

## LEGISLATIVE COUNCIL.

*Tuesday, 6th September, 1932.*

The Council met pursuant to adjournment, His Excellency the Hon. C. DOUGLAS-JONES, C.M.G., the Officer Administering the Government, President, in the Chair.

## PRESENT.

The Hon. the Colonial Secretary, Major W. Bain Gray, M.A., Ph.D. (Edin.), B. Litt. (Oxon) (Acting).

The Hon. the Attorney-General, Mr. F. J. J. F. McDowell (Acting).

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

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).

The Hon. E. F. Fredericks, LL.B. (Essequibo River).

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

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

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

The Hon. E. F. McDavid, Colonial Treasurer (Acting).

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

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

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

The Hon. W. Francis, F.I.C., F.C.S., Government Analyst.

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

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

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

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

The Hon. C. Farrar (Nominated Unofficial Member).

The Hon. Peer Bacchus (Western Berbice).

## MINUTES.

The minutes of the meeting of the Council held on the 1st September, as printed and circulated, were confirmed.

## ORDER OF THE DAY.

## BRAZILIAN BOUNDARY SURVEY.

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

1. Is it true that Government treats the funds provided by the Imperial Government for carrying out the Brazilian Boundary Survey as funds removed from the control of this Council?

2. Did Government not intimate to this Council the decision of the Secretary of State for the Colonies, that as the Colony might be called upon to repay those funds at a future date they should be dealt with as money voted by the Council?

3. Is it true that the Commission of the Brazilian Boundary Commission claims to administer these funds as Imperial funds free of any departmental control?

4. Is it true that the said Commissioner refused to accept a medical officer assigned to him by the Surgeon-General for the service of the said Commission?

5. On what ground were the services of the medical officer who it was suggested should be appointed on the Boundary Commission refused the appointment?

THE COLONIAL SECRETARY (Major Bain Gray) replied as follows :—

1. The funds for carrying out the British Guiana-Brazil Boundary Survey are met from a vote of the Imperial Parliament. His Majesty's Government have agreed to provide the necessary funds for this work in the first instance, leaving the question whether British Guiana should be called upon to refund the whole or part of the expenditure for subsequent consideration in the event of an improvement in the financial position of the Colony taking place. The Chief Commissioner, the Deputy Commissioner and the two Surveyors engaged on the survey are, however, officers in the Public Service of this Colony and, as such, their salaries are provided under Head IX. (a) of the Annual Estimate, the Imperial Government refunding to the Colony the cost of employing in the Department of Lands and Mines substitutes in place of these officers. In this connection please see the item appearing under Head IX.—Department of Lands and Mines—Salaries of Substitute Officers—in the Schedule of additional provision for quarter ended 30th June, 1932, now before the Legislative Council.

The expenditure on the Survey is under the direct control of the Secretary of State and the accounts are audited by the Exchequer and Audit Department of the United Kingdom.

2. There is no record of any such intimation.

3. The expenditure on the Survey is under the direct control of the Secretary of State and the accounts are audited by the Exchequer and Audit Department of the United Kingdom.

4 and 5. The Commissioner expressed the view that the medical officer who applied for this post was unsuitable, on the ground that he was a young married man. In view of the nature of the appointment Government agrees that

preference should be given to an unmarried officer if a suitable applicant is available.

#### WORKMEN'S COMPENSATION BILL.

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

1. When does Government intend to introduce the Workmen's Compensation Bill?

2. Has the Secretary of State for the Colonies returned the draft Bill? If so, will Government endeavour to introduce same at the Annual Session?

THE COLONIAL SECRETARY replied as follows :—

1 & 2 The draft Workmen's Compensation Bill has not been returned by the Secretary of State for the Colonies but is still under consideration by him and until a reply is received from him nothing can be done.

#### RETRENCHED OFFICERS RE-EMPLOYED.

Questions—1. Is it true that certain retrenched officers have been re-employed by Government?

2. If so, will Government give the names of such officers, the offices held, and salaries received before they were retrenched, and their present offices and salaries?

3. Why were they retrenched and why are they re-employed?

THE COLONIAL SECRETARY replied as follows :—

1. Yes.
- 2.

#### RETRENCHED OFFICERS WHO HAVE BEEN RE-EMPLOYED.

Names of Officers.	Posts Retrenched.		Present Posts.	
	Office held.	Salary of Office.	Office held.	Salary of Office.
B. O. Smith	... Accountant of Court	... \$ 3,024	Accountant, G.P.O.	... (b) \$ 3,024
C. G. C. Belmonte	... 4th Class Clerk, Lands and Mines.	...	6th Class Clerk, Treasury	... (a) (b) 624
Miss E. M. Barclay	... Clerical Assistant, Immigration Dept.	...	360 Clerical Assistant, Treasury..	360
Gaznabbi	...	...	360 Hall Porter, Public Hospital, Georgetown.	360
N. Newsam	...	...	1,320 Stores Clerk, Central Stationery Store.	(b) 612
A. S. Dolphin	...	...	612 Schoolmaster, Onderneeming.	(b) 624
O. Green	...	...	240 Messenger, Treasury	... 240
W. O. Fraser	...	...	2,784 1st Class Clerk, Treasury	2,280
H. McN. Brassington..	Accountant, Local Government Board.	...	2,784 3rd Class Clerk, Post Office	... (b) 1,488
C. S. Ridley	... Harbour Surveyor (Harbour Board).	...	2,016 Supernumerary Surveyor, Lands and Mines Dept.	(b) 1,608
A. Grant	... Messenger, Harbour Board	...	336 Motorman, Customs Launch...	264
J. Plass	... Clerical Assistant and Revenue Runner.	...	360 Revenue Runner	... 210

(a) From 1st October, 1932.

(b) Temporary arrangement.

3. The posts of these officers were abolished on the grounds of economy. They are now filling vacancies which have since occurred.

#### REFORM OF CONSTITUTION.

The Council resumed the debate on the motion of the hon. Member for Berbice River (Mr. ELEAZAR), which is as follows:—

Whereas the Political Constitution substituted in 1928 for the Colonial Constitution of 1891 was unwelcomed and undesired by the people of this Colony and has led to grave dissatisfaction amongst His Majesty's subjects in this Colony;

And whereas by reason of the present form of Constitution the economy necessary to rehabilitate the Colony's financial position cannot be effected, and the material progress of His Majesty's said subjects in the Colony is greatly retarded:

*Be it Resolved*,—That this Council respectfully requests the Secretary of State for the Colonies to direct the local Government to appoint a Committee of this Council consisting of not fewer than five Elected and not more than three Official Members to draw up the outline of the Constitution which may be considered suitable to the needs of the Colony and calculated to afford His Majesty's said subjects reasonable participation in the government of the Colony under proper safeguards of Colonial and Imperial interests and in such a form as is compatible with the aspirations and well-being of the inhabitants in general.

Mr. DIAS: When the Council adjourned I was endeavouring to establish that the grievances alleged against the present Constitution were in no way connected with it. If there are grievances they existed long before the Constitution came into existence in 1928. It has been levelled at the Constitution that nothing has been done to replace the country in the more comfortable position which it enjoyed in years past. I venture to say that reference to the records of the Council shows just the contrary and that since 1928 there has been a substantial annual reduction in the expenditure of the Colony. I hold in my hand the report of the Colonial Treasurer for 1930, in which there is a comparative statement of revenue and expenditure for 10 years. Supposing we take the four years prior to the change of the Constitution and compare them with the four years subsequent to the change of the Constitution. In 1925 the expenditure of the Colony was \$5,114,194, in 1926 \$5,632,758, in 1927 \$5,510,536, and in 1928 (which was partly under the old Constitution and partly under the new Constitution) it was

\$5,563,866. The present Constitution then came into existence, and in 1929 the expenditure was \$5,405,848, in 1930 \$5,247,859, and in 1931 \$5,164,719. So that since the present Constitution came into force the expenditure in 1931, compared with that in 1928, was no less than \$400,000 odd less than it was then. Those figures speak for themselves, and, I submit, answer the criticism of Members of the Council and of persons outside of it who say nothing has been done to rehabilitate the Colony. We know, of course, that revenue has correspondingly fallen, and perhaps more so, but that is beyond the control of anybody.

I have seen some figures this morning which show that the value of sugar within the last year, as compared with ten years ago when the country was in a very flourishing condition, has fallen by about 50 per cent., similarly rice, copra, coconuts and all other products of the country. It stands to reason, therefore, that if that fall is not within the control of the people here, nobody can be blamed for that deficiency in value which we all know and are bound to admit is due to world-wide depression. As a taxpayer I express the opinion that every reasonable effort has been made to curtail the expenditure of the country, and to administer its affairs within the means at our disposal. Is there not another question which must present itself to hon. Members in connection with this matter? I consider that the last four years have been the most disastrous years for the whole world. British Guiana has had to share in the hardships of those times. In spite of drastic reductions in expenditure, it would have been impossible for any human being to collect sufficient revenue to meet that expenditure. What has been the result? The Imperial Exchequer was appealed to and has rendered the country yeoman service by way of free grants of money and loans without interest for a period of years. The question that faces the Council is where would those moneys have come from if the benefactor had not provided it.

Mr. CRANE (*sotto voce*): Savings.

Mr. DIAS: The hon. Member has interjected the remark, "Savings." I challenge him or any Member of this Council to say in what other particular substantial

savings could have been effected to provide the hundreds of thousands of dollars which we have been short of year after year. Hon. Members must not imagine that they possess a monopoly of business ability.

Mr. ELEAZAR (*sotto voce*): Neither does the Government.

Mr. DIAS: I am speaking for myself, and I lay claim to a certain amount of intelligence in that particular. It would be impossible to suggest anything that could have been done to bring about a balanced Budget in these terrible and trying circumstances.

Mr. ELEAZAR: Question!

Mr. DIAS: I know of private individuals who cannot balance their own budgets in spite of their efforts.

Mr. ELEAZAR: That has always been so.

Mr. DIAS: And I am afraid they will never succeed in doing so, yet they are the very people who, though they cannot put their own house in order, were prepared to put the Colony's in order.

Mr. CRANE: Who are they? I would like to know who they are.

Mr. DIAS: Some people remind me of Micawber. They settle their budget on paper. We will now see in what respect there has been failure of any kind. I have endeavoured to trace from Hansard over the past four years any scheme or suggestion in a tangible form put up by the Elected side of the Council which, if adopted by Government, would have cured the ills which it is said the country is suffering from. I regret to say that I have not been able to find any. Why has that not been done? I have heard several times attacks made on a Government Department or two in which Members have contended that reductions could have been effected, but it always remains a matter of opinion whether if those suggestions had been adopted they would have been wise. I am assuming for the sake of argument that they were wise, and were rejected. I ask hon. Members to say what would have been the total savings in comparison with the enormous deficits which we have to face through circum-

stances over which nobody had any control.

Mr. ELEAZAR: You are begging the question.

Mr. DIAS: I am without any information to assist me in saying that efforts have been made but by reason of the obstinacy of Government the country has not advanced. It seems to be the complaint that on many occasions when the Electives were unanimous in spite of that unanimity there was rejection of their ideas. I do not know what is meant by unanimity. It has puzzled me considerably, because, if it is suggested that because three or four or five or six Electives present in the Council have voted together that that represents unanimity as contemplated, I beg to differ. That is not my view, because it is impossible to say what opinion the remaining Electives who were not present would have formed on the arguments which were advanced. I would certainly consider that unanimity, in the sense in which it is intended, means the opinion of the majority of Electives.

Since the adjournment last week, I am glad to say, I have received messages from quarters unexpected supporting the view that I expressed in connection with this matter. I venture to say on my own now that not 80 per cent. of the population of this country understand what Constitution means. As far as the remaining 20 per cent. goes it is just as likely to get a majority one way or the other, and it does not follow that because some people do not climb upon the house-tops and shout their opposition to a suggestion, such as the one proposed by the motion, they were in agreement. There are lots of people who sit down and think about their business and how to live, and have no time to discuss these matters when they are just in the air; but when they come down to bed-rock I am positive that the responsible people in the community will raise their voices, as they will be entitled to do in the same way as the opposing side, and protest against the change in the form contemplated. One may go on for hours debating a subject of this kind, but I want to suggest that the greatest need of the country at present is to consider the physical constitution of the inhabitants, by finding work for the hungry people.



We should combine our forces and consider for the people what is best for them, set about doing it, and turn out in the end a happy and prosperous people. So long as those squabbles exist over a matter which does not provide immediate relief for the people who are hungry, so long will they continue to remain in that state until something sensible is done. I hope the ultimate result of this motion will be that one and all will realise that only by co-operation and assistance given to each other are people likely to become satisfied and everyone happy.

Mr. WOOLFORD: When, sir, the present Constitution was ushered into this Colony the Elected Section of this Council, notwithstanding a very natural disappointment over the course of events that had preceded that very important circumstance, voluntarily tendered to the new Administration a promise of their weight and support and co-operation in the administration of the affairs of this Colony (Hear, hear). If to-day, sir, viewing the public concern, sharing what is undoubtedly a sense of uneasiness as to the advantages that may be gained by the continuance of the present form of Government, if in the discharge of his public duties a Member of this Council conceives it his duty, supported as he is by his colleagues, to table a motion for the appointment of a Committee to examine the foundations of that Constitution, I think, sir, that the claims of the Elective Section should not be lightly disregarded (Hear, hear). It is to be regretted that observations general in their nature, made by the hon. Member for Georgetown North (Mr. Cannon), should have been seized upon by certain Nominated Unofficial Members of this Council as an opportunity to disfigure the main outline of the object of the mover and his supporters in submitting this resolution. I do not know, sir, how public opinion is gauged either generally or individually, still less am I aware of how Government would continue to gauge it, but I do know, sir, that generally speaking and outside of this Colony the state of public opinion may be gauged in several ways. Attendances at public meetings of a representative character is undoubtedly one of them. I share the view that has been expressed that, in the main, the holding of public meetings in the afternoon, at a most inconvenient time to business people, is a mis-

take. I have always held that view and I hold it still, and I share the opinion that in a very large measure the decisions of those public meetings may not be regarded with the same respect as others I can conceive. But it would appear that this Government have set up their own standard as to the manner in which they are prepared to determine what is the true barometer by which public interest is to be gauged.

It would appear that public interest in a constitutional question is to be settled by the paucity or otherwise of the attendance in the public gallery. When I joined the Combined Court, and earlier, I saw sitting behind there, much nearer however than they are to-day, some of the faces I see to-day. They have been in constant and regular attendance whether the subject of public discussion be a constitutional one or otherwise. I have seen those faces when there was no meeting of the Council and no public question being discussed, and I rather fancy that some of those gentlemen conceive they are unattached members of this Council (Laughter). For the Administration to take that as a test is, if I may be allowed to say so with great respect to the occupant of the Chair, very poor statesmanship. It would appear that unless that feeling is eradicated from the mind of Government and those responsible for its administration, unless it is made quite clear that the paucity of members of the public in the public gallery of this Council is not to be taken as an indication of public feeling, unless the Elective Section of this Council make it quite clear that their expressions of opinion far transcend in importance the conclusions of Government, drawn by them as the result of attendances here, it seems to me there will never be any hope for true and proper representations being made on any public matter to His Majesty's Secretary of State. Is the Government not aware that during the past six months editorials after editorials in the public organs of this country, and from a source which has certainly surprised me, have been constantly and daily appearing? Has the Officer Administering the Government not read them? If he has, has he not understood their meaning and import? Has he not considered it his duty in forwarding his observations on this debate to call atten-

tion to the trend of those articles and to the very changed opinion of every publicist in this Colony? (Hear, hear). It is impossible for any right-thinking man to escape feeling that there is a very altered public opinion in this Colony as to the advantages of the present Constitution. I do not claim to be *Homo Sapiens*, I do not claim to be the last word in assessing the value of public opinion, but I do say, sir, that it is the duty of the Government to accept the skeleton of this motion and to sanction the appointment of a Committee which will examine the foundations upon which this Constitution rests and say whether as a result of that a new framework cannot be erected on them. With some of the preambles and the form of the resolution itself I do not altogether agree. If anything is to be done in this matter I think a Commission should be appointed (Hear, hear). It must be such a body as will be able to take evidence of witnesses who may care to appear before them and generally to make an exhaustive inquiry into the state of public feeling. Now, I do not subscribe to the idea that the composition of the Commission should be confined to Members of the Council. And here I digress to state that that was the saddest feature of the B.G. Constitution Commission. That Commission, contrary to the instructions contained in Mr. Amery's despatch—I am not aware whether those instructions were ever altered—was composed of seven members. The instructions issued are to be found in paragraph 8 and read as follows:—

“I have accordingly to request you to proceed forthwith with the appointment of a local Commission, which should consist of not more than five members, including the Colonial Secretary as Chairman and two unofficial persons of standing, with the following terms of reference:—

To advise upon the steps which should be taken to confer power upon the Governor to carry into effect measures which he and the Secretary of State consider essential for the well-being of the Colony whether by an alteration in the relative powers and in the composition of the Court of Policy and the Combined Court, or by the substitution of a new Legislative Council in which the Crown would possess powers of effective control over financial as well as other matters, and generally upon any other improvements, such as those suggested by the British Guiana Commission, which might be effected in the constitution.”

Instead of that Commission not having more than five Members seven were appointed. Can it be denied by any impartial person that of that seven four

were Officials who had been reared on the germs of Crown Colony government? They knew no other system. They were so impregnated with its poison that no antidote known to political science could have eradicated it from their system. I was a Member of that Commission and it was easy for me to see very early what their decisions were going to be. I am not prepared to say that it was constituted with any ulterior motive. They seemed to have informed its deliberations and nothing could be said or taken as giving the slightest encouragement to any other point of view than that of Crown Colony government. I think it is a matter for great regret that the evidence taken before that Commission has never been made public. I should like to know whether there exists any precedent for such a procedure. I would like to know even now why the proceedings of that Commission have been hidden from the public view, and I, as a Member of that Commission and as owing a duty not merely to the constituents whom I represent but to the Colony generally, make the statement that if the views expressed on that Commission by the representatives of organised institutions in this Colony were made public it would be found that the decision of that Commission was against the weight of evidence (Hear, hear).

For the legality of the decision arrived at there was no warrant, no support by the testimony adduced, and when, sir, Mr. Amery in the House of Commons—I heard him myself—made that statement that the decision of that Commission represented the views and was made with the consent of the inhabitants of this Colony, he made a very serious misstatement. Now, sir, that is a very important matter indeed. Mr. Amery was so far uninformed as to the constitution of that Commission that he hardly knew the position occupied by the constituent members. It never occurred to him and he probably did not know—that is quite clear from his statement in the House of Commons—the position occupied by Mr. Shields. He never knew Mr. Shields was a Member of the Executive Council when he sat on the Commission. He thought he was an ordinary member of the public. I am convinced that as the result of many circumstances the abrogation of that Consti-

tution, the circumstances under which it took place resulting in the replacement of it by the present Constitution, was illegal and constitutionally unsound. It has never been laid as a claim by any legal authority that by an Order-in-Council the Constitution of the Colony could be changed without the consent of the inhabitants (Hear, hear). Lord Halsbury, an eminent authority, speaking in the House of Lords, questioned the legality of the procedure that was being adopted to ravish this Constitution, and I feel certain to-day that if it had been generally known in Great Britain that the majority of the inhabitants of this Colony were opposed to the Constitution being taken away, notwithstanding the existence of a Party Government in Great Britain, this Constitution would not have been annihilated in the way it has been (Hear, hear).

Under the terms of reference it was possible to—and this is what Mr. Amery directed attention to—effect alterations in the relative powers and in the position of the Court of Policy and Combined Court. In other words, it was possible that the two Courts might have been maintained with some alterations in their respective powers, instead of by the replacement of the two Courts by the substitution of a new Legislative Council. Before I accepted service on the Commission—and I was the only Member appointed—I told His Excellency Sir Cecil Rodwell that I was the only Member to be appointed, and in an interview I had with the Governor I expressed the view, with which he agreed, that another Member of the Elective Section should be appointed. Although my colleagues differed from me as to the interpretation to be put on the Secretary of State's telegram, I think those of you who remember the interview that took place here will agree with me that I objected not merely to the composition of the Commission but to the terms of reference themselves. It was thought by the majority of my colleagues that there was no harm in considering the substitution of the two bodies by a single body, and those who are alive to-day will no doubt regret the decision come to.

Some of the Nominated Unofficial Members have intervened in this debate. The hon. Mr. Farrar has expressed the opinion that this system has not had a

fair trial. It would have been more profitable, I think, if the hon. Member had indicated how long the probationary period should continue (Hear, hear). He has also stated that the Government in his opinion had been badly served, but here again he gave the Council no reasons for arriving at that conclusion. Was he thinking of the inattention paid by the Government to the state of the New Amsterdam harbour, or was he thinking of the waste of public funds that he knows, and I know, have been thrown away in the construction of the deflectors at Ithaca? He knows as well as I do that two deflectors at an estimated cost of \$24,000 were to be constructed, but we have a length of deflectors of 600 feet in an unfinished state and the entire vote exhausted. Why didn't Mr. Farrar, whose personal esteem I value, from his seat at a moment when his remarks would have carried far more weight and influence than those of despised Elected Members like myself, communicate to the Government his reasons for saying that the Government had been badly served? If he would allow me to say, with very great respect to him, it is because of this reserve practised by Nominated Members in this Council, it is because of the control which is being exercised on their expressions of opinion—(hear, hear)—that the public, in which I include myself, hesitate to view with complacency their being allowed to sit in this Council as nominees of the Government.

My own personal view is that it would make for greater improvement not only in the status of this Council but in the status of the Nominated Member himself if he were the nominee of some organised institution or of the Council as a whole, but I do object to the perpetuation of a system which renders it—I will not say impossible, but almost—difficult for those Members to give expression to their convictions in the same manner as an Elected Member is supposed to do (Hear, hear). I hope I do the hon. Member no injustice when I say that whatever may be his private opinion about the system that nominated him, it is expected of him and it has been expected of Nominated Members before him, and it is expected by the Government of Nominated Members that will follow him, that he sits there to assist Government in controlling the destinies of the Colony (Hear, hear). That is the



main mission he has to keep in view, and if hon. Members doubt me I can refer to no better authority than Lord Irwin when he states most clearly and emphatically, what is of course traditional and what is accepted by everyone who has made a study of politics, that the object of the appointment of Nominated Unofficial Members is to secure control. This is what the report of the Wilson-Snell Commission says:—

“ For these reasons we are definitely of the opinion that in the present state of political and economic and cultural development it is not merely desirable but essential that the authorities finally responsible for the Government of the Colony should have power in the last resort to carry into effect measures which they consider essential for its well-being. Whether this ultimate control can be best exercised through the medium of reserve power such as that indicated by Lord Irwin or by securing control by Nominated Members of the Combined Court is a matter for discussion which might be referred in the first instance for the consideration of a strong local Commission appointed by the Governor.”

What has been the result? This strong local Commission, in which the official element predominated to the exclusion of representatives of the people, instead of adopting one or other of those alternatives, and instead of recommending to the Secretary of State in the circumstances the giving of the reserve power, not merely gave to the Governor the reserve power which he enjoys to-day but they augmented that power by the suggestion of the appointment of Nominated Members of the type to which I have just referred. I can only hope that if any of those Nominated Members still labour under the impression that some things are not expected of them they will feel it their duty to retire from the Council if they consider that the circumstances surrounding their appointment are repugnant to their own private feelings in the matter (Hear, hear). The hon. Mr. Seaford, as I understood him, appreciates it as a very great privilege to sit here. He makes no complaint about having been nominated to that position, but he says that he would not occupy it if he had to submit to the suffrages of the electors of this Colony (Hear, hear). He is not prepared to purchase a seat. There is a very thin line of demarcation between purchasing one's seat at the hands of the electorate and purchasing it by insinuation into Government's favour (Hear, hear). I am not saying that is the attitude of the

hon. Member, but it is the attitude Government looks to in persons in the community for selection for their appointment. I know Mr. Seaford to be of an independent frame of mind—(hear, hear)—but it would make for greater respect if he and others like him took the trouble to examine more closely the system under which their appointment has been rendered possible in this Colony. When he says boldly that he is not prepared to submit himself to the electors of any constituency, because he is not prepared to find some extraordinary expenditure, he is undoubtedly overlooking that the system about which he complains no longer exists, and I should have thought that before making the remarks he did he would have found it necessary to examine the system that now prevails in the election of candidates.

What happens to-day is that a candidate for political honours is limited in the amount of his expenditure. He has to make a sworn return of what that expenditure is. It does not leave any room for treating a man in the manner that some of the dominant class of which he is a solitary successor used to do (Hear, hear). It does not permit of any of that money being spent in licensed public houses. By law they are compelled to be closed on election day. It does not admit of the estates' authorities providing hired conveyances for their overseers and employees and of their cornering of every hired public conveyance. That was the old system. To-day licensed public houses are closed, no candidate can hire a public conveyance, and by a system which I hope will continue, and which is one of the bright features of the new Constitution, there has been systematic polling in every constituency on the same day (Hear, hear). But, sir, he has chosen, I do not think meaningfully, but unthinkingly, to cast somewhat of a slur on the circumstances that surrounded the return of present Members of the Council. In the days when I first became acquainted with public life, in the days when the dominant class controlled the electorate, there was a system of open voting. My father was an unsuccessful contestant for political honours in Georgetown. He was, if I may be allowed to say so, far the more suitable candidate but he was defeated because his opponent and his supporters directed their influence on



voters in the city, and in those days voters were compelled to write their names against the candidate they hoped to vote for. Was that not a species of corruption? And when we had voting by ballot as the result of the Constitution of 1891, who were the people who were in position to buy seats? The ordinary popular candidate was a pauper.

Mr. CANNON : Like myself.

Mr. WOOLFORD : A man like Mr. Luard was a rich man. Men of that kind constituted the aspirants to political honours, and, although I have no desire to go back to past history, I can assure the hon. Member that if a comparison were made of the methods invoked at the time of which I speak with those which exist to-day he will find that his reference to the system was both graceless and unkind (Hear, hear).

Apart altogether from the electoral practices of this dominant class, I would like to institute a comparison in the behaviour and the methods adopted by that dominant class when they were elected and found their way into this room and the present representation. As far back as 1840 this dominant class refused to vote Government supplies. In 1842 the planters refused to vote the Civil List of the Government because they failed to obtain a loan for immigration purposes on the charge of the public and colonial revenues. The Civil List had to be suspended. In 1847 this same class sought to reduce salaries guaranteed by the Civil List. Finally, in 1848, not only did they refuse to vote the Civil List but they refused to sanction public expenditure. Legislation was then at a standstill and this Colony lost in revenue some \$700,000. That was the behaviour of the dominant class in this Chamber. But was the Constitution taken away from them? Was there anything more terrible in the behaviour of Members of the old Combined Court and Court of Policy than that? Did the Government of Great Britain even suggest that the Constitution should then be replaced? What then have been the sins of the Court of Policy and Combined Court? Mr. Amery has furnished us with four reasons. The then Secretary of State for the Colonies, Mr. Amery, in his despatch to Sir Cecil

Rodwell on the report of the British Guiana Commission, said :

“ The first and most pressing of the grounds on which the Commission recommended this change in the Constitution is the financial situation, which they consider to be such as, without ultimate financial control by the Government, will make it difficult and expensive, if not actually impossible, for the Colony to raise a loan in London to repay its indebtedness to the Crown Agents. On this question I have to refer you to my despatch of the 14th May, enclosing a letter from the Crown Agents, who, as you are aware, have requested that early steps should be taken to refund the advances which they have made from the funds of other Colonies. From this letter it will be seen that the Crown Agents are now advised that with the report of the British Guiana Commission before the public it would be impossible for the Colony to raise a loan on less than a 6 per cent. basis; that even on these terms it is uncertain whether the money would be obtained and that such a loan would tend to depress permanently the level of the Colony's credit. On the other hand, in the event of the Constitution being amended so as to secure the ultimate financial control to the Government, they are advised that they could raise a loan on approximately the same terms as those which they commend for the other Colonies for which they act, though the immediate financial position revealed in the report would no doubt have some effect in lowering the issue price.”

Now, sir, up to the moment when this despatch was penned, I submit, the financial situation of this Colony was not as acute as was represented. Under the old Constitution the raising of loans was within the province of the Court of Policy where the Government were in the majority. The Combined Court could not prevent the raising of loans. There existed on the statute book an Ordinance—No. 22 of 1922. There was never any attempt by either the local Administration or by the Colonial Office to float any such loan. Up to the moment when that despatch was written there had never been any attempt to float a Colonial loan which had not been successful. This Colony was never in default of payment of interest charges, and to have aggravated the situation by a refusal to raise loans in London was, I submit, an expedient which the Home authorities were not entitled to resort unless they tried and failed. It is said that this Constitution gives the Government control over finances. My answer to that is that they possessed it then. There is no difference in financial concerns or in financial artistry between the value of a Treasury bill and that of a Treasury bond secured by a charge on the revenues of this Colony.

In 1922 an Ordinance was passed by which the general revenues of this Colony were responsible for the repayment of any loan. When the attention of the authorities as regards the ability of the Colony to issue those bills was directed to the Ordinance itself, the matter, on being referred to the Crown Agents, was met by them in the following manner: "It is also true, as the Elected Members point out, that we have been given the power to issue Treasury bills in order to recoup ourselves for money we have advanced. While the Constitution position remains unsettled we think it almost as undesirable to issue Treasury bills as it would be to issue a new loan itself." This is the excuse furnished. If this Constitution Commission had never been sent to the Colony and if it had not made the report it did, this question of the ability of the Colony to issue Treasury bills would never have arisen. Therefore, when the Secretary of State said that it was necessary to obtain control over the government of this Colony because the Colonial Office and the Crown Agents would be unable to finance the Colony's requirements, he probably was unaware and it did not seem to have been anybody's business to make him aware, that there existed in this Colony legislation which would have enabled the Colonial Office to issue those bills and to finance almost anything that we required. The Crown Agents have been careful to excuse themselves from the odium which that criticism carries with it, because they say that the final decision was not their own but the decision of the Secretary of State. I contend therefore that the excuse given by the Secretary of State for control by the Government, if it rested only on the necessity for raising loans, was a sham, a pretext and a cover for emasculating the Constitution. It was not justified by circumstances. It was not justified by past experience that we have had in this Colony, and he had no ground for arriving at the opinion that if a loan was required it would never have been readily floated in the London market as the loan that was subsequently floated by the Crown Agents on the assumption of power by Government under the present Constitution.

The second reason furnished by the Secretary of State is:—

"The financial position itself is ascribed by the Commission largely to a financial system which they describe and condemn as fundamentally unsound. They state that hand-to-mouth finance and haphazard and ill-considered taxation are the inevitable outcome of a system under which the responsibility for the finances rests with a Government who cannot enforce their policy and the financial power with the Elected Members who have no real responsibility.

The working and results of this system have since been illustrated, if not parodied, by the recent proceedings of the Combined Court in Committee of Ways and Means, and the measures taken by the Court to meet the present critical financial situation. The Governor's proposals were rejected *en bloc*, the substantial adverse balance was ignored, the abnormal arrears of revenue short-collected in 1926 were used to defray part of the anticipated shortage for 1927, and the budget was finally balanced in spite of the warning of the Government by discriminating export duties on sugar and on the new bauxite industry. Having regard to the financial and economic situation of British Guiana, the imminent necessity of floating a loan in London and the importance of doing nothing to discourage the introduction of capital, I find it difficult to conceive of any combination of measures more calculated in principle to damage the credit and development of the Colony."

What is meant by this? It means that in his opinion the levying of the export duties and the alleged discrimination in the incidence of those duties are calculated in principle to damage the credit and development of the Colony. What are the facts? One would have supposed—and the Members of the British House of Commons have supposed—that those duties were introduced for the first time. Anyone reading that despatch would come to the conclusion that there was some new feature of fiscal legislation and that there was something inherently wrong and discriminating in the duties to be levied on sugar and bauxite. Not only this Council needs to be reminded, but also readers of this debate, that the levying of export duties was first brought into existence by no less a person than the then Colonial Secretary of this Colony, in 1915, against the wishes of the Combined Court. It was Mr. Clementi, whose personality dominated the Court for a time, who persuaded the Combined Court to pass, or rather to adopt, the system of levying export duties in 1915, but it is charged against the Electives as an offence. Someone in the Colonial Office, whose duty it is to keep *au fait* with the history of events in the Colony, should have informed the Secre-

tary of State that the imputation contained in that despatch was not justified. And "in spite of the warning of the Government." Since when have the Government become converted to the idea that the levying of export duties was a mistake? It is misrepresentation of this character that has made the abrogation of the old Constitution possible. What was the effect of it? The effect was that the Government, who desired a certain policy with regard to the raising of revenue, was divided over a substituted programme which only involved a matter of \$27,000. That is all that the new duties would have produced, and I desire to emphasise the fact that, when the Secretary of State took exception to the discrimination that was being made in the export duty to be levied on sugar as opposed to bauxite, the object of the Elective Section at that time was to ensure the collection of the revenue. It was felt that if an export duty of 1½ per cent., or whatever it was, was being levied on bauxite owing to the fluctuation in prices—the market price not remaining stable—the Government may not be able to collect the required revenue. It was suggested that instead of collecting the duty on the value of bauxite there should be levied a duty of 18 cents per ton of bauxite exported from the Colony, thereby rendering it quite certain that there would be no short duty levied.

Now, gentlemen, what I feel about the tariff is that it was very unjust to increase duties on foodstuffs. But what do we find? Assuming it to have been slipshod in character, it must always be remembered that the Committee of Ways and Means had determined what was to be done in order that Government should raise the required revenue. The Chamber of Commerce, of which I believe almost every one of the Nominated Unofficial Members, with the exception of Mr. Dias, is a distinguished member, had criticised the proposals of the Government as being "crude and lazy." That was the criticism of the commercial body of this Colony, yet the authorities in England have been persuaded, as a result of representations made to the Secretary of State for the Colonies, based upon criticisms not only of the financial position but of the methods in vogue in levying taxation, to wrest the Constitution from the people of this Colony.

The third reason given by the Secretary of State is :—

"The Commissioner further observed that the unsatisfactory position of public officers under the present Constitution is not an inducement to officials from other Services to enter that of British Guiana and might quite conceivably prove to be of great prejudice to the interest of the Colony. The truth of this statement has now been demonstrated by the decision of the Conservator of Forests to take advantage of his option of reverting to the Indian Service in preference to accepting permanent employment in this Colony. Mr. Wood gives as his reason that though the forests offer the Conservator probably unequalled opportunities, yet the difficulties and uncertainties of the position are so great that he has been reluctantly forced to the conclusion that no married officer in his position would be justified in giving up the certainties of a career in India in exchange for employment on the permanent establishment in British Guiana. This pronouncement speaks for itself and I shall only observe that as matters stand it is likely to make it most difficult to obtain a suitable successor to a post which I regard as of the first importance to the future of the Colony."

I am not going to say anything about the value of Mr. Wood's introduction. I believe that Mr. Wood is one of the most capable men who has ever been sent out by the Colonial Office (Hear, hear). That is my personal opinion. I do not know an official who is better informed and who has a wider general knowledge. But if we take the hesitancy of Mr. Wood to assume public service in the Colony as an instance of the manner in which officials appointed to this Colony might be treated it is a very sad mistake. We all know in the past our experience has been that in cases of very many technical officers the Colony would have been better served if they had never been appointed at all—(hear, hear)—and I cannot consider it a crime that hesitancy to accept the Colonial Secretary's recommendations as to the appointment of Mr. Wood should have furnished the Government of England with an excuse for wresting the Constitution from the people here. We all know that in several instances the original estimates in regard to the cost of public works by some of those "valuable" officers, whose presence in the Colony the Colonial Office so much desires, has been so greatly exceeded as to render the completion of those works impossible. Let me furnish an instance of the justice of that criticism. The Pure Water Supply Scheme was originally fixed at \$406,000 for the completion of sixty wells. At the time of the change



of the Constitution, and at the time of the disinclination to appoint public officials like Mr. Wood, we, the representatives of the people of the Colony, knew that that estimate of \$406,000 had been exceeded by \$10,000 and that only 17 wells had been sunk. What is the position to-day? If the Electives had power to govern as the Government had, what would have happened to the appointments of those gentlemen appointed to supervise the drilling of these wells? The Government which has the power to govern, and would still like to continue to govern, has allowed that public expenditure to reach the sum of \$843,791, up to June, 1931. How was that criticism of the necessity to be careful in public appointments to the Colony of a technical nature met by the then Administrator, Sir Cecil Rodwell? He says:—

“The suggestion conveyed by the statement is that four times as much again have to be spent in order to complete the programme, the actual fact being that it is hoped to complete it at a further expenditure of about £65,000. This is admittedly a large excess on the original estimate. The excess, however, is mainly due to the fact that owing to peculiar geological formations, an entirely different and more expensive process of drilling from that originally contemplated had to be resorted to. It is unfortunate that the position was not explained to the Legislature at an earlier date. As soon, however, as it became known to Government, the Elected Members were immediately apprised of it, and since the Memorandum was written the matter was fully and satisfactorily expounded to them on the spot by the Consulting Engineers, who have given the assurance that notwithstanding the extra cost the Colony is getting full value for this work in view of the great benefits accruing to the country population.”

That is the characteristic utterance of what we have heard from Governors of this Colony for many years past. The truth is that Governors in the Colony have very frequently been placed in very false positions by some of those public officers who have been appointed from abroad without due enquiry into their capabilities. I do not blame the Governor of the Colony, but the system that allows officials to be sent to this Colony whereby, on appointment, they are automatically placed on the pensionable establishment—a system which, for the good of the Colony, should be made to cease. I should like, if this Colony is to progress, to see the system, however traditional it may be and however best it may be to the traditions of the Colonial Office, substituted by

a system whereby men like Major Craig would be appointed under contract for three years. In that way much of this evil of which the Governor complains would be avoided. It must be borne in mind that if the Colonial Office to-day say that such a system is impossible they must be reminded that they set an example as to what they considered should be the procedure when Sir Gordon Guggisberg was appointed to the administration of this Colony. He was no longer in the Civil Service. He was not one of the many officials engaged in the Service in other parts of His Majesty's Dominions for whom some place had to be found. Why this claim by the representatives of the people of the Colony, that in any future appointments of technical officers those appointments, in the first place, should be under contract for a certain number of years should be made the subject of criticism by the Secretary of State for the Colonies? I do not for one moment understand why it should become the subject for scandal when the refusal, or the intended refusal, is to vote the salary for some public officer whose appointment is being canvassed by the Colonial Office for this Colony and whose appointment the inhabitants of the Colony or the Elective Section would gladly welcome if they were allowed an opportunity of testing the value of that appointment. Why criticism of that kind should be made a ground for replacing a valuable institution, such as the old Constitution in circumstances similar to those I have indicated, is one of the things to which, so far as I am concerned, I shall ever object.

It is claimed by the Hon. Mr. Dias—by the protagonists of the present Constitution—that the development of this Colony can only proceed under the ægis of the present Constitution. I question that. The experience of the inhabitants of this Colony has been that prior to popular representation there was no material progress in the development of this Colony. Prior to 1891 the dominant class would not allow development. Is there any sugar planter who lived in those days that could be found capable of renting an acre of land to East Indians for the purpose of rice cultivation? Was the tenure of land possible in those days? Was employment to some of the people of the coastlands readily given? No, sir. The system did



not allow of that. It was only when State-aided immigration ceased in this Colony that development really commenced, and that development has proceeded—not as a result of Government's policy—by the unassisted labour and initiative of the people themselves. I do not believe that we are entitled to think that because of the present Constitution there will be any change whatever in the attitude of the Colonial Office towards Dependencies like this. I say so because there has been nothing to prevent it in the past. All the lands in this Colony which are available for development have always been under the control of the Crown. If there were two acres, if there were six, they could have been disposed of under the old Constitution. What is this capitalistic fear that is being continuously rammed down the throats of the inhabitants of the Colony? What is it that capital could not acquire either before or during the existence of the Constitution which started in 1891?

From the year 1877, or even before that, any applicant for Crown land—whether the applicant actually desired it for agricultural purposes or for mineral investigation,—the application had to be addressed to the Government of the Colony. Neither the Court of Policy nor the Combined Court had ever been consulted about any such application. It was possible for the Governor to have granted it without reference to either Court. Not only was no restriction placed on the application for those lands but the system under which they could be occupied—whether under the form of a lease or whether, as in the case of timber, by the payment of a royalty—was entirely under the control and at the disposal of the Governor of the Colony. There was nothing to hinder it and therefore this cry—this contention that until Government had control of the development of this Colony capital would not be found—is of no avail. Those of us who have had some experience of public life know that on more than one occasion during the last few years capital has endeavoured to interest itself in the development of the Colony without any sign or intimation of its approach being conveyed to the Members of the Combined Court. I regard as unworthy the claim that because there is a new Constitution capital is more likely to be attracted to-

wards investing its moneys in this Colony because Government has the power to govern.

I have spoken at some length because I feel very strongly that there was much of value in the old Constitution and that if the framework of the present could be improved there would be less dissatisfaction with the working of the present system. I believe it would be possible, as a result of the labours of this Committee, to find a solution to many of the objections that have been made. I think that in the appointment of the Nominated Unofficial Members it would be wiser if the Government left their selection to the voice of public opinion, or very largely so. I believe that organised bodies like the Chamber of Commerce, the Planters' Association, the East Indian Association, the Council of the Village Chairmen's Conference and many other institutions like those, might well be entrusted with the selection of Nominated Unofficial Members. I say so because, under the present Constitution, if such a system were adopted, the Governor of the Colony would still be able to govern. I think the Constitution would be improved if the power of the appointment of the Nominated Unofficial Members were taken away from Government and it be left as a matter of administrative control with the exercise of its reserve power alone. It was never intended, as Mr. Snell said in the House of Commons, that both of these powers should be given to the Government of the Colony. I do not know that any precedent for it exists elsewhere. I do not think that in any Constitution in any British Colony there is a combined system as we have here, and I believe, if it were possible for the Committee to examine the systems elsewhere, that the suggestion I have made as to the system of appointing these Nominated Unofficial Members would be found desirable.

I also think it would be wiser in some respects if the Governor of the Colony did not preside over this Council. There is much in the suggestion to commend it, and, as a matter of fact, the practice is in existence elsewhere. I think that in a large measure his presence, while it adds to the dignity of the Council, is a deterrent to the free expression of public opinion on occasions. It is impossible not to recognise in the occupant of the

Chair the identity of the Governor, and I do not think it makes for the progress of public business. I believe it would be an improvement in the construction of the Constitution if the representation on the Executive Administration were extended and the selection of the Members left to the majority of the Council as constituted. No one could complain about that, and I very much doubt whether, as a result of some such system, there would not be less dissatisfaction in the public mind as to the decisions of the Council. I accept, of course, without any reserve, the protestations that have been made by Members that they are not in any way controlled. When I find a man like Mr. Fredericks has changed his views as to the advantages to be gained by the new Constitution, it makes one think whether the Colony's Administration might not be improved. I hope the hon. Member will excuse me if I say that he knows as well as I do what his views were before the British Guiana Constitution Commission?

Mr. FREDERICKS: Do I understand the hon. Member to say that I was not opposed to a change of the Constitution?

Mr. WOOLFORD: No. What I desired to convey was that the hon. Member offered no great objection to the change of the Constitution that took place in 1928, but he thought, perhaps, it was possible that there might have been a change in a certain direction. I have advanced my own views as to the wisdom or unwisdom of the change having been made. I could wish myself that many of the features of the old Constitution had been reproduced in the new, but I am not so wedded to the idea that that Constitution was the best possible for the Colony as not to be ready and willing to examine any subsequent one. But there can be no doubt that there exists in the public consciousness a feeling of unrest about the advantages to be gained by the present Constitution, whatever those advantages or disadvantages may be, and I think that after four years' trial it should be possible for the Government to allow every facility for examination of the present body politic with a view to seeing how far this Constitution and its contiguous parts might be improved and how far the present criticism may be dealt with. I do not know whether it is the intention of the mover to substi-

tute some other motion for the present one. Personally, I should like to see that done, because, willing and ready as I am to support the motion for the appointment of a Commission, I am not in favour of the appointment of a Committee restricted in character as this is—not inclusive of a body of opinion outside this Council—but of a large representative one which, I feel sure, when its findings are made known, will meet with public approval.

Mr. CRANE: I propose to move an amendment to the motion. It reads:—

*Be it Resolved*,—That this Council respectfully requests His Excellency the Officer Administering the Government of the Colony to convey to His Majesty's Principal Secretary of State for the Colonies the unanimous opinion of the Elected Members of this Council that a Commission be appointed to consider the amendment of the British Guiana (Constitution) Order in Council, 1928, to provide—

- (a) For the greater and fuller representation on the Legislative Council of the inhabitants of British Guiana;
- (b) for the greater participation in the Government of the Colony of such Elected representatives of the people as enjoy for the time being the confidence of the majority of their fellow Electives under such safeguards of Imperial and Colonial interests and in such form as is compatible with the aspirations of the inhabitants of the Colony;
- (c) for such minor amendments of the said Order in Council as experience has shown to be necessary.

Having spoken at length on the substantive motion, I do not propose to repeat anything I have said before nor to occupy the House for any time. I just want to say a few words in respect of the amendment and to express the hope that it would be possible for Government to accept the amendment. The difference between the motion and the amendment in its operative part is that if the motion were carried it would convey the impression that every Member of this House endorsed the expression of opinion it contains. That, I take it, is not the case. It would not be possible to get a unanimous adoption of the motion. The amendment merely requests the Officer Administering the Government to convey to the Secretary of State the unanimous opinion to the Elected Members, which is not the feeling of every Member of this House. That is a condition to secure that representations made by the Elected Members would reach the Secretary of State. I propose this amendment because I hope that even those Members who find it diffi-

cult to support the original motion would, as impartial Members of this House, not put any obstacle in the way of these representations being conveyed to the Secretary of State, whatever may be the final result of our action. In (a) I am asking for fuller and greater representation on the Council. I think I am entitled to say that the present mode of electing representatives is insufficient, hopelessly inadequate, and if we are to develop this Colony eventually Government must be by the people for the people. Under the old system Government had the right to initiate money votes. Under that system not one cent could be put on the Estimate unless there placed by Government. The sole power of the Legislature was to reduce a vote or to strike it out. It followed therefore that if Government never agreed to put a certain sum on the Estimate the Members of the Combined Court could not discuss it at all. It is part of the argument that in those days money was wasted by Elected Members who had control of the purse-strings. The Elected Members had a negative control, not a positive one. And is Government going to throw over its responsibility to-day by getting its protagonists to say here "It is you who used to waste money attributed to wasteful administration in the past." The hon. Member who is responsible for that statement took part in that system for twenty long years. That hon. Member has appeared in this House to-day and I should like to ask him what is the position of his coat as he stands here to-day. He is supporting a system against which he inveighed for twenty years. I ask him on what side of his coat he appears to support Government to-day. The statement that we must wait until the financial position of the country improves is so much nonsense. We have moved now because if we wait much longer the Colony will find itself in a ruinous abyss from which it would be unable to withdraw itself. If we had fuller and greater representation—some participation of Elected Members in the Government—it would make possible some development to take place as suits the local people.

The Council adjourned for the luncheon recess.

Mr. CRANE (resuming): I do not propose to detain the House any longer. I submit that the amendment would commend itself to the House. There is some

question whether the Commission should be a Commission of this Council. Even some Elected Members think we should not bind the Secretary of State either as to the proportion of Elected Members or as to the composition of the Commission. What we do counsel is that if he decides to appoint a Commission it should be fairly representative not only of this Council but of the entire community.

Mr. LUCKHOO: I have very great pleasure in seconding the amendment and in doing so would like to pay a tribute to the hon. Member for New Amsterdam on his very eloquent address, in which the essential points were very clearly and forcibly dealt with. Speaking on the amendment I should like to say, in the first place, that I do not think it will not be accepted by Government. It is a reasonable and earnest request on the part of the Electives to get the Imperial Government to appoint such a Commission as will deal with the various points which have been addressed to the Council on the question. The motion may be regarded as a very daring one on the part of the hon. Member for Berbice River, but the hon. Member has the support and sympathy of at least the Elected Members in his attempt to get some change of the present Constitution. Several questions were raised this morning in relation to development in the past and it was contended that if the Electives had got a share in the Government better results would have been achieved. Speaking particularly of the rice industry, I am in agreement with the remarks of the hon. Member for New Amsterdam that it was not due to Government but to the initiative of the people themselves that we have at the present time such a flourishing industry. It is really due to the East Indian community that we can to-day boast of a rice industry as one which merits every help and assistance from Government. Other points were touched upon in which I am particularly interested. One of them is the deflector which was erected at enormous expense. It has been a scandalous waste of public funds by the Public Works Department to improve harbour conditions in New Amsterdam. That brings me to the question of harbour conditions there. As Your Excellency well knows, New Amsterdam has been suffering very great hardship on account



of the harbour getting into such a state as to prevent ocean-going vessels taking to or bringing away produce from that town. When it is considered that the County of Berbice contributes 40 per cent. of the export trade it deserves better treatment at the hands of Government. No attempt has been made to find a solution of that problem, and I do not know whether attention should not now be rivetted to it. We really have no harbour facilities and are practically cut off from the centre of civilisation. The attention of Government has been called to the matter by the Berbice Chamber of Commerce and the last reply is that Nature must take its course and we must wait until something is done in that direction. As one who has some proprietary interest in the town I say that better facilities ought to be given to the merchants and population there. We have also heard that a great deal of money has been spent on wells. As far as Berbice is concerned the wells which have been sunk there at enormous cost are not giving satisfaction. They have all been silted up, just as the Berbice River has done, and we are getting no benefit from them. I don't want to take up the time of the Council any more by traversing ground that has been already covered. I think steps should be taken to get the best brains together with a view to forming a workable constitution that would meet the requirements of all sections of the community. I am pleased that the amendment has been moved because we cannot claim to have a monopoly of brains here. What we want is to take a fair share in the Government of the Colony.

Mr. SEAFORD: Since the luncheon adjournment I have been studying the amendment and I cannot see anything in it to which anyone can have any objection. It seems to be the privilege not only of the Elected Members of this Council but of any body of influential men of this country to have their views put before the Secretary of State, especially on such an important point. I do not know what Government's views are on the point. I have heard no objection and I therefore propose to support the amendment.

Mr. DIAS: Like the last hon. Member, I had an opportunity of considering the amendment now before the Council, and I agree with the mover of it that it does

not commit the Council to anything, but merely conveys the unanimous opinion of the Elected Members on the question which they desire should be investigated. In those circumstances I see no objection whatever to that course being adopted. It must, of course, be understood that nothing I say in this connection binds me until I have had an opportunity of giving the Commission, if it is appointed, the benefit of my views.

Mr. CANNON: So far as I am concerned I am not prepared to oppose the amendment if it is going to bring about unanimity. I had it rammed down my throat, if I may say so, that we need look for nothing in this place unless we are unanimous. For that reason I am prepared to throw in my weight, but I must confess that the motion is far preferable than the amendment. If the mover is going to acquiesce in the amendment then I have no alternative than to support the amendment. I do wish to say, however, that in so far as my good friends, the hon. Nominated Members, are concerned, I have since the adjournment looked up the debates since the coming of the new Constitution on the 3rd March, 1928, and have found that we have had no fewer than 123 divisions in this Council and with but one exception the people's representatives never had the support of these five "little darlings." There was one occasion when we were all unanimous, but that was merely for the moving of the Standing Orders (Laughter). My hon. friend there says my brain is defective—it may be because sewerage is on it. I do not wish him to think that we have not had his personal support or the support of individual Nominated Members, but not unanimously. If this amendment is to bring us unanimity let us have it.

Mr. BRASSINGTON: I did not intend to speak on what has been a very full debate on this question. I do not think there has been a single point left out. I am in favour of the amendment and was also in favour of the original motion. I do not think that anybody can cavil at the moderation of the language in either the motion or the amendment. I do not intend to say anything more except that I do not think—and I certainly hope—that Government will not view the expressions by the Electives to-day as being disloyal in any respect. The desire to govern the



Colony, or to manage our own affairs, by those on the spot is an aspiration that I think is not singular to the people of this Colony. All the world over there is a desire for local self-government, and the desire to govern our own affairs is compatible with loyalty. I think the appointment of this Commission will do a great deal to clear up any dissatisfaction that exists at present with regard to our not having fuller representation in the management of our own affairs.

Mr. FREDERICKS: For the first time I have picked up the idea during the debate that unanimity means the whole of this Council. I differ from that emphatically. A component part of this body is the Electives and when that body votes solidly it is unanimity. If Nominated Members vote together they would be unanimous and *vice versa* the Government Members.

THE COLONIAL SECRETARY: We have had a long debate and one of extraordinary interest and variety. One or two knocks have been given in the course of the debate but we have, I think, finished up in the position of showing that we are a competent and capable Council of State. There has been necessary and unavoidable repetition among the Members, and one or two reminiscences of previous debates. This applies particularly to the attacks which have been made on Government's policy, its sins of omission and commission, most of which we have debated in this Council on more than one previous occasion. The hon. mover of the motion took this line, I think, in particular. He gave us a long account of mistakes which Government have made, and, even if he had not been answered by the Hon. Mr. Dias and other Members, I think he answered himself by his reference to quotations from Sir Cecil Rodwell, in which he pointed out that the responsibility for the mistakes,—or some of them at least—must lie at the door of the Elected Members under the old Constitution, the most characteristic part of which was the Combined Court.

The other group of arguments which have been adduced are arguments which are strictly germane to the question of the defects, real or imaginary, of the Constitution as it now exists. But before we come

to that aspect of the question, there are one or two intervening questions that must be mentioned. One was raised by the hon. Member for Demerara River (Mr. Crane) who gave us a highly coloured account of what he called the evil geniuses, the Crown Agents, embroiling this Colony with financial difficulties between 1922—

Mr. CRANE: The hon. Member is incorrect. I did not name the Crown Agents as evil geniuses. They may be geniuses, but I believe the evil genius was located in this Colony.

THE COLONIAL SECRETARY: At any rate the hon. Member connected the borrowings of the Colony with the activities of some evil genius. I suggest to him that that line of argument is not up to his usual standard of debate. It does not present the facts of the case or go to the very origin of the whole matter, which was an attempt of the Colony to borrow at the lowest possible rate. This morning we had an extraordinarily interesting speech by the hon. Member for New Amsterdam (Mr. Woolford). He gave us an account of the old Constitution which no Member as far as I know could rival in its knowledge, its wealth of illustration and its eloquence (Hear, hear). It is, however, very remarkable that even he, who gave so much fruitful attention to that subject, did not conclude his argument in the way which I at least and perhaps other Members expected—that he would have advocated a return to the old Constitution. He stopped short at that point, and, I think, that is a very remarkable admission. In spite of the defects, real or imaginary, of the present Constitution, no Member here, speaking with full responsibility and experience, has definitely recommended that we should return to the old one. In that, I think, the hon. Member for New Amsterdam shows us all a lead in political wisdom and political sagacity of a most practical kind.

The old Constitution, however much we might regret it perhaps from a historical and sentimental point of view, did not in my opinion contain any possibility of development as the present Constitution does. It was based on a division of functions which I do not think existed fully either in theory or practice—that the ordinary work of the Legislature should be divorced from the financial activities of

a Council of State or Legislature, and I feel sure that any impartial and competent observer would have come to the conclusion that apparently hon. Members have, that the present Constitution with all its supposed defects is on the main highway of political development whereas the old Constitution was an inheritance from the Dutch whose political genius was different from our own. It was in the nature of a political blind ally, instead of opening up possibilities for constitutional development which we all look forward to in this country.

I was rather astonished not to hear something of the franchise. The hon. Member for New Amsterdam suggests that we should erect a new constitutional structure. I suggest that the basis of the Constitution is and must remain the franchise. The position of the electorate in this Colony presents an extremely difficult problem. We have 9,250 electors or thereabout. The minimum age for an elector is 21 years and a rough calculation from the last census shows that we have somewhere between 150,000 and 160,000 people who are qualified from the point of view of age, and out of all that substantial number we only have 9,250 who are on the electoral roll. It seems to me that any constitutional development must get back to that problem. An hon. Member reminds me that this question is referred to in the amendment before the Council. I was dealing with the original motion and also the general trend of the debate. This is a matter in which we all miss the inspiring presence of the late hon. Member for Western Berbice (Mr. Webber) who made this subject peculiarly his own, and, as far as my recollection goes, his solution of the difficulty was universal franchise accompanied with a literary test preferably in English. This is a matter of very serious difficulty and Government knows of no ready-made solution in this matter at all. The matter was definitely raised in the debate which the late Member for Western Berbice initiated last year and as a result of that a decision was reached some time ago to appoint a Committee to investigate the matter. That Committee would in fact have been at work by this time but for the intended Chairman, the Attorney-General, being occupied as Chief Justice. Government has not abandoned the idea and will give attention to it at the first convenient opportunity.

During the course of the debate I have been given the impression that the hon. Elected Members are inclined to minimise the part which they themselves play in the government of this Colony. I can assure them, if they need to be assured, that we Officials sometimes envy the active part they are at liberty to take in the government of this Colony. The hon. Member for Demerara River invited Government to deny once and for all that the Elected Members of this Council were obstructionists of the kind the Ceylon Commissioners referred to. No Government, past or present, ever failed to invite and usually to receive and, I think, always to appreciate the help which the Elected Members have given to Government in this Council. It was never, in my experience at least, a fault of Government to reject any advice when it is given with the intention of helping, as it usually is.

We have one important constitutional device in connexion with our Elected Members that is not common in the Empire and perhaps calls for special attention in this Constitution debate, that is the presence of certain Elected Members in the Executive Council of the Governor. The tendency elsewhere has been, according to a high authority on the subject, for an Elected Member when he becomes a Member of the Executive Council to give up his seat as such, but we in this Colony have adopted definitely and permanently, I hope, the opposite principle entirely. I consider that the value of an Elected Member is increased by his membership of the Executive Council both to his colleagues and to Government, and I am sure Elected Members who are looking forward to constitutional reform would be very wise to consider not once or twice but many times before they weaken that link which has been already forged. One hon. Member suggested a government by Committee such as has been established recently in Ceylon, but I suggest to him that the constitutional device of the presence of Elected Members actually on the Executive Council is preferable and is more in keeping with general development of constitutional institutions within the Empire than the actual setting-up of a system of government by Committees, which contains within it elements of disruption of the Council rather than unity of the Council as a whole.

We have had several references to the official majority in this Council. Hon. Members have only to look around to see that there is no such thing as an official majority. The Officials are very much in the minority. Government must obtain the support of the Nominated Members to obtain a majority. The only specific question of first importance I have heard raised with regard to Nominated Unofficial Members is that it is desired they should be elected by some body or organisation such as the Chamber of Commerce. Again I suggest to the Elected Members I cannot myself see how that would add to their prestige or influence. But assuming it did, it appears to me one of those rather fanciful devices which are not in the main line of constitutional Government development at all, and I think it would be well for Elected Members to consider whether any advantage is really to be gained by a device of that sort. One hon. Member suggested that the Official Members may disappear altogether. He did not say whether, as I believe is the case in at least one other Colony, those Officials should have an opportunity of contesting their seats as Elected Members. It is an attractive prospect in some ways!

It is, however, clear from the general tenor of the debate that has taken place that Government will be unable to accept the motion as it was originally put. The preamble contains several statements which Government could not possibly accept. The operative part of the resolution suggests quite definitely, to my mind at least, that the people of the Colony do not have reasonable participation in the work of government in this Colony. I think the daily work of this Council shows that that statement is not well-founded. We have a franchise which is low, although unfortunately it does not produce a large number of voters, and we have a substantial number of Elected Members in the Council who are playing daily an active part in the work of government. It seems to me that we want to get back to the original idea that this Council is a Council of State in which all the different elements are working together. We want to emphasize our co-partnership. What should be our attitude at the present moment towards our problems? Fascinating as discussion of the Political Constitution may be, the main

difficulty at the moment is our economic problems. We do want to address our minds to these economic problems which press so heavily upon us all. Government, however, is prepared to accept the amendment although it cannot accept the original motion. The amended motion suggests a line of action which Government would have taken in any case. Government has no intention of placing any barrier between the Elected Members and the Secretary of State before whom it is the duty of Government to place the views of Elected Members as asked for in the amendment.

Mr. ELEAZAR: Taking advantage of the privilege of replying to the debate, I would like to thank the hon. Colonial Secretary for the way in which he has put the case for Government as against that of the Electives, and also to thank Your Excellency for the patience exhibited throughout this debate. I have also to thank my hon. friend the Member for Demerara River and the hon. Member for New Amsterdam for having relieved me of the necessity to reply in a very trenchant manner to the arguments adduced by certain Nominated Members in the course of the debate. I wish to apologise to my colleagues who are in the Executive Council for anything that I might have uttered which they construed to mean any imputation against their integrity and honesty. I also wish to express my regret to the Nominated Members for the wording of the motion which led some of them to conceive that I intended to impugn their integrity as well. As regards the Elected Members, I wish especially without any invidious distinction to assure the hon. Member for Western Essequibo that he, of all the Electives, as I know him, is the last person whose integrity I would seek to impugn. Government says it cannot accept the motion but the amendment. I take it, however, that Government will transmit both the motion and the amendment to the Secretary of State.

This Constitution undertook to restore financial equilibrium and the establishment of a sound financial system. Government was given power to do this. My argument is that it has failed to do this and that the Elected Members should be given an opportunity to assist in doing what it has failed to do. Nor has the Constitution achieved



any of the other objects, namely, freeing the coastal area from the danger of floods, drought and contaminated water, assisting and encouraging the introduction of new industries, stamping out preventable diseases, and reforming the educational system in accordance with the recommendations of the Education Commission. I challenge Government to say that any of these objects has been achieved. The burden of my argument is that the Constitution has failed to do these things, and if it has failed why bolster it up. If Government say that the people are not dissatisfied then its ignorance is colossal and unpardonable. Can Government say that dissatisfaction is not ripe? There is no one so blind as he who would not see. The Member who closes his eyes at mid-day and says it is night to him it will be night. It is not my business to ask Government to do more than recommend the motion or the amendment, or both, and to satisfy itself that there is grave dissatisfaction with the working of the Constitution.

**THE PRESIDENT:** Am I to understand that the hon. Member is prepared to withdraw the motion with the consent of his seconder? If he is not I shall have to put it.

**Mr. ELEAZAR:** For the peace of the family anything, therefore I withdraw it.

The motion was accordingly withdrawn and the amendment agreed to.

#### THE SEWERAGE SCHEME.

**Mr. CANNON:** I beg to move the motion standing in my name:—

Whereas the cost of the Georgetown Sewerage Scheme is greatly in excess of the original estimate of expenditure; and

Whereas the Georgetown Town Council and the ratepayers of Georgetown never contemplated that the sewerage scheme would cost practically five million dollars when they accepted liability for eighty per cent. of the expenditure, the Government to pay the remaining twenty per cent.; and

Whereas the imposition of excessive sewerage rates in Georgetown has created disastrous economic conditions in the City which have reacted adversely on the Colony as a whole; and

Whereas representations for a re-allocation of the cost of the scheme have been made by the Georgetown Town Council to Government and the Secretary of State for the Colonies continuously since 1927; and

Whereas in the opinion of this Council it is imperative in the interests of all classes in the community to arrive at an immediate, satisfactory settlement of this question of liability as between Government and the Georgetown Town Council; and

Whereas the Government's proposition of re-allocation of costs on a "fifty-fifty" basis will probably lead to further disputes and delay and will not afford the necessary measure of relief to property-owners in Georgetown; and

Whereas it is desirable in the opinion of this Council to deal with the cost of the scheme as a "Colonial Question" that is, to make the whole cost a charge on the general revenues of the Colony:

*Be it Resolved*,—That Government be requested to introduce legislation without delay for the purpose of making the whole cost of the Georgetown Sewerage Scheme a charge on the general revenues of the Colony as from January 1, 1933; and

*Be it further Resolved*,—That a separate and special landing or bill of entry tax be imposed as from January 1, 1933, at a rate calculated annually to provide the sum required for the Government's annual commitments in respect of the scheme; and

*Be it further Resolved*,—That for the purpose of a settlement in respect of the year 1932 the Georgetown Town Council be requested to pay to Government the difference between the amount collected by the existing three per cent. bill of entry tax and the total sum required to defray interest charges for this year; and

*Be it further Resolved*,—That a copy of this resolution be telegraphed forthwith to the Secretary of State for the Colonies.

This motion has been tabled by me because, as I see them, so long as things remain in the state of chaos that they are at present, there is no hope or possible chance of any satisfactory solution of the difficulty being arrived at. It is not likely to do the Colony any good to have things remaining as they are. I wish to direct attention, first of all, to some questions I asked and the answers to them. My first question was: What is the shortage in revenue on the receipts of the Registrar of Deeds Office for January-July, 1932? From the answer it would be seen that there has been a deficiency of \$21,097.71. It is necessary for me to ask what is responsible for that. The obvious answer is that there are practically no transports and very few mortgages in Georgetown. I also asked for figures of transports and mortgages for the past five years and the fees collected. Those figures reach an alarming stage—a stage that it must be obvious to Your Excellency and to Government that something must be done, and done quickly, to save the situation. We are going to be down by over \$40,000 in revenue through this



matter not being determined in 1932. That must be known to Government and, if it is, there must be something wrong. The matter has been before Government and figures to prove the necessity of something being done have been submitted by me, and I am astonished to learn since my return from England in connection with the matter that the Executive Council has not considered the question. I make that statement in all good faith believing it is true. If it is true there is something radically wrong. In the absence of any correction I take it to be a fact. It has been suggested by every house in the street, the insurance companies and other public bodies, and the various denominations have acquiesced in it, that this matter should be settled by making it a Colonial Question. Perhaps it would be well for me to say, and place it on record, that the documents submitted to Government were two resolutions by the people of Georgetown asking that the matter be settled in that form. The insurance companies, the various religious bodies and the Labour Union also advocated that the matter be settled as a Colonial Question. In support of that contention I asked certain questions of the Comptroller of Customs and from the replies it will be seen that by the 3 per cent. levied from the 14th April to the 31st July a sum of \$66,334.90 has been collected. That will yield \$227,400 for twelve months.

During an interview with Your Excellency and the Governor, you will no doubt remember, I suggested that if an extra 1 per cent. were levied that would be sufficient to meet the amount required. A levy of 4 per cent. on all articles, including those under the Third Schedule, would give us another \$25,000 and the liability would be met. Your Excellency has communicated to the Municipality that you are not disposed to consider the matter being made a Colonial Question, but it should be acceptable on a 50-50 basis. We all know the reply that the Municipality has forwarded to Government. An unsatisfactory settlement on a 50-50 basis would carry us nowhere and would not effect an amicable settlement. It would not give the amount of relief that the people of Georgetown are entitled to. There is a statement before Your Excellency which has been prepared by Mr. Bollers, Secretary of the B. G.

Mutual, which shows that a settlement on a 50-50 basis would mean no relief and would only be of a temporary nature. I personally wish to thank Mr. Bollers and am sure that the people are grateful to him. I do not propose to deal with the question of the ability of the people to pay. That is unnecessary. The facts are there that the people have not been able to pay, therefore they must be deemed to be not in a position to do so. I may be told that this matter has been settled by the Secretary of State and therefore we are not in a position to do anything. I wish to say that is not so. The Secretary of State is out to take the line of least resistance. If the Secretary of State is told by the Governor that the people can afford to pay and they must be made to pay he is going to say "Make them pay." But it would be the biggest mistake if the Secretary of State assumes such an attitude, and he will regret it. I am satisfied that if this Council acquiesced in the suggestion that this is the best form of settlement there will be no opposition to its being settled in this form. If may be suggested that a 4 per cent. tax would be an encroachment on the people's capability to pay. That, I think, is absurd. It is infinitely better for us to attempt to get over the difficulty by this form of raising the money than to expect people to pay the enormous sums they are at present being called upon to pay. I am sure that the 3 per cent. has not been felt in the slightest and 1 per cent. more will not be felt. I am not going to detain the Council any longer because the matter is so simple, and I have said so much about it in and out of season that it is almost a waste of time for me to say more. I move the motion and leave it to my colleagues to say what they think of it.

Mr. ELEAZAR: I second the motion hoping that it will have full discussion and that my friend the hon. Member for Demerara River will so amend it that there will be something that Government will accept. I consider a 50-50 basis a reasonable settlement, but it has been brought to my notice that even 50 per cent. the people have found it impossible to bear. If in spite of the generous proposition made by Government the people find that 50 per cent. is more than it is possible for them to bear, they are well within their right to come here

and say "While we realise that the whole burden is ours despite the relief given us we still find it impossible to bear 50 per cent." It is a well known rule of Political Economy that the person who gets a benefit should be responsible for the payment of that benefit. The fact remains that a contract has been entered into, and therefore it is not for them to complain. It has been represented to me that many small men with taxes and other commitments will be deprived of their properties on account of these burdens. If that is so I do not think the rest of the community would object to Government affording further relief. I hope that as the debate proceeds Government will see whether the cry of "Wolf, wolf" is true or not. This question of the Sewerage Scheme has been discussed *ad nauseum*. I would be wanting in my duty to the people of Berbice River to say that they must pay for the house connections of people in Georgetown, but the people there ought to be willing and ready to assist if they are satisfied that the 50 per cent. is still beyond the capacity

of the people of Georgetown. That is a matter for enquiry, but it should be set at rest. I cannot conceive of Government seeing people ruined for payment of taxes and I agree with Government saying they merit assistance. I hope a *modus vivendi* will be found. I promised to support the motion on the lines I have indicated, but I must confess that I have not read the motion (Laughter). By that I mean that I have not read the verbiage, but I discussed the matter with the hon. Member and know what is the purport of the motion. I therefore commend the motion to Government and hope it will be found possible to arrive at a proper solution of this difficult question.

Mr. CRANE: I suggest that this House be as soon as possible provided with a sufficient number of fans to properly ventilate it, also that the debate be adjourned until to-morrow.

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