

LEGISLATIVE COUNCIL.

Wednesday, 28th September, 1932.

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

PRESENT.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Hon. N. Cannon (Georgetown North).

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

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

The Hon. J. Eleazar (Berbice River).

The Hon. J. Gonsalves (Georgetown South).

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

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

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

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

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

MINUTES.

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

MEMBER SWORN.

Dr. Q. B. DE FREITAS (Acting Surgeon-General) took and subscribed to the oath.

IMPERIAL SERVICE MEDAL.

THE PRESIDENT: It is my pleasant duty to present to Mr. William Henry Simmons, late Assistant Commissioner of Police, Gold Coast, the Imperial Service Medal which has been awarded to him by His Majesty the King. Mr Simmons, you have served for a total of 36 years in the Civil Service. Your first appointment was as a Police Constable in British Guiana in 1896, and you rose to the rank of Sgt.-Major in seven years. In 1903 you were seconded to the Gold Coast as Senior Superintendent of Police and was eventually promoted to be an Assistant Commissioner of Police there, retiring in February, 1932. You have already received the Queen Victoria Diamond Jubilee Medal, having represented British Guiana as a member of the Contingent of the British Police which went to England at the Jubilee Celebrations of 1897. You are also the holder of the King's Police Medal,

the Gold Coast Meritorious Service Medal and the British Guiana Long Service and Good Conduct Medal. I have very great pleasure to-day and the honour to present you with this Imperial Service Medal in recognition of your long and faithful service to your King and Empire. My hearty congratulations to you.

PAPERS LAID.

The following documents were laid on the table:—

Report of the Local Government Board for the year 1931.

Report of the Widows and Orphans' Fund for the year 1931.

Report on the North Western District for the year 1930.

Report of the Commissioners of Currency for the year 1931. (*Colonial Secretary*).

Annual Report on sanitary conditions of sugar estates and hospitals during 1931. (*Dr. De Freitas*).

GOVERNMENT NOTICES.

THE COLONIAL SECRETARY (Major Bain Gray) gave notice that at the next meeting of the Council he would move the following motion:—

Whereas difficulties have arisen in regard to the award of the Mitchell Foundations for the year 1932:

Be it Resolved,—That this Council approves of the award of four Foundations on the results of the examination held in December, 1931.

THE ATTORNEY-GENERAL (Mr. McDowell) gave notice that at a later stage he would move that Standing Order No. 11 (1) be suspended to enable him to move the first and second reading of "A Bill to make provision for the regulation and use of motor vehicles" which would be substituted for another Bill of the same title.

Mr. D'ANDRADE (Comptroller of Customs) gave notice that at the next meeting of the Council he would move that "Regulations to revoke the regulations governing the manufacture of cigars and cigarettes for drawback on exportation or delivery for home consumption" be approved.

UNOFFICIAL NOTICES.

Mr. SEAFORD gave notice of the following motion:—

Whereas it is desirable that there should be a freer and fuller exchange of domestic produce between this Colony, British Honduras and the British West Indian Islands;

And whereas any such exchange of local products that may be secured by means of special Customs preferences would not in practice interfere to any material extent with the export trade to the Caribbean Colonies of either the United Kingdom or the Dominion of Canada, which are the only Empire Countries that accord the West Indies substantial Customs advantages in return for the tariff preferences granted by the said Colonies:

Be it Resolved.—That this Council respectfully requests His Excellency the Officer Administering the Government (a) to communicate with the Governments of the Colonies concerned with a view of ascertaining whether they are in favour of the establishment of a West Indian Customs Union limited to the fixing of special tariff preferences for the encouragement of the exchange of domestic produce; and (b) to ask the Secretary of State for the Colonies to consider extending the terms of reference of the Federation Commission which will shortly be visiting the West Indies to include the examination of this question of a modified Customs Union for the British Caribbean Colonies.

Mr. CANNON gave notice of the following questions:—

1. What is the total amount spent on the purchase of land for the Essequibo Land Settlement Scheme? Also give the purchase price of each estate separately;

2. If any of these lands were formerly owned and sold by the Government and then repurchased for the purpose of the land settlement scheme, will the Government state (a) the original purchase price (if not Crown or Colony lands); (b) the sale price and year of sale; (c) the repurchase price and year of repurchase?

3. What is the total expenditure, from the inception of the scheme to date, in respect of the following items:—

(a) Erection of model cottages for settlers;

(b) Other buildings;

(c) Drainage, including the ejection of all "internal" and "external" sluices;

(d) Irrigation;

(e) Breaking down and levelling land for rice cultivation;

(f) Maintenance;

(g) Management,—apportioning part of the salaries of officers who are responsible for the supervision of the settlement;

(h) Advances to settlers.

4. What is the actual aggregate expenditure under all heads from the inception of the scheme to date? Specify any large items in addition to those listed above.

5. How much of this is held to be recoverable, and under what heads?

6. Is it true that the capital expenditure has been "written down"; and if so, for what reasons under what heads and to what extent?

7. What is the actual revenue from the inception of the scheme to date, specifying the main items?

8. When was the last report and balance sheet issued, and when is the next to be expected?

9. Are any special works in connection with the scheme now being constructed, or contemplated; if so, out of what vote will the funds be provided?

10. What is (a) the total area under cultivation, and (b) the number of settlers, classified first as families and secondly as men, women and children?

ORDER OF THE DAY.

DISTRICT ADMINISTRATION.

Mr. CRANE asked the following questions:—

1. What is the intention of Government as regards the carrying into effect of those portions of the District Administration Scheme other than that relating to District Commissioners as outlined in the report of the District Administration Committee?

2. Is Government aware of the fact that the delay in enacting a new Local Government Ordinance is causing much unrest and embarrassment in the villages, especially with regard to matters of village elections?

3. Will Government say when it proposes to complete the whole system of district re-organisation recommended in the said report?

THE COLONIAL SECRETARY replied as follows:—

1. It is the intention of Government to bring into effect those portions of the District Administration Scheme, other than that relating to District Commissioners, as soon as it is practicable to do so.

2. Government is not aware that the delay in enacting a new Local Government Ordinance is causing unrest and embarrassment in the villages.

3. It is not possible at present to indicate a date when new legislation will be introduced to give effect to the new system of administration, but the matter is now receiving consideration.

EXCHANGE ON MONEY ORDERS.

Mr. CRANE asked the following questions:—

1. What is the practice obtaining at the General Post Office with respect to the adjustment of the exchange on money orders issued in the United States of America and payable in this Colony?

2. Does the General Post Office pay the face value or the exchange value of such money orders?

3. What consideration does Government obtain in respect of such money orders—the actual amount paid in British Guiana money, or the exchange value ruling at the time?

4. Is Government aware that the practice obtaining at the General Post Office with respect to such money orders is resulting in loss of business to that department?

THE COLONIAL SECRETARY replied as follows:—

1. The practice is regulated by an Order* made by the Governor in Council on 3rd March, 1932, under section 34 of the Post and Telegraph Ordinance, Chapter 185, fixing rates of conversion of, and commission on, money orders issued on and by the United States of America.

2. The Post Office pays the face value of orders minus or plus such amounts for various values of the bank rate as are defined in the abovementioned order.

3. The face value of the order is recognised in so far as the preparation of accounts between the United States of America and British Guiana Administrations is concerned. Settlements of accounts is effected, however, on the amount of the difference between face value of orders issued in British Guiana for payment in U.S.A. and face value of orders issued in U.S.A. for payment in British Guiana. This amount is settled by whichever is the debtor Administration and at the rate of exchange prevailing at the time of settlement.

4. It is known that the banks offer better terms than the foregoing for the conversion of U.S.A. money.

MOTOR VEHICLES BILL.

THE ATTORNEY-GENERAL: I ask leave of the Council to withdraw Bill No. 176 (A Bill to make provision for the regulation and use of motor vehicles) in order that a new Bill of the same title may be introduced.

Question put, and agreed to.

THE ATTORNEY-GENERAL: I move the suspension of Standing Order No. 11 (1) to enable me to introduce and have read a first time "A Bill to make provision for the regulation and use of motor vehicles."

Professor DASH seconded.

Question put, and agreed to.

THE ATTORNEY-GENERAL: I move that the Bill be now read a first time.

Professor DASH seconded.

Question put, and agreed to.

Bill read the first time.

THE ATTORNEY-GENERAL: I move that the Bill be read the second time. I

*Published in the "Official Gazette" of 5th March, 1932.

do not propose to go very fully into the Bill because it is much the same as the original one. Before I tell the House what are the material amendments I should explain that there is still the question of third party insurance which does not appear in the new Bill. I think the Committee which has dealt with the Bill has realised that there is a strong case for leaving that question to be dealt with in a separate Bill. I am absolutely in favour of third party insurance if it can be done. I should like to see it made universal and Government has not neglected the question at all. The insurance companies have refused to have anything to do with it. Some Members have suggested that it might be done by sureties. Members of my own profession know exactly what the value is of a surety who does not put up collateral. His guarantee is merely a piece of paper. If you are going to put up collateral it means that your transport is held in security. People are not going to do that for nothing and it will undoubtedly mean the ruin of many people. You want to see as few people suffer as possible and in a Bill of that sort it cannot be brought in as a mere side issue. Such a Bill would require most careful consideration and advice from everybody in touch with every constituency and every class of the community. I do not think it can be brought in as a purely subsidiary Bill of the Motor Bill.

We come now to the Bill itself. The chief amendments are these. There is provision for renewal of certificates instead of following the English practice of a fresh certificate every year. The second amendment is that the fee for either original or renewal certificates will only apply to the professional driver. There is also a prohibition of cars having a left hand drive imported into the Colony after the 31st December. There is then a provision requiring the Inspector-General of Police to revoke or suspend licences subject to an appeal to the Governor. A minor point is that hired cars should not carry corpses. There are two main differences in the Bill. One is that the regulations now form part of the Bill, and therefore will be passed by the Legislative Council instead of by the Governor-in-Council, power being reserved to the Governor to alter them. The other relates to the question of the

Georgetown traffic. We have now put Georgetown in Part II., which deals entirely with the Georgetown omnibus system. It is of great advantage to put it into a separate part of the Bill as there are elaborate provisions giving power to the licensees of any omnibus company to make regulations. The Committee has made extremely valuable suggestions as to the conditions under which an omnibus system should work, but those are really terms of contract. It is perfectly easy for a company large enough to take on a contract for a Georgetown omnibus system and third party insurance can easily be made part of the contract. None of the recommendations of the first Committee has been left out of the Bill with the exception of third party insurance.

Professor DASH seconded.

Mr. ELEAZAR: My complaint is not against what has been left out of the Bill but against what has been left in. Government have brought back the Bill in an attempt to push it through with the help of their cast-iron majority. If that is not so I can hardly understand the reason for leaving the definition of owner in the Bill. If you cannot introduce third party insurance there is another way of getting at owners of omnibuses. You go the length of saying that the owner of a hire vehicle shall mean the person in possession when in law possession and ownership are two very different things. When you fail to be able to make an owner responsible by means of third party insurance surely you can include him in the category of owner, but you exclude him and make somebody who is not an owner responsible as owner. Persons who have influence with Government to prevent certain liabilities use that influence for their own protection. Clause 39 (35) says "the owner or the driver of a motor bus shall not permit goods of any description to be carried thereon other than a passenger's personal luggage." I cannot conceive of this applying to buses in country districts without imposing a hardship. One could not carry a can of milk or a parcel of ice with this restriction. What we complain of is buses taking a quantity of goods in addition to passengers. I also observe that Government still have in mind road licensing of omnibuses. This is likely to create a monopoly which is dangerous to the community. It

would result in the fares of buses being raised much higher than they are at the present time. There are other clauses which are just as objectionable and will create hardship which may be dealt with when the Bill is in Committee.

Question put, and agreed to.

Bill read the second time.

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

Clause 2—Interpretation.

Mr. ELEAZAR: In the definition of "Owner" I submit that the words "or the real owner," or words to that effect, should be added. I suggest the words "or the person with whom such agreement was made."

THE ATTORNEY-GENERAL: Seventy-five per cent. of the cars in the country are sold under a hire-purchase agreement and I cannot conceive of any motor dealer selling a car under a hire-purchase agreement subject to responsibility. It is entirely a legal point and I cannot imagine any owner of a garage being so foolish as to sell a car with this contingent liability. The person who keeps and uses a car is the person responsible.

Mr. CRANE: I think the hon. Attorney-General is right. It would hamper business if you were to provide in this Bill that the legal owner of a motor vehicle which is let on hire to a second party is the owner and shall have all the responsibility prescribed by the Bill imposed on him. The man who operates and controls the vehicle is the person who is being made responsible by an extended meaning of the term "owner." The point of the hon. Member will be met by the promise to bring in legislation for third party insurance. I can see business seriously impeded if the seller of the vehicle is to be made liable for the act of a man who runs a bus on the Corentyne or Essequibo Coast.

Mr. ELEAZAR: If Government undertakes to bring in a Bill for third party insurance my point would be met.

THE ATTORNEY-GENERAL: Government is considering the question of third party insurance but there are enor-

mous difficulties and Government would be delighted to have the opinion of everybody.

THE CHAIRMAN: I said on the last occasion that Government had considered the question but was faced with representations that not only a great number of omnibuses but hire motor cars would be put out of commission. Government will again consider the question and the scope of how far third party insurance will go, and Government will give an assurance to introduce a measure of legislation to give effect to it. Whether it will meet with the approval of Members I am not in a position to say, but the matter will be introduced at an early date.

THE ATTORNEY-GENERAL: I move that the definition "Motor bus or omnibus" be amended to read "Motor bus" or "omnibus" and that the word "or" be substituted for the word "and" in the third line.

Question put, and agreed to.

Mr. CRANE: I move that the definition "Regulations" be amended to read "'Regulations' means the regulations contained in the schedule to this Ordinance or made under this Ordinance."

Question put, and agreed to.

Clause 3—Register to be kept.

THE ATTORNEY-GENERAL: Sub-clause (7) is a little too colloquial and not legally accurate. I move that for the words "fitted with a left-hand drive" the words "having the steering pillar on the left or rear side" be substituted.

Question put, and agreed to.

Clause 5 (1)—Number of persons to be carried in a vehicle.

THE ATTORNEY-GENERAL: I move that the word "vehicle" in the second line be deleted and the words "hire car or omnibus" substituted.

Question put, and agreed to.

Clause 8—Certificate of drivers, etc.

Mr. CRANE: Sub-clause (1) (b) says: "Nothing in this sub-section shall apply to

a person not under the age of nineteen years who is being taught to drive a vehicle by a person who is the holder of a driver's certificate and is in a position to control the vehicle." I move that the word "eighteen" be substituted for "nineteen."

Question put, and agreed to.

Mr. CRANE: The sub-clause proceeds to say "but a person shall not be taught to drive a hire car or motor bus while the vehicle is carrying passengers for hire or reward." I think those words deserve consideration.

THE CHAIRMAN: The sub-clause will be held over as well as sub-clause (2).

Mr. CRANE: In sub-clause (3) I suggest the insertion of the word "by" between the words "or" and "any" in the sixth line.

Question put, and agreed to.

Mr. ELEAZAR: I submit that a driver should not be required to be re-examined but should be entitled to have his certificate renewed as a matter of course.

Mr. WOOD (Conservator of Forests): If a man is rapidly becoming blind is there to be no means of examining his sight?

THE ATTORNEY-GENERAL: I move that sub-clause (11) be deleted.

Question put, and agreed to.

Mr. CRANE: Sub-clause (12) I cannot support, and we were given to understand that Government would leave the decision on the propriety of it to the open vote. Only one Member of the Committee supported it. We were opposed to giving a single official power of this kind (*i.e.*, to suspend or cancel any certificate, subject to an appeal to the Governor, on any ground which may seem to him sufficient), which may be used in 99 cases with discretion but in one case arbitrarily. A man should be tried by a judicial officer before his certificate is cancelled and it should not be left to an executive officer to cancel a certificate on any ground which may seem to him sufficient.

Mr. GONSALVES: There are provi-

sions under which the certificate of a man committing certain offences may be suspended or cancelled and I think the suggestion to delete the clause should be accepted.

THE CHAIRMAN: In accordance with the undertaking given I am quite willing to leave this clause to the open vote.

Mr. ELEAZAR: Even that is not good enough for this Council. A man was charged and the Magistrate fined him considering that was sufficient punishment, but a few days after his certificate was cancelled by the Police.

Mr. DIAS: I draw attention to section 7 of the existing law, which is word for word what is proposed to be re-enacted.

Mr. CRANE: The hon. Nominated Member is correct in saying it is in the existing law, but the hon. Member for Berbice has put forward a reasonable ground for its deletion from this Bill. Because the power is in the Ordinance the Police inflicted additional punishment.

Mr. WOOLFORD: I venture to make one or two suggestions for consideration. If this power is given to the Inspector-General to suspend or cancel any certificate "on any ground which may seem to him sufficient," it will be readily conceded that the Inspector-General will have power to suspend or cancel a certificate on some grounds that appear to him sufficient but for which the statute does not provide. He might exercise his powers in respect of an offence which cannot be called a statutory offence. If it is limited to an offence prescribed by the Ordinance there can be no objection, but to give him powers out of the Bill itself is objectionable. If you are to give this power to the Inspector-General there is no reason why he on his part should not be compelled to furnish a delinquent with reasons for arriving at his decision. The Inspector-General may decline to furnish any reason at all and a man whose certificate was suspended or cancelled would have no grounds of appeal. I do not think the Inspector-General's time should be occupied with questions of that kind. I urge that there should be some kind of enquiry before this arbitrary and despotic power is given to any individual. In order to put the matter in order I move the deletion of the clause.

Mr. CRANE: As the Police are usually the persons complaining against chauffeurs it is also unreasonable on that ground that the Inspector-General should be made judge in the matter.

Amendment put, and agreed to.

Clause 10 (1)—Disqualification for offences and endorsement of convictions—was deferred for the purpose of amendment.

The Committee adjourned for the luncheon recess.

Clause 15 (1)—Reckless or dangerous driving.

Mr. ELEAZAR: I do not see why the penalty should be so drastic for the several offences mentioned. I observe that in the English Act no such drastic penalty as \$240 or imprisonment for a term not exceeding six months is fixed for an offence of driving to the danger of the public. These clauses are taken from the English Act and in every case the penalty is increased. In England the penalty is £50 or three months' imprisonment if a driver gets drunk, but here he may be subjected to both fine and imprisonment. I am asking Government to substitute for \$240 or six months \$50 or two months, and for \$480 or six months or to both such fine and imprisonment in the case of a second or subsequent offence a fine of \$150 or three months' imprisonment.

THE ATTORNEY-GENERAL: These penalties are high, but the hon. Member is rather mistaken about the idea of penalties. Penalties are not to punish people for committing a crime, even if they drive so as to injure the public, but penalties are high as a deterrent to dangerous driving and allied offences. This clause relates to the case of the callous road-hog and enables a Magistrate to deal with him severely. The real road-hog is a person for whom one should have no sympathy and penalties should be sufficiently severe to put him exactly in the class to which he belongs.

Mr. ELEAZAR: The road-hog in England suffers a maximum of four months' imprisonment. Why should the local road-hog be treated differently?

Mr. CRANE: The pecuniary penalties are the same as in the English Act. The only difference is that the term of imprisonment is four months instead of six months as is proposed here. I suggest that four months be substituted for six.

Mr. ELEAZAR: I formally move that the words "two hundred and forty" be deleted and the word "fifty" substituted; that for the word "six" the word "two" be substituted; that the words "four hundred and eighty" be deleted and the words "one hundred and fifty" substituted; that for the word "such" in the tenth line the words "three months" be substituted; and that the words "as aforesaid or to both such fine or imprisonment" at the end of the clause be deleted.

The Committee divided on the question "That the words as printed stand part of the sub-clause" and voted:—

Ayes—Messrs. Seaford, Anderson, Gon-salves, Crane, Dr. De Freitas, Francis, Mullin, Wood, McDavid, Major Craig, Austin, D'Andrade, Professor Dash, Dias, the Attorney-General and the Colonial Secretary—16.

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

THE ATTORNEY-GENERAL: I move that the word "four" be substituted for the word "six" in the eighth line.

Question put, and agreed to.

Clause 22—Duty to give name and address and to stop and power of arrest in certain cases.

Sub-clause (3) was made a separate clause and numbered 23.

Clause 24 (re-numbered 25)—Duty to stop in case of accident.

THE ATTORNEY-GENERAL: I move that at the end of sub-clause (1) the words be added "and shall report the accident at a police station or to a police constable as soon as is reasonably practicable and in any case within twenty-four hours of the occurrence thereof."

Mr. ELEAZAR: There is no objection to a driver of a motor vehicle reporting an accident to the nearest police station, but

there is certainly objection to his being called upon to stop and give his name and address to "any person having reasonable grounds for so requiring."

Mr. CRANE: This clause was carefully considered by the Committee. It was discovered that an attempt was being made to improve on the English Act, which did not meet our approval. The English Road Traffic Act is exactly as printed in sub-clause (1). It is absurd that a man should have to report the killing of a pig on the road.

THE CHAIRMAN: I am inclined to think, having regard to conditions in this Colony, that the word "animal" should be taken out. The Council should consider that point and the clause will be deferred for that purpose.

Mr. SEAFORD: When this question came up before the Committee I suggested that the objection could be got over by the police impounding all strays, but some Members of the Committee were opposed to the impounding of strays.

THE CHAIRMAN: The clause will stand over and we will further consider the matter.

Mr. CRANE: I call attention to clause 46 (4) and suggest that it should be inserted as clause 28.

THE ATTORNEY-GENERAL: I agree with the hon. Member and move that the following be inserted as clause 28:—

28. The driver of a hire car or motor bus shall not carry any corpse therein, and if he does so he shall be guilty of an offence against this Ordinance.

Mr. ELEAZAR: This clause is going to create a hardship in Berbice where a person may die in hospital and his relations desire to take the corpse to the Corentyne Coast.

THE CHAIRMAN: I understand it is not the wish of Government to put this clause in but the wish of the Unofficial Members.

Mr. CRANE: This provision is supported by many people in the country districts. Their complaint is that motor cars and other vehicles in use for daily

traffic remove corpses and are immediately afterwards used for taking passengers. It is undesirable that any corpse should be carried in a vehicle which is used for the carrying of the public. I suggest that it cannot be established that any hardship would be created by preventing people from pursuing this practice. Corpses are taken from New Amsterdam to the Corentyne in hearses and not in cars. I discussed this matter with my constituents and their idea was that it is undesirable to remove corpses in this way and that local authorities should co-operate with Government in providing themselves with the normal means for transporting the dead.

Mr. CANNON: It is as easy to contract disease from the living as from the dead. I have seen country corpses being taken in motor cars. If Government is going to provide an ambulance or a hearse for the transportation of the dead there is some reason for the objection, but until that is done I do not think there should be this restriction.

THE CHAIRMAN: I am prepared to leave the clause to the open vote.

The Committee divided on the question and voted:—

Ayes—Messrs. Gonsalves, Crane, Dr. De Freitas, Wood, McDavid, Major Craig, Dias and the Colonial Secretary—8.

Noes—Messrs. Seaford, Anderson, Dr. Singh, Eleazar, Cannon, Francis, Mullin, Austin, D'Andrade, Luckhoo and Professor Dash—11.

Did not vote—The Attorney-General—1.
Clause 27 (renumbered 28)—Governor-in-Council may grant licence to operate omnibus service in Demerara.

Mr. CANNON: This may be a fore-runner that the Municipality of Georgetown is to be wiped out and the Governor-in-Council, aided and abetted by the Secretary of State, will run the City, but until that is done I cannot give my vote in favour of this clause. Whatever the Governor-in-Council may feel about transportation in Georgetown, so long as there exists a Municipality the onus ought to be cast on them, at any rate in the first instance. I feel that a monopoly is not

going to work or to be satisfactory either for Government or for the people of Georgetown.

Mr. GONSALVES: The Committee recommended that when the licence was to be considered by Government, it should be referred to the Town Council with the terms and conditions under which the licence is to be granted. It is desirable that we should have a proper service.

Mr. CRANE: The hon. Member is correct in saying it was contemplated that the terms and conditions of the licence should be referred to the Municipality for its opinion and any comment it cared to make. This procedure is in keeping with the granting of a licence for a Tramway or Lighting Order. If Government would say that procedure will be adopted it would satisfy Members.

Mr. ELEAZAR: I do not like a road service licence outside of Georgetown because it will create a monopoly. There is no objection to limiting it to Georgetown.

THE CHAIRMAN: I think there can be no fear of anything being done without consultation with the Town Council and any proposals submitted for their observations. I understand that the wording of this clause is intended to permit of a bus service to be operated in Georgetown to be extended just beyond the Municipal limits. The desire is that the service in Georgetown should extend outside the actual limit of the town, and I think the clause would meet the objection of the hon. Member for Berbice River.

The Committee divided on the question "That the clause as printed stand part of the Bill" and voted:—

Ayes—Messrs. Seaford, Anderson, Gonsalves, Eleazar, Crane, Dr. De Freitas, Francis, Mullin, Wood, McDavid, Major Craig, Austin, D'Andrade, Luckhoo, Professor Dash, Dias, the Attorney-General and the Colonial Secretary—18.

Noes—Dr. Singh and Mr. Cannon—2.

Clause 38 (re-numbered 39)—Road service licence.

Mr. ELEAZAR: I cannot conceive of Government considering it necessary to

issue a road service licence outside of Georgetown and its environs. It will be creating a dangerous monopoly on the Corentyne and incidentally in Essequibo. I ask Government to delete the clause or let it stand over.

Mr. LUCKHOO: I join in asking Government to delete this clause. There is no doubt that the bus service on the Corentyne Coast can be regarded as a public utility service. If a monopoly is granted for that district it would inconvenience agriculturists and the travelling public. At present fares are very cheap owing to competition. To give the Governor-in-Council power to grant a monopoly would not be in the best interest of the public.

THE CHAIRMAN: This is a definite expression of Government's policy and it is recommended by the Motor Traffic Committee. It is a very desirable power that the Governor-in-Council should grant in respect of any particular route a road service licence. It is one of the means by which we shall be able to have better control over these services and at the same time meet the convenience of the public in a very much better manner than we are doing at the present time.

Clause 45 (re-numbered 46)—Power to make regulations.

THE ATTORNEY-GENERAL asked that the clause should stand over.

Clause 46 (new 47) was amended by the deletion of sub-clause (4), which was negatived as clause 28.

Regulation 5—Registration of motor vehicle upon change of ownership.

Mr. CRANE: I suggest that the word "shall" be substituted for the word "may" in the first line of (4).

Question put, and agreed to.

Regulation 11—Dealer's identification mark.

Mr. SEAFORD: Paragraph (3) (a) of this regulation says "not more than three persons in addition to the driver shall be carried upon a vehicle which is being used upon any public road under a dealer's identification mark." If I go to a dealer and want to try a seven seater car I am

not going to be satisfied with two people in the back of the car but would want the full quota of people before I buy the car.

THE ATTORNEY-GENERAL: This provision was taken from the English Act and I have not sufficient knowledge to deal with it one way or the other.

THE CHAIRMAN: There is no intention that a car should not have its full complement of people when tested. The intention is to prevent the illicit use of cars when they are being tested. The regulation will be held over.

Mr. SEAFORD: Paragraph (7) says "The Inspector-General may in his discretion cancel or suspend the assignment of a dealer's identification mark if he considers that it has been used unlawfully." This is giving a tremendous power to the Inspector-General. There is not even an appeal to the Governor-in-Council.

Mr. CRANE: It should be tried by a Magistrate.

THE CHAIRMAN: This paragraph will be deleted and the Attorney-General will consider the question of making it an offence.

The paragraph was deleted accordingly.

Regulation 12—Use of vehicle in Colony temporarily.

Mr. CRANE: The question has arisen whether the period of three months is sufficient for the use of a motor car temporarily. It would inflict a hardship on a Guianese returning to the Colony temporarily on a holiday. I think six months ought to be allowed.

Question put, and agreed to.

Regulation 14 (1)—Appointment of certifying officers by Inspector-General.

Mr. AUSTIN: This regulation says "The Inspector-General shall appoint as many Police Officers as may be necessary to be certifying officers of hire cars, motor buses and motor lorries." I suggest that the words "or other competent persons approved by him" be inserted after the word "Officers" to conform with Regulation 18.

Question put, and agreed to.

Regulation 21—Temporary certificates.

THE ATTORNEY-GENERAL: I move that in paragraph (1) the words "in the Form No. 4 of the First Schedule of these Regulations" be inserted after the word "application" in the first line, and that in (2) the word "six" be substituted for "three" months as already decided.

Question put, and agreed to.

Regulation 23 (1)—Granting of certificates of competency.

THE ATTORNEY-GENERAL: I move that the figure "5" be substituted for "4" in the third line, that the words "certificate of ability" be substituted for "certificate of competency," and that the words "and thereupon the certifying authority should grant or refuse a driver's certificate to the applicant" be deleted.

Question put, and agreed to.

Regulation 26—Conductor's certificate.

Mr. CRANE: I suggest that in the phrase "his character and suitability" the words "and suitability" be deleted.

Question put, and agreed to.

Regulation 29 (4)—Drivers and Conductors' duties, etc.

Mr. GONSALVES: I move that between the words "not" and "refuse" the words "without reasonable cause" be inserted.

Question put, and agreed to.

Regulation 31—Lights to be carried by motor vehicles.

Mr. SEAFORD: The effect of the words "so that no part of the vehicle or its load or equipment extends laterally on the same side as the lamp more than twelve inches beyond the centre of the lamp" would be that a large number of cars would have to be scrapped.

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