetted even lawyers asked when they became law. Give the people a reasonable time. I do not think the Germans will reach this Colony, but if they do it would be better for the people to have their guns ready. I agree with the hon. Member that one month is too short a period, even if six months is too long. Why not make it three months?

Mr. C. V. WIGHT: Perhaps the objection raised by the hon. Member might be met by amending sub-clause (b) so as to give the Commissioner of Police discretion to extend the time within which a report may be made as well as the surrender of the firearm.

THE ATTORNEY-GENERAL: There is no objection to the hon. Member's suggestion. To meet the wishes of some Members I propose that the word "one" be deleted and the word "two" be substituted, and that a similar amendment be made in the succeeding clauses.

THE CHAIRMAN: That goes somewhere to meet the views of hon. Members.

Mr. ELEAZAR: I am appealing to Government to make the period three months. It means a lot to the man who has to surrender his firearm.

THE CHAIRMAN: It could be extended in proper cases. As the hon. Member has said, if we allow it to go on too long people will forget about it. (laughter). The Attorney-General has agreed to make the period two months and I am not going to press him to extend it.

Mr. ELEAZAR: People in this Colony are used to a period of a quarter.

THE CHAIRMAN: I do not like this method of bargaining. I will put the amendment that the period be amended from one to two months.

Amendment agreed to.

Clause 8—Penalty for non-surrender of firearms.

Mr. MACKEY: I have not seen an Ordinance which provides a minimum penalty. I think it is always left to the discretion of the Magistrate, and I would be the last person to try to limit a Magistrate's discretion. I think, however, that in this case there would be at least a minimum penalty of \$50.

THE ATTORNEY-GENERAL: The hon. Member mentioned that point to me before the Council assembled. At the last meeting the Council was invited to pass a Bill to remove a minimum penalty which had been provided in an Ordinance. Very grave difficulties may arise if a minimum penalty is specified. For example, it may be purely a technical error on the part of a person who is charged with committing a breach of the law. If the Police know that the minimum penalty is \$50 they may be inclined to overlook the matter, and once they start doing that you do not know where they will stop, but the moment the Police know that it is left to the discretion of the Magistrate there is a safeguard which everybody knows.

Mr. MACKEY: I am not pressing it.

Clause 8 agreed to.

Clause 9—Firearms not surrendered to be liable to seizure and forfeiture.

Mr. ELEAZAR: If a man does not surrender his firearm he is fined. There is no necessity to forfeit the weapon. As the Attorney-General has just said, it might be an omission on his part.

THE CHAIRMAN: It is a very important provision.

Clause 9 agreed to.

The Committee then adjourned for the luncheon recess until 2 p.m.

2 p.m.—

Clause 20—Exemption from holding a firearm licence.

THE ATTORNEY-GENERAL: I move that the words "an auctioneer" in the first line of sub-clause (3) be deleted and the word "a" substituted therefor.

Amendment put, and agreed to.

Clause 20 passed as amended.

Clause 21—Application of foregoing provisions to Crown servants.

Mr. WOOD (Conservator of Forests): One point has struck me in respect of this clause and that is, that prison warders are now going to be armed and they should be mentioned in the clause.

THE ATTORNEY-GENERAL: What the hon. Member has just said is quite correct in view of the Bill which was passed this morning. I therefore beg to move the insertion of the words "or a prison officer" after the word "force" in the second line of paragraph (b).

Amendment put, and agreed to.

Clause 21 passed as amended.

Clause 44—Power of Governor in Council to make regulations.

THE ATTORNEY-GENERAL: I move that the word "areas" in the second line of paragraph (b) of sub-clause (1) be deleted and the word "area" substituted therefor.

Amendment put, and agreed to.

Clause 44 passed as amended.

Second Schedule—Areas within which provisions of Ordinance regarding Licences etc., do not apply to Aboriginal Indians.

Mr. WOOD: There is a point I desire to raise not wishing, however, to interrupt the unusually smooth flow of the passage of the Bill. I discussed it with the hon. Attorney-General this morning and he suggested that I should refer to it. With regard to Aboriginal Indians, there is a land line laid down in the Second Schedule behind which this Ordinance does not apply to Aboriginal Indians. On the Demerara River the line crosses at Wismar, so that the Ordinance does not apply to Aboriginal Indians above Wismar. I am suggesting that it may be worth while to remove that line up-stream to Three Friends or possibly Mallali. Wismar and Christianburg are just opposite to Mackenzie City, and as we rather want to keep these guns away from the coastal or industrial areas I feel sure it would not harm the Indians in any way if the line is removed a little bit up-stream, as I suggest.

I know that the line is fixed in such a way that there is an Indian trail that moves across the Colony inside of it. There is one instance of a fellow going from the North West to the Mazaruni District in the old gold prospecting days. He was "Ocean Shark," who is still being spoken of. The Aboriginal Indians can move up and down the rivers which are crossed at a few places by their old recognised trails. No Indian ever crossed, however, from Rockstone to Wismar until the railway was laid. There is an old Indian trail at Kumaparu, just below the Falls. It does not prevent the Indians crossing from Essequibo to Demerara. In fact any wild Indian must take the Kumaparu trail, the only one by which he can transport his boat. I suggest that in place of the word "Wismar" there be substituted the word "Three Friends."

Question "That the word "Wismar" in paragraph (b) be deleted and the words "Three Friends" substituted therefor" put and agreed to.

Amendment carried.

THE ATTORNEY-GENERAL: I move that the word "Licences, etc.," in the title be deleted and the words "payment of licence fees" substituted therefor.

Amendment put, and agreed to.

Second Schedule passed as amended.

The Council resumed.

THE ATTORNEY-GENERAL: I give notice that at the next or subsequent meeting of the Council I shall move that the Bill be read a third time and passed.

THE PRESIDENT: I understand that the mover of the following motion on the Order Paper is not in his place, and therefore it cannot be taken. This concludes our business for to-day. I may ask hon. Members of Council to meet next week for the consideration of urgent business. I think it would be convenient to meet on Wednesday next. Council stands adjourned to next Wednesday at the usual hour.

The Council adjourned accordingly to 11 a.m. on Wednesday, 13th March, 1940.