

LEGISLATIVE COUNCIL.

Tuesday, 29th November, 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 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).

The Hon. E. A. Luckhoo (Eastern Berbice).

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. J. Eleazar (Berbice River).

The Hon. J. Gonsalves (Georgetown South).

The Hon. A. E. Seeram (Eastern Demerara).

The Hon. V. A. Pires (North Western District).

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

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

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

The Hon. M. B. G. Austin (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 25th November, as printed and circulated, were confirmed.

GOVERNMENT NOTICE.

Professor DASH (Director of Agriculture) gave notice that at the next meeting of the Council he would ask leave to introduce and have read a first time:—

A Bill to make provision for the establishment of a Board with powers to regulate and control the price and exportation of rice produced in Colony.

UNOFFICIAL NOTICE.

Mr. SEERAM gave notice of the following questions:—

Give a comparative statement for the years 1930, 1931 and 1932, to 31st October, showing as follows—

(a) The total expenditure and income of the Colonial Transport Department exclusive of the Steamers.

(b) The revenue received from Motor-buses—plying (1) between Georgetown and Rosignol.

- (2) between New Amsterdam and Skeldon,
 (3) Vreed-en-Hoop and Parika.
 (c) The revenue received from (1) Petrol, (2) Lubricating Oils and (3) Motor Accessories.

PETITION.

Mr. CRANE laid on the table a petition from Mrs. M. Dos Ramos praying for further financial assistance in respect of the services of her late son in the Militia Band.

ORDER OF THE DAY.

CHURCH OF SCOTLAND GOVERNMENT BILL.

Major BAIN GRAY (Director of Education): I move that "A Bill to amend the Church of Scotland Government Ordinance, Chapter 230, by removing all doubts as to the relationship between the Presbytery of British Guiana and the General Assembly of the Church of Scotland, and as to other incidental matters" be read the third time.

Mr. DIAS seconded.

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

Bill read the third time.

BITTERS AND CORDIALS BILL.

Mr. D'ANDRADE (Comptroller of Customs): I move that "A Bill to amend the Bitters and Cordials Ordinance by requiring a licence for the manufacture of sweets" be read the first time.

Mr. MULLIN seconded.

Question put, and agreed to.

Bill read the first time.

Notice was given that at the next meeting of the Council it would be moved that the Bill be read the second time. (*Mr. D'Andrade*).

SERVICE OF PROCESS BILL.

THE ATTORNEY-GENERAL (Mr. Hector Josephs): I move the second reading of "A Bill to facilitate the proof of

service of process under the Summary Jurisdiction (Procedure) Ordinance, the Summary Jurisdiction (Petty Debt) Ordinance and the Criminal Law (Procedure) Ordinance." The position as regards this Bill is shortly this. In 1909 Ordinance 15 was passed to facilitate the proof of service of process under the Petty Debts Recovery Ordinance, the Summary Conviction (Offences) Ordinance and the Indictable Offences (Procedure) Ordinance, 1893. It ought to have been incorporated fully in the various Ordinances which it related to when the revised edition of the laws was compiled, but, unfortunately, that has not been fully done and in one of them it has been entirely omitted. The Ordinances which were affected are now numbered Chapters 15, 14 and 18, and Ordinance 15 of 1909 has not been reproduced at all in Chapter 15 while in Chapters 14 and 18 it has been inadequately and incorrectly reproduced. The object therefore of the present Bill is to carry out effectively the objects to be served by the original Ordinance.

Mr. DIAS seconded.

Mr. CRANE: Whatever may be the necessity for this Bill the public is concerned not so much with the proof but with the means of actual service itself, and I take this opportunity to urge that Government should hasten the enquiry that is being made by a Committee into the best means of serving processes in the Magistrates' Courts. The number of bailiffs who formerly served processes is being reduced and the public is suffering very much inconvenience. The question is whether it would not be cheaper and more expeditious to authorise service as is done elsewhere. It would be a great convenience to the public if men of proved character and respectability could be put on a panel and be available to the public when these processes are to be served. The fees would be paid into the Magistrate's Court to prevent corruption, and this method of service would save Government a good deal of expenditure.

Mr. DIAS: The reason for the delay that has taken place is that the members of the Committee are mostly legal men, and it unfortunately happens that two or three are sitting at present on important Committees dealing with Queen's College

and Public Health. Another Committee was appointed quite recently, the work of which had to be conducted at my house until midnight. It is impossible with these and other duties which fall on the individual members of the Committee to hold out any hope of the Committee referred to by the hon. Member meeting on this side of Christmas. The Committee has not been functioning simply because we have not been able to find the time.

Mr. CRANE: I share the view of the hon. Member as regards the inability to hold the meetings this side of Christmas.

Mr. SEERAM: This Bill will not facilitate the service of process. I have myself had to make complaint of the delay in service on account of the inadequacy of bailiffs and something should be done to expedite service of these processes. The matter could be facilitated by the appointment of another bailiff.

Mr. ELEAZAR: This Bill gives me the opportunity of saying that the workman is worthy of his hire. Bailiffs have been retrenched, the work has become more onerous, and those who remain are not properly paid. The man in Berbice has a grievance. His promotion has been blocked and his pay is stationary. More than that, he performs the duties of a clerk, which entail more work and more responsibility without adequate recognition.

Question put, and agreed to.

Bill read the second time.

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

The Council resumed.

Notice was given that at the next meeting of the Council it would be moved that the Bill be read the third time (*Attorney-General*).

TRADES UNIONS BILL.

THE ATTORNEY-GENERAL: I move the second reading of "A Bill to amend the Trades Unions Ordinance by making provision for the compulsory registration

of Trades Unions." It will be remembered that in 1921 the Trades Unions Ordinance was enacted in this Colony, and it has remained on the statute book since. I think there are two Trades Unions registered under the Ordinance, but the Ordinance does not provide for compulsory registration of Trades Unions. It provides for the legality of the existence of Trades Unions, following the English Acts. The object of this Bill is to provide for compulsory registration because the benefits which Trades Unions derive under the Principal Ordinance are really confined to registered Trades Unions, and it gives greater powers of security and of proper control to members of Unions registered. That is the principal object of this Bill, which is set out in clause 6. The other amendments are consequential and some are to correct errors in the original Ordinance, as in clause 3. Clause 4 is an addition. That Ordinance was not in existence at the time. Clause 5 is merely a clerical amendment and the others are consequential.

Mr. DIAS seconded.

Mr. CRANE: I want to make a general comment on clause 6. The Principal Ordinance is Cap. 57 and in a great measure it was enacted to put upon a proper basis the Labour Union. There was nothing in that Ordinance which made such a combination practically an unlawful combination unless it was registered. If it were not registered it would not get the benefits of the Ordinance. It is proposed now by clause 6 that "every Trades Union shall be registered in accordance with the provisions of the Principal Ordinance within a period of three months reckoned from the date of its formation or the date upon which this Ordinance comes into operation, whichever is the later, and in default the Trade Union and every officer thereof shall on summary conviction be liable to a penalty not exceeding twenty-four dollars for every day during which such default continues." If you look at the definition of "Trade Union" you will see that it is defined with reference to its statutory objects, and those statutory objects set out the relationships which are deemed to constitute the organisation known as a Trade Union. Under that definition any body of persons could combine with the object of protecting themselves—it may be against any eventuality

in relation to their work, or it may be a Servants' Union or Association at which girls meet for the purpose of discussing the disadvantages under which they work or the benefits which might accrue from co-operation between themselves, or any object for the improvement of their condition—and it was not necessary that they should register under this Ordinance and carry out a fairly cumbrous legal procedure or otherwise be liable to a penalty. A good many of these organisations are Friendly Societies. These combinations will have to be registered under this Ordinance and a penalty of \$24 is prescribed for every day default continues. Section 6 should not be included because its absence from the law would not destroy the intention of the Bill. It was never necessary before that these organisations should be compulsorily registered, and if you adhere to the strict definition of a Trade Union a good many of them which are purely Friendly Societies will have to be registered. While the law must be made in keeping with modern times there is no necessity for this clause. It was never contemplated when the Ordinance of 1921 was passed that every body which discussed anything in relation to the employment of its members should be registered as a Trade Union.

Mr. ELEAZAR : I endorse all that has been said by the hon. Member with regard to clause 6. The Labour Union is the only organisation in the Colony that claims to be a Trade Union. Its members are composed of charwomen, shovelmens and people who make no pretensions to be anything at all. Are you going to compel the Nurses' Association, the Teachers' Association which has branches all over the Colony, the Village Chairmen's Conference, the "Jordanites" and other religious sects, to be registered as a Trade Union? You are compelling them to register and making them liable to a penalty. The contributions of some of these bodies are a shilling a week or a shilling a month. Where are they going to find \$24 per day penalty? It shows how absurd the proposition is to make all these organisations liable under the criminal law.

Mr. SEERAM : I appeal to Government to make registration optional and not compulsory. Those who consider themselves sufficiently important, and for their own specific purposes, can register themselves.

THE ATTORNEY-GENERAL : I agree that if the effect of the Bill would be to cause compulsory registration of the Trade Union to which the hon. Members who have spoken and I belong and also of religious societies it would be unfortunate. The apprehension of hon. Members will be removed, I think, if I deal with the matter a little fuller. It must be remembered that the object of registration of societies which are formed under various Ordinances is for the purpose of protecting the members of those organisations and regularising their proceedings and their conduct. For instance, we have the Friendly Societies Ordinance under which the benevolent societies which exist for sick and burial benefits are registered. Then we have recently enacted an Ordinance dealing with Industrial Societies and the benefits conferred on those societies which are registered. Coming to Trades Unions, I want to call attention, first of all, to what a Trade Union is, to its objects, and to the very valuable purposes served by such a Union being registered. In the first place, a Trade Union is defined as meaning "any combination, whether temporary or permanent, the principal objects of which are under its constitution statutory objects." And statutory objects are defined as meaning "the regulation of the relations between workmen and masters, or between workmen and workmen, or between masters and masters, or the imposing of restrictive conditions on the conduct of any trade or business, and also the provision of benefit to members." I submit it is clear that the small societies, of which there are a great number in this Colony and which are registered under the Friendly Societies Ordinance, are not Trades Unions. Their principal objects do not come within the statutory objects.

All these societies have registered rules and their rules must comply with certain requirements before they can be registered as Friendly Societies or Trades Unions; so it will be difficult for a Friendly Society to be registered as such if it were a Trade Union, because it would not be complying with the requirements of a Friendly Society to be registered. So also with the small religious societies. These societies are not concerned with the relations between workmen and masters, etc., but concerned in the promulgation of their particular religious doctrines

and converting people. They clearly do not come within the scope of a Trade Union. The Village Chairmen's Conference or the Teachers' Association also, I venture to submit, does not come within the objects of a Trade Union. The effect of the Bill, therefore, is not going to be so far-reaching as hon. Members venture to think, and it will be confined to what really are Trades Unions. Let us consider the advantages accruing to a Trade Union registered. I understand that at the present time there is only one registered Trade Union, but there is no reason why there should not be others. It would be a good thing if there are others, and it would be a good thing if they are registered. The Ordinance confers certain statutory advantages on Trade Unions. For instance, it makes provision for the vesting of property in trustees, provision for the kind of actions trustees may bring or which may be brought against them, and special provision for accounts to be kept by the officers and the auditing of those accounts. Officers incur certain statutory obligations and non-compliance with those duties make them liable to penalties. There is also special provision for the benefit of minors, which they could not get in a non-registered Union, and other advantages. I submit all these are matters of great importance to the protection of the individuals who belong to a Union—the regularising of their affairs, and one of the most important matters is that dealing with their finances. Those are advantages that accrue to Unions which are registered, therefore the Bill will be serving a very useful purpose, protecting persons who need protection, and will not affect societies which exist for a totally different purpose.

Question put, and agreed to.

Bill read the second time.

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

Clause 6—Compulsory registration of Trade Unions.

Mr. ELEAZAR: I move the deletion of this clause in spite of what the Attorney-General has said. It does not convince me of the necessity for this clause. And why this heavy penalty?

Mr. CRANE: One of the statutory objects in clause 2 imposes restrictive conditions on the conduct of any trade or business. You have a body of merchants who meet from time to time and impose restrictions on the sale of tobacco. That, I apprehend, is a restrictive condition on the trade or conduct of a business. That body will be a Trade Union within the meaning of this definition. Do you say such a body must be registered? If Government carries this clause and it does not rope in the Tobacco Ring, or any other Ring, it would be administering the law with partiality. What about the Planters' Association? They discuss their trade and fix the price of sugar, and any black-leg who undercuts and sells or exceeds the quota allotted to him is dealt with. Is that not a body imposing restrictive conditions on sugar? Would you say that that amiable body of gentlemen must be registered as a Trade Union? I repeat that if this clause is passed and the Planters' Association is not registered Government would be administering the law with partiality. I hope any member of the public will be able to institute a prosecution against these organisations.

Mr. SEERAM: I support the amendment in view of the provision of section 7 of the original Ordinance. It makes registration optional and that provision is enough. I agree with the hon. Member that the Planters' Association and the Tobacco Ring would come within this clause.

THE ATTORNEY-GENERAL: It is possible for the Planters' Association to be a Trade Union, but on reference to the definition I find that more is required of them than the mere imposition of conditions on the conduct of any trade or business, because in addition to that a fundamental condition is to provide benefits to the members. Benefit does not mean direct benefit but special provisions entitling them to certain benefits arising out of contributions. They must provide for specific benefits arising to members. I do not know whether there exists in this community a combination which imposes restrictions on tobacco. There may be a combination elsewhere which may operate here indirectly, but also there must be provision of benefit to members in the way I have indicated. If

any body fall within the interpretation of "Trade Union" they should be registered and if they were not they would be prosecuted.

Mr. WOOLFORD: I did not know that legislation depended upon the personal knowledge of the Attorney-General. If that is the case it is a very sorry state of affairs. On several occasions in this room the knowledge of Members has been displayed by constant repetition of the existing state of things. The Attorney-General hears it, and it is knowledge which, I submit, he must take notice of. I repeat there is a combination whereby certain merchants only have hitherto been allowed to sell tobacco; no other merchants can do so, they are not admitted into the ring. The price is fixed and if anyone undersells the price that merchant is turned out of the combination. That statement has been made over and over again and it must be given attention to. It is the same with the Sugar Association. It is known that that Association regulates the retail price of sugar; it is also known that certain sugar producers are allowed a certain quantity and they must not exceed that quantity. All these combinations exist for the personal benefit of those associated with them. The retail price of sugar is fixed and it affects the consumer. They are allowed by those concessions to gain certain benefits in return for certain other privileges which the Government grants them. What I object to in legislation in this Colony is that unless you become a Member of the Government, in the sense in which the Attorney-General is, you cannot get legislation passed to give effect to the wishes of the community. There are at least two measures of great importance to the community which we cannot get introduced here. I am not going to refer to them, I am tired of nibbling interference with small matters. Two matters affecting the business interest of the community you cannot get introduced although they are within the knowledge of the Attorney-General. It is a waste of time discussing a matter like this for two hours.

Mr. CANNON: I wish to say I am going to support Government so as to get an opportunity of testing the matter.

The ATTORNEY-GENERAL: It gives the hon. Member for New Amsterdam great pleasure to make a personal attack

on the Attorney-General. I won't deprive him of that privilege.

Mr. WOOLFORD: To a point of correction. My attack is not a personal one at all. The hon. Member knows that we have been friends from early manhood and I hope that that friendship will never be removed. If I speak strongly at times it is only because I feel strongly.

THE ATTORNEY-GENERAL: I withdraw the expression "Personal." I think that in dealing with the matter the hon. Member may not have considered clearly and precisely the facts. I have not yet heard that there exists in this community a combination which does the matters in respect of tobacco to which hon. Members referred. There may be such a combination elsewhere which may operate in this community through a particular agent, but that is another matter.

Mr. SEAFORD: I understood that clause 6 was put in to protect poor people who are connected with small societies from wholesale robbery and was in favour of it. It now happens that there is a very wide field when you bring in organisations like the Chamber of Commerce and the Planters' Association. I would rather not vote on it until I have some legal advice. I do not know whether it is fully appreciated that the clause would include the various societies.

THE ATTORNEY-GENERAL: I was of the opinion that I made it clear to what sort of bodies the provisions of the Bill apply. They only apply to those having the statutory objects, for instance, restriction of any trade or business. There must also be a provision of benefit to members, which arises in the ordinary way out of contributions or subscriptions or something of that kind. Anyone familiar with Trades Unions and their rules would know that that is so.

Mr. ELEAZAR: I submit you have had it *ad nauseum* here that there is a Sugar Ring. Isn't it for their own benefit? If there is no organisation which answers the description there is no necessity for the law.

Mr. CRANE: Do I understand the Attorney-General has advised that the Sugar Planters' Association does not come under the law?

THE ATTORNEY-GENERAL: I have not seen the rules or regulations of the Sugar Planters' Association, but I desire to point out that the rules of a Trade Union must make provision for the following matters: the whole of the objects for which a Trade Union is to be established, the purposes for which its funds shall be applicable and the conditions under which any member may be entitled to any benefit thereby, and the finances and forfeitures to be imposed on any member of the Trade Union, provision for the investment of funds and for an annual or periodical audit of accounts, inspection of books, etc. That shows the necessary objects and I lay stress also on the provision of benefit to members.

The Committee divided on the clause and voted:

Ayes—Messrs. Cannon, Mullin, Dr. De Freitas, D'Andrade, Wood, Major Craig, Professor Dash, Major Bain Gray, Millard, Dias, Smellie, the Attorney-General and the Colonial Secretary—13.

Noes—Messrs. Peer Bacchus, Seaford, Austin, Anderson, Dr. Singh, De Aguiar, Pires, Seeram, Gonsalves, Eleazar, Crane, Woolford, Luckhoo and Brassington—14.

The Council resumed.

ANNUAL ESTIMATES.

FOREST DEPARTMENT.

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

Mr. WOOD (Conservator of Forests): When the Council adjourned on Friday afternoon discussion was centred on an amendment which had been moved by the hon. Member for Demerara River that item 1b. (2 Assistant Conservators of Forests, \$6,557) be reduced to one Assistant Conservator of Forests and carried out at \$3,300, and Government had undertaken to explain to the Council when it re-assembled the effect of the two alternatives of leaving the second officer above or putting him below the line. The position is that

the officer is to be retrenched on the 21st December. Based on what has happened in the case of other officers who have been retrenched, he would be due on the 21st December a cash gratuity of \$2,475 in respect of six years, one month and ten days' service. When employed in a temporary capacity for 18 months he will be due passage from England and back on the termination of his agreement amounting to \$336. The immediate cash payment therefore involved would be \$2,811. The officer's salary for the next 18 months together with his gratuity and passage would amount to \$7,671. Should the officer remain on the Fixed Establishment the gratuity would not be immediately payable nor his passages required to be paid because the officer would be returning from leave in the normal course of events and would pay his own passage. If his services were terminated at the end of 18 months the total sum payable for gratuity would be \$3,093.75 but would not involve the passage. The total sum therefore payable would be \$7,954 as against \$7,671. There is, however, another question which the Council must work out for themselves. If this officer remains on the Fixed Establishment he still remains liable to a transfer on the Fixed Establishment of some other Colony. If that occurred during the course of this employment the Colony would no longer be liable to pay that gratuity but merely a proportion of the lump sum and pension due to him in respect of his service in this Colony at the end of his career in the Public Service. There is also a minor matter to be considered. I understood the hon. Member for Demerara River to move as an amendment that a new (e) should come in below the line of one Assistant Conservator at \$3,257. I think the intention was that the officer, if re-employed on a temporary basis, should be employed on the salary which he is drawing now. If that is the case the amount of \$3,257 would not be correct and it should be \$3,140 because the calculation above the line includes an increment.

Mr. CRANE: From the explanation it appears that in any case we shall have to pay the money. As long as it is on the basis of law I have no complaint. Your Excellency gave an undertaking that Government accepted the position of one officer above the line and the other below,

THE CHAIRMAN: That was not the assurance given. The assurance given was that one of these officers should be taken off and employed in connection with the new timber work to be undertaken, and I informed the Council that it was impossible for Government to tell the Council whether the officer should remain above or be placed below the line. What we are concerned about is how much it is going to cost to secure the officer's services for this work and we are not concerned with whether he is above or below the line. Whichever course is fair to the officer and to the Colony that is obviously the best course.

Mr. CRANE: I am not going to doubt your statement, sir, as to what was the undertaking given, but my recollection is that you did say that the suggested appointment should be below the line.

THE CHAIRMAN: I should like it to be perfectly clear to the Council that Government is in the position of having to determine what is the best arrangement to be made in respect of this officer. The only pledge Government has given is that only one of these Assistant Conservators on the staff should be for the ordinary work of the Forest Department. In view of this special work the Council recognised the necessity of employing another Assistant Conservator of Forests. The Council also recognised that if it were going to employ an Assistant Conservator of Forests it should get a man who has been to the Colony. It also recognised that there was such an officer, and that that officer's services would terminate on the 21st December. What we have to consider now from the financial point of view and in fairness to the officer in question is whether he should be re-engaged from that date and remain where he was for this particular purpose only. One point of view is that you must have an officer. The next point of view is should he be engaged as at present or on a different basis.

Mr. CRANE: The expenditure will be \$7,671 when the services of the officer have been dispensed with. It follows therefore that the Colony would be to the good by \$283. I am prepared to give such a vote as would enable him to have his gratuity, re-employed, and have his passage

paid at a cost of \$7,671. That would be doing the officer no injustice. After awarding justice the Colony's interest comes first and I am wedded irrevocably to that position.

Mr. WOOD: I said there was an advantage to the Colony in retaining the officer on the Fixed Establishment because he would be eligible for a transfer to another Colony, in which case this Colony would not have to pay a gratuity at all and there would be an immediate saving of \$2,811.

The Committee adjourned for the luncheon recess and Mr. Percy C. Wight was present when it resumed.

Mr. ELEAZAR: We are trying to get rid of this officer altogether but are willing to put him below the line, and we feel it a want of candour to try to retain him above the line. The Colony stands to save \$283 and it cannot be doubted which way the House will vote. The intention was to reduce the staff of the Department and but for the grant from the Colonial Development Fund we would have insisted on his retrenchment. We must be just before we are generous. If we are to be just to the Colony we must place the officer where the Colony would benefit and I ask Government to accept that position.

THE COLONIAL SECRETARY: When the Council adjourned on Friday the suggestion was that this officer should be placed below the line and Government accepted that suggestion up to a certain point. The hon. Member for New Amsterdam at that moment asked that before anything was decided Government might ascertain what would be the financial effect of retaining the officer on the Fixed Establishment for the special work. That has been done and that is all the Conservator of Forests explained to the Council this morning. There is no question of dodging the position. The officer has been on the Fixed Establishment for six years and is entitled to a gratuity which will work out at about \$2,475. His services will then be terminated. We now propose to enter into an entirely new agreement by which he will receive a salary of \$2,400 and have his passage paid to and from the Colony. The effect of that spread over a period of 18 months is that the Colony will have to pay \$2,811 more to retain the officer's services below

the line than if it retained him above the line. That is the immediate effect. The question of retaining him above or below the line is yet to be determined. He will come out as an officer engaged for special work and placed below the line and paid a special rate of salary. The suggestion of the hon. Member for New Amsterdam was that if at the end of 18 months and yet another 18 months the officer proved himself particularly able to carry on this work he should be retained, and if in the long run he had 10 years' service it could be considered whether he should not be placed on the Fixed Establishment. The position cannot be looked at so far ahead now. If the officer is retained on the Fixed Establishment he will then be entitled to pension and if transferred elsewhere this Colony would be liable only to a *pro rata* portion of his pension. It is perfectly obvious that the best thing to do is to let the officer remain where he is to be employed on the special work and leave the matter to be decided at the end of 18 months. If it is then decided that the work cannot be carried on the question can be considered, when the increase in his gratuity would be \$200. I am asking hon. Members of the Council to be consistent. On many occasions they have objected to the immediate payment of lump sums to officers retired on gratuity when it has been purely a question of paying out large sums of money. Here is a case where obviously on a financial basis it is better for the Colony to retain the officer in his present position, and I ask hon. Members to realise fully the actual financial position of what they propose to do.

Mr. SEAFORD: One reason why this side of the House are anxious that the officer should be below the line is because they desire to be consistent. It is the feeling that at the present time the Colony cannot bear the expense and it was adopted generally that no officer should be above the line. If this officer is to be above the line now that he is to be brought in as a new officer it sets up a precedent which will have to be adopted in other cases. That is one of the chief reasons why the House is not in favour of placing the officer above the line. The idea is to bring no one at the present time above the line.

Mr. WOOLFORD: What the hon. Member has said is expressive of the

general views of Members who are not Government nominees. If Government desire to be consistent perhaps they will explain how a technical officer who has only had six years' service should have his claim recognised to be put on the Fixed Establishment when you have officers equally qualified in another Department whose claims have been refused recognition for 16 years. Government must show the example in consistency. When this officer was appointed it was not a pensionable office and he never hoped to become a pensionable officer. I am willing to agree that this officer's service should be extended after the 21st December for a further term of 18 months in order that the experiments should be made. But what is going to happen at the end of 18 months? If you enquire of anyone in the Colony to-day you will find that the feeling is that these experiments are going to be unsuccessful. I personally do not share that view, but the man in the street does. I am willing because of the Imperial assistance—and substantial assistance in this matter—to recognise it and give the experiments a trial. If at the end of 18 months these experiments are a failure, and if the officer is now put above the line, we shall then be in the position of having an officer on the Fixed Establishment for whom we have no use. Government recognise that in the present state of the Department his services ought to be terminated on the 21st December, therefore it is perfectly consistent to say that his services would no longer be required but for these experiments. Let his service be coterminous with the experiments; and the officer should expect to receive recognition when the experiments are *un fait accompli*. I believe the officer to be capable, well educated and as useful as any officer we can find, and it is a matter of regret to me that I cannot assist him to be on the Fixed Establishment when I know that another man who has gone to seek qualifications has been put on the Fixed Establishment in another Department. You put on the Fixed Establishment a man to enable him to get a qualification yet you deny to an officer who is qualified the right to occupy such a position. These are the inconsistencies of Government. I will not assist the position until you recognise the claim of every officer in the Colony, and the officers of whom I am thinking are men

born in this Colony. When you recognise the claims of men who are born here the hon. Member for New Amsterdam will recognise those of every man from abroad. I am not a narrow-minded man but I claim that we must vote consistently.

THE CHAIRMAN: I see the point made by Elected Members in this matter and I am only too anxious to meet the general view as far as I can in a matter of this kind, but I should like to put one point clearly in regard to the last speech. Government has never admitted that this officer was not necessary to the Forest Department. Government still considers that the officer should remain a member of the Forest Department, and quite irrespective of the \$25,000 grant Government would have wished and desired that he should remain in the Department for forestry work. That undoubtedly is also the view of the Secretary of State, who, as has been pointed out already, is very anxious to preserve the Department at full strength as an asset to the Colony. The point is that by a majority vote of the Council it was decided that this officer's services should be terminated on the 21st December, and the Council still hold to that opinion. But a new factor has arisen, this factor being the experiment with regard to the seasoning of timber. I do not believe with the critics that that scheme is going to be a failure: I believe it is going to be a success and will keep the officer in employment for a considerable time. The Council were prepared to approve of his retention for this particular work only and not as a member of the Forest Department. They therefore object to his being put above the line and treated as an Assistant Conservator of Forests. It must be realised that this means we will have to pay his passage out and back and that he will be entitled to draw his gratuity if he is not going to be kept on permanent employment. From a financial point of view by his retention for 18 months there will be a small saving by not putting him above the line. There is, of course, the point of view of the officer himself who, in a way, is bound to suffer by losing his pension rights for the time he has served above the line. I am quite prepared to put before the Secretary of State the view, which I think has been strongly put, that the officer should be re-engaged for a period of 18 months on a new contract in respect

of the seasoning of timber. We are re-engaging this officer from the 21st December with respect to the particular work of seasoning timber, paying him at the same rate he would have got with any increment and passage out and back, but he will draw whatever is due to him with respect to gratuity. Does that meet with the general view of hon. Members?

Mr. CRANE: That is not precisely the position we had taken up. We had made up our minds to strike out the item altogether. We were converted by the view of the hon. Member for New Amsterdam that the seasoning work is likely to be of advantage to the Colony. The officer's appointment will terminate on the 21st December. We can only vote for his employment from the 1st January, 1933. We are willing to sanction his re-employment from the 1st January, 1933, for a period of 18 months. In other words, we are binding ourselves to vote salary for 12 months in 1933 and for at least 6 months in respect of 1934.

THE CHAIRMAN: I suggest that the Council do not deprive him of the 10 days.

Mr. CRANE: Very well, sir; 10 days would make no difference.

THE CHAIRMAN: I take it that the Council accept that.

Mr. WOOD: The amount for 1933, including increment, is \$3,257. It will also mean moving in an item of \$168 for passage.

Amendment put, and agreed to.

Item 1c—1 Assistant Conservator of Forests, \$3,140.

Mr. CRANE: I suggest that this item be reduced by half seeing that this officer is to be on leave for the whole of the year while he is studying in England and the arrangement is that the Colony should pay half his salary and the remaining half come from the Colonial Development Fund Advisory Committee. I discussed the matter with the Conservator and he said we may not get the half from the Advisory Committee in time and the sum should remain on the Estimates. There is no certainty that the Colony is going to bene-

fit from the officer who is going to study for a whole year and the Colony paying for his instruction. There is no guarantee that the officer may not be transferred to some other position. As a matter of fact it seems to me that is pretty certain to occur.

THE CHAIRMAN: I would be one of the first to oppose any suggestion that the officer should be transferred. He is being trained in the interest of this Colony and that is the only reason why we are paying half his salary, and he is studying our timber while they are being examined, and I agree with the hon. Member that we should oppose his transfer.

Mr. CRANE: It seems to me an unsatisfactory position for this Colony to be called upon to pay for the whole year even half the salary of an officer who may not return here. If that is so what is our protest going to be worth us? Are we going to get a refund of the half salary? I think the position is not satisfactory and there should be due safeguards in the interest of the Colony when these arrangements are being made.

Mr. WOOD: I think I can meet the hon. Member's argument on that point as regards the officer "raising the wind," as they say, when he is undergoing his training. The course of training which has been instituted is that one officer is sent to it from each Colony possessed of large forest resources, so that each Colony will have an officer trained with local knowledge, and it is extremely unlikely that any Colony would be inclined to take an officer other than its own. I am in no fear of any risk of such a transfer taking place. The officer would be more valuable to me than any officer from any other Colony who has been trained in the same course. He has been out here for a number of years and is thoroughly conversant with local conditions and would be very much more useful than an officer who was trained in another Colony and had gone through the same course.

Mr. BRASSINGTON: I am very glad to hear that the Conservator has arrived at the conclusion that the local man is the best man. I have been trying to preach that for many years.

The item was reduced to \$1,840.

Item. 1*d*—Secretary, Forest Trust, \$1,988.

Mr. CRANE: What are the duties of this officer?

Mr. WOOD: The clerical staff of the Department consists of a Secretary and Typist. This officer has been Secretary of the Department from within a few weeks of its inauguration and has been drawing this salary for a number of years. He is the only clerk and accountant. He has a certain amount of other work to do and also undertakes work out of doors because we are short of staff. The officer is fully occupied and is a permanent member of the Civil Service. He was a Third Class Clerk in the Lands and Mines and got promotion in the ordinary course.

The Committee agreed to the insertion as item 1*e* of "1 Assistant Conservator of Forests (for timber seasoning operations), \$3,257."

Item 2—Travelling, Labour and Materials for Surveys and Subsistence Allowance, \$4,000.

Mr. BRASSINGTON: Last Friday the Conservator said he was not able to give full particulars with respect to this item because the books were at the seat of government. He was down there on Saturday and I hope we will get it to-day.

Mr. WOOD: I am afraid I have not got it. I told the hon. Member that it would have to be worked out. He then asked if I would give it to him approximately and I gave it to him approximately.

Mr. BRASSINGTON: That did not do away with my question. I would have thought the Secretary and Clerical Assistant had this information. It gives me the impression that the books have not been made up, or the information would have been forthcoming.

Mr. WOOD: The books are made up. This is an instance of some of the duties which the Secretary has to perform. He was busily engaged on Sunday working out the period of service of Mr. Lockie and what his gratuity would be. It would take a little time to go through the books and classify the expenditure. If the hon.

Member wishes it I will send up word and have it done and bring it down next week.

Mr. ELEAZAR: I ask that the item stand over.

THE CHAIRMAN: Let us pass the item and ask the Conservator to get the figures. We could then go back to the item if necessary.

Mr. BRASSINGTON: When the Conservator is getting this information he might prepare a list of the number of days he has been absent from the seat of government.

THE CHAIRMAN: The Council will have an opportunity of getting the information, but I do not think we need hold up the vote.

Question put, and agreed to.

Item 6—Experiments and Research, \$3,000.

Mr. ELEAZAR: If we are going to experiment with the seasoning of timber this is \$3,000 to play with. How long are we going to have these experiments? What do they mean, and what results have been attained? It is playing ducks and drakes with this money. I move that the item be deleted.

Mr. SEERAM: I support the amendment. I am sure that when the Conservator placed this item on the Estimates he was unaware of the grant of \$25,000. In view of that grant this expenditure is unnecessary next year.

Mr. WOOD: The item is not as large as it looks. The approved estimate for 1932 is \$3,000. Of that amount more than \$1,200 will be returned in revenue. One little experiment we did was selling a log of a kind of wood which is not exported from this Colony. We had to buy that log out of this vote and were selling it in England for a purpose for which it was believed to be eminently suitable. The profit on that transaction alone will come to over \$900, and it will convince users of that timber of the suitability of that wood. These experiments have been going on for a number of years and if I had not that money the \$25,000 would not be spent by me, because I would not have gone into the

matter on that scale without these experiments. Crabwood and wallaba have been tested in England as the result of these experiments and quite recently we received reports on some of those tests. The question of doing major tests of crabwood and wallaba hinges on the possibility of seasoning those woods before they are exported to England. We are asked to undertake this work to determine whether it could be done, and if it is not done it is no use trying to get our woods on the markets in England. If we cannot give them seasoned materials to work on they cannot do the tests they suggest. All that work is done out of this money and we get some return on the expenditure.

Question that the item stand put, and agreed to.

Item 9—Nurseries, Plantations and Cultural operations, \$5,000.

Mr. CRANE: I asked for a statement of the work which is being done under items 6 and 9. A statement has been given with regard to item 6 and a similar statement is necessary as regards item 9. I do not believe it is necessary to spend \$5,000 per annum on nurseries, plantations and cultural operations. It has been often asserted, and not contradicted, that we have not got rid of the fringe of our forests, and we are spending \$5,000 per annum to restore them. I am not saying that the Conservator should not do this work, but a quarter or half of this money should be enough. It is too much money to spend on experiments. There will be only one Assistant Conservator available, yet you take the identical vote as when you had three Assistant Conservators.

Mr. BRASSINGTON: I do not think this is an excessive vote or that it is not needed. I complain of the lack of information. I want to know how this Department is progressing. This Department has two officers and no army.

Mr. SEAFORD: I believe Members of the Council who are members of the Forest Trust recently visited the station. A few words on that visit might be helpful.

THE COLONIAL SECRETARY: I am glad of the opportunity and will try to describe what I and other Members saw on that visit not so long ago. I think

hon. Members were impressed with the work that is being done in the immediate vicinity in regard to the experiments in planting exotic and indigenous timbers. In the middle of a greenheart forest I saw thousands of young greenheart trees forcing their way through. That impressed me more than anything I saw. The money voted for these experiments and research is well spent. It is very difficult on estimates, unless one gives a long description of what is being done, to describe accurately what is being done. The Department's reports give a great deal of information, and if those reports are studied more closely all the information asked for in respect of these items will be found there. Not only the experiments here but, as described by the Conservator, valuable research has been taking place in England in regard to the woods in the Colony. The sum of \$5,000 is not a large sum to spend in experiments in regard to what trees can grow here and how the forest can be re-afforested. The money spent is not going to produce any results for perhaps 30, 40 or 50 years; but how are producers to advocate development of the forest of the Colony. Hon. Members themselves are continually referring to the untold wealth of the Colony, whether in gold or timber, but the only way to develop one portion of that wealth—timber—is to develop it on scientific lines, and having developed it we are sure that that wealth is going to be retained and not dissipated. Every ounce of gold and diamonds taken out of the Colony cannot be replaced—they are wasting assets—but the timbers extracted now need not be wasting assets. They can be replaced and it is the duty of the Department to replace them. I also ask hon. Members to consider the position of another Colony which has been dependent on its forest products. That Colony cannot now extract sufficient timber to keep its people employed who are mainly wood-cutters, and due to that and depression that Colony is in a very bad way. Had that Colony done what is done in India and elsewhere 30 years ago its forests would not have been in the position they are to-day. We have heard that some of our woods have been given a very good report and we should get them on the market in Europe. Having established that market—and I hope we shall establish a demand for these timbers—it behoves us to safeguard the regeneration

of our forests. It would be a fatal thing to the Colony to extract from the accessible areas all the crabwood and purple-heart, and we must take steps to re-afforest the timbers extracted and to do that the Department must have money for the purpose. Every cent will be well spent and I am sure will bring back a considerable addition to the expenditure.

Mr. ELEAZAR: I move very reluctantly that the item be carried out at \$2,500. When the Forest Trust was formed the Colonial Secretary made exactly the same speech as he has made to-day. The Conservator of Forests reported shortly afterwards that 10,000 square miles of greenheart were worth \$16,000 per square mile at either the Bartica-Tiboku triangle or some other place. We have not taken out \$5,000 worth of greenheart yet and we are called upon to spend \$5,000 to experiment on planting greenheart. \$2,500 is enough for these experiments, in view of all the other experiments, for the simple reason that the forest is still untouched.

Mr. WOOD: I do not see how I can carry on with less than \$5,000. The Colonial Secretary has explained what work is going on. I invited one Member who asked what I was doing up there to come up and see and he said "Too far, man." I invite the hon. Member to come up and see for himself. This item was threshed out last year. I think I explained then what it was required for and everything else. The work dovetails in all the work we are doing. The despatch of the Secretary of State which discussed the question of an officer being trained in England stated that from the best advice he could obtain there was an exceptional opportunity at present to put Empire woods on the English markets. He said that not only had the trade considered it essential that there should be an officer in every Department familiar with the requirements of the trade in England but also familiar with local conditions to establish liaison, but the trade would not be interested unless there was an assurance of continuity of supplies. The hon. Member said our forests are not beginning to be depleted in any way. That argument recurs throughout the history of every country like telegraph posts to a passing train. There is a loud cry that the timber resources are inexhaustible. The

timber trades have no interest in timbers unless they have some assurance of continuity of supplies. If the Council wishes to reduce this item—I do not know what I can do to prevent it—I can only say I have my reputation here and elsewhere as a Forest Officer to consider, and if I agree to cut this item lower than it is I feel my professional reputation might suffer to the extent that it might do harm afterwards amongst my own professional brethren. I think \$5,000 is the smallest amount with which I can usefully carry on that work.

Mr. WOOLFORD: If some of those who are opposing this vote will pay a visit to the station—and I gather that that opportunity was extended to the hon. Member for Berbice River—they will find that most of this expenditure—about 80 or 90 per cent.—is on labour. It may be an experiment not altogether justified, but it has the appearance of success and possibly of future success. What interested us chiefly was the comparative experiment of plant life on low lying lands as compared with hilly country, and if this country is going to be developed that is the kind of experiment that has to be made at some time or another. If we are to develop our forests and take care of them we are justified in spending money on low lying as well as hilly land, and most of this work is being done in that direction. If an attack has to be made on the aggregate vote of the Department it would be more successful. I ask now whether item 6 could not be reduced by at least \$1,000 because, in view of the special vote of \$25,000, it necessarily follows that some expenditure on experiments and research must be curtailed. I am also of the impression that the location of this Department requires consideration. I am not at all satisfied that it is in the best spot. I cannot see the exact relation between the situation of the Department and the work it has to do. That, of course, is a matter of opinion. The situation lends itself to greater expenditure in the care and management of the Department than would ordinarily be the case. I think I can also say for my colleagues that this Department is very largely agricultural, and when the time comes for a closer examination of the Department itself and its needs I hope that will be borne in mind. I have often heard the suggestion made that it ought to be amal-

gamated with the Department of Lands and Mines. For myself, I doubt very much that a part of the training of a Forestry Officer should not include his acquaintance with soils and what they produce, as that of an Agriculturist. If these experiments on a large scale are going to be continuous the Department will need at some time or other the services of a trained Agriculturist.

The Committee divided on the question that the item stand as printed and voted:—

Ayes—Messrs. Peer Bacchus, Seaford, Austin, Anderson, Dr. Singh, Pires, Gonsalves, Wight, Crane, Woolford, Mullin, Dr. De Freitas, D'Andrade, Wood, Major Craig, Brassington, Professor Dash, Major Bain Gray, Millard, Dias, Smellie, the Attorney-General and the Colonial Secretary—23.

Noes—Messrs. Seeran, Eleazar and Cannon—3.

The Committee approved as item 11 of "Passage to the Colony of Mr. Lockie \$168."

TRANSPORT AND HARBOURS.

Mr. CRANE: I have taken part in recommending that these estimates be passed, but since then the Managing-Director has resigned and the acting Managing-Director has unfortunately died, and there is an opportunity to effect considerable retrenchment. I want as a Member of this Council to suggest that Government should consult the Harbour Board on any proposal which it intends to submit for the filling of these offices. We are often reminded that the Board is a consultative body and executive powers still lie with Government. Nothing should be done until the Board is given an opportunity to express its opinion as to the method it considers most economical and most fitting for filling these offices. We should grasp the opportunity to effect that economy which is so long needed and which we could not have effected without doing harm to one or two officers. I hope Government has done nothing yet which would prevent it giving that undertaking.

THE CHAIRMAN: I give the hon. Member the assurance that no action has been taken. The advice of the Harbour

Board might be quite useful and, in fact, should be very useful. In the first instance, if Mr. Cooper is coming here, the members of the Harbour Board ought to have a talk with him. Then they can put up their recommendation of the type of officer and amalgamation and savings to be made. They would be in the best position to do so. Government will give consideration to any recommendation of that kind. The choice must naturally rest with Government but it will depend very largely on any recommendation made by the Board, and I suggest they might consult Mr. Cooper and then put their views before Government. I do not propose to take any action until I receive their views.

Mr. CRANE: Primarily, we are not concerned so much about the person but urge on Government that retrenchment can be made, and we would lament any step which would bind the Colony to having several offices when they can be reduced.

THE CHAIRMAN: I will give an opportunity for that to be done.

THE COLONIAL SECRETARY: I move that item 1a (Harbour Services), be altered to read "Harbour Master (\$2,160 to \$2,280 by \$240), \$2,280" in accordance with the conditions of appointment.

Mr. CRANE: This is the first time I am hearing as a member of the Harbour Board that there is any increase of this item. The Board passed the item at \$2,060 and there should be some explanation why the amount has been increased.

THE COLONIAL SECRETARY: When the matter was dealt with by the Harbour Board the amount was to be \$2,280—the amount the Board suggested the new officer should be paid. The despatch went to the Secretary of State suggesting that if a retired Naval Officer with a pension could be obtained the salary might be lower. The pres-

ent holder was appointed at that figure but on representations he made, that he did not anticipate receiving certain allowances, the matter was referred to the Secretary of State, who agreed that the salary should be at the rate recommended by the Board but that if the officer was in receipt of no pension his salary should be \$2,280.

Question put, and agreed to.

THE COLONIAL SECRETARY: I have to move the insertion of three new items for extraordinary expenditure on renewals and replacements. The Steamer Replacement and Renewals Fund has been taken to the credit of revenue in reduction of our deficit, but the Secretary of State in requesting that that should be done undertook to allow any sum that we wish for replacement which would otherwise have been met from that Fund to be included in our estimates of expenditure and to be included in the grant-in-aid His Majesty's Government is prepared to grant us to balance our Budget. It is therefore necessary to include these items as items of expenditure. I therefore move the insertion of the following items: 1, Reconstruction of telephone line on the East Coast Railway, \$1,300; 2, Two new Bogie Carriages, \$20,000; 3, Renewal of dock gates at Mazaruni Station, \$5,000—\$26,300.

Items 1 and 2 put, and agreed to.

Mr. CRANE: I regret that I did not have an opportunity of discussing item 3 with the Board before it came before this Council. Recently repairs have been done in Georgetown and the Board had under consideration whether repairs could not be more economically carried out at the dock of Sprostons than at the Mazaruni dock. The question is whether this expenditure should be incurred.

The Council resumed and adjourned until the following day at 11 o'clock.