

**LEGISLATIVE COUNCIL.**

*Wednesday, 14th March, 1945.*

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

**PRESENT**

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

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

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

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

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

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

The Hon. J. A. Luckhoo, K.C. (Nominated).

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

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

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

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

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

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

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

The Hon. C. R. Jacob (North Western District).

The Hon. T. Lee (Essequibo River).

The Hon. A. M. Edun (Nominated).

The Hon. V. Roth (Nominated).

The Hon. A. A. Thorne (Nominated).

The Clerk read prayers.

The minutes of the meeting of the Council held on Tuesday, 13th March, 1945, were taken as read and confirmed.

**ANNOUNCEMENTS****SUBSIDISATION POLICY.**

The PRESIDENT: I would just like to make one remark relevant to our proceedings yesterday. When I was summing up at the end of the debate on subsidisation there was one note I made which I did not comment upon. It was on the point whether subsidisation was the policy of this Government or the policy of His Majesty's Government in the United Kingdom imposed upon us. I would like to say it is the policy of both this Government and of His Majesty's Government in England. If there was any start to it I think the primary culprit is the hon. provisional Nominated Member, Mr. Thorne, who very soon after my arrival pressed very strongly for action of that kind. I find that it was also the advice of the Home Government in London, and subsequently emphasized on us.

## PAYMENT OF WAR BONUSES IN 1945.

The COLONIAL TREASURER communicated the following Message:—

## MESSAGE No. 30

Honourable Members of Legislative Council.

By Resolution No. IX of the 3rd of June, 1943, Council approved of the payment of temporary war bonus to Government employees on the basis of the rates set out in Message No. 4 of the 27th of May, 1943. These rates were subsequently modified as set out in Message No. 10 of the 15th of July, 1943.

2. No specific Resolutions have been passed by Council authorising the continuance of war bonus payments during the years 1944 and 1945, and it has been assumed that the provision of the necessary funds in annual estimates implies that such authority has been accorded by Council.

3. Government is advised that in order that the authority for these payments may be clearly established, it is desirable that specific Resolutions should be passed annually by Council with respect thereto, specifying the period during which the rates in force, or any modifications thereof, are applicable.

4. I accordingly invite the Council formally to approve by Resolution of the payment of war bonus to Government employees during the year 1945 in accordance, with the rates set out in the Governor's Message to Council 10 dated 15th July, 1943.

GORDON LETHEM,  
Governor.

10th March, 1945.

## PAPERS LAID.

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

Report by Dr. Giglioli on Malaria in the City of Georgetown and its suburbs.

## GOVERNMENT NOTICES.

## PAYMENT OF WAR BONUSES IN 1945.

The COLONIAL TREASURER gave notice of the following motion:—

That, with reference to Governor's Message No. 30 of the 10th of March, 1945, this Council approves of the payment of war bonus to Government employees during the year 1945, in accordance with the rates set out in Governor's Message No. 10 dated 15th July, 1943.

## ORDER OF THE DAY.

## DRAINAGE AND IRRIGATION (DECLARATION OF AREAS AND VALIDATION OF ACTS) BILL, 1945.

A Bill intituled "An Ordinance to provide for the extension of certain drainage and irrigation areas; the declaration of new drainage and irrigation areas; the validation of the construction of certain works; the vesting of certain lands in the Drainage and Irrigation Board; and for purposes connected with the matters aforesaid."

The ATTORNEY-GENERAL: Hon. Members will probably remember that in the very early months of 1942 this City was full of survivors, and we were hard put to secure accommodation for them. Unfortunately a great number of them were lost at sea. That would give an indication of the severe losses suffered by the Allies in waters around this coast about that time. The position was such that had sinkings gone on at the same rate or at an increased rate the food situation, so far as imported foodstuffs were concerned, would have become very serious, and might in fact have been cut off altogether. In those circumstances it became necessary for the Governments of the Colonies in the Caribbean to take every step they could to look after themselves. Hon. Members will remember that the Grow More Food Campaign was launched, and would realize that before you could grow more food you must have land on which to grow it. In this Colony, before you can grow food it is necessary to drain the land.

To proceed under the Drainage and Irrigation Ordinance, and without allowing for the time taken to prepare

plans and estimates, it takes just over 100 days before you can commence work at all, and when starvation is just around the corner it is a waste of time to proceed under an Ordinance which at least takes over 100 days. Orders were made under the Emergency Powers (Defence) Act of 1940 authorizing the engineers concerned to enter upon certain lands and construct certain works. There was one exception to that. In one case (that listed as (a) in the Third Schedule) the engineers started before the Order was made, and I think I am right in saying that as far as that is concerned no Order was ever issued. However, in the other cases Orders were issued, but in one or two case works were constructed outside the areas which the engineers were authorized to enter under the Orders. The reason for that is that there is no detailed survey of the country. Where Defence Regulations were made the entry by the engineers was perfectly in order, but the Defence Regulations will lapse very shortly after the end of hostilities. The result is that title to the land is a very temporary one. In fact there is no title at the moment. The Regulations only authorize possession, and so it is necessary now, in order to get people on the land, to pass a special Ordinance giving title to such land.

This Bill before the Council is the Drainage and Irrigation Ordinance in reverse. Works are executed and plans are prepared, and now we come to the Council asking for authority in retrospect. To explain the Bill itself is very easy. Clause 3 merely extends the areas of three existing Drainage and Irrigation Areas. There is some good land near those areas which it is only necessary to extend in order to grow food.

Clause 4 relates to rates in those areas. Before the areas were extended rates were assessed and leviable. There is no reason why those well established drainage

areas should avoid payment of rates this year merely because the areas have been extended. So that clause 4 says that in respect of the original areas the rates already assessed in November last year shall still remain payable, but only in respect of the old areas.

Clause 5 makes it perfectly clear that under the Drainage and Irrigation Ordinance two of the areas mentioned in clause 3 are paying rates in 12 equal instalments. The fact that we have increased the size of those areas is not intended to stop payment of those instalments.

Clause 6 is rather different. It is to legalize the creation of eight entirely new drainage areas. In other words, at the time when we wanted land very badly the engineers took the eight best areas in the Colony which they thought they could drain quickly. The works are finished and the areas are actually growing food now. This Bill says that those eight areas shall be drainage and irrigation areas for all purposes, as if the ordinary procedure of the Drainage and Irrigation Ordinance had been followed.

Clause 7 gives the Governor in Council power to charge rates in respect of 1945 in relation to those eight areas. It is not the intention to use that power in the vast majority of areas. They are only starting this year to produce for the first year, and it is not proposed to charge drainage and irrigation rates this year. It may be done in the case of one or two areas but certainly, at least in the case of six of them, no power will be taken under this clause to charge rates this year. One of the areas is in full production now.

Clause 8 is headed "Validation of Certain Acts." It says that all acts of the engineers, surveyors and everybody concerned who entered upon these private lands in 1942 to survey and

construct works shall be lawful. All those entries were in fact acts of trespass. It is therefore necessary to legalize those entries. It is hardly necessary to point out that the owners or occupiers of those lands raised no objection at the time, because all those works and all the entries upon their lands were in their interest. It was to their benefit, to improve their lands, that it was done, therefore there was no objection offered by the owners at the time or since, but just in case of anything going wrong it is necessary formally to cover the acts of the engineers concerned.

At a later stage I shall move an amendment to that clause. The hon. Member for Georgetown North (Mr. Seaford) rang me this morning and told me that the validation of acts only referred to the areas described in the First and Third Schedules, and he told me that to the best of his knowledge some of the new works were constructed in the existing drainage areas which are not described either in the First or the Third Schedule. That being the case, we are making it quite safe by substituting the word "Second" for the word "First." That would cover the whole of the lands and there then can be no mistake.

Clause 9 refers to one drainage area on the West Bank of the river. There no additional land was taken over, and no additional drainage area was created. All that was done was to improve the drainage, and additional works were constructed, new drains dug and new kokers erected. It is necessary to vest those works in the Drainage Board so that they should be responsible for their upkeep and repair. I now formally move that the Bill be read a second time.

Mr. WOOLFORD seconded.

Mr. EDUN: This Bill aims at regularizing what was done during the war crisis, and at the same time doing

the right thing by making plans for the future. I am very grateful to Government for coming forward to regularize the whole situation. Yesterday, when I spoke on the question of subsidization, I dealt with the merits or demerits of rationing a scarcity. I see in this Bill some plan for the future whereby we shall be able to distribute plenty, but I think we should aim further to achieve equity in that distribution. I want to see more production in every sphere of our agricultural economy, and in this Bill I see the nucleus or incentive to the production of more food. Lands belonging to private proprietors will be made available for cultivation, and I think Government has the right to tax the landlords in proportion to the improvement work done on their lands. But what I fear is that when that is done the landlords will take the opportunity to levy disproportionate rents on their tenants.

In respect of the drainage area at L'Union, on the West Coast of Demerara, I have a specific case in which the rates were increased slightly. I had occasion to discuss the matter with the Secretary of the Drainage Board who was good enough to supply me with the figures. As soon as the rates were levied by the Board the landlords increased their rents 400 per cent. Where Government is prepared to make lands cultivable and lease them at 30 cents per acre to persons who in turn rent them to tenants at \$3 and \$5 per acre, I am thinking whether there should not be some provision to check such abuses. That is my fear, and how Government is going to check it. There is a sordid case before Government at the moment concerning one Mohabir and several of his tenants. Mohabir has leased land from Government for 21 years—

The ATTORNEY-GENERAL: rise to a point of order. I do not know anything about the case. I do not know if it is before the Court.

Mr. EDUN: It is not before the Court. I just want to give an instance where one fortunate lessee who has leased 400 acres or more from Government at, I think, 30 cents per acre, is renting it to tenants at \$3 and \$5 per acre. I feel that the time has come when some means should be devised to prevent people making such huge profit on land without spending a ha'penny on its improvement. In this case Government spent money on the improvement of the land, and I am pleading with Government to devise some means of putting a check on this extortion on the part of the lessors. I do not know how it is going to be done. We have the Roman-Dutch Law and all kinds of irrational laws under which certain proprietors cannot be touched at all.

The same thing happens in the case of the Rice Marketing Board. I hope I am not speaking irrelevantly, but the point is this. If there is an increase of 10 cents on a bag of rice you will find the miller increasing his charges. This Bill has my complete approval, and I want to assure Government that with proper co-ordination of these schemes and good guidance on the part of the Department of Agriculture, the East Indian agricultural community will do its part in cultivating the lands taken up. I give that assurance in this Council and I want it to resound as far as Downing Street. There is no fear that when these lands are put into proper order they will not be taken up. In going around the districts I have found land-hungry people, both Indians and Africans. I got the impression that we have reached the stage in our agricultural economy when every peasant wants a piece of land. I would like to invite every Member of this Council to go with me to the Canals Polder where they would see congestion. Boys come to me for recommendations for jobs in the Constabulary or the Police Force. I do not think we should encourage that sort of thing. We should get those boys back on the land, and I think this

is the right time to do it. I hope Government will endeavour to do the right thing by distributing lands equitably in the interest of all and the economy of British Guiana.

Dr. SINGH: I have been longing for the opportunity to support a Bill of this type. I feel it is a step in the right direction, and when this scheme becomes a success it will be an incentive to the launching of other schemes of a similar nature so that in time to come we will have almost the whole Colony provided with proper drainage and irrigation schemes. For the past 24 years I have been watching the comings and goings of floods and droughts and the plight of the poor farmers who usually lose most of their crops and cattle. Some of them were driven to such despondency that they actually left the Colony and went to India. As the representatives of the people we should heartily support this Bill, the object of which is to enable the people to produce more food.

Mr. THORNE: I have listened with pleasure to the utterances of the two Members who have just spoken, and I think I should be wanting in my duty to the people at large in this community if I did not say that for over 50 years the villagers of this Colony have been begging for irrigation and drainage. I think it is but fair that I should say that as far back as 1896 when a Royal Commission visited this country they themselves pointed out that in the interest of the people of this country the coastlands should be made liveable. It has been a very unfortunate thing for the descendants of Africans who had been placed under a miserable handicap through slavery, cut off from their ancestors remorselessly, and any human society which could be considered cultural, to say nothing of Christian; torn away from their fatherland and brought here in misery to live on the coastlands where they bought estates which were ruined because they had not the

means to irrigate and drain the lands. I have been a Member of the Legislature and have sat in this Chamber under the old Constitution, and in and out of season I, along with others, have fought to get something done. Outside of this Chamber I was among those who felt that the time had come when we were bound to call for a Royal Commission, and we did so supported by the Churches and all the social organizations, the Municipalities and Village Authorities, and it had the sanction and blessing of Your Excellency's predecessor who, when I saw him and showed him the telegram from a Member of the House of Commons telling me that this is the time to move for a Royal Commission, told me that he would strongly support it, and he did so. I would not like it to go out that if there was not a war we would have got nowhere. I do not believe that is correct. The Royal Commission came here and were appalled. The Chairman of the Commission and a select number of Commissioners went through the Canals Polder area and, Your Excellency must have read, the Chairman of the Village Chairmen's Conference told the Chairman of the Royal Commission that he hoped that their recommendations would be unlike those of previous Commissions and would carry results. I believe that the work of that Royal Commission has resulted in this. I do not believe it is a mere accident, because if I can believe that only an emergency like a war can cause honest consideration to be given to the people of this country I would forever after that lose all faith in European government of colonies. But I have not reached that stage. There had been times when I had great doubts as to whether a large number of peoples of the world believed that God was the Creator of all things and peoples and had not created some people and the others came by chance or were created by the devil. But at other times I have been able to feel that throughout my life I have had excellent associations with the European race. That has been the saving grace to me. If I had not

that early opportunity I would have lost faith. Therefore I would not like it to be believed that it is only the war that has caused us to have attention paid us and to obtain what we are getting. I would like it to be firmly believed that the British Government did not know the dire conditions under which the people existed and lived in this community. Having come and having seen them the Royal Commissioners decided to act. The war came along but they did not allow the war to prevent their action. With all the difficulties and embarrassment of the war they still found time to put down several million pounds sterling to be utilised for the purpose while they sorely needed that money. The British Government did not make the war an excuse but regarded it as serious a matter as the war. They said: "We will go along and make a beginning of the good things you should have at our hands."

I would like people to believe this is not merely a Grow More Food Campaign. This is an attempt to develop this country. Some of us feel that for the past 100 years we have been neglected, but we now believe that the British Government have now realised their duties, their obligation to the West Indies and British Guiana. They have now realised that the mere passing of a law emancipating these peoples who have been robbed of life, soul and everything they possess was not enough. I believe their intention is to see this country fully developed not only on the coastlands but in the Interior as well. While I am strongly supporting this here, I would be wanting in my duty if I do not say here that the original farmers who tried their best to cultivate the coastlands were driven from them by flood and drought. They were the people who went into the Interior as pioneers and without assistance, without skill, the aid of science and without knowledge discovered gold, diamonds; they were the people who developed this country's timber indus-

try. Are those people to be left out? I have heard it said that only their successors, those brought to substitute them have claims. When I entered this Legislature forty years ago I found that actually the people here were made to pay the cost of immigration. Colonial money was used to bring immigrants to this Colony, while the men were in the Interior risking their lives and leaving their wives and children at the mercy of the elements in an effort to try and meet their obligation to their families. While I am standing strongly for this, I say without fear and hesitation that account must be taken of the original pioneers of farming on the coastlands, who were Africans. I am not decrying the East Indians. From 1918 going back the East Indian did not receive recognition as a colonist as he looked forward to make sufficient money and return to India. It was the poor unfortunate son of Africa who had nowhere to go, nothing to look forward to but to remain here to be drowned out by the flood and burnt out by the drought, or to turn to the Interior and without assistance try to make good.

In the '90's it was the gold industry which carried the Colony on its back, and up to the last war it was the diamond industry which came to the rescue of the Government. Now that we are to start on this irrigation and drainage project, I am looking forward to Government doing its duty to the faithful sons of Africa who remained here all these years. Not only irrigation and drainage, we want much more than that. When I say "We" I mean the gold-digger and diamond seeker. It was an accident that I did not have to go through the hardships of my brother who had been brought from Africa and dropped in this part of the world without compass and not knowing where to go. I consider I should stand with him, that I should be his mouthpiece, to speak for him and to act for him. It is my duty to do so. I am looking forward to the corollary of this Bill. It will be found in the

records of this Legislature that in 1903, when I sat in this Legislature, I fought the Sugar Planters who then wanted to control rice. They wanted only one crop to be grown a year so that labour could be available to them, as they did not have sufficient labour. I think I did the right thing then. I want it to go out from here that it is not to be felt that this irrigation and drainage business is a war measure. I want it to go out that it is an Imperial measure asking the Government of this country to do that which was long undone. For 50 years it should have been started, and had it been done by now we would have had a Colony of which we could be proud and not one just beginning to be developed.

I suggest that we take into account the position in which the original people stand—broken in health and character. When I came here 55 years ago I used to like to watch the sturdy sons of Africa and the women carrying their heads perfectly straight and erect. The men I saw in Berbice were strong men who caught cows by the horns and held them down without any rope. That was a well known thing done by the Sears, men 6 ft 6 ins in height. It was fun for persons to go and see them catch the strongest bull in the pasture without using a rope. What has become of all those men? They have degenerated in physique, washed out by water and burnt out by drought, having to change the nature and quality of the food they eat and having to live under abominable conditions. While I stand strongly with Government in this excellent effort and do compliment them, I am looking forward to Government not stopping at this but endeavouring to furnish the original inhabitants with what they need so badly—agricultural banks to back up this work. Without agricultural banks and a live Agricultural Department to go along and teach the people how to convert provision into economic products—the very work that is being done at the Carnegie Trade

Centre for Girls for which I have the greatest regard and feel very proud—much will not be achieved by this effort.

I have left my country fifty odd years and I am not going back. I am remaining here and I regard this Colony as my country. This Government is in a unique position. You have the entire confidence of the community. Government would like to see all the people who are able to go back to the land, but it is no use telling them to go back to the land to starve. I had my own experience. There was a time when I wasted good money that I made as a private tutor and the head of a secondary school in purchasing 600 acres in the Pomeroun where I threw away thousands of dollars. I believe in the land. My father owned land which enabled him to educate me. He was a schoolmaster but had his own lands, and I was privileged to learn how to milk a cow. I thought when I came here apart from being a schoolmaster I would teach my children "back to the land." I acquired lands in the Pomeroun—I still have some—and lost my money in there. I found it was entirely beyond me to keep on. When I empoldered the lands water from the adjacent Crown lands again and again burst my backdam. I had economic crops there and even rubber, and it was the savannah land which ruined me. I had figured that at the end of fifteen or twenty years from my money spent on that 500 acres of land with cattle and economic plants on it I would obtain a decent income and be enabled to settle down and devote the balance of my life to private life, but I was sadly disappointed.

While I support the Bill sincerely, I am looking forward to Your Excellency's wisdom and that of the advisers and Officers of the Government of this country in going ahead with it. I believe it is not a war measure but the result of investigation by the Royal Commission, and that Your Excellency has come here to give effect to those recommendations.

It is an attempt to deal with the Colony as a whole by putting in irrigation and drainage and so abolish those conditions wherein when a man puts money in the land he cannot get returns. The people have thrown away money, their lives, their health and strength on the land and have become disheartened. There are no proper banks to assist them. I do not believe that cultivation of the land should be confined to the people who till the soil themselves. I know that from our secondary schools here our best pioneers of planting should come. I feel that everything should be done to induce our boys and girls who come from our secondary schools to turn their attention to the soil having given irrigation and drainage. I further feel that we should encourage people to go and settle on the land, give them 50 acres holdings and teach them that land holding is the best thing in a well ordered and settled government. I had put up a scheme which did not receive consideration. Perhaps many persons thought it was hare-brained. I hope it will turn out not to be so. It seems that I lived two generations before my day. I think that everything should be done to induce large numbers of our boys who are going through the secondary schools to turn their attention to the land, to make every provision by which they would get the necessary money through Agricultural Banks and get the necessary scientific assistance, and to have the land properly irrigated and drained where they can settle down.

I would like to see in this country every young man take to the land and have 200 acres for himself and family; he would be head of a small section of, perhaps, 25 farmers around him to supply the manual labour he needs. With his scientific training and knowledge and his ability to make good, he would be the school and college of the twenty-five around him. Therefore, I say, Government should go ahead. I admire the policy Government is pursuing. Go ahead spending but wisely. I was among those who felt that the land



in British Guiana was worthless, but I hope we have reached that stage when people will have the confidence in the small schemes to be put through, and with proper methods of development they will produce sons and daughters worthy of the name of a country.

Mr. JACKSON: I desire in a few words to express my appreciation of the Bill which is before us to-day. I give it my hearty support. For years we have been clamouring for irrigation and drainage, and it is within the knowledge of everyone of us around this table that the Colony has suffered greatly through improper drainage and lack of irrigation. This Bill is cut to extend the drainage areas and make other portions of the land cultivable. It is a step in the right direction. I am sure, sir, that the Bill will have an easy passage in this Council, sponsored as it has been so vigorously by the last addition to our ranks and, I am sure, we are indebted to him for the historical sketch he has given of the efforts he had made to convince Government that the people of British Guiana have suffered for many long years and that the efforts now taken by Government will relieve to a very great extent the suffering that they have had to endure. I believe, sir, that with this extension of the drainage areas and the co-operation that I feel will be given to Government, the Colony will take—I will not say a leap forward but—a step forward and in due course we will see results. Whatever the results may be, whether they be in attracting to the land those who have attended our secondary schools, one thing I know is that the results will be very good for the Colony at large. I think that in opening the areas, draining those areas and in developing the Colony the Government is taking a step in the right direction. I support the Bill with all my heart.

Mr. JACOB: I think the Bill before the Council has received almost unanimous support from those Members who have spoken. I am wondering

whether they have all spoken relevantly to the Bill before the Council. I take it, we can go on to speak and bring in other matters and so give support to this Bill which attempts now to validate the construction of certain works and the opening up of new drainage and irrigation areas. I was very much struck by the tenor of the speeches in this matter. It would appear that we have just started to irrigate and drain the Colony, but if one were to look at previous records of expenditure one would see that millions of dollars had been already spent on this kind of work and most of it, if we are to take results at the present time, had been mis-spent. I am hoping that all the money recently spent has been properly spent and that we will get results from that expenditure. I notice on page 2 of this Bill, clause 3 states the areas of (a) Golden Grove to Victoria, (b) Ann's Grove to Lancaster and (c) Lots 57 to 63 Corentyne are to be extended. I have in my mind particularly the Cove and John Land Settlement Scheme. I do not know whether Cove and John is included in the description in clause 3 of the Bill. But I remember distinctly that irrigation and drainage schemes were put up there. Several pumps were installed and recently when that property was to be purchased by Government on the recommendation of the Land Settlement Committee, Government sought the advice of its expert who said that the area wanted seven or eight additional pumps. Pumps had been erected in the past on the Enmore Estates between Buxton and Victoria and we were told by this Government and its expert that the place was properly drained and irrigated. Recently, however, when it came to practical use being made of Cove and John particularly Government's expert said that area would require eight additional pumps to put

I am wondering whether in respect of these new areas that will be brought into cultivation by the passing of this Bill—in fact they are already in use—when it comes to the actual settling it in order.

of the people on the land, some other expert will not come in and say "Oh, no; you made all these mistakes in the past. You have to do so many things before you can utilise the land." My experience has been most unfortunate in regard to matters of this kind. One hon. Member referred to people being brought here, torn away from their own lands and brought here in the hope of making some kind of living. Today a large number of those people barely eke out an existence on the land. They are flooded out and burnt out on the coastlands and in the Interior they perish in the waterfalls. They live under the most insanitary and unhealthy condition both on the coastlands and in the Interior. I am not going to say I am exceedingly pleased that there has been success in the recent past and there is going to be huge success if this Bill goes through. I am going to be exceedingly cautious. Up to the present time, although large areas are put under irrigation and drainage, we still have floods. Until last week one hon. Member's rice areas were not planted owing to the recent heavy rains and the place being still flooded out.

Reference was made to increased production of food. I am not quite certain there has been increased food during the last three or five years. We have produced sufficient to feed the local population at times and at other times there has been great scarcity. We have not exported as we used to before. As a matter of fact up to the present, while there is a slight increase in the exports of rice, there is a decrease in the exports or production of sugar. So if you take everything into account, the normal values of exports, they have certainly declined in view of the inflated values at the present time. As to the values I want to express myself very cautiously and to advise Government to go cautiously and not create false hopes in the breasts of people who make flowery speeches and say we are on the safe road to prosperity. This Govern-

ment promised to settle people on lands during the last few years. Definite promises were made. Apart from speeches made in this Council, apart from speeches by the President of this Council and apart from the circulation of papers, what has happened?— Nothing; not a single individual has been given a piece of land, or given money to build a house or a piece of irrigated and drained land to rear cattle and plant provisions on.

I am not going to agree with the various hon. Members who have spoken here to-day, boosting up those Officers and making people to understand that the Millennium is at hand. As a matter of fact, if we get ten inches of rain in one week I would see what Government is going to come back and say as regards production. We have had ten inches of rain in one week in the past followed by another five inches in the next week. So I say I am hoping that the new Department which is going to be created will have officers who are familiar with drainage and irrigation problems, particularly problems connected with tropical areas. I am hoping that this new Department will have men who will go into the practical side of things and not paper and plans alone. Therefore, I say that while I support this Bill I am not too certain that we are on the road to any prosperity at all as regards the planting and export of ordinary food crops. I was a little perturbed not only today but in the past when certain hon. Members spoke, and when direct references were made to particular matters and names were mentioned the Attorney-General got up and said that those matters were before the Court and should not be debated here.

The ATTORNEY-GENERAL: I said I did not know whether it was or not. Just for the hon. Member's safety I raised the question.

Mr. JACOB: I think this is a place where every Member should have the privilege of speaking precisely on

any matter so that Government might know what is going on, but immediately a point is raised the Government's legal adviser gets up and says that the matter cannot be discussed. I think that there is a rule which provides that where a matter is before the Supreme Court it can be discussed here with a certain amount of propriety. I have always been very cautious. I do not think I have ever been interrupted because I have never given names. It is not proper when you are making definite charges not to mention names, so that those charges might be investigated. As a matter of fact, when you write Government and make certain reference you are asked: "Will you give names and details?" Government wants these things in detail in a letter but not in detail in this Council so that they can be recorded. I object very strongly and I ask Government to give a ruling whether a matter cannot be discussed here with a certain amount of propriety whether it is before any Court of Law, including the Supreme Court. I think the time has come when we must have free speech in this Legislature. I think I can take care of myself and not allow the Government's legal adviser to tell me I am out of order.

There is another matter. Looking at the Standing Rules I do not see any particular Rule regarding a quorum in this Council.

The PRESIDENT: I must ask the hon. Member to keep to the Bill. We are debating the principle of this Validation Bill.

Mr. JACOB: I am waiving the question of the quorum, but as regards the interruption I think that comes precisely within the scope of this debate, and Government should say something so that Members may be guided as to what they should or should not say. It does not interfere with me at all, but I think we should enjoy the privileges afforded us in this Council. No Mem-

ber, whether Government nominee or an Elected Member, should interrupt another Member when he is exercising the privileges of this Council.

Question put, and agreed to.

Bill read a second time.

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

*Clause 3 — Extension of certain Drainage and Irrigation Areas.*

Mr. JACOB: May I enquire whether Cove and John is included in these areas detailed in clause 3?

The ATTORNEY-GENERAL: The hon. Member should know the geography of the Colony better than I do. If he reads the Second Schedule, Part I, he will see that it describes the area. I hesitate to inform the hon. Member on a matter of that sort.

Mr. WOOLFORD: Cove and John is immediately behind Victoria and Belfield. The hon. Member knows that.

Mr. JACOB: I am told I ought to know. Maybe I am a little mixed up at the moment and I do not know. Does Government contemplate putting that area in better condition now that this Bill is going to be passed? I take it that the Irrigation and Drainage Board is going to look into that aspect of the matter.

The CHAIRMAN: The answer to that is—and I think the despatch will shortly reach the hon. Member—that it is proposed to spend \$500,000 on the scheme between Ann's Grove and the Mahaica river. That is quite definitely the objective of the Government at the moment. I do not think the Berbice scheme will be ready for some time yet.

Mr. WOOLFORD: It does not appear that Cove and John comes within the area, because the common boundary between Victoria and Belfield would not include Cove and John. It appears to be excluded.

Mr. JACOB: I take it then that Cove and John is not included.

The CHAIRMAN: I could not tell you without a map. We will pass clause 3 and get a map.

Clause 5.—

Mr. JACOB: I take this opportunity to inquire what is the position in regard to the Rice Tenancy Bill and the fixing of rents for rice lands?

The CHAIRMAN: That is before Council now actually.

The ATTORNEY-GENERAL: The hon. Member for North-Western District (Mr. Jacob) submitted a scheme whereby it is believed the trouble with regard to rents might be met. The trouble was that the people who charged high rents prior to 1941 would get an enormous advantage compared with those who did not. The hon. Member suggested a formula which he thought, and I thought too, would cure that, but as Dr. Benham arrived in the Colony very shortly afterwards I referred the matter to him and he drafted a scheme, a copy which I will show the hon. Member.

Clause 7.—

Mr. EDUN: I would like to know whether, after assessments are made by the Board, it would not be possible to post them up in the various districts so that they might be examined before finality is reached.

The CHAIRMAN: What is the present practice?

The ATTORNEY-GENERAL: They are published in the *Gazette* and the newspapers.

The CHAIRMAN: You would like to have them posted at the Village Offices?

Mr. EDUN: Yes, sir.

The CHAIRMAN: We will refer that to the Local Government Department. I agree with that.

Clause 7 put, and agreed to.

Clause 8.—

The ATTORNEY-GENERAL: For reasons mentioned by me in moving the second reading of the Bill, I move that the word "Second" be substituted for the word "First" in the third line of clause 8.

Mr. WOOLFORD seconded.

Question put, and agreed to.

The COLONIAL TREASURER: With regard to the question asked by the hon. Member for North-Western District (Mr. Jacob) I would like to point out that Cove and John forms part of this particular drainage area and is included in the Golden Grove-Victoria area, but there are no new works in Cove and John which require to be validated. Therefore clause 3, which refers to an area of land in which works were constructed that require validation, does not include Cove and John. I hope I have made myself clear. There are no new works in the Cove and John area, therefore there are no works to be validated, although Cove and John forms part of the drainage area.

The CHAIRMAN: Cove and John therefore comes within the description "Golden Grove to Victoria Drainage and Irrigation Area."

The COLONIAL TREASURER: No, sir, it does not come within that description because that area relates to land in which new works were constructed.

Mr. JACOB: In effect, therefore, although Cove and John is within the area described it does not come within the Irrigation and Drainage area.

The CHAIRMAN: It is already within a declared drainage area.

Mr. JACOB: I am concerned with the practical thing, sir. Government's expert has stated that that area, although it is within a previously declared drainage area, is not properly drained and irrigated at the present time. That is clear. That area, it is said, requires about 7 or 8 additional pumps.

The CHAIRMAN: That was so last June or July. Since then the whole question of drainage of the East Coast area was examined with a view to seeing whether it was possible to establish a system of gravity drainage. It was found not possible for the whole stretch of land from the Mahaica river to the Demerara river, but it was considered possible as between Golden Grove and the Mahaica river at one end, and as between Plaisance and the Demerara river at the other end. The opinion of the engineers is that between Golden Grove and Plaisance, gravity drainage is not possible, and that drainage will have to continue by means of pumps, but if this new scheme, about which I made an announcement to the Council on the 18th of January, is carried out it is the intention to work out in detail the possibility of gravity drainage all the way from Golden Grove to the Mahaica river, using the new canal completed about a year ago to take off the water. If that is done then Cove and John would be drained by gravity. The pro-

position of pumps was conceded before the possibility of gravity drainage had been examined in any detail.

Mr. JACOB: I maintain that I have expert opinion that the advice that 7 or 8 pumps would have to be installed before Cove and John can be made suitable for land settlement was definitely wrong, and I cannot understand how Government could have accepted such an expert opinion. I am not an expert and I refuse to call myself an expert of any kind, but I know the coastlands of this Colony. Enmore *cum annexis* includes Haslington which is next to Golden Grove, and Cove and John is in the area between Golden Grove and Victoria, for which one pump was sufficient. For expert to tell Government that 7 or 8 pumps were required is nothing short of madness, but Government accepted it. Government has expert advice which it is bound to accept, but we are told afterwards that there is a practical scheme, and after a year or two Government will come back with some modified scheme, and we will find ourselves nowhere.

The CHAIRMAN: I would suggest that you postpone this criticism until the gravity drainage proposition comes before Council in due course, as it will. It is not strictly relevant to this Bill before us. We are in Committee and I think we should proceed to pass the clause. Have you any specific amendment to the clause?

Mr. JACOB: I think it is specifically relevant to clause 3.

The CHAIRMAN: Have you any amendment to clause 3?

Mr. JACOB: By the time I have finished speaking I may have some amendment.

The CHAIRMAN: It is usual to make an amendment first and speak afterwards.

Mr. JACOB: I do not wish to embarrass Government but I want Government to be fair to the people. Your Excellency had a recommendation from a Committee appointed by yourself, that Cove and John should be acquired. For certain reasons which I am suspicious about, Government delayed and the matter went to the Drainage and Irrigation Board and Government's experts who gave the opinion which I say, and I repeat, is wholly incorrect—a preposterous opinion that an area of 2,000 or 3,000 acres would require 7 or 8 pumps to drain it. Any fool should know that that was all wrong. If I were the most arrant fool I could not believe such an opinion. I had no opportunity to speak about it here because there was nothing specific.

The CHAIRMAN: What is your amendment?

Mr. JACOB: I know that the Chair has enormous powers and can order me to sit down. Here you are enlarging certain drainage areas. I am going to suggest that Cove and John be included in this area.

The ATTORNEY-GENERAL: It was in an existing drainage area before this Bill was printed. This Bill does not take Cove and John out of the area. It is within the area.

The CHAIRMAN: I do not think the hon. Member has any serious amendment.

The Council resumed.

The ATTORNEY-GENERAL: I move that the Bill be read a third time and passed.

Mr. WOOLFORD seconded.

Question put, and agreed to.

Bill read a third time and passed.

#### SCHEDULES OF ADDITIONAL PROVISION, 1944.

The COLONIAL TREASURER:  
beg to move:—

That, this Council approves the Schedules of Additional Provision for the quarters 1st July, 1944, to 30th September, 1944, and 1st October, 1944, to 31st December, 1944, required to meet expenditure in excess of the provision made in the Estimates for the year 1944, which have been laid on the table.

These Schedules are part of the formidable documents both in length and in the amount of the expenditure which they embrace. The First Schedule shows a total of \$562,614, of which \$273,136 is expenditure falling on Colony funds, while the remainder, \$289,478, represents expenditure on schemes financed from the Colonial Development and Welfare Fund. The Second Schedule for the last quarter of the year is more formidable still—\$1,605,117, of which \$904,045 falls on Colony funds, and \$701,072 under the Colonial Development and Welfare Act. I should just like to say that, naturally, the services provided under these Schedules have already been met by Your Excellency's warrant, because all the items were considered in detail by Finance Committee, and in accordance with our agreed procedure warrants have been issued and the expenditure has been authorized and incurred.

As regards the expenditure for 1944 the revised estimates as printed in the 1945 Estimates showed a total of \$12,400,000 odd, but from the figures I have most recently seen it would appear that the actual expenditure for the year will be about half a million dollars less than that total. Of course that half a million dollars is not a saving; it merely represents expenditure postponed and carried forward, primarily because of lack of equipment and material, unfilled orders and so on. I merely mention that the expenditure is \$500,000 less than esti-

mated so as to relieve the minds of Members when dealing with these very large figures.

I propose to move that we go into Committee, although I do not know to what extent Members will feel obliged to examine these items in detail. I feel obliged to move that we go into Committee to give Members the opportunity, unless the Council decides otherwise. If it is the wish of the Council that the motion be taken *en bloc* I should be only too happy to move that the Schedules be approved without going into Committee.

The PRESIDENT: Is the Council prepared to take the motion as it stands in Council, or is it the wish of Members that we go into Committee?

Mr. JACOB: I have a few questions to ask and I think it is best that we go into Committee.

The COLONIAL TREASURER: There is in the next item on the Order Paper a Schedule for the first quarter of the year 1945, and Members will no doubt have an opportunity to make comments on matters of policy on the heads shown in that Schedule. Perhaps it would suit the Council if we should not move into Committee on the 1944 Estimates but on the 1945 Estimates.

The PRESIDENT: I therefore suggest that we do not move into Committee on the 1944 expenditure.

Mr. JACOB: While Members may be given the facility to ask certain question on the 1945 expenditure I have not had time to go into the items in detail. I have made notes on the 1944 expenditure. For instance, under the head "Legislature" I want to ask about something which I do not see on the 1945 Estimates, and I can be properly ruled out of order.

The PRESIDENT: You can speak, if you wish, on any point.

Mr. JACOB: I plead that we follow the usual rule here and move into Committee.

The PRESIDENT: We can move into Committee and Members vote as they wish.

The COLONIAL TREASURER: I move that the Council resolve itself into Committee to consider the Schedule.

The COLONIAL SECRETARY seconded.

The PRESIDENT: I would prefer to take the vote of Members as to if they prefer not to go into Committee. There are 21 pages of last year's expenditure and this year's to be dealt with. If Members prefer not to go into Committee they would then vote against the motion.

Question put.

The PRESIDENT: I have no audible vote either way. I will put it again. Those Members who wish to proceed in Committee will say "Aye."

Question put—no response.

The PRESIDENT: Those Members who prefer to take the motion in full Council will say "No."

Question put—*Voices: No.*

The PRESIDENT: I declare the "Noes" have it, as far as I can hear. The Council will take the motion without proceeding into Committee.

Question "That the motion standing in the name of the Colonial Treasurer be agreed to" put.

## GENERAL ELECTIONS.

Mr. JACOB: I see that Members are not quite alive to the privileges afforded them, and prefer not to discuss matters in detail but to jumble them all up together. I would like to enquire under the head "Legislature" what is the exact position regarding the provision of a sum of money for the holding of the General Elections. I was hoping to see something mentioned about it. As a matter of fact when the Annual Estimates were being discussed I raised the point, and I was promised that a supplementary estimate will be brought in to show what amount will be required for the General Elections.

The PRESIDENT: This is last year's expenditure we are dealing with.

Mr. JACOB: Yes, sir, but from the papers before me I see nothing here, and under the Head "Legislature" there is a vote "Additional Provision now required \$400 for Travelling Expenses and Subsistence Allowance to Members of the Council." Your Excellency has made several pronouncements, but I am sorry to say they lack the precise information I require. Let me put my question in precise form. Is the Government contemplating the holding of a General Election in 1945?

The PRESIDENT: I fear I must ask the hon. Member to keep to the Rules. The hon. Member is talking about Election and that has nothing to do with the proposals put in front of him. The hon. Member may ask the question in the ordinary way or by a motion. When that business is not before the Council it is not relevant to ask about the potential vote for the Election this year or whenever it comes on. Therefore I am bound to rule the hon. Member out of order. The hon. Member can speak on any of the items here, but it must be relevant to the issue.

Mr. JACOB: You are asking this Council to vote \$400 for travelling expenses and subsistence allowances to Members of this Council. I do not know how I can move the deletion of this particular item because the whole Schedule is being discussed. I thought it quite appropriate to ask the question and go on speaking on it. I may have spoken first and asked the question after, and then Government either could have replied or not. I think I am perfectly in order. I am speaking on this motion here that this Schedule for \$562,614 be passed. There is a specific item for \$400—Travelling Expenses and Subsistence Allowances to Members of the Council. It has been stated in this Council that we are all speaking here not strictly in accordance with the recognised rules of the Council. Some of us feel there should have been a general election and this thing should not go on. Since the onus is on the President to declare whether this Council should be dissolved, I think I am perfectly in order whilst this vote is being discussed to ask what is Your Excellency's intention.

The PRESIDENT: I would give an answer if you bring it in the proper place, but you must speak now to this motion or any of the items contained in the Schedule. So long as you speak to those it is all right, but when you go outside that and put any hypothetical question to Government I am afraid I must rule you out of order.

Mr. JACOB: I see the object of the present administration in dealing with matters. No specific reply is given to any specific question but just vague statements made from time to time.

Mr. EDUN: I see here that the expenditure is for last year. I think it was all gone into by the Finance Committee and therefore there is no need to go into details.



The PRESIDENT: That is so.

Mr. EDUN: Why I did not vote for the Council to go into Committee to consider it is because we had passed it already in Finance Committee. It is just a matter of regularizing it that it is brought here so as to say the Legislative Council has approved of it. I see no reason in the Council going back into Committee and examining the Schedule again. I think we ought to vote it straightaway in Council.

The PRESIDENT: That is what I am trying to do. I therefore put the question "That the motion be agreed to."

Question put, and agreed to.

Mr. JACOB: I wish to record my dissent to that.

The PRESIDENT: You wish to say "No."

Mr. JACOB: Yes.

The PRESIDENT (*to Clerk of Council*): Record one vote against.

SUPPLEMENTARY ESTIMATES,  
JANUARY-MARCH, 1945.

The COLONIAL TREASURER: I beg to move—

That, this Council approves the Schedule of Additional Provision for the quarter 1st January, 1945, to 31st March, 1945, required to meet expenditure in excess of the provision made in the Estimates for the year 1945 which has been laid on the table."

In this instance I propose to move<sup>a</sup> at once that the Council go into Committee, as there is at least one item Members of Council want to comment on in particular. I therefore move that the Council proceed in Committee to consider the Schedule.

The COLONIAL SECRETARY: In seconding the motion I would like to say that particular item is one that particularly concerns me. I think all Members have received a memorandum from Government on this particular item—the Essequibo Mail Contract—but some Members here were not present at the meeting of the Finance Committee at which I presided and this particular item was discussed. I, therefore, would like it to be understood quite clearly that the actual hard facts of the case are these:

In October, 1944, Government wrote to the present contractor accepting his terms. Some time in December the Legislative Council reduced the vote by which we pay that contractor in 1945. On the 26th or 27th December I got a letter from the Postmaster-General saying, "We have been committed to this contract. May we go on?" I said "Yes." I said so because in my opinion at that time we were committed and Government would be discredited if it went back on its word. I did not refer the matter to the President. I did not refer the matter to the Executive Council and, therefore, none of the advisers of Government had an opportunity to decide what to do in a rather difficult position. I made the decision myself, as I was strongly pressed for a decision and the time was very short. As far as I can say now to you, the decision was a right one. I should have consulted you as soon as possible after, and that I am sorry I did not do.

Motion put, and agreed to.

Council in Committee.

Mr. HUMPHRYS: On a point of order! Are we dealing at the moment with the particular item spoken of by the hon. the Colonial Secretary?

The CHAIRMAN: We will normally take the Schedule and go right through.

Mr. HUMPHRYS: The hon. the Colonial Secretary made a statement right away and so I thought we would take that particular item now.

The CHAIRMAN: We are in Committee and Members have a free hand, but I would suggest, if Members agree, that we take the items seriatim. I propose taking the first page. As you know there are a number of items arising out of the Civil List salaries.

The Committee then proceeded to consider the Schedule.

#### AGRICULTURE.

*Item 35—Fishing Industry Development, \$10,000.*

Mr. ROTH: As regards the Fishing Industry I would like this item made more explicit. The Remarks Column says:

"It is proposed to place this amount at the disposal of the Secondary and Minor Industries Committee for the development of the fishing industry; and that the Agricultural Department should be responsible for the administration of those funds."

What I can see so far is the Agricultural Department will not touch it with a long pole. The Advisory Committee on Agriculture and Fishery does not come into the picture at all, as funds must be handled by an organised established Department of Government, such as the Agricultural Department. There seems to be no other possible way of handling this fund. It is proposed to place it at the disposal of the Secondary and Minor Industries Committee. It is anomalous to say that and then say the Agricultural Department is to be responsible for its administration. I would like this item to be referred back so as to get a better form of words than that.

The COLONIAL TREASURER: We must state what Department of Government is to have the responsibility of signing the vouchers.

Mr. JACOB: On a point of order! Not a few minutes ago this Council passed a motion because the Finance Committee had agreed to the expenditure. That influenced this Council to pass that motion without going into details. May I enquire what is the rule now as regards this particular item? The Finance Committee passed it and, according to Your Excellency's ruling, this matter should go through as a matter of course. Why debate it here? Why go into it?

The CHAIRMAN: It is still possible to disallow or amend it. We have had enough talk about procedure. Would Members be agreeable to the withdrawal of this item so as to get a better form of words?

The COLONIAL TREASURER: May I explain, this form of words is the actual procedure laid down in correspondence file. I know the Agricultural Department made certain enquiries. All that is intended is that this fund be placed at the disposal of an executive Board of the Secondary and Minor Industries Committee. That Board has investigated several claims for assistance and is prepared to recommend loans or grants in connection with this scheme. The Board having made its recommendations and having decided on the persons to be given grants or loans, the terms of such loans—the rate of interest and the security to be given—then communicates its decision to the Department of Agriculture under whose control the money is being placed. When I say "control" I mean it in the ordinary departmental sense. That is to say, some Official of the Department will see after the payment of the money, get the necessary promissory note, see that the security is correctly entered in a book or paid into the Treasury, and see to the recovery of the amount. The decision as to the lending or granting of the money and the terms will fall on the executive Board. That is how I understand it.

The CHAIRMAN: The Secondary and Minor Industries Committee is a Board of three members including two Members of the Executive Council who will make the decision as to the use of this \$10,000 in the name of Government, and the Department will take the necessary action. Two Members of the Executive Council and one Government Officer will have executive function and the Agricultural Department will do the necessary paper work.

Mr. SEAFORD: I feel it does put the Advisory Committee on Agriculture in a very peculiar position for this reason: That is a Committee which makes recommendations, and yet it is the Minor Industries Committee which will have to recommend to the Board. The Agricultural Department Advisory Committee does not come into the picture, as you have stated, and yet that Committee is supposed to sit and advise the Department on matters connected with the Department. As far as I see, the Director of Agriculture cannot say to whom payments must be made and yet he and his Department are made responsible for the payments. I think the principle is wrong. If it is under the control of the Committee, let them be responsible.

The CHAIRMAN: The only trouble about that is, there must be somebody to sign the vouchers.

Mr. SEAFORD: What about the Treasury?

The COLONIAL TREASURER: We pay out money.

The CHAIRMAN: That is why I say, refer it back to find something simpler. To make the thing watertight we will have to legislate placing executive power in the Board, which is rather going to make it heavy at the moment. But we can try to take it off the Schedule here and make a more satisfactory arrangement.

The COLONIAL TREASURER: I hope the item will not be taken off, as it is not a matter that has come forward on the recommendation of the Agricultural Department. I will give an undertaking that the matter will be threshed out and some decision suitable will be taken that will meet the case.

The CHAIRMAN: I suggest then that we pass it and you report later to Government on the machinery.

Mr. J. A. LUCKHOO: I think the machinery is quite simple. The Executive Board of the Secondary and Minor Industries Committee recommends the application to the Legislative Council Advisory Committee on Agriculture and Fishery who in turn tell the Clerk in the Agriculture Department to pay out so much money. There you have the machinery by which the money is paid.

The CHAIRMAN: That is bringing into play three pieces of machinery to spend \$5.00. You are making the Advisory Committee too much an executive machine. It is my creation, and I am not anxious to give it any executive responsibility.

Mr. de AGUIAR: I am also a member of the Advisory Committee and of the Executive Board. To use Your Excellency's own words, it is trying to make it heavy for your composition. For the benefit of the hon. Member for North-Western District, this point arose after discussion in Finance Committee and, I think, the hon. Member will agree that hon. Members in such an event will be entitled to raise it here as it was not raised before. This matter was brought up and the Members of the Advisory Committee did not understand what the position was in the matter. My own view as Chairman is, that it did not fall within the functions of the Advisory Committee as it was more an administrative matter between the Head of the Department, the Director of

Agriculture, and the Chairman of the Executive Board backed by his members. As Your Excellency rightly pointed out, that Board will receive and consider applications for assistance and set out the conditions under which that assistance will be given. The recommendations of the Board will be put forward to the Director of Agriculture and upon those recommendations he will at once administer this fund. The Advisory Committee does not come into it at all. My colleagues raised it in Committee and it was decided to refer it back to the Government, as it was certainly something which did not fall within their functions.

Mr. SEAFORD: As long as this thing goes through the Agricultural Department we are going to be nailed with it. I accept no responsibility for the spending of this money. That is very likely to happen from what I see in this Council.

Mr. LEE: I was trying to point out that yesterday when I made the remark about the application of a friend of mine. The application went first to the Advisory Committee and was sent all around. That is how it took nine months before an answer was received.

The CHAIRMAN: I withdraw the item.

Mr. LEE: I would not like it to be withdrawn.

The CHAIRMAN: I am withdrawing it myself.

Item withdrawn.

#### POST OFFICE.

##### ESSEQUIBO MAIL CONTRACT.

##### *Item 5—Conveyance of Mails—*

(a) *Internal* ..... \$1,200.

Mr. HUMPHRYS: With regard to this item I wish to say at the very outset that I consider this a question of major importance, and I would like this Council to believe that I am not seeking by any means to make a storm in a teapot at all.

Mr. JACOB: May I rise to a point of order? This item should not find itself on this Schedule of Additional Provisions at the present time because, since it has been defeated, six months have not expired.

The CHAIRMAN: I rule your point of order is not relevant. The additional provision as put on is perfectly in order, and Members can speak to it.

Mr. HUMPHRYS: I was saying that while it may be thought that a fuss is being made over a small matter, I desire to say that so far as I am concerned—and I think I speak for some Members of this Council—we do not consider it in that light at all. To say the least about it, it is a grave constitutional issue, and I am going to seek permission to elaborate on that. When the Estimates for 1945 were being discussed the question arose as to the advisability or otherwise of paying as much as \$240 per month to the contractor for the carriage of mails on the Essequibo Coast. The sole question before the Council then was whether that charge was justifiable. The matter was discussed at some length and we got no satisfactory answer from the Postmaster-General as to why there was such a big increase and none from any other Government Officer. The debate was continuing when Your Excellency suggested that the best thing to do, if it was thought that the increase was not justified, was to move the reduction of the vote. The reduction of the vote was therefore moved by \$1,200 and carried by a

majority of this Council. During the debate the Members of this Council were informed that the contract had been already signed. As the result of that statement—

The COLONIAL SECRETARY: On a point of order! The records of the debate do not confirm that statement. They show that the Attorney-General said "Is it true that a contract has been signed?" but no answer was given.

Mr. HUMPHRYS: It ought to have been capable of an answer from an Executive Officer of Government.

The COLONIAL SECRETARY: The hon. Member would recall that I asked the courtesy of Council to get the files in order to give an answer.

Mr. HUMPHRYS: As regards that I join issue with you. I do not remember any request for an adjournment to get the files. If it was asked for it would have been given as a matter of course. I deny there was any intention of riding the vote through this Council in a hurry. The debate had been going on for some time. If the hon. the Colonial Secretary had wished an adjournment in order to get the papers, that adjournment would have been gladly given. However, that makes no difference. The fact remains, whether the Council was ill-informed or not informed by those in the best position to inform the Council—the Postmaster-General who was present and the Colonial Secretary who had been acting as Governor during that time—the vote was put and the amendment was carried reducing the vote by \$1,2000.

As regards the question as to whether it was stated that the contract was signed or not signed, it is possible that what has been said by the hon. the Colonial Secretary is correct that the Attorney-General asked if it had been signed. I understood the hon. the

Attorney-General to say "I understand the contract has been already signed." I think the hon. Member for Essequibo River can speak for himself. The contract had been signed. It transpired that the hon. Member for New Amsterdam and I happened to be in the Deeds Registry, where, by the merest chance, I saw that the contract had been signed on the 9th or 10th of January. I am not concerned at this stage about the amount of the contract. The sole question before the Council is: Can this Council be asked to vote this additional sum of \$1,200 on supplementary estimate in view of the fact that the item was reduced by this Council only in December last by \$1,200? I am submitting that this Council is bound by the majority of votes, and a majority of this Council voted for the reduction. I submit with all confidence that it is not competent for Government to bring forward an item on this supplementary estimate and ask for a vote of \$1,200 to carry out the contract, which was signed after the Council had voted that the amount of the contract should not exceed \$240 per month. This item has now been brought forward deliberately in the teeth of the decision of this Council.

This matter has not been brought up by Members of this Council in any carping spirit. It was considered carefully by those Members who had voted for the amendment. A letter was addressed to the Colonial Secretary on the subject and signed by 12 of the Members who voted for the amendment, the other two being Mr. Critchlow, who is out of the Colony, and Mr. Ferreira, who was in Berbice but has informed me that he approved of all that had been done. For the information of Members, and with Your Excellency's permission, I would like to read the letter and the names of those Members who have signed it. I do not wish to keep Your Excellency beyond the time for adjournment, but I will be a few minutes longer.

The PRESIDENT: Read your letter and then we will adjourn.

Mr. HUMPHRYS: The letter is dated the 24th January, 1945, and reads as follows:—

Georgetown,  
Demerara, B.G.,  
24th January, 1945.

The Honourable,  
The Colonial Secretary,  
Public Buildings,  
Georgetown.

Sir,

On the 21st December, 1944, the Legislative Council, when considering Heads of the Estimates of Expenditure, reduced by \$1,200 the estimate under Sub-Head 5 — Conveyance of Mails. The reason for this reduction was because the Legislative Council considered that the suggested remuneration of \$240 per month to a contractor for carriage of Mails on the Essequibo Coast was grossly excessive. The matter was fully discussed, and no satisfactory explanation having been given for the proposed enormous increase of the remuneration for the performance of this service, a reduction of \$1,200 was moved and carried.

It now appears that notwithstanding the decision of the Legislative Council, Government, on or about the 9th instant, entered into a written contract for the carriage by a contractor of the Mails on the Essequibo Coast for a period of two years, commencing from the 1st of January, 1945, at a remuneration of \$240 per month.

If the facts stated in the preceding paragraph are correct we are astounded at Government's flagrant disregard and obvious flouting of the decision of the Legislative Council, and we therefore intend to take such steps as we consider necessary to insist on the observance by Government of the constitutional rights of the Legislative Council; but before doing so we desire to afford Government an opportunity of fully stating its reason for disregarding the decision of the Council in this matter, if that is possible.

We must request you to give this matter your immediate attention as we do not

propose to delay in taking the necessary action and making such representation as the circumstances demand.

We have the honour to be  
Sir,  
Your obedient servants,  
—(Sgd.) Eustace G. Woolford,  
H. C. Humphrys.  
Joseph A. Luckhoo,  
J. I. de Aguiar.  
Francis Dias.  
C. R. Jacob.  
J. Gonsalves.  
Ayube M. Edun.  
Percy C. Wight.

That letter was duly sent in, and and after a lapse of two or three weeks I understand from the hon. Member for New Amsterdam that he has received an acknowledgment of it from the Colonial Secretary, but no explanation was given in the letter. Subsequently the matter was brought up in Finance Committee, but as I was absent from that meeting of the Committee I am glad of this opportunity to express exactly what my views are in regard to the matter, both from a legal and a constitutional point of view.

The CHAIRMAN: I propose to adjourn at this stage. As I said yesterday, I have asked the Deputy President to call Unofficial Members together and endeavour to come to some arrangement so that we might have more effective and expeditious working of the Finance Committee. Government will be unable to work quickly without some arrangement of that kind. There are three alternatives. One is that Government would proceed to take action and I should be asked to sign warrants for expenditure which has not been sanctioned by the Legislative Council. That used to be the practice which was very common in this Colony. When I came here in 1941 I said I would not sign special warrants for expenditure unless it had been considered by the Unofficial Members in

Finance Committee, which I suggested was a much more expeditious way than by having regular and frequent meetings of the Council for that purpose. I think in some cases it works fairly well, but certain hon. Members are not in favour of that arrangement, and I would suggest a further alternative of a smaller Finance Committee which could be called together every week and make a report to the Council. The only alternative to that would be to have the Council meeting very frequently and very regularly, but I suggest that a system which has worked very well in my experience in another Colony might be tried out here. If the Deputy President would be good enough and the Unofficial Members would give him a few

minutes after this meeting we might come to a satisfactory arrangement.

The Council resumed.

Mr. LEE: I would ask that the Council revert back into Committee for the purpose of considering the item of \$10,000 with regard to the development of the fishing industry.

The PRESIDENT: You are about the most irregular person in procedure. We will be resuming consideration of this Schedule later, and it will be quite regular for you to bring the matter up then. You will have a perfect opportunity to do so when we meet again.

The Council was adjourned until 2 p.m. the following day.