

STATE COUNCIL

OF THE

LEGISLATURE OF BRITISH GUIANA

OFFICIAL REPORT

(HANSARD)

OF PROCEEDINGS AND DEBATES OF THE FIRST STATE COUNCIL
OF THE LEGISLATURE OF BRITISH GUIANA,

(Constituted under the British Guiana (Constitution) Order in Council, 1953)

FIRST SITTING.

TUESDAY, 26th MAY, 1953

The inaugural meeting of the First Session of the First State Council under the New Constitution took place in the Chamber of the Legislature, Public Buildings, Georgetown, on Tuesday, 26th May, 1953. at 2 p.m.

PRESENT :

Mr. E. F. McDavid, C.M.G., C.B.E.

Mr. W. J. Raatgever, C.B.E.

Mr. L. A. Luckhoo.

Mr. W. A. Macnie, C.M.G., O.B.E.

Mr. R. B. Gajraj.

Mr. P. A. Cummings.

Mr. U. A. Fingal.

The Most Reverend Dr. Alan J. Knight, Archbishop of the West Indies.

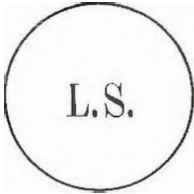
Mr. G. L. Robertson.

Clerk of the Legislature—Mr. A. I. Crum Ewing.

Assistant Clerk of the Legislature—Mr. I. R. King.

GOVERNOR'S PROCLAMATION.

The Clerk read the Governor's Proclamation appointing the time and place for the first meeting of the Council:



ALFRED SAVAGE,
Governor.

"By His Excellency Sir ALFRED WILLIAM LUNGLEY SAVAGE, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of British Guiana, Vice-Admiral of the same, etc., etc., etc.

WHEREAS it is provided by subsection (1) of Section 82 of the British Guiana (Constitution) Order in Council, 1953, (hereinafter referred to as the Order in Council, that, subject to the provisions of subsections (2) and (3) of Section 82 of the Order in Council, the sessions of the Chambers shall be held at such times and places as the Governor shall from time to time by Proclamation published in the Gazette appoint;

AND WHEREAS it is provided by subsection (2) of Section 82 of the Order in Council that there shall be a session of each Chamber once at least in every year, so that a period of twelve months shall not intervene between the last sitting in one session and the first sitting in the next session of the Chamber;

AND WHEREAS it is provided by subsection (3) of Section 82 of the Order in Council that the first session of each Chamber shall commence within six months after the appointed day;

AND WHEREAS the appointed day is Wednesday, the eighth day of April, nineteen hundred and fifty-three;

NOW, THEREFORE, in pursuance of the said Order in Council, I do hereby proclaim and appoint Tuesday, the twenty-sixth day of May, nineteen hundred and fifty-three, at the hour of two of the clock in the afternoon as the time at which a session of the State Council shall be held at the Chamber of the Legislature in the Guiana Public Buildings, Georgetown, Demerara.

Given under my hand and the Public Seal of the Colony at Government House, British Guiana, this 21st day of May, in the year of Our Lord one thousand nine hundred and fifty-three, and in the second year of Her Majesty's reign.

GOD SAVE THE QUEEN."

By His Excellency's Command,
JOHN GUTCH,
Chief Secretary.

NOTICE OF APPOINTMENT OF MEMBERS.

The Clerk then read the following Notice of Appointment of the Members of the Council, each Member answering to his name when called:

"It is hereby notified for general information that His Excellency the Governor has been pleased to appoint the following persons to be Members of the State Council in accordance with Section 32 of the British Guiana (Constitution) Order in Council, 1953:—

Percival Augustus Cummings, Esq.	under Section 32 (1) (b),
Ulric Alexander Fingal, Esq.	32 (1) (a),
Rahman Baccus Gajraj, Esq.	32 (1) (c),
The Most Reverend Dr. Alan John Knight	32 (1) (c),
Lionel Alfred Luckhoo, Esq.	32 (1) (c),
Edwin Frank McDavid, Esq., C.M.G., C.B.E.	32 (1) (c),
William Alexander Macnic, Esq., C.M.G., O.B.E.	32 (1) (c),
William John Raatgever, Esq., C.B.E.	32 (1) (c),
George Lakey Robertson, Esq.	32 (1) (a),

OATH OF ALLEGIANCE.

The Oath of Allegiance (under Section 31 of the British Guiana (Constitution) Order in Council, 1953) was administered by the Honourable the Chief Justice, Mr. E. P. S. Bell, to each Member in order of precedence, as provided under Section 42 of the Order in Council.

PRESIDING MEMBER.

The Clerk: Gentlemen, your first function in terms of Section 40 (1) of the British Guiana (Constitution) Order in Council, 1953, is to elect your President. Under Section 41, there being no President or any Member elected to act as President, the Member to preside will be the Member present who stands first in order of precedence. This order is prescribed under Section 42 (2) (b). Accordingly Mr. McDavid will preside for the purpose of electing the President in terms of Section 40 (1).

Mr. McDavid (*assuming the Chair*): Gentlemen, before we proceed to the Order of the Day I invite the Dean of Georgetown to say prayers.

The Very Rev. D. K. Young, Dean of Georgetown, here read prayers.

ELECTION OF PRESIDENT.

At the request of the Presiding Member, the Clerk announced the next item of business—"Election of President"—and read the relevant Section of the British Guiana (Constitution) Order in Council, 1953, providing for the election of President of the State Council.

Mr. McDavid: I now invite nominations for the office of President of the State Council.

Dr. A. J. Knight: I have the honour to nominate Mr. E. F. McDavid to the office of President.

Mr. L. A. Luckhoo: I beg to second the nomination of Mr. McDavid to that office.

Mr. McDavid: Any further nominations? (*after a brief interval*): There being no other nominations I declare Mr. E. F. McDavid duly elected President of the State Council (Applause).

PRESIDENT'S ADDRESS.

The President (Mr. McDavid): May I be permitted at this stage to address the Council. Firstly, I desire most sincerely to thank the Council for having bestowed upon me the high honour and distinction of being its first President. I am deeply conscious of the trust thus reposed in me and of the special responsibilities attaching to the office to which I have been elected. With all humility I hereby pledge myself to the service of the Council. As President, I wish to assure you that I shall do my utmost to assist and cooperate with my colleagues in developing the high traditions of conduct and propriety which should govern the deliberations of a legislative body of this character, and in earning for the Council the confidence, respect and goodwill of all the people of this Colony.

Members are no doubt already fully acquainted with the role which this Council, as part of the Legislature, is to play in the body politic. But, it may not be out of place for me briefly to repeat and emphasize the main functions which are assigned to this Council by the Constitution. Although we have the right to, and shall doubtless in some cases, take the initiative in proposing measures for the welfare of the State, we are in fact and shall normally be the secondary element in the legislative process. The dominant partner in the Legislature is the House of Assembly which derives its special authority by virtue of the popular will expressed through elected representatives. Our powers in regard to financial matters are strictly limited. Our powers in other respects are revisionary and delaying only, and where there is disagreement it is the decision of the House of Assembly which will ultimately prevail. Nevertheless our

functions are of the utmost importance. As the Constitution Commissioners state "*checks and balances are an integral feature of all democratic systems of Government.*" Let me repeat part of a significant and very relevant quotation appearing in their report :

"Democratic communities may be unsteady and be led to action by the impulses of the moment. Like individuals, they may be sensible of their own weakness, and may desire the counsels and checks of friends to guard them . . ."

In that quotation I emphasize the word "friends". We can rightly regard ourselves as friends of the people chosen to give counsel—and I hope always wise counsel—and to guard against hasty or ill-considered action that may be detrimental to their best interests. As to the composition of this body, I think, I may say without immodesty that our members are all men of varied and valuable experience, who are fitted to make a useful contribution in the legislative field of the public service of this country. I know that I speak for my colleagues—and indeed for the whole community—when I say that we particularly welcome as one of our members His Grace the Archbishop of the West Indies, whose membership of this Council will serve to elevate its stature, to add dignity and distinction to its form, and to enrich its deliberations with wisdom, sound judgment and a high sense of purpose.

In Mr. Raatgever, Mr. Luckhoo and Mr. Macnie, we possess veterans of the old Legislative Council with a very wide experience and who have demonstrated their interest in public affairs and undoubtedly proved the value to the community of their public services. Mr. Gajraj, with his mercantile and municipal experience and

[The President] also some previous service in the Legislature, will add to the Council's joint fund of general and commercial knowledge. Mr. Cummings, the nominee of the minority group in the House of Assembly, is a newcomer to political life but will, I am sure, bring to bear on all matters that come before the Council a balanced judgment, the powers of his logical mind and his sense of justice and equity. And now, I bid a sincere and friendly welcome to Mr. Fingal and Mr. Robertson, the nominees of the Elected Ministers of the Government. I assure them that they will receive every assistance and co-operation in all measures they may bring forward or representations they may make for the common good.

We have joined in prayer to Almighty God for guidance in our deliberations and in our decisions. May an answer to that prayer be vouchsafed to us in full measure. Let us go forward then in strength and confidence, with a spirit of goodwill to each other and of tolerance to all, and animated by a sense of our individual and collective responsibility to British Guiana. And may all that we do in this place lead to the betterment and progress of this country and to the well-being and happiness of all its peoples. (Applause).

I now request the Clerk to announce the next item on the Order Paper and to inform the Council of the procedure in taking the votes for the election of a Minister.

ELECTION OF MINISTER

The Clerk: Section 9 (3) of the British Guiana (Constitution) Order-in-Council, 1953, provides :

"After the election of a President in accordance with Section 40 of this Order, the State Council shall, not later than its third sitting after

the appointed day and after every dissolution of the Council, elect one of the Members thereof to be a Minister. The President of the State Council shall be eligible for election."

Balloting for the Minister will be conducted in the following manner :

"Each Member will be handed a ballot paper on which will be the nine names of the Members of the State Council. Each Member will in order of precedence proceed to the Clerk's table immediately behind the President, mark an X against the name of the Member for whom he wishes to vote, fold his ballot paper and place it in the ballot box which will be in front of the President, and return to his seat. When all the Members have voted the President assisted by the Clerk will count the ballots in the presence of the Members and announce the result."

The Members voted and after the count the Clerk at the request of the President announced the result of the ballot as follows:

Mr. McDavid—5 votes; Mr. Raatgever—2 votes; Mr. Robertson—2 votes.

The President hereupon declared Mr. McDavid to be duly elected a Minister.

The President: I again wish to thank Council sincerely for this added expression of their trust and confidence in me. I can assure Council I shall do my utmost to perform the duties of this post. I shall offer assistance where I think it is needed; I shall give it where it is asked and I shall perform every function assigned to me to the utmost of

[The President]
my capacity. There is a rather curious coincidence of a personal nature to which I may be allowed to refer. It was on the 26th of May, 1935, exactly 18 years ago, I was appointed Colonial Treasurer. (Applause) I regard that coincidence of anniversary, in that 18

years afterwards I have this appointment, as something in the nature of a good augury and not only for myself alone.

There being no further business the Council is now adjourned *sine die*.