

LEGISLATIVE COUNCIL**FRIDAY. 2ND AUGUST 1946**

The Council met at 2 p.m., His Excellency the Officer Administering the Government, Mr W. L. Heape, C.M.G., President, in the Chair.

PRESENT :

The President, His Excellency the Officer Administering the Government, Mr. W. L. Heape, C.M.G.

The Hon. the Colonial Secretary, Mr. D. J. Parkinson (acting)

The Hon. the Attorney General, Mr. F. W. Holder.

The Hon. the Colonial Treasurer, Mr. W. O. Fraser (acting).

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

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

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

The Hon. H. N. Critchlow (Nominated).

The Hon. J. Gonsalves, O.B.E. (Georgetown South).

The Hon. Peer Bacchus (Western Berbice).

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

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

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

The Hon. V. Roth (Nominated).

The Clerk read prayers.

The minutes of the meeting of the Council held on the 1st August, 1946, as printed and circulated, were confirmed.

ORDER OF THE DAY**MOTOR VEHICLES AND ROAD TRAFFIC (AMENDMENT) BILL.**

The ATTORNEY-GENERAL (Mr. Holder) : I move the second reading of a Bill intituled

“An Ordinance to amend the Motor Vehicles and Road Traffic Ordinance, 1946, to provide for the grant of licences to use hire cars and goods vehicles on a road and otherwise to regulate the operation of such vehicles in any prescribed area.”

Your Excellency, this Bill which now comes before the Council for approval of the second reading seeks to deal with the control of hire cars and also goods vehicles. Part VIII of the Motor Vehicles and Road Traffic Ordinance, 1940 deals with road service licences vehicles. Section 61, requires a road service licence for operating a motor vehicle as a motor bus in any area or route in the county of Demerara or in any area or route as may be defined in any order made by the Governor in Council. Actually this requirement now applies to the whole of the Colony. The law now in force affects the carriage of passengers by motor bus only, and the provisions of that Part of the Ordinance do not regulate the carriage of passengers by hire cars. The transportation of goods by motor vehicles is also not regulated. It is considered expedient to bring under proper control both the carrying of passengers by hire cars and the transportation of goods throughout the Colony. The object of this Bill is to introduce legislation to require the licensing of hire cars for the carrying of passengers and of goods vehicles for transporting goods, and to prohibit the use of hire cars and goods vehicles on any road in the Colony without a hire car or a goods transportation licence, as the case may be. It is proposed by the Bill that the same authority who now issues road service licences with respect to motor buses should also issue hire car and goods transportation licences. This is considered a convenient mode for bringing under a single control—that of the Prescribed Authority—all motor vehicles employed in the public service—whether for carrying passengers or for transporting goods.

I would say at the outset that Government does not propose to limit hire cars operating outside what may be termed a prescribed area. In other words, the idea is not that if a hire car operates in Georgetown it should be restricted from going outside Georgetown to (say) Rosignol or even to cross by the Berbice Ferry and go to the Courentyne Coast, but it will be agreed that some system of control is desirable in connection with hire cars. The control, as envisaged in the Bill, is in relation not only to their licences but to every aspect of their operation. I think those other aspects may be dealt with later on when we come to the Committee stage. I would like to mention, sir, that during the course of this morning I had an opportunity of discussing with a certain number of hire car owners and drivers the matter of this Bill in so far as it affects their interests. The hon. the Fourth Nominated Member (Mr. Edun) was present, and those gentlemen represented themselves as being averse to control which would limit the operation of their cars to Georgetown, if that is the point from which they operate, but they were not against the other provisions of the Bill whereby a certain amount of control would be exercised over the drivers of those hire cars and were not against the question of having specific licences for those who drive hire cars. It will be appreciated that this will be providing a service for the public and, therefore, the standard of the general conduct of the drivers ought to be such as to commend itself to all who require the use of such a service.

The second part of the Bill, beginning at clause 71 (i), deals with the licensing and control of goods vehicles. If reference is made to the Motor Vehicles and Road Traffic Ordinance, No. 22 of 1940, it will be seen that Part VIII deals with Road Service Licences and Conductors' Licences. If I may be permitted to read the first subsection of section 61 :

“(1) On and after the first day of January, nineteen hundred and forty-one, no person shall operate a motor vehicle as a motor bus in any area or route in the county of Demerara, including the city of Georgetown, or in any area or route which may thereafter be defined in any order

made by the Governor in Council unless he is the holder of a road service licence.”

Subsection (2) reads :

“(2) Every person who applies for a road service licence shall submit with his application to the Prescribed Authority —

- (a) particulars of the type or types of vehicle to be used; and
- (b) the route to be followed by the vehicle in proceeding from one terminus to the other; and
- (c) in the case of regular services, the time-tables and fare-tables of the services which it is proposed to provide under the licence; and
- (d) in any case, such particulars as to the frequency of the services and the times to be taken on the journeys included in those services, as the Prescribed Authority may require.”

I have read that section because it is clear that you cannot from any point of view just insert the words “motor lorry” or “goods vehicle” after the words “motor bus”, because there are provisions in the section which relate particularly and specifically to the operation of a motor bus and will not be applicable to a goods vehicle such as a motor lorry. Consequently it became necessary to draft a Bill at length, dealing with the possible control of motor lorries. Therefore it is clear that there is existing legislation with regard to the control of motor buses, and the principle that is being put forward is the application of the same idea—the same control relating to motor buses—to the goods vehicles. I may, perhaps point out to hon. Members that in section 62 (1)—and this is important—it is stated :

“In exercising its discretion to grant or to refuse a road service licence in respect of any routes and its discretion to attach conditions to a road service licence the Prescribed Authority shall have regard to the following matters—

- (a) the suitability of the routes on which a service may be provided under the licence;

- (b) the extent, if any, to which the needs of the proposed routes or any of them are already adequately served;
- (c) the extent to which the proposed service is necessary or desirable in the public interest."

I wish to emphasize this paragraph of the subsection :

- "(d) the needs of the area as a whole in relation to traffic (including the provision of adequate, suitable and efficient services, the elimination of unnecessary services and the provision of unremunerative services), and the co-ordination of all forms of passenger transport, including transport by rail; and take into consideration any representations which may be made by persons who are already providing transport facilities along or near to the routes or any part thereof or by any local authority in whose area any of the routes or any part of any of the routes is situate:....."

I mention that because in 1940 when this Ordinance was passed, the Legislature contemplated the Prescribed Authority in dealing with motor buses, taking a general view of the transport situation and coming to a conclusion, in so far as the buses are concerned, as to how they should be permitted to operate, emphasis being placed on the idea of the co-ordination of all forms of passenger transport including transport by rail. I should also point out to hon. Members that under section 70 of the same Ordinance there is a provision which reads :

"70 (1) Notwithstanding anything contained in this Part of this Ordinance, it shall be lawful for the Governor in Council to grant to any person or to any body of persons an exclusive licence to operate a road service in any area or route to which subsection (1) of section sixty-one applies upon such terms and conditions as may be specified in the licence and subject to the provision of this Ordinance and the Regulations made thereunder."

Therefore it is also clear that at the time when this Ordinance was passed the Legislature also contemplated the idea of exclusive licences, and power was given

to the Governor in Council, having regard to all the circumstances, to grant an exclusive licence to any person or body of persons to operate in any area or route to which section 61 applies. I have referred to these sections of the Ordinance which are, as they stand, particularly applicable to buses, and I pass on to say that it is the same idea which is being used by way of this Bill now before hon. Members in connection with goods vehicles.

The point arises then, how does this and how will this affect the position with regard to the railway? Hon. Members are fully aware of the position and condition of the railway. It is within their knowledge that for a long time past there has been a substantial deficit. It will also be within the knowledge of hon. Members that the road along which the motor bus or motor lorry operates—let us say, the East Coast road—will have to carry a substantial amount of traffic, practically all the traffic if no railway is in existence. Therefore the question, which hon. Members will have to consider from the point of view of the principle involved, is that of road against rail. That is the position in ultimate analysis.

As Your Excellency pointed out to hon. Members two days ago, it is your railway. You wish, I suggest to hon. Members, to keep that railway. You wish that railway to continue and that it should be continued at the highest degree of efficiency. If that railway is to be allowed to continue, then it is clear that legislation of this nature is necessary. From a wide point of view you cannot have competition. You cannot encourage competition which is dealing a death blow at the railway. And so the question is : Do you wish the railway to be continued? If you do, then you wish it to be continued as an efficient service, improved and giving full satisfaction in supplying the requirements of the public. On the other hand, if you look at it from the road point of view there must of necessity be a tremendous resultant cost in maintenance of the road if the railway is not permitted to carry on efficiently, as I suggest it should be carried on. That is how I view the position so far as this question is concerned in principle. The details may be worked out so far when the Bill is

in the Committee stage, and I suggest to hon. Members that communication and transport are the life of any country, the nerves, and that is particularly so in this Colony. If that is so, then I suggest that everything possible should be done in order to provide the necessary opportunity to achieve the desired objective.

We have had not so long ago an expert who came to this Colony, examined the railway and the conditions and made a report. As a result of that you have had an expert appointed as General Manager, an officer of high standard and capacity with a sound knowledge of transport matters. If after having had Mr. Rooke and the present General Manager we are not mindful of the objective, of the advice and of the desire to put the railway into the position which they have urged, then we would, may I suggest, be in the position of a person who calls in a consultant doctor who advises him to get a specialist and when the specialist arrives and says the patient requires an operation the family says the patient's appendix is not on the right but is on the left and he cannot operate on that day. I have just used that as an analogy or illustration, but it is a matter entirely for the Members of this Legislative Council to consider from the point of view of principle and not from the point of view of any personal considerations, I am sure that is and will be the approach of hon. Members to this question. That, sir, is in short the general principle underlying this Bill which has now come before this Council.

May I say that so far as the question of an exclusive licence or permission is concerned, if the Transport and Harbours Department applies to the Governor in Council for a licence it will receive the same consideration as any other application, but I would emphasize that the idea ultimately will be where the railway operates the Department will be allowed to operate without any competition, but where there is no railway then the goods vehicles or lorries will be allowed to operate freely. I think, sir, that is the position which is before hon. Members, and I have endeavoured to put it as fully as I can. I would just like to point out that it will be noticed the Bill has to appear in Part VIII of the Ordinance, No. 22 of 1940, and con-

sequently as the last section of the Ordinance is 71, the additions made by this Bill are numbered 71A, B, C, etc., because the next section, 72, is in Part IX of the Ordinance. So these clauses of this Bill will be inserted immediately after section 71 in Part VIII of the original Ordinance, because they all deal with the same subject of road service licence and conductor's licence. Hon. Members have before them the Bill and, if there are any points of detail which they think can properly be dealt with, I suggest that they be dealt with at a later stage of the debate. Your Excellency, I beg to move that this Bill be now read a second time.

Mr. WOOLFORD seconded.

The PRESIDENT: There is one point that the Attorney-General has not mentioned. If you look at clause 71 (1) you will see that the Governor in Council has power to act without the Advisory Board. That, to my mind, is the beginning of what, I think, we all desire eventually, and that is a statutory board which will by-pass the executive body. Under this Bill it will only be an Advisory Board, but when we feel our way and when we find out what the requirements are, then, I think, we can follow along the same lines as Trinidad and Jamaica and have a statutory Transport Board to deal with all these questions. I should also like to point out that the railway does not want a common carrier to compete with it and we firmly hope it will not be put in the position of having to compete with a common carrier. I want hon. Members to understand that. In other words, if a common carrier on the road is doing service in the community which is necessary and is doing it efficiently, then the railway should not step in and expect to have the roads in that area. But, where the railway is operating its service a common carrier should not step in and try to compete with it.

It seems to me that the essential thing is square and fair dealing for both, and I do not see why there should be some trouble with respect to hire cars. For my part I do not think they come into this, though they may in the long run. It may be necessary to see that they have properly prescribed routes, but there is no idea in

the mind of Government that hire cars should not be able to drive anywhere. If hon. Members feel that the law as drafted is defective, I am quite sure the Attorney-General with that policy in mind would be prepared to make an amendment. What I do not want hon. Members to do is to bring an iron curtain down on their minds and say Government is inveigling them into something. I am trying to put all the cards on the table. We have told you what we want to do, and I will repeat the question:—"Do you want your railway?" You have an opportunity now of having it very properly managed, and members of the Board of Transport Commissioners who are here will know that great improvements have already been made in the operation of the railway. The General Manager must know how he stands before he brings the estimates before us. He cannot buy new equipment, he cannot provide new services or improve those which you have, if his estimates are going to be cut. He wants to know how he stands.

If you ask the common man—and you represent the common man either by election or nomination—whether he wants to continue to travel by train in order to get to Georgetown or whether he prefers to depend on the road, I think the answer would be: "We want our train to run." Hon. Members here who have the power to make a decision in the matter and doubt, perhaps, that we can continue to do what we want to do, should bear in mind, I think, the principle that everywhere nowadays there must be machinery for control. It does not mean that you are going to put a harsh control, but you must have machinery for that control, and this is the beginning of that machinery that we are putting to you today. It is not final—it is just the beginning—and I want you to give it early consideration.

Mr. JACKSON: I have risen on this occasion and at this time just to say that so far as I know the common carrier in this Colony was before the railway. The common carrier has advanced somewhat and improved, but time was when there was no railway on the East Coast or the West Coast, Demerara, and the common carrier was the cab; and so far as goods were concerned, we had the carts. I do

not say they were efficient, but I say they existed before the railway. The railway came and nobody complained but I think, sir, we want both the roads and the railway, as well as a bridge across the Demerara River. The railway in so far as it exists on the West Coast, Demerara, is to my mind a scandal and a disgrace.

Mr. JACOB: Hear, hear!

Mr. JACKSON: Anyone who crosses the Ferry on a rainy day will get thoroughly soaked when going from the Steamer Stelling to his vehicle or the train, or from his vehicle to the steamer, as I got soaked the other day. There is what I might call an apology for a roof at the stelling. As a matter of fact, I think it is far better to travel in the open where only drops of rain will fall upon you, than to travel on the stelling where the rain pours through owing to the apology for a roof that exists there. I think immediate attention should be paid to the stelling at Vreed-en-Hoop, and I do not hope the railway authorities are waiting until they get full control before they put it in order. Your Excellency mentioned that if there was a common carrier in an area and the railway came in, the railway would have no right there, and that is why I was at pains to let Your Excellency understand that the common carrier on the West Coast was before the railway.

In so far as the Bill is concerned, I have no opposition to control if the control is proper and if everybody is given an opportunity to earn a living. I think those who wish to earn it by using the road should be given an opportunity to earn it that way. The hire car, to my mind, is a necessity and in some cases the railway runs behind one's back or at the end of the village, or, perhaps, in such a position as not to make it convenient for persons to get to it. I should like to see the railway paying its way all right, just as the steamer across the Ferry is doing and just as a bridge across the river would also do, but I think every opportunity should be given to persons who have a desire to use the roads to do so. I do not know, sir, whether it is the best thing to put out of competition the smaller man who may have a desire to use the road. To my mind.

this Bill can take a good deal of watering down. If we are given to understand definitely that hire cars would not be driven off the roads and that proper facilities would be afforded for them to run as at present then, perhaps, the objects of the Bill might be accomplished. I must confess to some difficulty in finding an amendment, because the Ordinance which this Bill seeks to amend is not at my disposal at present. I tried to see whether I could get a copy of the Ordinance, but I have not been able to do so. I shall reserve what further remarks I have to make until the Bill goes into Committee.

Mr. de AGUIAR: I think it will be generally agreed that legislation of this kind is very desirable, and I do not think it is difficult to find the reason. I think we have been trying since 1932 to make regulations and to pass legislation for the power to control the operation of motor vehicles on our roads, but it must be admitted that they have not been generally successful. This Bill seeks a greater power of control and, to my mind, the most important clause is the one dealing with the setting up of this Advisory Board to which Your Excellency has referred. Your Excellency has also pointed out that a statutory board might be appointed later. That might take some little time, but at present I am sure the setting up of an Advisory Board would certainly remove some of the objections which are being talked about so very keenly throughout the Colony. The principle of the Bill is all right—I do not think there is much quarrel with Government about that. If I understand it correctly, the motive of the Bill is to protect the railway in this Colony and, I think, hon. Members in this Council would be well advised to assist Government in bringing that about. Reference has been made by the last speaker to competition, but I would like to remind hon. Members that they need not have any fear about that.

We are providing for a State concern, the operation of which is directly under the control of the Executive Government. What I have in mind is that, as hon. Members are aware, passenger fares and freight rates might be increased, willy nilly, by the General Manager or the Board of Commissioners without the approval of

the Governor in Council being obtained. Although we have little or no faith in Government, I do not think the question of victimisation—to use a word so often used here — would arise as regards the people who have to use the railways and the steamers. There should be no fear that there would be a raising of freight rates, or that the passenger fares on the railways and the steamers would go up. If such a situation arises and Government has not got the correct answer to it, blame would be laid at the door of Government and I do not see how they would defend such a situation.

It is a good thing for us to try and give this protection to the railway. I certainly think the people of this Colony want the trains, and we should try and help the Department to operate them with reasonable success. As Your Excellency has indicated, we now have a General Manager who is doing a very good job of his work and the least we can do is to help him bring success about. As I have already stated, the principle of the Bill is all right but when we examine the details I think we have certainly overstepped the whole idea behind it. I can understand Government trying to protect the railway by trying to impose certain restrictions in so far as the operation of lorries, trucks and buses are concerned, but I cannot see what hire cars have to do with it. Perhaps the reason for the inclusion of hire cars in this Bill is to bring about some form of control over them, and while I do not think there should be any serious quarrel with Government for saying that some form of control over them is desirable, as I have said before, I think we have gone a little too far here. Therefore, when the Bill reaches the Committee stage I shall have certain amendments to put up.

I have listened carefully to the remarks made by the hon. the Attorney-General and, I think, I understand clearly what Government has in mind, but I quite realize that we cannot put these cars out of circulation. It seems to me that the position would be met if the restriction for the operation of these cars within a prescribed area is removed, and with the deletion of a few words in the Bill we can bring about control and at the same time allow

elasticity of operation. I am going to anticipate the reply from Government if what I am saying is not the true picture. If Government thinks the Bill as drafted—in order to control hire cars and protect the railway—is quite perfect, I entirely disagree with that view.

The PRESIDENT: I think I have already stated in the course of my remarks that we do not want to restrict them.

Mr. de AGUIAR: Then it seems to me that the words “within a prescribed district or districts” in clause 71.A. are very unhappy. There can only be one meaning to these words and, that is, if the owner of a hire car is licensed to operate in Berbice that car cannot find its way into Georgetown. If this Council is going to be told that the Prescribed Authority is going to be protected—and I do not see why it should be—and that it will give a blank licence permitting a hire car to travel from Georgetown to Berbice, then it seems to me that this clause is redundant and should be removed. But, if this clause is removed altogether it would destroy the method or the form of control proposed in the subsequent clauses. I say most emphatically that to restrict the operation of hire cars within a particular district or districts is wrong and will not help the cause we have in mind. I say, further, that the owner of a hire car should be allowed an unrestricted right to travel in all the districts of the Colony without any hindrance whatever. There is no argument whatever that can be advanced in favour of a restriction of this kind. I will never be convinced for the rest of my life that a hire car destroys the road in the same way as a motor lorry or a truck, nor can I be convinced that a hire car—in whatever district it operates—will compete with the railway. This restriction cannot be fair.

I have not got the table of passenger fares before me, but it will not take much calculation to see that a hire car with five or even seven passengers cannot compete with the railway. If it is desired to obtain the co-operation and support of Members of this Council and the people of the Colony in a measure of this kind, we must endeavour to remove any suspicion

that may be in the minds of the people. It must be remembered that if this legislation is passed the matter will not end there. There is a Prescribed Authority and an Advisory Board, and we do not wish it to be said that that Advisory Board is going to be given instructions by somebody else and would not carry out the terms of this clause if it is passed into law. We must remove it, and in doing so we will remove all the suspicion which, I know, is at the back of the minds of many people. There is another comment which I desire to make with respect to the subsequent clauses, and that refers to the obligation to carry all passengers. I think it is a very good provision to make, but I feel that in the experimental stage we may make it a little more discretionary rather than obligatory.

The PRESIDENT: Which clause is that?

Mr. de AGUIAR: Clause 71.G. It says:—

“No driver or conductor shall refuse or neglect, without reasonable cause, to carry in any motor bus or hire car licensed under this Part of this Ordinance any person who offers himself as a passenger, and any driver or conductor who does so shall be guilty of an offence under this Ordinance:”

Subject to what the Attorney-General has to say, I think the word “knowingly” should be inserted. If that word is put in, I think, it would assist a long way in bringing about an improvement in the situation which we know exists. If it is not put in, the clause is bound to create a good deal of hardship. I cannot appreciate or agree that the owner or driver of a hire car cannot refuse to carry a person if he is suffering from—let us say—tuberculosis which is a notifiable disease. Under this clause that owner or driver would commit an offence if he refuses, and a little later he would be charged and tried and would be subject to a penalty. We want a little more co-operation in this Bill. When we reach perfection later on we can introduce such a condition and, if it is suitable to the Attorney-General, I will suggest that the word “knowingly” be inserted.

The last point I desire to make is with respect to clause 71.R., and I may say that I always leave the nice things for the last. This clause says :—

“A goods transportation licence shall not be capable of being transferred or assigned.”

Ever since this Bill was published I have been trying to interpret this clause and to see what good or bad can come out of it. I have come to one conclusion and that is, the only thing that can come out of it is bad. I see nothing at all good in it, and if I am going to be told by Government that it is harmless, and that is possibly redundant, then I am going to suggest seriously that it should be removed altogether. Perhaps I am going to be told that it is harmless because, if a man has a road service licence and he wishes to dispose of his vehicle to another person, the procedure will be that that person will have to apply under another section of this Bill for a road service licence and, if he gets it then the old one would be automatically cancelled. If that is going to be the interpretation, then I respectfully submit that the clause is redundant and should be removed. If it is allowed to remain it is likely to do more harm than good, because it can hold up any individual who may wish to come out of business. It will operate against the seller because a would-be purchaser can say to him: “I cannot buy this vehicle from you because you cannot transfer the licence to me; I will have to make application to the Prescribed Authority in the usual way and, if I do not obtain a transportation licence, I will have no use for you.” I suggest with all due respect that this clause, if it is of any value to the Government, is of no value and should not be on the Statute Book because it is likely to do more harm to a person, who is the owner of a goods transportation licence, than good. I do not think it is the intention of Government to go as far as that.

Government should have all the power it wants under this Bill to restrict the issue of goods transportation licences, to grant those licences to the persons it thinks suitable to operate such a service. Therefore it seems to me that this thing is not good enough. I would like to ask this

question, and I hope I will receive an answer. I would like to ask the hon. the Attorney-General, if this clause is deleted whether by implication or otherwise it would be possible for a person to transfer a licence under this Ordinance. My own view is he will not be able to do so. I have not had time to look up the General Licences Ordinance, but I certainly do not think it is applicable in this case. The point I want to make is, if this clause is deleted I question very much whether the owner of a road service licence or a transportation licence will be able to transfer or assign that licence to another. If that person will not be allowed to do that, it seems to me this clause should not be allowed to remain. We do not want to burden this Ordinance with things which will give, perhaps, the lawyers or the judiciary too much headache. I do not want to give them much trouble in trying to find out what was at the back of the mind of the Legislature when this Ordinance was brought into being.

I suggest with all seriousness the hon. the Attorney-General may consider the point I have raised in regard to this clause 71, and at a later stage agree to the deletion entirely. If on the other hand he thinks it should not be deleted, then I am going to ask him to consider adding something to it so that the definite restriction which is implied in this clause will be removed. The suggestion I make will be in the form of a proviso that a transportation licence shall not be transferred or assigned without the approval of the Prescribed Authority being first obtained. I will have no objection to that, but I certainly cannot allow the words “shall not employ” to remain in this clause, because it implies a restriction which, I think, is a dangerous encroachment on the liberty of the persons who will be called upon to operate these vehicles. I will conclude by repeating what I said at the beginning. This legislation is very desirable, and I do not think it has come too soon. I trust that Members, after they have had an opportunity of, perhaps, adding to what I said about the details to which I referred, will agree to this legislation coming into being.

Mr. PEER BACCHUS : I have very often heard in this Council a Member accepting the principle of a Bill and not the details. It has puzzled me up to now. In my opinion it is the details of the Bill that form the principle or at least make the principle. The bone of contention in this Bill is the inclusion of hire car, and if Government would give an early indication of its intention, I think, it would save a lot of time in the debate in this Council because, as I say, sir, it is to that part of the Bill serious and definite opposition is going to be made. If it is not the intention or idea of Government to restrict the use of hire cars, then to my mind I do not see the necessity for this Bill at all.

The PRESIDENT : There is a difference between "hire car" and "common carrier" or bus.

Mr. PEER BACCHUS : I am coming to that. Under the existing Ordinance passenger buses are being restricted.

The PRESIDENT : Not trucks !

Mr. PEER BACCHUS : Yes, sir; and I would say that so far as trucks are concerned Government has placed a restrictive licence duty. That cannot be denied. We have different rates of duty for trucks operating on the road— one for roads along which there is a railway and another for those districts where the railway does not operate. Is not that protection to the railway? Therefore if the idea is to restrict hire cars, then there is no necessity to bring this Bill before the Council because Government, I may repeat, is being repaid so far as the passenger buses are concerned. The area can be prescribed and no one can run a passenger bus there unless he has a road service licence. So far as the goods vehicles are concerned, there is a prohibitive licence duty on those operating in the districts where the railway operates. If we were to take the count of the goods vehicles which operated before the war, during the war and after the war, we would find that the number is so small that it cannot be said that it has encroached so much on the revenue of the railway as to cause such a large deficit in so far as the Transport and Harbours Department is concerned. I feel sure that the goods vehicles operating between Kitty

and Rosignol can be counted on the fingers of the one hand. That is the competition which Government is so afraid will interfere with and encroach upon the revenue of the Transport and Harbours Department. So also if we take the number of hire cars operating in the outlying country districts, we will find that the number is not so great as to encroach upon or interfere with the revenue or earnings of the Department.

I think Government should direct better attention to the supervision and management of that Department. I agree that so far as that is concerned we have made some headway, but, sir, it does not matter how good is the management and supervision of an organization, that management will have to get equipment with which to run such an organization properly. So far as the Transport and Harbours Department is concerned, it is lacking, and very badly, in equipment as a whole. Before that Department is reorganized are we going to restrict the poor travelling facilities that now exist? Are we going to do so before any attempt is made to offer the public a reasonable service throughout the districts in which the railway runs? Is the area concerned so well provided with travelling facilities as to cause all this restriction upon the discretion of the community as to whether they should travel by road or railway or have their own conveyance? There is no hiding of the fact that this Bill has been definitely tabled by Government to protect the railway and to avoid whatever little competition the railway is having from those services. I will again repeat, if the idea is to take off the control or restriction from hire cars, we may be able to get on much faster by indicating that rather than allowing it to remain until the Committee stage is reached.

Mr. GONSALVES : It seems, sir, that Government has been possessed with a good deal of pluck which it did not seem to have had in the past or, perhaps I may say, it has dropped the timidity which it had some years back. I remember, sir, that both in this Council and out of it there was always the contention that the railway was having too much competition from buses, and when the Transport Board

had on more than one occasion put forward that one of the causes of the difficulties in the Transport Service was the competition which it received from buses on the East Coast, Demerara, the answer invariably was "You cannot interfere with the liberty and freedom of the subject; so long as you permit these people to buy buses and pay Government licences for running those buses they ought not to be interfered with in carrying on that service to the general community". It was thought on more than one occasion, and eventually it was carried, that the best way of assisting the railway was to put the licences at such a figure as to make it difficult to have the extent of competition against the railway that it used to have before those licences were made so very high. I observe now by this Bill that Government has definitely changed its policy and says now "Don't worry with what we have said or thought in the past. What we say today is this railway has got to carry freight and passengers, and the only way it can be done is to take these buses off the same areas where this railway is operating". That is how the Bill presents itself to me. There is no indication as to what is to be the prescribed area. Is that to be fixed by the Prescribed Authority?

The PRESIDENT : May I just interrupt the hon. Member? I do not think there is any suggestion that Government will take off what is already running—

Mr. GONSALVES : This Bill contemplates the idea of fixing prescribed districts and creating a Prescribed Authority and, therefore, if a Prescribed Authority is to be appointed and if there are to be prescribed districts it might well be that the Prescribed Authority might say "The prescribed districts in which we will issue licences to operate buses are from so-and-so to so-and-so and no further". But Your Excellency has interrupted to say that the object of the Bill is not to interfere with what is going on now. I wonder when it is proposed that this Bill should be operative?

The ATTORNEY-GENERAL The answer is in section 72 (3) :

"The Governor in Council may by Regulation amend, vary, suspend or

revoke any of the provisions of the First Schedule to this Ordinance :

Provided that a Regulation made under this subsection shall be of no effect unless and until approved by a resolution passed by the Legislative Council".

Therefore it is left to the discretion of the Governor in Council and the Legislative Council.

Mr. GONSALVES : Again I am glad for the halfway information, because the people who are running buses at the present time are licensed, I presume, to the 31st December, 1946, and if it becomes the wisdom of the Prescribed Authority to say "We are making an order to be operative from the 1st September," what will be the position in regard to those licensees who have licences to run buses within those areas to the end of the year? The Bill does not say the order will not be made to operate until the 1st January, 1947. It says : "On such day as the order shall be fixed". I may be told that the order will say it is not to operate until the 1st January next year, and if I am not told that then I should be told.

The PRESIDENT : The coming into force of the Bill does not mean any definite change will be made. It does not mean the people who have road service licences will not be allowed to operate.

Mr. GONSALVES : I do not want to run counter to your sympathy in regard to this matter, because you are partly inclined to the view that that part of the Bill dealing with hire cars may be changed, and I do not want to do or say anything which may take away the sympathy which you have in that direction. As regards the operation of buses and trucks in the country districts, that does not concern me, but what concerns me most is the operation of the hire cars in Georgetown. If those Members who represent districts where the railway operates do not make that their concern, that is a matter for them. I am concerned for the moment with the hire cars, and I do think it is not correct to place them within the orbit of this Bill. I understood the drivers of hire cars intended to see the hon. the Attorney-General this morning. I do not know if they did, and if they did I do not

know what was the discussion which took place between them, but I hope he has been convinced by what they have said that the Bill should not apply to hire cars. It will be rather a hardship to apply this Bill to hire cars, because if you have someone who wants to go to Mahaicony on urgent business and for some reason he is not able to go by train—the capacity of the train is limited and, I think, one of the improvements which have been advocated was that the trains should run on time and carry a certain number of passengers and not be overcrowded—is he to be deprived of taking a hire car in Georgetown to go there? It seems to me that would be the case if the licence to be granted by the Prescribed Authority limits the District in which that hire car is to operate. That is only one instance. I do think that so far as hire cars are concerned, reference to them in the Bill should be entirely eliminated.

With regard to Clause 72G relative to the carrying of passengers in a hire car or bus under certain conditions, I do not know how it will operate in practice. The driver of a hire car is not supposed to carry anyone who is under the influence of liquor. That is rather a mistake. If a friend goes to another friend's house who does not own a car and enjoys a very happy evening there—some people can carry their liquor cheerfully and well others do not—and the friend says it is time to get home, he may have to hire a car to take the friend home. When that car comes along and the driver sees the way in which the friend is behaving he will be obliged to leave him there. That friend will either have to stay there and wait until morning when he is fresh or try to walk home. That is only a very exaggerated case, but it is a case that may happen. As regards the infection part of the clause, reference has been made to it. It makes compliance difficult and may lead to mistakes. At the moment I am not prepared to say these provisions should not be, but that is how they appear to me, as I see them, in the clause.

So far as the Bill is concerned, when we know the condition of our transport service, its capacity for carrying both freight and passengers—which it lacks at

the present time—its incapability to perform the service it ought for the reason of present conditions, I have been wondering whether this is the time to bring forward this legislation for restriction of private enterprise. When the railway or transport service is in a position to give 100 per cent. service to the community this question may well then be considered. Then again you have the point raised by the hon. Nominated Member, Mr. Jackson, who pointed out that the railway is very often away from the villages. Unless the Department contemplates running a shuttle service between the railway stations and the villages, then it seems there is going to be a lot of difficulty caused by this restriction. If even goods have to go by train, there should be some provision made that people can get such goods expeditiously transported. These are observations I desire to make so far as the Bill concerns hire cars, and I shall vote accordingly.

Mr. WOOLFORD: Sir, I may be allowed, as having some knowledge of what is the intention of Government which you have already intimated, the opportunity of eliminating whatever criticism there may be in the minds of hon. Members in relation to the circumstances of the limitation under which hire cars may be used. There can be no doubt this is the way in which Members' wishes may be known. It was the intention of those who are responsible for this to overlook the circumstances and conditions under which hire cars may operate on the public road. It was the advice given to the Government that there should be this control over hire cars. If that were not so it would not have appeared in this Bill. So far as I know, it is now the intention of Government not to proceed against the wishes not only of this Council but of the community in which it is felt that hire cars should not be controlled to the extent intended here.

It is my view that the entire provision as it appears in this Bill should be removed. One great desirability is that the limit of the number of hire cars in use both in the City and the country districts should be removed. Hire cars are the only means by which certain emergencies can be met—illness and business engagements of var-

ious kinds—and I do not think anyone in this Colony could say that there should be only three such cars on the East Coast, three on the West Coast, two on the East Bank, seven in the county of Berbice, and that kind of thing. It should be left to the persons owning the cars to take the risk of operating them. It appears to some people that there will be a very great risk for some time to come, and that there will be so many hire cars on the streets as to cause destruction of the roads and injury to persons using them.

I think when we come to examine the Bill in Committee it may be possible to have some amendment. For instance, we do not want every person to be taught to drive a car, we do not want every car to be on the road at the same time, we do not want to give power to any driver to stop at the Market, for instance, and do what he likes. One ought to be able, however, to say to him—"I want you to take me to Plaisance", and he should not have any right of refusal. To that extent he will be a common carrier. We ought to be in a position to regulate all such things. Although it was indicated that this provision should be withdrawn, I think for the present that the intention to remove certain clauses and examine others, should be sufficient.

As regards the management and the future expansion of the railway, in any approach to that question we have to think of the Colony as a whole. Between Vreed-en-Hoop and Parika there is distinct competition, because the service rendered by the railway operates some distance from the public roads in the villages. Anyone can see that the railway is not sufficiently near, and it is a matter for consideration as to whether any passenger buses should compete with the railway between those points, or whether only a limited number should be permitted to do so, having regard to the inability of the railway to carry everybody at all times and in all circumstances. The same thing happens between Georgetown and Rosignol. Between Mahaicony and Rosignol the distance between the homes of the people and the railway is in some cases very considerable and we have to consider whether people who wish to join the buses passing them

on the parapets should not be allowed to do so until some better means is provided for the benefit of those residents, such as ferrying passengers to the railway stations.

The time will come when, in the interest of the residents, passengers who join the train at Rosignol will have to get better facilities provided for them. We sometimes see passengers being practically dragged off the Rosignol station and taken to the buses. Certain hon. Members complained when the licence for buses operating on the East Coast Demerara was raised to something like \$720 per annum, but it was done with the idea of protecting the railway and saving the public roads. Take the people residing at Cane Grove; they have to walk miles before they can get to the railway station.

Mr. PEER BACCHUS: May I remind the hon. Member that the country districts in which the railway runs are prescribed areas.

Mr. WOOLFORD: I know that; I have made applications for the operation of buses in some of them on behalf of various clients. At the present moment the railway cannot carry the traffic and, therefore, we should let the public understand the position, that in the interim passenger buses may be allowed to continue, but they must look forward to and expect a change. I think that will be appreciated by the community. The General Manager of the Transport and Harbours Department has a very difficult job to do and he has to be assisted as far as possible to do it. He may have made mistakes, but they were mistakes of good intentions. There are a good many people who do not care whether there is a railway service or not—they were never accustomed to it—and doubt whether it can be made a success. But, my view is that the General Manager is going to make this railway pay. He is a man of considerable energy; he might be a little abrupt in his methods, but he appears to me to possess the necessary knowledge and grit required for his work. I am not here to eulogise him in any way—he is capable of taking care of himself—but we have to make a decision as to whether this Transport and Harbours Department should continue to show a deficit. I think hon. Members know

already that that deficit is in process of not disappearing altogether but of being considerably reduced.

As regards the East Coast, there is an omnibus service and also a train service, and we have to consider the carrying on of a trade of the kind done by these buses—sometimes hazardous and otherwise. We have to decide whether they should be allowed to continue, and whether other kinds of freight should not be handled by the railway. All these things, perhaps, the General Manager will visualize in time to come. Then, we have the Courentyne district where there is no service at all and from where freight is probably brought to the railway or shipped by sea. In order that passengers can get to New Amsterdam they have to get on buses, and those who cannot afford it have to walk. That emphasizes the fact that hire cars are not in competition with the railway. I have had to pay for journeys to Mahaica by some of these cars, and each trip cost me several dollars. The people who have to look after this business should not be prevented from doing it; it will be interfering with the liberty of the subject and, I think, Government appreciates that. So, let us go on and get down to brass tacks.

The ATTORNEY-GENERAL: As regards the point made by the last speaker, the Deputy President, I said at the opening of the debate on the second reading that I had received a deputation from those persons interested in hire cars and I explained that there was no intention on the part of Government to prevent hire cars in Georgetown from operating outside of Georgetown. If they had to go to the Courentyne with a fare they could do so. As regards the point raised by the hon. Member for Central Demerara for the deletion of the words "within a prescribed district or districts" from clause 71.A, the point has been appreciated and, if the amendment is adopted, there would have to be consequential amendments in clauses 71.A, and 71.C. I told hon. Members that the details will be gone into when the Bill goes into Committee. So far as the control of hire cars is concerned, it will not be a control as regards where they are to go, but of the manner in which they

must carry on their service. I assure the hon. Member for Western Berbica that I have considered that point. Therefore, the two hon. Members, who dealt with the question of hire cars as the plank of their objection to the Bill, will realize that it is not the intention of Government to restrict these cars from operating.

Mr. EDUN: I was struck very forcibly the day before yesterday when your Excellency gave a very fine explanation of Government's policy in this matter. It is always characteristic of Your Excellency to be frank, and this attitude of yours is very much appreciated by the people of this country. Your Excellency laid great stress on the fact that it was suggested last Tuesday that this is a tyrannical Bill. I think that suggestion would be justified indeed if hire cars are to be restricted in plying their trade. I trust it would not be considered ungenerous on my part if I say emphatically at this juncture that, I think, Government definitely lacks advice in bringing forward this Bill at this time. Let us examine it as statesmen watching the interest of a vast piece of land—this Magnificent Province of ours—in which transportation is yet in its pioneering stage. The picture in this whole Bill is that we have just 300 miles of roadway and 90 miles of railway, but we are endeavouring to make 5 miles of legislation in order to control this tiny, little project. If anyone wishes to compute my figures he may do so, but I give them for what they are worth. This legislation must be considered seriously by men like me who have the interest of this Colony at heart and who think the time has come when all sorts of control should go, leaving citizens with a free hand to develop the Colony by private enterprise.

The PRESIDENT: The hon. Member was just asking us to put on fresh control over flour.

Mr. EDUN: I did. It is a known fact, however, that the last war was fought against an attempt to control the lives of people in this world and I see in this Bill nothing else but an attempt to control because of an inevitable clash of interest between rail-

way and motor transportation. The clash was bound to come. In other progressive countries like Canada, the United States of America, and the United Kingdom, similar clashes arose but they were solved not by controlling motor transportation in preference to railway transportation, for if that was the case Canada especially would not have been progressing as it is today—with motor transportation as well as railways traversing the whole sub-continent. I do not see why in order to safeguard this tiny project—this mechanical toy of a railway—we must introduce a Bill of this kind, telling the world “You have no chance to bring your lorries and ’buses here”. I think Government should be thoroughly ashamed of itself to bring in this measure against lorries at this time, and I am happy to know that Your Excellency is courageous enough to state that it is the intention of Government to control hire cars also, but Government thought it fit to keep them out because it was pointed out that this was a tyrannical Bill.

Now, sir, I am a firm believer in trying to save the railway, but are we going to do so at the expense of motor transportation? I agree that the ramshackle ’buses we have should be got out of the way, but am I to understand that certain people who want to control motor transportation have asked Government to introduce this harsh measure?

The ATTORNEY-GENERAL: No.

Mr. EDUN: If this Bill becomes law, however, it would have an air-tight effect, because it would mean that every manufacturer of charabancs, motor lorries, and motor cars would see that there is no room for these vehicles in British Guiana because the Government is restricting private enterprise. Therefore, when I lay a charge against Government to the effect that it has no vision I think hon. Members of this Council will agree with me. Only yesterday, Your Excellency placed in the hands of hon. Members an ideal for a 10-year development plan, and when the time comes I will deal with that, but must we have it with only 300 miles of roadway and 90 miles of railway? If we are thinking of asking people to come out here, then we should give every possible facility to our

charabancs and lorries to operate between this city and other places as far away as Manaos on the Brazilian border. I regret to say that if hon. Members of this Council had the right vision some years ago and were courageous enough to support Sir Walter Egerton, a former Governor, in an effort to build a railway to Brazil, we would have had it. But that proposal was of no interest to certain people; it was of no interest, perhaps, to the annuity holders connected with the present railway, absentee interests who did not want it to die. But I would rather see it die and go to pieces, than let the world think that we are working against all progressive opinion by restricting motor transportation. It is our duty to see that motor transportation be made to work along with the railway.

We hear on the one hand that there should be a restriction on ’buses and lorries in favour of the railway because the ’buses and lorries damage the roadways, but in this instance I find that Government is itself the greater sinner, because it has some huge, ugly and heavy lorries running about—apparently without any rhyme or reason—and competing practically with the railway. Instead of using the railway for transporting food-stuff and other articles from Vreed-en-Hoop, we find Government using these big, ugly lorries, and when I see these things I must question the sincerity of Government in endeavouring to put private ’buses and lorries off the roads because four or five owners can make a living out of them. When I saw the clause which aimed at restricting the operation of hire cars, I thought Government had gone mad but, fortunately, wiser counsel has prevailed. I do appreciate the frank way in which Your Excellency has approached this subject, because hitherto there was a policy of using blatant lies in order to carry on Government’s affairs. Let me give an instance: If Government felt the people should be prevented from drinking so much rum, they would raise the price of the article rather than facing the issue and educating the people against the drinking of alcohol. A similar method was adopted in dealing with the ’buses on the East Coast, Demerara. Government thought of restricting their operation some years ago

—the hon. Member for Georgetown South remembers it because he is a member of the Transport and Harbours Board.

Mr. GONSALVES : To a point of correction ! If the hon. Member says I "was" a member of that Board he would be more correct.

Mr. EDUN : I see; the hon. Member is no longer a member. The point is, however, that the licence fee for the 'buses on the East Coast was raised greatly with the idea of restricting their operation, but there are still people—motor manufacturers and companies abroad—who are prepared to finance persons locally to run 'bus services. It is obvious that a 'bus service will appeal strongly to the average villager, for the reason that the 'buses pass right in front of his door in the majority of cases. The solution to the problem is that the Transport Services ought to have a few feeders from the villages to the railway. In the case of Cane Grove that should have been done, but it was left to private enterprise, men who thought it was in the interest of the community to establish a passenger service there and to make a living out of it. Because we want to save this fine railway of 90 miles we must tell the world that we alone cannot solve the problem of a clash of interest between the railway and motor transport. It is an acceptance of defeat. What would happen if we start to get roads going southwards ? Are you planning for those things ? Would it mean that we have to repeal this law in order to prepare for those roads ? You see how narrow is the vision of this Government in bringing forward this law of restriction against private enterprise. In other countries the problem has been ably solved; as the population grew motor transportation became the complement to the railway service. In this country it ought to be the same, but instead we want to eliminate the motor transport service and keep the railway. How can that be in the interest of progress ?

I do not intend to oppose the Bill in all its phases, but I am at a loss to know what I should support and what I should oppose, being wedded to the progress of this country of mine. Now let us view this matter dispassionately. It is all well and good to think that because we have made

a contract for \$10,000 a year and brought in a man to rectify the railway and put it on a good running basis—good things in themselves—we have done our part, but I want Government to be careful at this juncture because it will be the retarding point in the progress of this country. It will mean just this : I am seeing that we in this Colony will be restricted, perhaps, 25 miles southwards on the coastland, and we will have to live like crabs in the mud. The interior lands, perhaps, will be given out to other people to come and reside; they will have their own laws, they will open the country, perhaps, to motor transportation and we will just be restricted to the railway and, perhaps, one or two buses here. I see that as clear as the noonday sun, and if this idea of control is not fought with tenacity in order to bring to the whole Government the danger in the matter the liberty of the subject and private enterprise will be restricted in the development of this Colony. By all means let us have some leadership in this Colony. This country can be likened to Canada, and we ought to take the Canadian progress in the matter of transportation to be our example. But we are not following that up. We intend to spend \$5,000,000 on this 90 miles of railway. If we had wanted to take it to Bartica going southwards and were spending some more millions it would be another matter.

But I see in this Bill a very important danger and, with due deference to all the support given it by hon. Members, I with my progressive attitude am going to take this to mean nothing less than restricting our liberty. What is not understood in this Council is this : On the question of control it is an easy thing for the people of the United Kingdom to agree. It is simply because control means control of the people by the people for the people. In this Colony control means control by a bureaucratic government. This Legislature does not represent the people in the true sense of the word, and the Prescribed Authority will not be representing the people at all. We have seen what the Advisory Committees are like already. I have no faith in them, and so you see, sir, I cannot think of anything else despite what other Members may say of this Bill as it stands in relation to my interest and

to the interest of my country and to the interest of my children and children's children to come. I speak because I have studied it. We are making legislation here now. We are living in a state of development of the 19th century, and we want to make laws to govern 20th century progress. If we had self-government I would have agreed to control, but not control from the bureaucracy. It is a danger to the people of the Colony.

I have been making all these observations with no other purpose save this one—to bring home to Government that it is no use telling us on the one hand "Here is a ten-year plan" and restricting enterprise and motor transportation on the other hand. It makes us suspicious and, for that reason, if I am to take as an indication how control functioned during the war—control of flour, control of motor vehicles—and what I know of the inner working of those functioning bodies, I hate control with all my soul. Control of edible oil today is a scandal, and I do not want to bring the question before the Council at the moment, but the time will come for me to do so. Control in every form has been of such a corrupt nature that it is enough to make the heart of every democratic citizen weep. After the war has been concluded and after we have won victory for democracy, must we go back to control? May I bring to the attention of this Council the control of rice? This bureaucratic government has become a landlord. I am going to watch that experiment with interest. Government is controlling food and it wants to control transportation. It wants to become a landlord. If this was a self-government surely it would have been the right thing to do, but not at this moment. In the case of this Bill I think we are landing ourselves in the ditch, and it will be retarding progress for the next ten years. It would mean the repeal of this Ordinance, if at all we need progress in motor transportation. No manufacturer of repute seeing a Bill of this kind will ever hope to tell a set of men to form themselves into a company and use his charabancs. I have seen in countries abroad railways and motor transportation working together. I have travelled in them and seen how efficient they are. If I am to take the

Transport and Harbours Department here as an example, I do not think I can trust myself to give power to a Competent Authority and an Advisory Committee in this place. I am willing to support this thing, but do not let this be in the Statute Book because it will dampen the spirit of industrialists from coming here in so far as transportation is concerned. With these observations I do not think I will vote in this matter.

The PRESIDENT: What has the hon. Nominated Member, Mr. Roth, to say on the principle of the Bill?

Mr. ROTH: Frankly I am in favour of scrapping the railway and spending the money on improving the roads.

The ATTORNEY-GENERAL: In the course of my reply to the remarks of one hon. Member I intimated to Council what was proposed with regard to hire cars, and I am sure that this Council appreciates the position of Government in that connection. That is to say, although there are certain aspects of the Bill which may remain dealing with hire cars, yet that part of the Bill which seeks to limit or may be interpreted as limiting a hire car from going to any part of the Colony can be eliminated when we come to the Committee stage. There was one point raised by the hon. Member for Western Berbice (Mr. Peer Bacchus) which can also be dealt with in the Committee stage—that is in regard to the applicant for a licence being refused on application. But as I say those are matters which can be gone into. Those parts of the Bill are not supposed to be regarded with rigidity. That is the reason I pointed out to hon. Members those clauses can be dealt with in the Committee stage and the details gone into. The major part of the Bill, that dealing with the question of the control of goods vehicles, is one which, I suggest, despite the very stringent criticism of the last speaker, will commend itself to Members for this reason. I am sure that every hon. Member of this Council feels it is very desirable that this Colony should be opened up, but at the same time we have an existing organization, an existing utility service—the railway—and we have to face that fact. Are we going to let it

have a slow death, or or are we going to put life into it so that it can be fully beneficial to the people of the Colony?

The hon. Member emphasized the fact that there was placed in his hands and in hon. Members', a communication from His Excellency in connection with a ten-year plan. That is an indication of the desire to move forward, and it is left to hon. Members to implement the ideas which Government is trying to put forward and which, it is hoped, will be pursued. On the other hand do not neglect or throw away a benefit which you have. The hon. Member finds himself in a difficult position in this way. I hope he does not mind me dealing with it at this point. The hon. Member says: "In my heart of hearts I would like to see the railway survive long, to see it live long, to see it an efficient concern, but on the other hand I see there are people who own buses. Are you going to keep alive the railway which is costing these same people along with other people in the Colony who are taxpayers a great sum of money and to keep it going as it is?" It is a question now of a large and wide interest, the Colony's interest, as against, let us say, several individual interests. That is how we have to approach the point. The hon. Member knows better than I do the amount of money spent in keeping the railway in the condition it is, and I am sure that all hon. Members give due credit to those, who were in charge of the railway and had the responsibility of keeping it going during the war years. The railway must go on and be an improved and efficient service, or must it be allowed to bleed slowly to death? The argument of the hon. Member, if I should refer to it, is: "How can the few buses on the road affect the railway?" Are you proposing to allow or give leave or licence to people to come along and carry on competition with the railway? That is the answer which must be given by hon. Members. It is not only the liberty of the subject but it is individual liberty. That is perfectly true. It is desirable that each and every human being in a democratic country and within the framework of democracy should enjoy freedom of action, but at the same time you have to look at the mass of people

who make up the community, and the interest of the majority is the interest to be pursued.

In this matter I suggest to hon. Members that in weighing in the scales the advantages to be derived by rehabilitating the railway and keeping it alive and making it a strong organization outweigh any idea or suggestion that you are pushing off the road the small individual interests. I suggest to hon. Members that if in the analysis of that position they come to the conclusion that the railway should be kept, then they should do everything possible to preserve that railway, see it rehabilitated and working satisfactorily. Your Excellency referred to the fact that within recent months there has been a reduction of the deficit. The working of the railway shows an appreciable advance. Let us, I suggest, assist the Manager who with his interest in and knowledge of transportation problems is endeavouring to put the railway in the best possible condition by putting this legislation on the Statute Book so that the objects may be achieved. I appreciate the difficulties where hon. Members say this is not the time, but one has a duty and it is, I suggest, a duty to the larger and fuller interest of the country, looking forward to the development of the country. You cannot scrap the railway and allow it to die. What are you going to put in its place? You have a useful track, though the length of the track is 90 miles as the hon. Member says, but that has taken a lot of money to build up. As against that you have the road. Take away the track and your railway, and you have an increased cost, increased expenditure on the road, and the maintenance of that road which will be very substantial, I suggest, plus the fact that most of the goods to be hauled over the road will not come anywhere near what the railway is carrying and, perhaps, may carry. Let us envisage an improved railway, something working in the great scheme of development. If we look at it from that point, I am sure hon. Members would agree in principle that this Bill be given its second reading, and any points deserving consideration can be hammered out in the Committee stage.

The PRESIDENT: I would just like to add, it would be easy to control

motor traffic now that they are so few on the road and the railway is in no position to carry more. I would say that now is the time to provide machinery for control, because we may be flooded with cheap motor transport and they will come on the road before the roads are capable of bearing them. You cannot blame the railway for not providing services if you do not give it an opportunity to revive. No General Manager is going to lay out expenditure to improve the service if he sees that before he can do so he would be flooded out with cheap road competition. Now is the time to do it before cheap road competition comes on, before there are cheap motor trucks, before there are cheap tyres, before there is cheap petrol, before the roads are flooded with cheap motor vehicles, which these roads will not be able to carry at the present day. It is really the sensible thing to do and to do it now. Therefore Members are entitled to view the position closely. I do not want to press my point too strongly. I suggest that we

take the second reading, put it to the vote and, if it passes that, we adjourn and take the Committee stage next week or whenever it suits Members. The question is "That the Bill be read a second time".

Question put, and the Council divided, the voting being as follows :—

For—Messrs. Jackson, Jacob, Gonçalves, Critchlow, C. V. Wight, Woolford, the Colonial Treasurer, the Attorney-General, the Colonial Secretary—9.

Against — Messrs. Roth and Peer Bacchus—2.

Did not vote—Mr. Edun.—1.

Motion passed.

Bill read a second time.

The PRESIDENT : I adjourn the Council until 2 o'clock on Thursday next, August 8.