

# LEGISLATIVE COUNCIL.

*Friday, 9th December, 1932.*

The Council met pursuant to adjournment, His Excellency the Governor, SIR EDWARD DENHAM, K.C.M.G., K.B.E., President, in the Chair,

## PRESENT.

The Hon. the Colonial Secretary, Mr. C. Douglas-Jones, C.M.G.

The Hon. the Attorney-General, Mr. Hector Josephs, K.C., B.A., LL.M. (Cantab.), LL.B. (Lond.).

The Hon. T. T. Smellie (Nominated Unofficial Member).

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

The Hon. T. Millard, C.M.G., Colonial Treasurer.

Major the Hon. W. Bain Gray, M.A., Ph.D. (Edin.), B. Litt. (Oxon), Director of Education.

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

The Hon. R. E. Brassington (Western Essequibo).

Major the Hon. J. C. Craig, D.S.O., M.E.I.C., Director of Public Works.

The Hon. B. R. Wood, M.A., Dip. For. (Cantab.), Conservator of Forests.

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

The Hon. Q. B. De Freitas, M.R.C.S. (Eng.), L.R.C.P. (Lond.), Surgeon-General (Acting).

The Hon. J. Mullin, M.I.M.M., F.S.I., Commissioner of Lands and Mines.

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

The Hon. N. Cannon (Georgetown North).

The Hon. A. V. Crane, LL.B. (Lond.) (Demerara River).

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

The Hon. J. Gonsalves (Georgetown South).

The Hon. G. E. Anderson (Nominated Unofficial Member).

The Hon. F. J. Seaford (Nominated Unofficial Member).

The Hon. Peer Bacchus (Western Berbice).

## MINUTES.

The minutes of the meeting of the Council held on the 8th December, as printed and circulated, were confirmed.

## ANNOUNCEMENT.

### REALISATION OF INVESTMENTS.

Mr. MILLARD (Colonial Treasurer): I am the bearer of the following Message from His Excellency the Governor:—

### MESSAGE No. 5 OF 1932.

Honourable Members of the Legislative Council,

I have the honour to inform the Council that it is proposed to realise the investments of the Depreciation and Reserve Funds named below and to take the proceeds to revenue towards balancing the Budget of the year 1933:—

- (a) Colonial Steamers Replacement Fund;
- (b) Colonial Steamer Service Depreciation Fund;
- (c) Railway Renewals Reserve Fund;
- (d) Post Office Savings Bank Depreciation Fund;
- (e) 5 per cent. Loan Stamp Duty Account.

2. By Resolution No. VII. of the 23rd of October, 1930, this Council approved of the Funds named at (a), (b) and (c) above being held *inter alia* as security for advances made by the Crown Agents for the Colonies to this Colony. With the considerable reduction in the amount borrowed from the Crown Agents occasioned by the elimination of the Colony's deficits from this borrowing and by the undertaking of His Majesty's Treasury to advance a sum of £25,000 to the Colony towards its working capital requirements, it is no longer necessary to maintain these Funds in pledge.

3. As the Council is aware, no contributions have been made to the Steamer and Railway Funds for some years past, and the obligations attaching to these Funds are covered only in a limited

degree by the balances at present at their credit. With the appropriation of these Funds to revenue provision will have to be made in full in the Annual Estimates for all renewal or replacement expenditure as the necessity arises and the Secretary of State and His Majesty's Treasury have undertaken to assist the Colony whenever its Budget has to contain provision for any expenditure that should have been met from these Funds.

4. With regard to the Post Office Savings Bank Investments Depreciation Fund, under amended Colonial Regulations the practice has been introduced whereby the appreciation or depreciation of invested Colony Funds is carried to revenue or charged to expenditure annually on the basis of a valuation at the mean market prices ruling on the last day of each year. Consequently, the investments of the Bank will be maintained at realisable values and there will be no necessity to retain a special fund to provide for their depreciation.

5. With respect to the 5 per cent. Loan Stamp Duty Account, this Fund was established on the advice of the Crown Agents to provide on the most economical basis for the liability in respect of the United Kingdom Stamp Duty on transports of Stock of the 1929 £2,090,000 Loan. It is now recommended that the proceeds of this Fund be realised and any necessary expenditure on such transfers be provided in the Colony's annual Budgets.

6. The sale of the investments of the Funds named has been estimated by the Crown Agents to yield a sum of \$406,080 and I invite the Council to approve of the realisation of the above-mentioned Funds and the transfer of the proceeds to general revenue.

EDWARD DENHAM,  
Governor.

8th December, 1932.

#### PAPERS LAID.

The following documents were laid on the table :—

Report of the Committee of the Trotman Trust Fund for the year 1931—(*Mr. Millard*).

Report of the Forest Department for the year 1931—(*Mr. Wood*).

#### GOVERNMENT NOTICE.

##### REALISATION OF INVESTMENTS.

Mr. MILLARD gave notice of the following motion :—

THAT, with reference to Governor's Message No. 5 of the 8th of December, 1932, this Council approves of the realisation of the investments and the transfer of the proceeds to Revenue of the following Funds :—

Colonial Steamers Replacement Fund.  
Colonial Steamer Service Depreciation Fund.  
Railway Renewals Reserve Fund.  
Post Office Savings Bank Depreciation Fund.  
5 per cent. Loan Stamp Duty Account.

#### UNOFFICIAL NOTICE.

##### ELEMENTARY EDUCATION.

Mr. WOOLFORD gave notice of the following motion :—

Whereas a sum of \$326,500 has been voted by this Council on the Draft Estimate for 1933 for providing grants-in-aid to schools where free elementary education for children between the ages of 5 and 14 years may be imparted ;

And whereas as the necessity arises this sum will be automatically increased as has been the case for many years past ;

And whereas it is not within the means of the Colony to continue to provide so large a sum for such grants-in-aid to schools to enable children between the said ages attending thereat to receive such elementary educational training ;

And whereas this Council is of the opinion that free elementary education should be provided for children between the ages of 6 and 12 years only :

*Be it Resolved*,—That the Government take the necessary steps to introduce the required legislation to give effect to the decision of this Council if arrived at that grants-in-aid to schools providing for the free elementary education of children in the Colony should be limited to pupils attending such schools between the ages of 6 and 12 years' respectively.

#### ORDER OF THE DAY.

##### RETIREMENT OF PUBLIC OFFICERS.

Mr. CRANE asked the following questions :—

1. How many Government Officers have reached the age of retirement but are still in the service of Government ?

2. Why have these officers not taken their pensions ?

3. Has Government lost sight of the fact that economy can be effected by these officers going into retirement ?

THE COLONIAL SECRETARY (Mr. C. Douglas-Jones) replied as follows :—

1. One.

2. The case is that of an officer who was specially allowed to continue his service in view of the fact that he is still fit and able to discharge his particular duties efficiently ; this officer is to be retired in 1933 after the expiration of the leave to which he is entitled from the 1st of January, 1933.

3. No. Please see reply to question 2.

##### BRITISH GUIANA SCHOLARSHIP.

Mr. CRANE, on behalf of Mr. SEERAM, asked the following questions :—

1. On what basis is the British Guiana Scholarship awarded ? Is it on the basis of the highest average percentage of marks of all the

subjects taken or is it on the basis of the highest total number of marks of all the subjects taken?

2. Is there a minimum and a maximum number of subjects that a candidate can take to qualify for the Scholarship?

3. If so what are the numbers?

4. Was the award last year made on the same basis as that made this year?

5. Give a list showing—

(a) The names of the candidates who took the Scholarship Examination for this year.

(b) The total number of subjects taken by each candidate.

(c) The total number of marks of all subjects taken for each candidate.

(d) The total average percentage of marks of all subjects taken for each candidate.

Major BAIN GRAY (Director of Education) replied as follows:—

1. The Scholarship is awarded on the recommendation of the Oxford and Cambridge Schools Examination Board. In 1931 and 1932, the candidate recommended by the Examiners had earned the highest total number of marks, and on each occasion this candidate has been elected by the Governor in Council.

2. A candidate must pass with credit in not less than five subjects (which must be such as will exempt him from the Matriculation Examination of Oxford or Cambridge or London University), and may offer the maximum number of subjects allowed by the Regulations governing the Examination. This is eight at present.

3. See Answer 2.

4. See Answer 1.

5. See list hereunder:—

BRITISH GUIANA SCHOLARSHIP EXAMINATION, 1932.

Index Nos of Candi- dates.	SUBJECTS TAKEN BY CANDIDATES.											PERCENT- TAGE.			
	Scripture 200.	English 200.	History 200.	Geography 200.	Latin 200.	Greek 200.	French 200.	Spanish 230.	Elm. Maths. 300.	Add. Maths. 300.	General Science 200.	Drawing 400.	Total Marks.	Subjects Offered.	
														S	
58 ...	125	131	132	113	143	...	148	...	216	151	...	...	1 204	66.8	...
59 ...	125	127	121	99	147	...	147	...	227	151	124	...	1,121	62.2	...
62 ...	108	130	109	...	176	131	145	...	236	81	...	...	1,116	62	...
60 ...	138	129	121	...	143	...	133	...	237	...	173	...	1,074	...	71.6
72 ...	120	131	136	...	150	...	141	...	244	...	132	...	1,054	...	70.2
73 ...	109	132	115	84	157	...	135	...	287	...	...	...	1,019	...	67.9
77 ...	...	131	134	57	170	...	135	...	248	...	105	...	1,010	...	67.3
54 ...	...	133	110	...	65	...	113	...	244	...	124	211	1,000	...	58.8
55 ...	...	123	98	...	90	...	110	...	275	154	144	...	994	...	62.1
70 ...	95	100	150	100	148	...	109	...	120	...	160	...	982	57.7	...
76 ...	...	111	120	...	102	...	113	...	249	121	149	...	965	...	60.3
57 ...	90	109	78	79	...	...	127	104½	223	68	...	...	878½	49.9	...
67 ...	...	119	70	97	67	...	96	...	134	...	150	145	878	46.2	...
61 ...	108	137	93	...	90	...	104	...	182	...	138	...	857	...	57.1
65 ...	85	104	66	90	108	...	97	...	203	102	...	...	855	50.3	...
74 ...	...	91	73	...	115	...	68	...	223	143	135	...	848	...	53.0
52 ...	116	103	...	114	45	...	98	...	216	...	151	...	843	...	56.2
75 ...	107	117	82	90	88	...	128	...	225	...	...	...	837	...	54.7
64 ...	111	125	103	...	81	...	100	...	160	...	130	...	810	...	54.0
56 ...	...	125	83	77	106	...	96	...	232	...	85	...	804	...	53.6
63 ...	...	113	61	73	40	...	65	...	186	...	106	151	795	41.8	...
71 ...	100	112	111	81	90	...	74	...	167	...	52	...	787	46.3	...
59 ...	81	124	93	111	14	...	70	...	133	...	112	...	738	43.4	...
53 ...	...	114	82	42	108	...	86	...	180	...	110	...	722	...	51.5
66 ...	103	105	130	91	71	...	57	...	156	...	...	...	713	...	47.5
68 ...	40	97	41	...	88	...	104	...	195	...	122	...	687	...	45.8

Major BAIN GRAY: With regard to No. 5, the list included a number of candidates who had not distinguished themselves. The usual custom had been followed as regards publication of the examination results to give numbers instead of names.

INTRODUCTION OF BILLS.

The following Bills were read the first time:—

A Bill to make provision for the payment to

Government by the Georgetown Town Council of the amount for which the Council is liable in respect of loan charges for moneys expended in construction of improvement works—(*The Attorney-General*).

A Bill to authorise the making of Orders-in-Council for the purpose of effecting economies in expenditure with respect to the remuneration of persons in the Public Service—(*Mr. Millard*).

Notice was given that at the next meeting of the Council it would be moved that the Bills be read a second time.

## ANNUAL ESTIMATES.

## AUDIT OFFICE.

The Council resolved itself into Committee and resumed consideration of the draft Estimates of expenditure to be defrayed from revenue for the year 1933.

THE CHAIRMAN: Under a promise given yesterday the estimates of the Agricultural Department will not be taken until Tuesday. We will proceed to take the vote of the Audit Office.

Item 1 (i)—2 Sixth Class Clerks, \$1,056.

THE CHAIRMAN: This item was held over in view of a statement by the Colonial Secretary, who undertook to make an announcement.

THE COLONIAL SECRETARY: I move that this item be carried out at "3 Sixth Class Clerks, \$1,584." I may explain that in connexion with the increase in the establishment in that respect there is also the addition of a Clerical Assistant which I shall move in lower down the Estimates. In a general attempt to effect economy in the Public Service the staff of the Audit Office has been decreased similarly with other Departments. The clerical staff in this Department has decreased from a personnel of 15 in the years 1923 to 1925 to one of 12 in 1932. I may mention that the late Auditor had warned Government that he was very doubtful, though he would try, that he could efficiently carry out the duties of his office with the depleted staff, and the matter has been more or less under examination. With the appointment of a new Auditor the matter has been gone into again, and it has been found that owing to extra duties imposed on the Audit Office by the re-arrangement of offices, such as the establishment of the District Administration Scheme which means the auditing of District Commissioners' Offices, it was necessary to increase the personnel of the Department. It is an important Department, and a great deal depends on the efficient control of expenditure.

THE CHAIRMAN: What is the extent of the increase in emoluments?

THE COLONIAL SECRETARY: \$528.

Mr. CRANE: Before this item is put I desire to state that I am not opposing this

increase, although we have been endeavouring during the session not to add to the Estimates, but I would have welcomed an application by Government to this Council to increase the auditing staff which, to my mind, is required and would be a welcome addition to the force of Auditors. Those of us who go about the country can well recognise the necessity for what, he might call, the tightening up of the auditing force of Government in the several Departments scattered over the country. But I notice that Government's application is in respect of office work and I would have been more pleased if the application had been to strengthen the staff of Auditors instead of the clerical staff. I cannot see the necessity for adding a 6th Class Clerk who does no real auditing work outside the office, and I doubt whether he does any auditing at all. I thought the Government were going to strongly increase the auditing staff in order to check up the various Departments and get rid of those leakages which we all know have been happening within recent years, possibly due to the severe retrenchment of which the Colony stands in need. As we go over the country we see the necessity for tightening the screw of some of the Departments and I hope that this is not the final consideration which Government can give to this Department. It is in the nature of a Police Department as regards accounts and as such we cannot strengthen it too much. One or two happenings within my knowledge have made it necessary for more frequent checks than were carried out in the past. I would prefer to see an addition to the auditing staff rather than an addition to the clerical staff, and I hope Government will give consideration to this matter. I have been told that in another Department where there appears a considerable increase in revenue it is due to the fact that the thief had been detected and cleared off the field for 1932. If that is so in respect of one Department it only shows what may be happening in other Departments. In one particular Department which I have in mind there have been such a large number of cases in which there have been complaints of moneys paid and not entered that Government cannot regard the matter with any degree of equanimity. The Audit Department should not be without the necessary fighting force against

fraud. I hope Government will not fail in considering this matter. I do not know the state of the Audit Office as I have never been in it, but it seems to me that what is necessary is the auditing policeman rather than strengthening the clerical staff.

Mr. GONSALVES : I quite agree with the hon. Member and endorse his views with regard to this Department. I wonder, in view of the point raised, whether it is possible for Government to tell us what are the duties of the clerks in this Department, eliminating the Chief Clerk and First Class Clerk. I see the Colonial Auditor present. Perhaps it may be convenient to get the information from him.

THE COLONIAL SECRETARY : I am glad these points have been raised as they give me an opportunity of explaining the exact position with regard to the work performed by the officers in this Department. Although an officer is put down as a 6th Class Clerk or a 3rd Class Clerk, which is really for grading purposes, it does not necessarily follow that he does clerical work. These officers are in fact auditors under the supervision of the Auditor himself. The principle is that the senior officers are sent into the districts to inspect and audit the books of Departments, but in Georgetown and vicinity the audits are conducted by junior officers under the personal supervision of the Auditor, and it is there that the extra staff is required. Of course, if we could find a senior officer suitable for the post perhaps it would be better, but that is not possible. What we are trying to do is to put into the office young men who have been trained as auditors so that the staff will be maintained by trained men. By the increase of the staff by a 6th Class Clerk and a Clerical Assistant, the senior officers will be enabled to spend more time in the districts and to do what the hon. Member suggests—more frequent inspections. That is the object of the increase—to enable more frequent inspections to take place than hitherto. The books of some Departments in the districts can only be inspected once a year and sometimes not as often as that. It is several months in addition to a year when certain books have not been audited, which is a most undesirable state of affairs. We are adding to

the staff at headquarters to enable the senior officers to inspect the books of the districts more often.

Mr. CRANE : I appreciate the explanation of the hon. Colonial Secretary. I did not know these clerks actually did auditing work. But I am asking Government to make enquiry into the statements which have been made. Some of them were representations made to me in respect to a certain Department and I sent the people to the proper Head of Department. I do not want it to be made public because I understand the matter is under investigation. Moneys, it is claimed, have been paid in and not entered, and as a result persons have suffered imprisonment. That is a scandal, if that occurs, and I do not want to say much about it. I do not want to prejudice the officer's chance in any enquiry Government may make into his conduct. Many of my constituents have complained to me that moneys due to Government were paid in but not entered as the books did not show they had paid, and process was subsequently issued against them and one or two of them have been incarcerated. It is a very grave matter. It is a matter which Government ought to consider and enquire into, but as I know that certain enquiries are being made now I want neither to prejudice the officer's trial nor to give the matter any great publicity. I do not think too much stress can be laid that the discussion here during the session has been on the liberty of the public. A man pays money and finds the Police later picks him up for not doing so. I hope Government will make very searching enquiry into that state of affairs. It happened to be in my constituency and therefore it is my first duty to make representation to you. Persons have been imprisoned for not paying money which they actually paid.

Mr. WOOLFORD : I do not think in the case which the hon. Member referred to that efficient auditing could have prevented a fraud, if it is a fraud. The money has been paid in and unless a receipt was given for it an auditor would not be able to detect it had it not been entered at all. I have risen to support the idea that in every possible case where payments are made by means of affixing revenue stamps the practice should be dis-

continued. I know that attempts have been made in certain directions to do so. One evil of payment by stamps is that it always remains a matter of controversy between the person who is called upon to pay and the recipient of the stamp when a dispute arises as to whether the stamp has been paid or not. In other words, a member of the public who pays revenue by means of stamps gets no voucher, no receipt for the payment which is an assumption that the money has been received. We know that payments are made by stamps in legal matters in the Magistrates' Offices. People know that when their summons is served on the defendant process has been paid for. There have been cases where revenue has been paid by stamps and the stamps have disappeared, and there are cases where the stamps are used again for other purposes. I cannot see why the system of payment by stamps should be continued in any Department, and in any circumstances in ordinary business a man paying money is entitled to a receipt and in the event of a dispute the onus is on the person making the payment to establish that he has paid. In the absence of a voucher he can never do so.

THE COLONIAL SECRETARY: Government are fully aware, I think, of the circumstances of the case to which the hon. Member for Demerara River has referred. The matter has been investigated and is still under investigation and will be dealt with disciplinarily in the ordinary course of time when these matters are usually checked. This particular instance of irregularities that the hon. Member has complained of was discovered by the Auditor himself on a personal examination of the books of the office. I think the hon. Member can rest assured that anything that can be done in this direction will be done and the matter will be dealt with in the ordinary course of business. The point raised by the hon. Member for New Amsterdam, that there should be some other system than the affixing of stamps when fees are required to documents, is under consideration. It has been suggested that receipts should be given in the ordinary form—the duplicate of the receipt to be attached to the document and the counterfoil kept in the receipt book. That method had been adopted in another Colony and it is under consideration

whether some similar system should not be adopted here. It would, of course, mean certain amendments of the legislation on the subject, but the matter has been gone into and I think I can assure the hon. Member that if it is decided to adopt any other system than the one obtaining at present it would be an improvement on the present system employed.

Question put, and agreed to.

THE COLONIAL SECRETARY: I move the insertion of a new item (l)—  
1 Clerical Assistant, \$360.

Question put, and agreed to.

Item 1 (l) was renumbered 1 (m).

THE CHAIRMAN: I might say that the matter is of great public interest. Government welcomes what has been said by the hon. Members for Demerara River and Georgetown South. The putting in of junior clerks I do not consider is unusual in any way. Undoubtedly what is wanted is to increase the staff at the top. By putting in these two officers it does give some relief further up and also enables the out-door examiners to devote their full time to the particular work they are doing. I visited the Department recently and I found that an audit clerk spent part of his time in that Department and part in another Department. It is very difficult to do better as it is such a small staff, but it is quite easy to realise that such an officer can use one Department up against the other. That the two Departments are suffering I do not say, but there is that possibility. The present arrangement is only a palliative. It will be of some assistance but it is not sufficient. I think the matter should be brought to the notice of the Secretary of State with a view that under this head there should be an increase of the staff as suggested, either by the appointment of an Assistant Auditor or some other senior officer.

As regards outstanding items of the Estimates, I understand that in respect of the District Administration estimate for Berbice District the replies to questions by the hon. Member for Berbice River have just been given, and therefore that item will be held over in order that he shall have an opportunity of being

present. The Colonial Secretariat items are not being put before the Council. The Agricultural estimates are still to be considered and these will be taken at the next meeting of the Council. There is no other business before the Council.

INDUSTRIAL SCHOOL.

THE COLONIAL SECRETARY: May I ask that this opportunity be taken to

reply to a question asked by the hon. Member for Western Essequibo. The hon. Member asked what is the total expenditure on dietary at the Onderneeming Industrial School and the figure I have received is \$1,285.89 up to the end of November.

The Council resumed and adjourned until Tuesday, 13th December, at 11 o'clock.