

LEGISLATIVE COUNCIL.

Monday, 28th August, 1939.

The Council met at 2.30 p.m. His Excellency the Acting Governor, SIR JOHN WASHINGTON, K.C.M.G., O.B.E., President, in the Chair.

PRESENT.

The Hon. the Colonial Secretary, Mr. G. D. Owen, C.M.G.

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

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

The Hon. E. A. Luckhoo, O.B.E., (Eastern Berbice).

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

The Hon. F. F. McDavid, M.B.E., Colonial Treasurer.

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

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

The Hon. N. M. Maclellan, Director of Medical Services.

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

The Hon. E. M. Walcott (Nominated Unofficial Member).

The Hon. G. O. Case, Director of Public Works and Sea Defences.

The Hon. L. G. Crease, Director of Education.

The Hon. B. R. Wood, Conservator of Forests.

The Hon. W. A. Macnie, Commissioner of Labour and Local Government (Acting).

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

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

The Hon. Peer Bacchus (Western Berbice)

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

The Hon. A. G. King (Demerara River).

The Hon. J. W. Jackson (Nominated Unofficial Member).

The Hon. G. H. Smellie, (Nominated Unofficial Member).

The Hon. F. H. Martin-Sperry, (Nominated Unofficial Member).

PRESIDENT'S SPEECH.

Hon. Members of the Legislative Council—We are met at a time when the international situation is extremely grave. I have called you together to-day in order to place before you certain measures which are deemed necessary for the public safety. There has been placed on the table a copy of the Imperial Emergency Powers (Defence) Act and the Order in Council extending the provisions of the Act to this Colony; under this Act the Governor is empowered to make Regulations for the public safety and these regulations are now in draft ready to be proclaimed if the necessity should arise. As you are aware a Committee has been appointed to advise Government in regard to the supply and price of all the necessaries of life, and, under the regulations to which I have referred, Government will take whatever action appears necessary to conserve stocks and to control prices. Two Bills of a self explanatory nature will be placed before you and the Colonial Secretary will move a resolution authorising expenditure of \$25,000 to provide for emergency measures.

At this grave time, we in British Guiana pledge ourselves unreservedly to play our part in full, whatever duty may fall to us.

MINUTES.

The minutes of the meeting of the Council held on the 4th of August, 1939, as printed and circulated, were confirmed.

PAPERS LAID.

THE COLONIAL SECRETARY (Mr. Owen) laid on the table the following documents, which he explained had been

printed in *Official Gazette (Extraordinary)* dated the 26th and 28th of August, 1939 :—

The Emergency Powers Order in Council, 1939, made by His Majesty on the 9th of March, 1939.

Regulations made by the Governor under the provisions of the Emergency Powers Order in Council, 1939, (published in a Proclamation of the 25th day of August, 1939).

Regulations made under section 6 (2) (d) of the Emergency Powers Orders in Council, 1939.

The Imperial Emergency Powers (Defence) Act, 1939.

Order in Council under subsection (1) of section four of the Emergency Powers (Defence) Act 1939, published in the *Official Gazette (Extraordinary)* of 26th and 28th August, 1939.

GOVERNMENT NOTICES.

INTRODUCTION OF BILLS.

THE ATTORNEY-GENERAL (Mr. Pretheroe) gave notice of the introduction and first reading of the following Bills :—

A Bill intituled An Ordinance to amend The Constabulary Ordinance, Chapter 30, in certain particulars.

A Bill intituled An Ordinance to amend The Militia Ordinance, Chapter 29, in certain particulars.

EUROPEAN WAR—EXTRAORDINARY EXPENDITURE.

THE COLONIAL SECRETARY gave notice of the following motion; and that at a later stage he would move the suspension of the Standing Rules and Orders of the Council to enable the motion to be moved and passed :—

Whereas it is necessary to make provision for certain extraordinary expenditure in connection with the present international situation:

Be it Resolved,—That this Council authorises His Excellency the Governor to expend a sum not exceeding \$25,000 on emergency measures.

ORDER OF THE DAY.

CONSTABULARY (AMENDMENT) BILL.

THE ATTORNEY-GENERAL: I beg to move that "A Bill intituled An Ordinance to amend the Constabulary Ordinance, Chapter 30, in certain particulars" be read a first time.

Mr. McDAVID (Colonial Treasurer) seconded.

Question put, and agreed to.

Bill read the first time.

THE ATTORNEY-GENERAL: I move that the Standing Rules and Orders of the Council be suspended to enable the Bill to be taken through all its stages without due notice having been given.

Mr. McDAVID seconded.

Question put, and agreed to.

THE ATTORNEY-GENERAL: I move that "A Bill intituled An Ordinance to amend the Constabulary Ordinance, Chapter 30, in certain particulars" be read a second time. The section in that Ordinance to be amended is Section 26, subsection 1, which reads as follows :—

In the case of actual or apprehended invasion of the Colony the Governor may by order in the *Gazette* direct that the force or any part thereof shall be employed on actual military service within the Colony, and may at any time revoke, alter, or amend the order.

That provision was introduced in 1915. As will be seen, only in two cases can this be done—in the case of actual or apprehended invasion. Invasion is neither expected nor apprehended, but times have moved since 1915, and it is conceivable and indeed remotely possible that certain evilly-disposed persons may cause damage to the essential services of the Colony without any danger of invasion having arisen. It is a possibility which no Government can afford to overlook but must take steps to avoid if possible.

This Colony has no regular standing army to perform those services and it is therefore necessary to call upon those forces which are at present in this Colony—The Police Force. To enable that to be done, this amendment is necessary.

Mr. McDAVID seconded.

Question put, and agreed to.

Bill read the second time.

The Council resolved itself into Committee and proceeded to consider the Bill clause by clause, without amendment.

The Council resumed.

THE ATTORNEY-GENERAL: I move that "A Bill intituled An Ordinance to amend the Constabulary Ordinance, Chapter 30, in certain particulars" be read a third time and passed.

Mr. McDAVID seconded.

Question "That this Bill be read a third time and passed" put, and agreed to.

Bill read the third time.

MILITIA (AMENDMENT) BILL.

THE ATTORNEY-GENERAL: I move that "A Bill intituled An Ordinance to amend the Militia Ordinance, Chapter 29, in certain particulars" be read a first time.

Mr. McDAVID seconded.

Question put, and agreed to.

Bill read the first time.

THE ATTORNEY-GENERAL: I move that the Standing Rules and Orders of the Council be suspended to enable the Bill to be taken through all its stages without due notice having been given.

Mr. McDAVID seconded.

Question put, and agreed to.

THE ATTORNEY-GENERAL: I move that "A Bill intituled An Ordinance to amend the Militia Ordinance, Chapter 29, in certain particulars" be read a second time. The section which it is desired to amend is subsection 1 of Section 120 which reads:—

In the event of any actual or apprehended invasion of the Colony or of any neighbouring British Colony, or in the case of civil disturbance, the Governor may call out the active and the reserve force, or any part thereof, for actual military service.

Neither of these contingencies is anticipated, but certain previous care has to be taken. The Police take part in mounting guards, and in order that they may be able to perform that duty efficiently they will have to provide sufficient guards and therefore must have assistance. The object of the amendment is that the Militia may be called upon to assist the Police to perform this service in this time of tension.

Mr. McDAVID seconded.

Question put, and agreed to.

Bill read the second time.

The Council resolved itself into Committee and proceeded to consider the Bill clause by clause, without amendment.

The Council resumed.

THE ATTORNEY-GENERAL: I move that "A Bill intituled An Ordinance to amend the Militia Ordinance, Chapter 29, in certain particulars" be read a third time and passed.

Mr. McDAVID seconded.

Question "That this Bill be read a third time and passed" put, and agreed to.

Bill read the third time.

EUROPEAN WAR—EXTRAORDINARY EXPENDITURE.

THE COLONIAL SECRETARY: I move the suspension of the Standing Rules and Orders of the Council to enable a motion for the expenditure of money to be introduced and dealt with at this meeting without due notice having been given.

Professor DASH (Director of Agriculture) seconded.

Question put, and agreed to.

THE COLONIAL SECRETARY: I move the following motion:—

Whereas it is necessary to make provision for certain extraordinary expenditure in connection with the present international situation:

Be it resolved,—That this Council authorises His Excellency the Governor to expend a sum not exceeding \$25,000 on emergency measures.

The motion is self explanatory, and there is nothing I need add to it at this stage.

Professor DASH seconded.

Motion put, and agreed to.

THE PRESIDENT: That, hon. members of Council, is all the business that we have before the Council to-day. I may find it necessary to call you together at very short notice, but I cannot at the present time appoint the day for the next meeting of the Council. I therefore adjourn the Council *sine die*.

The Council adjourned accordingly.