

LEGISLATIVE COUNCIL.

Wednesday, 21st December, 1932.

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

PRESENT.

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

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

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

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

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

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

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

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

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

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

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

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

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

The Hon. F. Birkitt, Postmaster-General.

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

The Hon. J. Eleazar (Berbice River).

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

The Hon. Peer Bacchus (Western Berbice).

MINUTES.

The minutes of the meeting of the Council held on the 20th December, as printed and circulated, were confirmed.

GOVERNMENT NOTICE.

GEORGETOWN IMPROVEMENT RATES (FUNDING) BILL.

THE ATTORNEY-GENERAL (Mr. Hector Josephs) gave notice that at the next meeting of the Council he would move that Standing Orders No. 11 (1) and 36 (d) be suspended to enable the following Bill to be taken through all its stages:—

A Bill to empower the Georgetown Town Council to fund the total amount outstanding in respect of unpaid rates which have been levied under the Georgetown Sewerage and Water Ordinance (Chapter 96) and the Georgetown Sewerage and Water Ordinance, 1930, together with interest thereon, and also to make provision for the payment of such rates and interest.

ORDER OF THE DAY.

HOURS OF SELLING CLERKS.

Mr. CRANE: I beg to move:—

THAT this Council is of opinion that the conditions under which female selling clerks in business places in the Colony are required to work ought to be investigated and that such legislation as the said conditions warrant be introduced forthwith.

I do not propose to trench on very much time in moving the adoption of this motion because I think the object of it will commend itself to all Members of the Council. At present there is a law which regulates the hours during which selling clerks in business places should be employed, and from time to time there

have been Police prosecutions of employers for keeping their selling clerks in employment beyond the hours prescribed by that Ordinance. Cases have been brought to my knowledge specifically and generally where there is some question as to whether an employer is not being prejudiced by the rigidity of the present law and, on the other hand, whether the employee is not being imposed upon by an employer who because he gives employment demands too lengthy hours from his employee. That is a general statement with reference to all employees, whether males or females. I would be prepared to strike out "female" to widen the scope of the resolution because the evil applies not only to female selling clerks but to all selling clerks. With your permission then, sir, I ask leave to strike out the word "female" from the motion, because I want to embrace within the scope of the enquiry the conditions under which all selling clerks work, although I make a special point of the female side of the subject because of late that side has been given great prominence in public. I am not going to make any reference to rapacious employers or malingering employees. The true position will be ascertained when the enquiry is held. From that enquiry we ought to be able to ascertain whether greedy persons, who desire to open their business beyond certain hours and are too parsimonious to provide shifts, do take advantage of the selling clerks. I can only repeat what I have heard without taking any responsibility for the correctness of the statement. That statement is that young women are called upon to work from 7.30 a.m. to 7.30 or 8 p.m. It seems to me that a nine-hour working day is as much as we can require modern people to perform. One of the points of complaint is that selling clerks are not allowed to sit when business is slack or they are not actually attending customers. It is regarded by some employers as encouraging laziness in the clerk and inculcating a habit of squat and a habit of inactivity. I think a competent Committee can work out a scheme on the lines of what has been done in other and more progressive countries. I have gathered that the Chamber of Commerce has had complaints from time to time from female selling clerks in Water Street, Lombard Street, Camp Street and elsewhere, and that it was generally accepted

by the members of that body that provision would be made for the accommodation of these selling clerks when they are not engaged in actual business. If that accommodation was ever provided it has ceased to be provided. I ask that the matter be investigated in such a manner as Your Excellency may think proper and any legislation recommended should be enacted

Mr. ELEAZAR: I rise to second the motion. I think Government might well make enquiry into this matter. In most of these matters when public attention is drawn to them one would do well to have a perspective glance at the situation and try to discover how the conditions complained of have come about and are abused. I remember when every store in Water Street was opened at 7 a.m. and closed at 4 p.m. In those days you went into a store and found a female selling clerk reading one of Charlotte Braeme's productions and there was no love talk between you. It seems that that went on to such an extent that employers went to the other extreme of not allowing them to sit at all. Others started business in Lombard Street, which they claimed they were running with their own family, and Government fixed the hours. If those hours are rigidly adhered to very little will be left for Government to do.

THE COLONIAL SECRETARY (Mr. Douglas-Jones): I think I can say at the outset that Government is in favour of giving further consideration to the subject embodied in this motion. If hon. Members will look at the Second Schedule of the Shops Regulation Ordinance, Chapter 77, they will find the hours between which trade licence shops may be opened and kept open, and I have a distinct recollection that at that time reference was made to the hard-worked shopkeeper and think that before the law was revised some change was introduced. It was thought desirable that large firms in Georgetown and New Amsterdam should keep their shops open from 7.30 a.m. to 4 p.m. Those hours were thought to be rather hard on the smaller shops because many of them were in the nature of family businesses and a good deal of their trade was done before and after those hours. If there are any shops in Georgetown or New Amsterdam which are kept open after 4 p.m. on the

ordinary week-day they must be contravening the law unless they pay a licence of \$70. Those are the shops to which reference has been made in the Press with regard to the work of shop assistants. These shops were also referred to on some previous occasion in Council when the question of shop hours was raised. It was contended that a great deal of business done by back-street trade is done after the hours when the larger houses in Water Street close their business, and I think the fixing of the amount of the licence was to enable these shops to keep open after 4 o'clock and I presume to open before 7.30 a.m. We have to consider whether it is desirable to bring all shops, small and large, under the hours for which shops should be closed. That is a matter which certainly should be investigated, and possibly it does lead to some abuse and there is hardship amongst some shop assistants. In the case of family businesses it is a question whether Government is justified in limiting the hours during which a person and his family should carry on their business. The point we have to consider is whether the provision of the law should extend to shops and businesses paying a licence of less than \$70. Government will accept the motion and investigate the question as to whether it would be advisable to meet the representations which have been made in the directions indicated. It is very difficult to say whether any hardships are created. Complaints have been made and are being made, but it is very difficult to say whether those complaints are justified or not. The only way to get over the difficulty is to put all shops on the same basis of hours.

Mr. LUCKHOO: To put large and small shops on the same hours will create a hardship. As far as I am aware there has been no contravention of the hours in Berbice. Small shops are run by the proprietors themselves and I have heard of no abuse. There is ample provision in the law as regards seating accommodation. The question is to see it carried out if it is not strictly carried out.

Motion put, and agreed to.

CHANGE OF VENUE.

The following motion stood in the name of the hon. Member for Essequibo River :—

WHEREAS occasionally there are persons in the Mazaruni who find it necessary to have the aid of the counsel or solicitor but are hampered to secure such help by reason of distance and expense ;

And whereas Bartica has a monthly Court which is in the same Judicial District as the Court in the Mazaruni :

Be it Resolved,—That legislation be provided by this Council whereby a person under process to appear in the Court at Mazaruni who can *bona fide* inform the Court that he desires to or has secured legal help in his case be allowed to have his matter transferred for hearing at Bartica.

Mr. FREDERICKS: I crave indulgence that the motion be deferred. The circumstances that make the application necessary are uncontrollable.

THE PRESIDENT: I warn the hon. Member that there are not many more days for the session of the Council and if he cannot arrange with the Clerk to take it this week he must realise that it may be deferred until the next session.

Mr. FREDERICKS: I thank Your Excellency for indicating the position. I am sure that before the session is closed the motion will become a thing of the past either by discussion or arrangement.

Consideration of the motion was deferred.

BILLS OF EXCHANGE BILL.

THE ATTORNEY-GENERAL: I move that "A Bill to amend the Bills of Exchange Ordinance, Chapter 56, with respect to crossed cheques drawn by a Bank on itself" be read the first time.

Mr. DIAS seconded.

Question put, and agreed to.

Bill read the first time.

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

CONVERSION OF BONDS.

Mr. MILLARD (Colonial Treasurer): Sir, in moving the motion standing in my name, viz. :—

THAT, with reference to Governor's Message No. 8 of 20th of December, 1932, this Council

approves of an offer being made to convert as from 1st day of January, 1934, all the remaining Colony 6 per cent. Bonds issued under the Public Loan and Colonial Treasury Bills Ordinance, Chapter 47 (Ordinance No. 6 of 1916) to Bonds carrying interest at the rate of 4 per cent. per annum and bearing the same dates, terms and conditions as the Bonds for which they are substituted including the right of redemption ten years after the date of conversion on giving twelve months' notice.

I propose to mention the action taken to date in the redemption of Colony 6 per cent. bonds and to explain the present position. I am assuming that this course will be desired by hon. Members seeing that the Message on which the motion is based has not been long available for study.

It will be within the recollection of this Council that the decisions taken in regard to the raising of the 1929 Loan included the redemption of 6 per cent. Colony Bonds to a total of £537,000. Item 17 of the Schedule to the Public Purposes Loan Ordinance of 1929 records this decision. This Ordinance can be found at ss. 41 and 42 of Chapter 46. On the basis of that authority redemptions proceeded and were effected to the extent of \$578,550 representing Issues Nos. 12 to 15.

When the time became ripe to give notice of the redemption of Issue No. 16, a substantial transaction involving over one million dollars not covered by the balance of the proceeds of the 1929 Loan, an undertaking was obtained from the Crown Agents to finance this redemption pending the raising of a further loan under the authority of the 1929 Ordinance. Notice of redemption to take place on 1.1.1932 was duly given in December, 1930.

In 1932 the stock market in the United Kingdom became congested by the tremendous and sensational conversion of the War Loan Stock, a transaction that had to take precedence of all other public business of a similar character.

Acting on advices of the position in that market, the pending redemption of the 16th Issue was offset by an offer to bondholders to continue their bonds on their existing terms. This action successfully limited the demand for redemption to the inconsiderable figure of \$141,550. The total redemption effected to that time was therefore \$720,100.

In 1931, however, the United Kingdom stock market was subjected to the abnormal disturbance of the departure from the Gold Standard. It soon became evident that the objective of lowering the rate of interest payable on portions of the Colony debt would not be attainable until the market had adjusted itself to the new conditions.

I have been very interested, since my return from leave, by the evidences of the wide publicity given to that remarkable loan transaction and of the popular articles relating to it. From *quite unusual* quarters, I have been met with almost indignant enquiries why British Guiana is not arranging to pay a lower rate of interest on its public debt. It was amusing to observe, what an American would term, the *reaction* to the information that British Guiana took steps to secure the reduction of the annual interest cost of its public debt some three years back.

It is a remarkable sign of the times that economics has become a popular subject. I say this in no derogatory sense. I consider it admirable. On almost every railway bookstall in England there is now conspicuously displayed some book on economics, bearing an attractive paper cover with startling titles and sub-titles. I was informed that the sales exceed many of the fiction "best sellers" of the day.

When, however, nearly everyone becomes an enthusiastic economist, there is a danger looming ahead. The interplay of the natural laws of supply and demand and of the adjustments made and attempted to adapt those laws to national and individual needs can only be adequately studied and comprehended by the few. Too ready an assumption of what they are and how they operate must inevitably occasion disappointment and aggrieved perplexity with the course of economic developments.

Economists of world-wide repute, while puzzling out the complexities of modern economic conditions, are constantly attempting to explain in simple untechnical language some of the whys and wherefores of the world's present economic difficulties. Dogmatism in this sphere is largely an abandoned attitude. Such popular exposition is of immense educational value, but it must not be thought that it provides a sure and safe cut to infallible knowledge.

Where that is fully understood, much social benefit will result from the more general attention to this subject.

I hope those few observations will not have been uninteresting to hon. Members. They have a bearing on the subject before us.

Now that normal conditions exist (that is a relative term, but a proper one when used in contrast to the major disturbances I have mentioned) it becomes possible not only to resume the redemption of our 6 per cent. Bonds but to secure an even greater saving in the annual interest payments.

The option to redeem the 16th Issue will now be resumed and the opportunity will be taken to add the 18th Issue, in regard to which a similar option accrues 10 years after 1.1.1923. The requisite 12 months' notice in each case will be gazetted forthwith and the redemption will fall to be made on the 1.1.1934.

In consideration of the considerable total value of local holdings of these bonds it has been thought desirable in the interest of the bondholders to offer conversion of their holdings to a lower rate of interest thereby enabling them to retain, without disturbance of their investments, an A1. Trustee Debenture.

In present difficult times, with the retrenchments effected in staff and the additional work entailed by the large number of problems peculiar to such times, it could be argued that Government should not attempt the considerable task represented by such a conversion offer. That the redemption should be proceeded with and any desire by local bondholders to reinvest their money should be met by resort to local brokers and banks is a course that could not be considered unreasonable in present circumstances. On strictly departmental considerations, I should advise that course. But, as some hon. Members have recently admitted, this Government is a paternal Government and that is clearly indicated in this instance by the suggestion to this Council that it should approve of a conversion offer being made, regardless of other considerations.

Anticipating the possible criticism that the conversion rate of interest at 4 per cent suggested is not paternal, I would

inform Council that Government has been advised that a loan issued for the purpose of the redemption of bonds can be obtained at that rate of interest and will doubtless be obtainable if and when any sum is required. It is not considered reasonable therefore to incur any budget burden in respect of the conversion of these bonds beyond the expenses that will have to be met in putting through that transaction.

It is proposed to give bondholders until the 30th April to exercise and communicate their acceptance by depositing their bonds at the Treasury. The Crown Agents have requested the earliest possible notification of the amount required for redemption of bonds in order to enable them to arrange for financing this and advising as to the raising of a further loan issue as final cover.

Approval of Council is being sought at this date in order to ensure that the offer of conversion shall accompany the notice of redemption. The latter must appear in the "*Official Gazette*" before the end of the year and preferably in an ordinary weekly issue.

Professor DASH seconded.

Motion put, and agreed to.

THE MITCHELL TRUST.

Major BAIN GRAY (Director of Education): I beg to move:—

Be it Resolved,—(a) That this Council adopts the Report of the Select Committee appointed to enquire into the administration of the Trust created by the late Walter Mitchell and to make such recommendations as may appear to be necessary to give due effect to the bequest contained in the last will and testament of the deceased gentleman; and

Be it further Resolved,—(b) That effect be given to the Report by legislation.

This subject was discussed in Council, first of all, on a Government motion and afterwards on a motion introduced by the hon. Member for New Amsterdam, when the whole question of the administration of the Trust was referred to a Select Committee of the Council. The first paragraph of the report is a recital of the relevant part of the will. The second indicates the enquiry which we made. We endeavoured to ascertain what regulations, if any, were in existence governing the administration

of the Saffon Trust at the time Mitchell wrote his will. The third and fourth paragraphs deal with the question of the establishment of an institution. An institution for the Saffon Trust existed in the time of Mitchell and he had in mind some institutional organisation. The possibility of establishing an institution was definitely ruled out by the funds available. A suggestion was made to the Committee that the funds of the Saffon, Mitchell and Blair Trusts should be amalgamated and together establish an institution. That was not within our terms of reference, and, while it is an interesting and attractive possibility, I am afraid it is not going to be practical politics. The fifth paragraph makes definite recommendations that the beneficiaries under the will should be orphans or "half-orphans" without distinction of sex and natives of the Colony, that orphans should always be considered before "half-orphans" for awards, and that preference should be given in selection to the poorest and most necessitous in every case. With regard to the question of illegitimacy, the Committee came to the conclusion, considering all the circumstances existing in the Colony at the time, that illegitimacy should not be a bar. We are of opinion that Mitchell did not intend to exclude illegitimate children from the benefit of his will. The succeeding paragraphs are of an administrative nature. We suggest that the tests should be the examination for the Government County Scholarship, and that the administration of the Trust be vested in a Committee of the Legislative Council consisting of two Official and three Unofficial Members to give it a fully representative character. An important recommendation is that this arrangement should be embodied in an Ordinance, it being considered that the most satisfactory way of putting the matter on a permanent footing is to pass an Ordinance as in the case of the Saffon Trust.

Mr. FREDERICKS seconded.

Mr. SEERAM: As a member of the Committee I regret that I have to move an amendment to the report. I do not see eye to eye with the Committee and I desire to move that paragraph 5 of the report be deleted and the following substituted:—

5. The Committee with the exception of Mr. Seeram definitely recommends that the

beneficiaries under Walter Mitchell's will should be orphans or "half orphans" without distinction of sex and should be natives of British Guiana; further, that orphans should always be considered before "half orphans" for awards, and preference should be given to the poorest and most necessitous in every case.

Mr. Seeram interprets Mitchell's will to include non-orphans and non-half-orphans as well as orphans and half-orphans amongst the beneficiaries and is of the opinion that non-orphans and non-half-orphans like those born outside of lawful wedlock were excluded under Pierre Louis de Saffon's will and therefore the exclusion clause under Mitchell's will also applies to this exclusion.

THE ATTORNEY-GENERAL: To a point of order. What is presented to this Council is the report by the Select Committee, which embodies the opinion of either the majority or the whole Committee. If the hon Member desires to vary any particular part of the report he must move a specific motion setting forth what he proposes should be substituted for that particular paragraph of the report and endeavour to get the Council to agree with him to vary the report in that respect. I submit that the motion is inadmissible. It is not possible in a report of a Select Committee to specify the dissent of any member of the Committee.

THE PRESIDENT: I think if it is amended to "The Committee definitely recommends," leaving out the name of Mr. Seeram, that will meet the point the hon. Member desires to make. The Council is asked to over-ride the recommendation of the majority of the Committee.

Mr. SEERAM: The will of De Saffon distinctly states that the benefit of his estate should go to "ten orphan children or half-orphans natives of this Colony, without distinction of sex but nevertheless of lawful wedlock." It seems inconsistent for the Committee to adopt half of that exclusion and not the other half. My contention is that the beneficiaries must not only be orphans and half-orphans but they must be born of lawful wedlock.

Mr. CRANE: I must confess that I am somewhat disappointed with the report. It leaves me in the same position in which I was when the matter was discussed prior to the appointment of the Committee. I am at a loss to know what would be the result of the adoption of the report in view of the recommendation in paragraph 4. The Committee decided that the terms

of reference did not empower them to deal with the suggestion that the funds of the Saffon, Mitchell and Blair Trusts should be amalgamated and together establish an institution, but considered it worthy of consideration by the Legislative Council. I agree that it is a matter worthy of consideration. It seems to me that we are merely adopting the recommendations in paragraphs 5 to 10 without making the examination which the Committee thought should be made by this Council. It is clear that Mitchell intended that there should primarily be a Church College or charitable institution, and I agree with the hon. Member for New Amsterdam when he said that the question is whether we are carrying out the desire of this great public benefactor. We have no institution and it is a very great question whether we are giving effect to the intention of the testator when we merely dole out year by year sums of money to persons who pass certain examinations. I thought we would have had a definite recommendation getting over this difficulty. Saffon's will says that preference is always to be given "to the poorest and the most necessitous and those who are born of white parents." That does not exclude the others and the mover of the amendment is on very uncertain ground. Some Department of Government should work out what is the interpretation of the will and Government should then come to the Council and get a declaration that that is the interpretation of the will. The report of the Committee should have had an interpretation of the will and nothing short of such an interpretation would be the proper exercise of the functions of the Committee.

THE ATTORNEY-GENERAL: Walter Mitchell died on the 24th March, 1862, and I think his will was made a little before that. De Saffon's will was made in 1784 and was written entirely in French. There is in the preamble of Ordinance 5 of 1904 a translation of part of his will and a statement of the effect of some other portions of it. The benefit conferred by De Saffon was entirely on orphans and half-orphans. Later on he required that the beneficiaries should be chosen by the Supreme Court and should be the poorest and most necessitous, preference being given to children of white parents. Further in his will he made it perfectly clear—and that does not appear from the parts

of the will that are translated in the preamble or in the effect of the other part—that he was dealing with people born in the Colony of Demerara, and throughout the will he proceeds to deal with the Colony as the Colony of Demerara. At that time there were three separate, distinct and independent Colonies—the Colony of Demerara, the Colony of Essequibo and the Colony of Berbice. The only persons who are recipients of his bounty are "natives of the County of Demerara" and natives of the Counties of Essequibo and Berbice are excluded. De Saffon made the beneficiaries his heirs and when they reach a certain age they receive a capital sum, and when they go off the establishment other people benefit and finally get the capital sum. At one time it was thought beneficial that all these children should be kept in an institution and in the Haynes Smith Report reference is made to the Saffon establishment. At a subsequent time the opinion prevailed amongst the Administrator Guardians that this should not continue and it was better that the children should be educated in different places. In other words, it was thought that more benefit would be derived by each beneficiary in that way getting the full amount of the legacy than by any part of it going towards the general maintenance of the establishment.

Now the question is: What did Mitchell know of Saffon's will when he wrote his own will? He may have thought that the Saffon establishment was an integral part of Saffon's will, but it was not. The establishment has passed away, but it seems that it would be carrying out the intention of the testator if it were possible to create some establishment at which the objects of his bounty could be trained and maintained. But there is a difficulty. The estate is now larger than it was before. The total funds amount to \$31,700. That would yield an income of \$1,800 a year. That sum would be insufficient to carry on any establishment and to carry out the testator's intention as near as possible as funds would admit, therefore the question of the creation of an establishment is ruled out by reason of the insufficiency of the funds available and the question is how best the total fund can be dealt with. The question is not an easy one and perhaps does not extend to people who are

not orphans. Probably he meant to include orphans and half-orphans, as they are termed in De Saffon's will, but it is possible that he may have regarded lawful wedlock as an exclusion of other children whom he would have liked to make objects of his bounty. There might further be an exclusion with regard to the parentage of the children. The conclusion might be that the objects of his bounty are orphans and half-orphans, preference being given to the most necessitous, and there is no exclusion of children who are not born in lawful wedlock. It must also be remembered that at the time he made his will the law was Roman-Dutch, and so far as the mother of a child was concerned a child not born in lawful wedlock was entitled to succeed on intestacy of the mother on her death and the mother equally entitled to succeed on the death of that child. If he had that in mind he might well have regarded lawful wedlock as barred. I venture to think it does seem clear that he intended to include children whether born in lawful wedlock or not. In paragraph 4 the Committee has expressed a pious opinion that the Legislative Council may at some future time consider whether the three charities should not be amalgamated. I venture to think that the Committee was very wise in not dealing with that question, and also that it is a question that should not be referred to the Committee. It is not a matter which will be referred to a Select Committee of the Council to consider whether the three Trusts should be amalgamated. I do not think that could be given effect to if it is going to vary the intention of the testator or make any change in the destination of the property.

Mr. ELEAZAR: There is no doubt that the report is unsatisfactory. It is not as full as it might be, and the proposal that effect be given to it by legislation is objectionable. I do not think it was ever contemplated that children benefiting under the will should not have some means to assist them, and in place of three scholarships it is suggested that the number be reduced to two in order to give beneficiaries some additional maintenance.

The Council adjourned for the luncheon recess.

THE PRESIDENT: It seems to me from what I have heard during this debate

that this is a matter which requires some further consideration. The points made will have to be dealt with later. Perhaps they could best be dealt with when the Bill which the Committee has recommended is introduced. That would give plenty of opportunity for Members to put forward any points they might then desire to raise. I feel bound to say it appears to be rather a matter for the decision of the Law Courts than for this Legislature to give an interpretation of the will of the testator, and all we can do is to let the point be considered subsequently in the Courts where it can no doubt be raised by any one of the trustees. I think the best course is for the mover to withdraw the motion. The point will then be given full consideration and a draft Bill will be brought before the Council. If the mover agrees to that the motion will be withdrawn.

Major BAIN GRAY: I agree to that, sir.

Motion accordingly withdrawn.

POSTAGE ON POSTCARDS.

Mr. BIRKITT: I beg to move:—

THAT, with reference to Governor's Message No. 7 of the 20th December, 1932, this Council approves of the re-introduction of the one cent rate of postage on postcards only transmitted by post within the Colony instead of the present rate of two cents.

Further that this rate should come into force as from 1st January, 1933.

In further explanation of this motion I beg to inform the Council that when the one cent rate of postage on postcards operated it was a very popular service. In 1917 the rate was increased for financial reasons from one to two cents when it went almost totally into misuse. If this motion is approved Government will not only be able to dispose by sale of \$116,000 worth of postcards now on hand but to afford some slight concession to the public. One cent postcards can be used for various purposes, for instance, invitations to concerts, summonses to Committee and other meetings, circulation of small advertisements, and so on. If the motion is approved the financial effect cannot be definitely stated, but I do not anticipate that in the first year there will be a loss of more than \$30. In the second year the loss will be reduced to \$15 and in subse-

quent years it may reasonably be anticipated that extra postage will create a little extra revenue. I therefore commend the motion to the favourable consideration of the Council.

Dr. DE FREITAS seconded.

Motion agreed to.

ANNUAL ESTIMATES.

COLONIAL SECRETARY'S OFFICE.

The Council resolved itself into Committee and resumed consideration of the draft Estimates of expenditure to be defrayed from revenue for the year 1933 under the head of the Colonial Secretary's Office.

THE COLONIAL SECRETARY: Some explanation is due to the Council for the delay in presenting the estimates of this Department for consideration. The fact is that owing to transfers of officers certain offices have been left vacant. These have been filled for the last year or more by acting officers. The question as to how these vacancies should be filled on a permanent basis has been considered in the light of the Financial Commissioners' Report and also in other directions which have been the subject of communication with the Secretary of State. It has not been an easy matter, in the absence of any definite decision in regard to the recommendations of the Financial Commissioners, to fit new appointments into any

particular grade which was recommended by them. It has therefore been decided to place on the Estimates for next year the recommendations which have been submitted to the Secretary of State for his approval. A reply has been expected from the Secretary of State before this but it has not yet come, mainly due, I anticipate, to the fact that the decision on the whole matter of recruiting the Service in the light of the Financial Commissioners' Report is receiving consideration in England. In order to save time and enable the Estimates to be finally disposed of, it has been decided to submit these estimates in the form in which they have been submitted to the Secretary of State for his approval, but until the approval of the Secretary of State is received no actual effect will be given to the promotions or scales of salaries indicated. I should draw the Council's attention to the fact that the estimates show a slight decrease in the total expenditure of the Department over the estimates for 1932, the difference being \$27,375 as against \$27,442.

The items were agreed to without discussion.

THE CHAIRMAN: These estimates, as the Colonial Secretary has stated, are subject to the approval of the Secretary of State and will be brought before the Council again if we have any further intimation in the matter.

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