

LEGISLATIVE COUNCIL.*Thursday, 14th November, 1935.*

The Council met pursuant to adjournment, His Excellency the Governor, Sir GREGORY A. S. NORTHCOTE, K.C.M.G., President, in the Chair.

PRESENT.

The Hon. the Colonial Secretary, (Mr. E. J. Waddington, C.M.G., O.B.E.)

The Hon. the Attorney-General, (Mr. Hector Josephs, K.C.)

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

Major the Hon. W. Bain Gray, C.B.E., Director of Education.

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

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

The Hon. J. Mullin, O.B.E. Commissioner of Lands and Mines.

The Hon. F. J. Seaford (Georgetown North).

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

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

The Hon. M. B. Laing, District Commissioner, East Coast Demerara District.

The Hon. Q. B. De Freitas, Surgeon-General (Acting).

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

The Hon. J. Eleazar (Berbice River).

The Hon. J. Gonsalves (Georgetown South).

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

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

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

The Hon. Peer Bacchus (Western Berbice).

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

The Hon. A. R. Crum Ewing (Essequibo River).

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

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

The Hon. S. H. Seymour (Western Essequibo).

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

MINUTES.

The minutes of the meeting of the Council held on the 13th November, as printed and circulated, were confirmed.

UNOFFICIAL NOTICES.**PENSIONS, ETC., REMITTANCES.**

Mr. JACOB gave notice of the following questions :—

Is Government paying the expenses of remitting pensions and gratuities to retired officers who are resident out of the Colony; if so, by what authority is this being done.

REPORT ON EDUCATION.

Has Government received a report from Dr. A. D. Wright, of the Jeannes' Foundation, on his recent visit of enquiry into certain phases of education in the Colony; if so, will Government lay a copy of the report on the table?

ORDER OF THE DAY.**INTRODUCTION OF BILLS.**

The following Bills were introduced and read a first time :—

A Bill to establish the East Demerara Water Conservancy for the purpose of making better provision for the supply of water in East Demerara, to provide for the management of the conservancy and for purposes connected therewith.

A Bill to amend the Workmen's Compensation Ordinance, 1934.

A Bill to amend the Pensions Ordinance, 1933, by making provision for the cessation of special injury awards to, and of special awards to the dependants of workmen in cases where

there is a right to compensation under the Workmen's Compensation Ordinance, 1934.

A Bill to amend the Estate Duty (Amendment) Ordinance, 1934. (*The Attorney-General*).

A Bill to make provision for the control of public gardens and grounds and Government agricultural stations and for the holding of agricultural shows. (*Professor Dash*).

A Bill to amend the Local Government (Village Councils) Ordinance, 1935, by making provision for the election of a Chairman of a village council if a vacancy occurs during the year of office of a Chairman, and for the resignation of a Chairman. (*Mr. Laing*).

Notice was given that at a subsequent meeting of the Council it would be moved that the Bills be read the second time.

ANNUAL ESTIMATES.

PUBLIC WORKS DEPARTMENT.

The Council resolved itself into Committee and resumed consideration of the Estimates of Expenditure to be defrayed from Revenue for the year ending 31st December, 1936, under the Head "Public Works Department."

THE COLONIAL SECRETARY (Mr. Waddington): For the passages of the Engineering Draughtsman and his family, I move the insertion of a new item "Passages, \$346."

Question put, and agreed to.

THE COLONIAL SECRETARY: I move the insertion as item 10 of "Purchase of a typewriter, \$110."

Question put, and agreed to.

PUBLIC WORKS DEPARTMENT—PURE WATER SUPPLY SCHEME.

MR. ELEAZAR: Is it part of the contract of the Well Driller to pay his return passage to England?

Major CRAIG (Director of Public Works): This Well Driller was brought out to drill private wells and one of the conditions was that at the termination of his contract he would have his passage paid.

MR. ELEAZAR: If a Driller comes out to drill private wells why should the public pay?

Major CRAIG: The drilling of the wells is paid for by the persons for whom the wells are drilled. As a matter of convenience the expenditure incurred is put in the Estimates, but there is a reimbursement and there will be no public expense.

Mr. DE AGUIAR: I understand that the work to be done next year is to be reduced. Yet for drilling new wells and reconditioning old wells the same sum, \$22,400, is asked for next year as for this year. The Council may be informed of the nature of the work to be performed.

Major CRAIG: There will be no reduction of work next year and it is impossible to give a definite figure for the sinking of these wells. This vote of \$22,400 is for labour and transportation in respect of new wells or the reconditioning of existing wells. The figure is carried out for next year at the same sum because we do not know to what extent we shall have to drill and can only go on past experience, which works out at \$22,400 a year for transportation and labour. I cannot say anything beyond that.

Mr. DE AGUIAR: The information is exceedingly poor. We are providing for one Driller for twelve months and for another for four months next year, yet we are budgetting for the full sum as for this year. The work is going to be curtailed and there is likely to be a substantial saving. If this is only a token vote I have nothing more to say; but there is going to be a saving on the vote and they are going to spend it on something else.

Major CRAIG: In explanation I may say that no expenditure in connection with the drilling of private wells is included in this estimate. I do not know if that satisfies the hon. Member.

THE CHAIRMAN: I understand that this estimate of \$22,400 is to cover the cost of drilling wells next year as it is for this year, and that it is the approximate estimate of the cost of working.

Mr. DE AGUIAR: If that explanation had been made before I would not have made the observations I did.

Mr. SEAFORD: I think it was mentioned, sir, that Government stood to lose nothing by the drilling of private wells. I

think they make something out of it. When your predecessor was here he was anxious that private properties and sugar estates should drill wells. I claimed that if Government drill wells for villages they should also do it for the estates. The Governor did not agree with me, but he said that if we paid the expense of putting wells down Government would lend us the drilling apparatus. A Driller has come out and wells have been put down, but instead of lending us the plant we are called upon to pay 25 per cent. for supervision, maintenance and wear and tear, and such like things as passages.

Mr. WALCOTT: I would like to know if it is the intention of Government to continue to lay down pipes to carry the water from these wells to the villages. That procedure seems to have been stopped recently and I should like to know if it is the intention to go on with it.

Major CRAIG: The pipes from these wells cost approximately \$2,000 a mile and the difficulty of Government is the finding of the money. Up to the end of this year we have been fortunate in getting money from the Colonial Development Fund, which has been utilised in putting in the distribution already in existence and has proved of very great advantage to the people. If additional moneys are obtained from that source further distribution will be put in, but we have applied the money we have received for that work up to the end of the year and there is nothing in these Estimates for distribution.

THE CHAIRMAN: I may inform the hon. Member that I have sent Home a despatch asking for a further grant for this purpose, and I have made the case as strong as I could, but it is within my knowledge that the Colonial Advisory Committee feel that they have done a great deal already in this connection. I am not altogether sanguine that a grant will be forthcoming, at any rate at once, for this purpose. I can say nothing further until a reply to my despatch comes.

PUBLIC WORKS—ANNUALLY RECURRENT.

THE COLONIAL SECRETARY: It has been decided to have a separate vote for electric power and lighting of buildings,

which I shall move later on of \$450, therefore I move that sub-head 1 (Maintenance and reconditioning of Public Buildings, \$74,300) be reduced by that amount to \$73,850.

Question put, and agreed to.

Mr. WIGHT: I am going to make a personal appeal not to reduce this amount but rather to increase it to paint the Post Office. That building is an eyesore to tourists, and several complaints have been made about it. The police stations of Bourda and Alberttown require painting also. I know that the Director of Public Works is afraid that if he started to paint he would be painting rotten wood, but that is not the point. It is an absolute disgrace to the Colony that a little money cannot be found to paint a building of the size and importance of the Post Office. I feel ashamed when I pass and look at it, and Government would be doing the Colony some service by increasing the vote for that purpose.

Mr. DIAS: I desire to associate myself with the request made by the hon. Member. The Post Office was in a very bad condition before I left the Colony and it is more so now. I was also quite surprised on going there a few days ago to find the pavement broken up; it is simply disgraceful. The Post Office is situated opposite the Tourist Bureau and visitors to the Colony are faced with this disgrace. They go there to buy stamps and post-cards and to despatch them, and they are faced with the broken pavement and the building in an unimpressive condition for the want of painting. Perhaps a little money can be found to effect these very necessary improvements, and I ask Your Excellency to give the matter some consideration.

THE CHAIRMAN: Whose liability is it to repair the pavement?

Major CRAIG: I am not quite sure; I think it is the Town Council's.

Mr. DIAS: It is not a public pavement; it is connected with the building, which is Government property.

Major CRAIG: It is the first time that my attention has been called to the pave

ment. If the Postmaster-General had called my attention to its condition it would have been done.

Mr. DE AGUIAR: As regards the painting, I think the Public Works Department can readily undertake that seeing that they have such a large supply of paint.

Mr. SEAFORD: I will not agree to this vote being increased by one penny for painting unless I know what the exact sum is going to be. I am not accustomed to spending money on guess work and I want a firm estimate.

Major CRAIG: The hon. Member says he wants a firm estimate. I do not think that he, or anyone else, can give a firm estimate for the painting of any building in Georgetown. It would be impossible. The condition of these buildings is due to the fact that this Council, for nine or ten years, has absolutely refused to supply any paint for them. That is on record. The estimated value of Government property last year was \$2,126,000, and the amount that was allowed for the maintenance of these buildings represents 1.8 per cent. of the capital value. I do not think it is possible for anyone to keep these buildings in repair for that figure. I will require at least twice that amount before I can do anything; and I should not like to tackle the Post Office building to give it one coat of paint, even from my huge stock, unless I have \$5,000. That is a very rough estimate for painting. It is a very large building, and I am sure that no one would attempt to give a firm estimate on it. The painting would have to be carried out by tender.

THE CHAIRMAN: I will undertake to give this matter sympathetic consideration. I can go no further than that.

Mr. ELEAZAR: While you are doing that, sir, will you give consideration to the Public Hospital, New Amsterdam. Some of the buildings there have been done, and for that we are very thankful, but they can take some paint and some more things too.

Question put, and agreed to.

Mr. DE AGUIAR: The expenditure on

freight, insurance, etc., in 1934 was \$537. For the current year the vote is \$1,200 and it is proposed that it should also be \$1,200 for next year. If it is to be paid to the Crown Agents I ask that the amount be reduced.

THE CHAIRMAN: I will ask the Director of Public Works to say what is the expenditure to date.

Major CRAIG: The expenditure for 1935 up to September was \$854.

THE COLONIAL SECRETARY: I move the insertion as sub-head 15 of the item "Electric power and lighting of buildings, \$450."

Question put, and agreed to.

ROADS, RIVERS, CREEKS AND PORTAGES.

Mr. SEYMOUR: I have travelled on the West Coast during the past fortnight and I wish to call attention to the condition of the roads. When the Regulations were drawn up I think they followed on the lines of the English Regulations; but we have roads with a slight surface of burnt earth and cannot compare the English roads with those we have here. I saw buses on the West Coast with 40 or 50 passengers. How the roads are going to stand up to that huge weight I do not know. Run-about buses should be used on the roads and not these huge things as the roads cannot stand up to them. The "jumps" I had exercised one part of my anatomy. If these buses are allowed to continue operating we shall soon have no roads at all. In the Pomeroon district there are no roads or bridges and 30 or 40 donkey carts take goods to the market there. There is also no protection for the people from inclement weather at the market-place, and in asking Government to afford them some protection I suggest that it need not be anything expensive as a small shed would serve the purpose.

THE CHAIRMAN: That is at Charity.

Mr. SEYMOUR: Yes, sir, at Charity. These people are no charge to us; they paddle their own canoe. The expenditure of \$500 can accommodate them during the hours they are there to sell their goods.

THE CHAIRMAN: It does not actually

arise under this Head, but a note will be taken of what the hon. Member has said.

Mr. DE AGUIAR: There is one general observation I should like to make under this Head. The total vote for next year is \$209,990 as compared with \$204,980 for the current year. We have been told times without number that the money spent in the past on roads has been very low indeed. We find now in respect of 1936 that in the majority of cases there has been further reduction, in some a considerable reduction, but for some reason or other we are asked to provide \$41,500 for the maintenance of the Bartica-Potaro Road. It seems to me unfair and unreasonable to reduce the maintenance votes on other roads and to increase the vote for the Bartica-Potaro Road by a sum of \$20,500.

Mr. ELEAZAR: I see \$47,500 provided for main roads and bridges in the Berbice district. The Berbice district is a very extensive area. On the West Coast you have the railway and need not have buses running there. On Eastern Berbice the road is the only means of transport to and out of New Amsterdam. Buses we must have, and they do a lot of damage to the roads. The Road Officer is practically compelled to maintain the roads without material. What little material is put on the roads is taken from the side of them, saturated with water and rolled in, and it runs off when there is rainfall and in dry weather it goes off in dust. If one needs a good liver invigorator he need not call a doctor at all on the Corentyne Coast, but we do not always have turgid livers. The only thing to be done is to do to the Berbice arterial road what was done to the road from Georgetown to Rosignol. You provide \$37,000 for that road and for all the roads in Berbice you put down \$47,000. It is clearly inadequate. Another thing is that the main roads of Berbice do not seem to include the roads on the West Bank at all. On the bank of the river we have two miles of road, but a little beyond that another two miles is allowed to go into rack and ruin. The Director of Public Works has estimated that \$4,000 would put that portion of road in order, and for six or seven years it has been represented that it would bring into beneficial occupation a large area of cultivable land, but every year we get the same answer "There is no money."

Mr. SEAFORD: I am bound to agree with the remarks made by the hon. Member for Central Demerara as regards the expenditure on roads. On the other hand I cannot agree with the hon. Member for Berbice River in all that he says. If he desires to get his liver invigorated, rather than drive on the Corentyne road I suggest that he travel up the East Bank road. If he travelled 18 miles up that road I think we would have to bring him down by river. I feel absolutely sure that the Director of Public Works knows perfectly well that he could never maintain the roads for the amount of money provided. The East Bank road is getting worse and worse every year, and I do not know how he hopes to get it fit to travel over at all next year. It brings us back to the old question of finding the wherewithal to keep the roads up. I am not saying that we ought not to have better roads than we have, but I do not know how we are going to raise the money in the Colony. It is admitted by all that taxation cannot be increased, and I do not think we can put down various sums and ask the Imperial Government for the money. It is a serious question. In fairness to the Director of Public Works, I do not think we ought to criticise his Department for the condition of the roads. If Government can help by saying how we can raise the money to keep the roads in order everyone in the Colony would be grateful.

Mr. ELEAZAR: I suggest taxing sugar and rum with a higher export duty. The hon. Member is one of the best apologists of Government in this House.

Mr. SEAFORD: The hon. Member says I am a great apologist of Government. I happen to see the difficulty and happen to be fair-minded, and I consider it only right when I see the correct viewpoint of a thing not to hide it under a bushel but to admit it.

Mr. KING: The East Bank road is in a deplorable condition, and traffic on it, which is of a heavy nature, is gradually increasing. Government would be well advised to adopt some systematic road programme, following the example of the Georgetown Town Council, and it might be possible to raise a loan to put the roads in order. We all know that the roads are in a bad condition. I have not gone into

figures, but I believe that the reduction of annually recurrent expenditure on the roads would cover sinking fund and interest on a loan borrowed for the purpose. As far as I can see it is a waste of money for Government to spend \$200,000 a year to keep up roads which are no credit to them. I suggest that it would be advisable for Government to consider some workable scheme for the whole Colony.

Major CRAIG: I will take the last criticism first by complimenting the City Engineer on the condition of the roads in Georgetown. I do not want it to be considered that I am detracting from that compliment when I say that the conditions under which he maintains those roads are infinitely superior to the conditions under which the country roads are maintained. The roads of Georgetown have a better foundation as the result of years of dumping metal and other materials. The country roads, as I have stated on various occasions, are made by excavating two trenches and throwing up the material on the land between those trenches. The surface of the roads so formed is then coated with burnt earth. Consequently you have a watercourse on either side of the road, and the water percolates very freely under the roadway, and unless there is a satisfactory foundation for the road it is impossible to maintain any foundation.

Shortly after I assumed the duties of Director of Public Works, I put forward a programme of road construction of reinforced concrete which in my opinion is the only satisfactory kind of road for this Colony. The cost, of course, was very high, and it was thrown out on that score. I suggested then that if we did 10 miles of reinforced concrete roads a year we would gradually have the whole of the country roads in a very satisfactory condition, but, as I said, the cost of the scheme was too high and therefore it was not considered possible.

The hon. Member for Berbice River spoke of the methods the Department adopt in repairing the roads. It is the usual practice in every country. The West Coast road undoubtedly is not in first-class condition. Work was stopped there more or less for the reason that the money was getting low and I wanted to reserve a certain amount to do something when the

wet weather came on at the end of the year. Two of the buses referred to are very heavy, but the others are within the regulations. If they are overloaded that is a matter for the Police. These buses are not licensed to go beyond Uitvlugt gap, and they are limited to that section of the Coast because the road there is very narrow.

Mr. SEAFORD: Would the Director tell us what the estimate of cost was for a concrete road?

Major CRAIG: The estimate for a reinforced concrete road for the first 10 miles was \$30,000 per mile.

Mr. ELEAZAR: I cannot say why there should be complaint every year of buses damaging the road when Government has it in its power to wipe buses off the road where there is a railway running parallel to it. If Government were to adopt a bold policy in the interest of the taxpayers there should be no buses operating on the West Coast Demerara and East and West Coast Berbice. The railway is there and Government cannot go on making up roads for buses to damage them for the benefit of a few. The buses are ramshackle for one thing, and when you have an action for damages against them you cannot find out who is the owner. Put a prohibitive tax on them wherever they run parallel to the railway. To say that buses damage the road and you are powerless to take action is weakness on the part of Government. There is no reason why buses should be run except in Esscquebo and Eastern Berbice and on roads leading to trunk roads.

Mr. JACOB: I do not subscribe to the view that buses should be driven off the road. Throughout the world to-day buses are considered cheaper than other means of transport and the time may come when we may have the necessity to have more buses on the roads.

Mr. DE AGUIAR: I do not think I got a reply to the question I raised about the maintenance of the roads next year. I am becoming more alarmed. Are we justified in curtailing expenditure on other roads merely for the purpose of providing more money for the Bartica-Potaro Road? That seems to be the intention.

Mr. KING: I think something may be done for the roads of the Colony, and I suggest to Government to appoint a Committee to go into the question of the most suitable roads for the Colony. In that way we might be able to arrive at some suitable plan. Concrete roads at \$30,000 a mile are out of the question. Retaining walls and road surface would be of advantage to the Colony, and I throw that out as a suggestion.

THE COLONIAL SECRETARY: The question of rail *versus* road has been under consideration by a Committee, who have submitted an interim report which is now before the Transport and Harbours Board. It is not quite such an easy problem as one hon. Member appears to believe, but is a matter which requires very careful consideration, and the Transport and Harbours Board will shortly be forwarding their views to Your Excellency for consideration as to whether some definite action should not be taken to solve that problem.

THE CHAIRMAN: I might say that it has been in my mind for some time to appoint a Committee to consider certain traffic conditions, which are not satisfactory, but I deferred doing that because I am awaiting the report of the Committee, of which Mr. Mullin is the Chairman, before doing so. But there are certain points, some of which have been raised to day, which are outside the purview of that Committee and I think it is possible that I shall appoint a Committee later on, in the light of what the present sitting Committee reports, to advise as to what further steps should be taken with regard to road traffic. That would not quite meet the point made by the hon. Member for Demerara River. I should like to give that point my further consideration, and the suggestion that it is possible to meet interest and sinking fund on a loan for the construction of better roads out of savings for maintenance. I am afraid I am very doubtful about it, partly because of the cost of construction of roads in this country and partly because I realise that the vote is much lower than it should be. I brought it down to what it is from the dire circumstances in which we are placed.

It is quite possible that I might have to approach the Council in the course of

next year for a further sum, but perhaps that might not be necessary. I am aware that this sum is not sufficient to keep up our roads in what might be called primary condition for that type of road. I am, however, guided by the principle, which is sound so far as roads are concerned, that the first duty of a road is to take traffic to market and to enable persons to pass from one point to another. It is only when that primary need has been satisfied that further money should be spent in order to facilitate the conditions under which those persons travel. But as long as roads are able to carry, and continue to carry, traffic and to pass persons from point to point, they are carrying the primary need for which roads are constructed.

QUEEN'S COLLEGE.

Mr. ELEAZAR: I do not think there is anything to be deleted under this Head, and I am not sure whether what I want to say comes under it. Still it is in relation to Education and I would like to say it with Your Excellency's permission. Queen's College is costing Government a certain sum of money and we are not satisfied with the way things are moving. A little while ago the Guiana Scholarship was awarded to one of the schools other than Queen's College. Some days ago the question came under my notice: What is going to happen with respect to the 1936 Scholarship Examination? Up to now there is no decision as to whether there will be an examination in 1936 or what the syllabus is going to be. That is a very unsatisfactory state of affairs. This Colony awards a Scholarship every year, and every year there are continuous complaints. I think that is trifling with the situation. Everybody has a profound regard for Queen's College and the work it is doing, and if the boys do not come up to scholarship standard it would be because they have not applied themselves as they should have done. When they have the excuse that up to within eight months of the examination they do not know what the syllabus is there is something wrong which ought to be rectified. The standard of the examination and the syllabus ought to be known in time and no "shy" made at the Scholarship. There should be no speculation for so valuable a Scholarship in that way. Let the candidates know what is to be done, and

do it in time, so that we shall get the best or nearly the best. Something ought to be done to prevent it recurring.

Major BAIN GRAY (Director of Education): Sir, as you know and as certain Members of the Council know, the question of the examination for next year is receiving the close consideration of Government. The position was that the examination was held in 1935—it was the first of its kind—and immediately after the acting Director of Education held a meeting of the head teachers of the schools, when it was agreed generally that the same examination should be held in 1936 with some minor alterations. These alterations were being worked out and the Department was awaiting replies from some of the schools. But there was some difficulty in dealing with these minor alterations. After the results of the 1935 examination were received two of the schools concerned raised certain objections to the syllabus of 1935 and eventually proposed that no examination should be held in 1936 and two Scholarships should be awarded in 1937. It is an extremely intricate question and the matter has been receiving the attention of Government. Only this morning Your Excellency received the Heads of the schools at Government House, and a decision will be arrived at the earliest possible moment. That is the full and accurate history of what has happened.

Mr. ELEAZAR: I do not know that is a reason why there should be no policy of Government.

THE CHAIRMAN: There is no lack of policy on the part of Government. There was a policy and it is only because certain schools now object that the matter has come up for consideration again. I have only just received advice, as the hon. Member has just heard, and the question is receiving consideration.

Mr. ELEAZAR: The point is who is directing the policy. When there is a policy laid down nobody should have the power to change that policy. By the postponement of the examination last year you had students who were not qualified in 1935 sitting with those who were qualified to sit in 1935 and getting the Scholarship. My point is that if Government has a policy that should be the policy and the

syllabus should have gone out. It is not a School Scholarship but a Government Scholarship, and the policy should be laid down and not be allowed to be shifted about by anybody's whim and caprice.

Mr. SEAFORD: The policy was brought in last year more or less as an experiment, and it was then understood that at the end of the first year we would decide whether to carry on in the same way or not. It was not definitely decided that the policy would be carried on for all time. At the end of the first year it was found that it was not working in practice, because certain candidates who competed for the Scholarship had been really working for a higher standard of scholarship and had not had an opportunity of working specially for the Scholarship. That was considered to be unfair to those students, and I think that is one of the reasons why the matter was brought up for consideration by Government again.

Mr. ELEAZAR: I was told that the syllabus was fixed. Because certain people were not satisfied with the results they say we must change it. I say that if the policy is fixed it should not be changed at all.

SEA DEFENCES.

Mr. SEYMOUR: This Colony is always faced with very heavy expenditure for sea defences. I think that if Government throw out a suggestion to the Imperial Government it is possible that they would assist us. They protect us with the Army and Navy and probably will extend their protection to the sea defences. There is no doubt that the financial burden of this country has been brought about purely by the money spent in keeping the sea out and any assistance from the Imperial Government would go a long way. I think they will take a sympathetic view of the matter and help us.

THE CHAIRMAN: I may say that I have already the suggestion the hon. Member has made in mind.

Mr. SEYMOUR: Thank you, sir.

SUBVENTIONS, ETC., MUNICIPAL.

Mr. WIGHT: Permit me, sir, to ask that item 3 (Contribution towards maintenance of Roads and Streets, \$20,000) be

increased. The Town Council have not yet had any settlement of the question whether you are going to give us some of the licences.

THE CHAIRMAN: I am afraid Government is not in a position to give that at the present time.

Mr. GONSALVES: Perhaps the hon. Member has lost sight of the fact that a Committee has been appointed to go into the matter. If I had raised the question, as he has done, I would have been reminded of the appointment of the Committee.

THE CHAIRMAN: The hon. Member is correct; a Committee has been appointed. That Committee has not yet been able to sit because more urgent business has come before another Committee on which certain Members are also.

Mr. ELEAZAR: May I ask for an explanation of item 4 (Contribution towards King George V. Municipal Welfare Centre, \$1,680)?

Dr. DE FREITAS (Surgeon General): It is a similar vote to what was voted last year by another name.

SUBVENTIONS, ETC. OTHER THAN MUNICIPAL.

Mr. DE AGUIAR: Sub-head 4 (Grant to Infant Welfare and Maternity League, \$12,804) seems to be the same amount year after year. I am informed that no provision whatever is made for the Health Visitors for leave or things of that kind. Some of them with years of service have had no promotion or even an increase of salary. It is hardly fair to have these people working year after year without any chance of promotion or any leave facilities. I am not aware whether it is a matter for Government or the Municipality, but I wish to draw attention to it in order that it should be given some consideration.

Dr. DE FREITAS: The hon. Member has certainly attacked a very weak spot. The question he has raised is engaging the attention of the League. A sub-Committee has been going into the question of leave and allowances to Nurse-Midwives but at present the League is limited to the fixed

sum voted from year to year. I can assure the hon. Member that the League is well aware of the grievances the Nurse-Midwives complain of, and it is hoped that next year some provision will be made for these and other measures which the League has not hitherto been able to provide.

Mr. GONSALVES: I think it has been recognised by Government that Infant Welfare work in Georgetown has materially increased, also that good work is being done. The necessity exists for a larger contribution to the Town Council of Georgetown for that work. I am not asking that the item be recommitted, but I am taking the opportunity of making these observations and asking Government for some additional contribution.

Mr. ELEAZAR: I ask Government to add \$50 to this vote for the purpose of equipping the clinic up the Berbice River. It would be a blessing and a boon to that community.

THE CHAIRMAN: The Colonial Secretary is going to move that amount in.

Mr. ELEAZAR: Thanks very much, sir. I need not say any more.

THE COLONIAL SECRETARY: I move that sub-head be increased by \$50 as a donation to the Berbice Branch of the Infant Welfare and Maternity League to complete the equipment.

Question put, and agreed to.

THE COLONIAL SECRETARY: I move that the sub-head 21 (Recruitment and Training of Officers for Colonial Agricultural Departments, \$759) be increased to \$845. As I explained in the Select Committee, the amount contributed under this sub-head is apportioned by the Secretary of State amongst the various Colonies, and our contribution is \$845 instead of \$759. It is an increase in expenditure and not an increase in our percentage contribution.

Question put, and agreed to.

THE COLONIAL SECRETARY: I move that sub-head 23 (Proportion of cost of establishment and maintenance of Headquarters Council of Colonial Agricultural

Service, \$192) be increased to \$312. This also is the result of a despatch from the Secretary of State in regard to the cost of the Headquarters Council of Colonial Agricultural Service.

Mr. ELEAZAR: I want to ask whether when despatches come they say you must do so and so, or they ask us to do it.

THE CHAIRMAN: I can assure the hon. Member that they don't say that. They ask that the money be voted by the Council.

Mr. ELEAZAR: If it is not a matter of *must* they should ask us whether we can afford it. We are beggars and cannot afford to give away money for all these fancy things.

THE COLONIAL SECRETARY: I moved the increase; I did not say it had to be done. The reason for the increase is to provide an additional officer as assistant to Mr. Stockdale. As Members of this Council know, Mr. Stockdale spends a great deal of his time visiting various Colonies and giving advice on agricultural subjects—advice which is of very great assistance to all the Colonies—and it is found that the work on which he is engaged would be furthered by an assistant. The increased amount of \$120 is our proportion of the salary of that additional officer.

Mr. DE AGUIAR: Item 21 was discussed by me in Committee. While I was prepared to accept the explanation of the Colonial Secretary, I felt it was one of the items that the Secretary of State always tells us to pass. It comes before the House only as a formal application. A Member would be justified in asking that an item of this kind should be put to the open vote, when probably the instructions of the Secretary of State would be turned down. Reference has been made to Mr. Stockdale. Do we ever follow his advice when it is given to us? This is an annual vote and this year it is to be increased. Next year Mr. Stockdale will be asking for two assistants because the tendency in agricultural expenditure is always to go up.

THE CHAIRMAN: I assure the hon. Member that it is not a case of trying to

make two officers grow where one grew before.

Mr. ELEAZAR: There are so many technical advisers on this particular beach that I cannot conceive of any benefit to be derived. If this is a matter where we are asked whether we can do it or not we can say that we cannot afford any more where agriculture is concerned. We have a Department equipped to carry on half of the British Empire. If these contributions are compulsory we cannot help ourselves, but if they are not compulsory we cannot afford them.

Professor DASH (Director of Agriculture): I think this is one of the greatest steps forward in agricultural policy that has ever been taken in the interest of the Colonies. Usually there is some discussion when these votes come up every year, and although one takes time to explain as carefully as possible the facts concerning them, there is nevertheless criticism which is not always helpful when we are asked to consider at some times little increases and at others a decrease. It is just a question of adjustment in the light of what has been done. I have emphasised over and over again from my seat in this Council that these small amounts are trifling compared with the services we get not only from the institutions dealt with but from the Headquarters Council of Colonial Agricultural Service. At one time the Agricultural Services in the Colonies were not co-ordinated at all. Each Colony then had its own policy and those at the headquarters of the Colonial Office were not informed in respect of general lines of progress and what we required in the various Colonies concerned.

With the general impetus which was given to agriculture in the Colonies some years ago, it was found essential to have some headquarters establishment at the head of which was an agricultural adviser to whom the Secretary of State could refer reports from the Colonies, and with whom he could confer when matters came before him in respect of financial grants or to advise on the policy to be pursued. Hon. Members, I think, will appreciate the fact that Mr. Stockdale, who is the Colonial Agricultural Adviser and as explained by the Colonial Secretary, is frequently on tour. He has

been in the West Indies twice since this Service has been inaugurated, and he has visited this Colony and conferred with Government and the Agricultural Department and indicated his views in respect of our agricultural progress. He was able to give us much helpful advice and still continues to do so. I suppose that nearly every mail there is some correspondence from Mr. Stockdale about some particular industry or some service. This Service has grown and Colonial Agricultural Officers feel the need of it, and Mr. Stockdale is now unable to carry through all his tours and at the same time attend to the various matters which come before the Headquarters Council as well as he should. Speaking from personal knowledge I consider an assistant is absolutely essential. I do not think I can add anything more usefully, but I do feel that the Headquarters Council has come to stay, and by providing an assistant at the moment it simply means provision for continuity of the policy.

Mr. SEAFORD: I must agree with the view that these items keep on growing. The Director of Agriculture says they are sometimes increased and sometimes decreased. I do not remember ever seeing a decrease, but I remember invariably seeing an increase. I do not think it would be wise to refuse this amount now. We are hoping to start an export trade in other agricultural industries and want all the expert help we can get. We at the present moment require assistance as regards the marketing of minor products. We must also remember that had it not been for this Department on the other side we would not have got certain free grants which we did get here. It was due to this Department that we got the Plant Breeder free for three years and other assistance. They are able to put our case before the Imperial Government and I feel that without them we would not get all the assistance we get. I think this is a wrong item to tackle and would much rather tackle something at the top.

Mr. WALCOTT: When Mr. Stockdale was on his visit here he recommended the establishment of a Stock Farm. It was good advice but it was not acted upon. I think when we get good advice from an authority like Mr. Stockdale we should act

upon it. The Government of the day said they could not afford it as they had no money. We find money for a lot of schemes not nearly as much in the interest of the Colony as a Stock Farm. A Stock Farm is something that is wanted here very badly. We have a highly qualified and able Veterinary Surgeon in Major Bone—a man who is searching for work but has only a few cows, pigs and poultry to occupy his time and attention. His time could very well be occupied in running a Stock Farm similar to the one in Trinidad, which is a profitable institution. We cannot plead that we have not got the land here. Government have land very near Georgetown—but if they have not they should have had it—and a sum of \$40,000 or \$50,000 should get it well stocked and started.

Mr. SEYMOUR: I hope Members will not quibble over this small amount. I quite agree that we have all the high technical qualifications in this Department, but we have not got the money to do all that is required and we must hope for something to turn up.

Mr. JACOB: The sum involved is \$120. I am afraid that I cannot agree with the hon. Member for Berbice River when he says this sum should not be voted. Several Members who have spoken made the point I intended to make. But I would make this other point. It is time that Members of this House should form their own policy. We should meet and sink individual differences and see what is good for the country as a whole. I cannot subscribe to the view that this vote should not be passed. I shall support it and hope we will learn some lesson from the debate on the question.

THE CHAIRMAN: In order to clear the minds of Members on one point I will read from the Secretary of State's despatch:—

“I have referred this proposal to the Lords Commissioners of His Majesty's Treasury, who have intimated that, subject to the provision of the necessary funds by Parliament, they are prepared to agree in principle to one-half of the annual expenditure up to a sum not exceeding £2,250 per annum being a charge against the Colonial and Middle Eastern Services Vote during the five financial years 1936 to 1940 inclusive. I am therefore proposing to ask the Governments of the Colonial Empire to undertake to contribute the other moiety during the same period. The maximum annual contribution which

I would invite your Government to make to the Colonial Agricultural Service Fund during the period 1936 to 1940 is £65 and I should be glad to receive a reply by telegram stating whether this proposal is agreed to."

That is the way the Secretary of State puts it to this Government and it is put to this Council.

Mr. ELEAZAR: This is a matter of principle and I ask: Are we to do this thing because we must, or if we can?

THE CHAIRMAN: Before putting the question to the vote I desire to take the opportunity to inform the Council, in reply to the Hon. Mr. Walcott, that I am on the point of appointing a Committee to advise what steps can usefully be taken to encourage and stimulate the meat product of this country both for internal and external consumption (Hear, hear). I think a Stock Farm may be one of its recommendations.

Mr. CRUM EWING: I am appealing to Government to increase the vote (sub-head 25) of \$500 granted as a subvention to Bartica towards administrative expenses. The lorries of the Transport and Harbours Department travel daily over the village roads, which are in a very bad state of disrepair at present, and I ask if it is possible that the vote be increased to \$1,000.

THE CHAIRMAN: I will give the hon. Member's suggestion consideration.

Mr. MULLIN (Commissioner of Lands and Mines): I was present at an interview which Sir Edward Denham gave to the Bartica Village Council on this subject. It was then pointed out to the Village Council, and the Council agreed, that the transfer to Bartica of traffic, which had formerly gone by the Demerara River, Wismar and Rockstone, was of such great benefit to them that the small increase in the cost of maintenance of their roads by their use by the Transport Department's lorries should not be regarded as a burden on the village. It was also mentioned that when the proposal was made by Mr. Leggate, who came out to investigate the the question of transport to the interior, that the main road to the interior should be *via* the Demerara River and Rockstone, there was a great outcry by the Bartica people and they almost offered the whole

of Bartica if the service was transferred to that area. When it was finally decided that the route was to go there the value of property in Bartica appreciated, and today Bartica is an important centre instead of the backwater it would have been if the headquarters were the other way. The Village Council saw that point and did not press their claim.

Sub-head 54—Subsidy to Canadian National Steamship Service, \$40,800.

Mr. JACOB: The question of freight rates in connection with this Service was debated in this House in January last and a motion was passed asking Government to invite the Canadian Government to go into the matter. I do not know what the position is, but I do not think we are very well served with respect to the rates charged for the various products. The contract is to be renewed either next year or in 1937, and the opportunity should be taken to word it in such a way that the rates can be increased or reduced from time to time. Potatoes are shipped from Canada to British Guiana at the rate of 28 cents per 100 lbs., but for a barrel of eddoes shipped from British Guiana to Canada the rate is 90 cents per 100 lbs. There might be something in the argument that potatoes are shipped in large quantities and eddoes in small quantities, but when the Steamship Company receives a subsidy for carrying passengers and freight there should not be that differentiation.

Mr. WALCOTT: May I ask the hon. Member to what point in Canada that rate for eddoes was charged?

Mr. JACOB: Montreal. The eddoes were shipped on the 4th June and the potatoes were shipped on the 17th June—practically at the same time.

Mr. WALCOTT: In that case I think there is just cause for complaint. To charge 90 cents for eddoes and 28 cents for potatoes is ridiculous. The rate for rice is only 30 cents per 100 lbs. and for sugar 17 cents per 100 lbs. The complaint therefore is certainly justified and I think Government should take prompt action. It is by these minor industries we hope to build up trade with Canada, and it is up to the Canadian Government to help us. Unfortunately, the Canadian National Steamship Service has gone into a com-

bine with the other Steamship Lines as regards rates to and from Canada. That, it seems to me, is wrong. As a subsidised Line they should have kept out of any combine of this nature because the Canadian Government have the fixing of the freight rates, and if they are a part of the combine it is not likely that they would have the majority vote, therefore their hands are not as free as we expect or it was intended to be when the Reciprocity Agreement was entered into.

Mr. AUSTIN: I have every sympathy with the last two speakers. Before Government take the matter up I suggest that we should first enquire from Barbados and Trinidad what are the freight rates to those islands on such commodities. I am inclined to think that the rates are higher here on account of portorage and overtime charges in the discharging and loading of cargo. I do not think there is any overtime charges at either Barbados or Trinidad. I made enquiries of an officer on the last Canadian boat to arrive here and he told me he did not think that the rates quoted were correct, but he promised to make enquiries when he went North.

Mr. JACOB: The point raised by the hon. Nominated Member is not applicable. My comparison is of potatoes shipped from Canada and eddoes shipped from British Guiana. You can have no better comparison than that. The articles are practically the same, yet there is the great disparity in the freight rates.

Mr. DE AGUIAR: There can be no doubt that there is just ground for the complaint. The unfortunate position in which we find ourselves is exactly as has been stated by the Hon. Mr. Walcott. Had the Canadian National Steamship kept themselves out of the Conference this trouble would not have arisen. When this country complained about freight rates on rice to Barbados, Trinidad and further North some reduction was made, but immediately the schooners carrying rice at a cheap rate were withdrawn from the competition the rates were increased. The only explanation the commercial community got to that complaint was that the increase was the decision of the Conference Lines. That has nothing to do with the point raised by the hon. Member for North Western Essequibo. I cannot

understand the wisdom of charging such a high rate on eddoes from this port. I do not think overtime charges have anything to do with it. If they pay overtime here it is for their own convenience. We would prefer the ships to remain over until the following day; they prefer to pay overtime charges than port dues.

THE COLONIAL SECRETARY: As has been stated, this matter was very fully discussed in this Council in January this year, and on that debate Government promised to approach the Canadian Government. As the result of that promise the Canadian Government was asked to give sympathetic consideration to the representations from this Government for a reduction of the rates. In reply the Canadian Government referred particularly to the question of rice, which the hon. Member for Central Demerara has alluded to. It is the case, as the hon. Member stated, that the freight rate on rice was reduced considerably on account of competition, but it is not true that it was put back to the old figure.

The Committee adjourned for the luncheon recess.

THE COLONIAL SECRETARY: When the Committee adjourned I was referring to the freight rate on rice, and I stated that it had been reduced. That reduction, which took place in 1934, was from \$4.50 to \$3.90 per ton between Georgetown and Trinidad. In that connection, with the permission of Your Excellency, I will read one paragraph of the letter from the Canadian Secretary of State for External Affairs. It reads:

“ In February, 1934, the freight rate was reduced from \$4.50 per ton from Demerara to Trinidad, where the largest consumption of rice takes place, to \$3.90 per ton. The statistics for the year 1934 are not yet completed but the figures for 1933 show that the Company paid out 45 cents per ton handling charge at Demerara and 40 cents per ton representing 50 per cent of the port charges assessed against the tonnage handled on the ships, while at Trinidad, where lighterage is involved, the cost of handling cargo is \$1.94 per ton plus 30 cents per ton representing 50 per cent of the port charges assessed against the tonnage handled on the ships. The freight rate of \$3.90 per ton therefore includes \$3.09 made up of these charges.”

The reply from the Canadian Government was referred to the Rice Marketing Board, who advised Your Excellency that

under the conditions stated they did not think that a case could be made out to ask for a reduction of freight, and in view of these facts Government does not consider that further representations to the Canadian Government in respect of rice would be of any practical value at this time. With regard to other products a case has been mentioned to-day by the hon. Member for North Western Essequibo, and I think it is quite probable that the Canadian Government would be prepared to give further consideration to agricultural products of that nature if specific cases can be put up to them and fully explained. We have had one specific case this morning. If full particulars of that case is obtained and forwarded to the Canadian Government, I feel sure that they would give it at least sympathetic consideration.

THE CHAIRMAN: I hope that if hon. Members have any further information worth putting forward at the same time they will communicate with the Colonial Secretary and enable the case to be put forward on a larger scale.

Sub-head 60-- Contribution towards expenses of Aggrey House, \$240.

THE CHAIRMAN: This is a new item but—and I speak from personal experience—it is a very worthy one.

SUPREME COURT.

Sub-head 16—Puisne Judge.

Mr. KING: In the Select Committee, sir, the Unofficial Members were unanimous in the decision to place before Government the desire that an extra Judge should be appointed. The Colonial Secretary undertook to give the matter attention. Perhaps a statement by Government might not necessitate me saying more on the subject.

THE CHAIRMAN: I shall be prepared to put forward to the Secretary of State the case for another Judge if a case can be made out in this Council.

Mr. KING: Well, sir, as one associated with the Supreme Court, I am perfectly satisfied that it is essential for this Colony to have another Judge. Government has tried to economise by having only two Judges in the Supreme Court, but it is the

opinion of all the lawyers and the more responsible members of the commercial community that it is impossible for the Court to continue as it is at present constituted. The work of the Court is much too heavy for two Judges to handle. Only last month, when the Criminal Sessions were sitting in Georgetown and New Amsterdam, the civil work done in the Supreme Court was negligible because cases awaiting trial had to stand over while the sessions were taking place. Serious inconvenience might arise in that very often it is necessary to obtain the services of a Judge, and during the sessions last month it would have been impossible to get a Judge quickly for the purpose of obtaining an Order of some consequence to the parties concerned.

That is not the attitude Government should adopt in regard to legal matters. Legal matters are very important to the commercial community and it is absolutely necessary that the Colony should have the services of another Judge. It is a penny wise and pound foolish policy to curtail expenditure in regard to matters which cause inconvenience to the commercial community and others interested in litigation. In the course of my experience extending over 21 years at times the Judges have had easy moments; but the work handled is amply sufficient for the employment of three Judges. I appeal to Members of this House to consider the matter from the point of view of the convenience of the public and that serious hardship might take place through a Judge not being available when one is urgently needed. We have had sitting on the Bench of the Supreme Court a Magistrate who has been seconded as a Judge for the last year or 18 months, so it is hardly fair to say that the Supreme Court has been running with two Judges. It is also a fallacy to say that the Court has been running with three Judges. It is felt that another Judge should be appointed and I hope Government will see its way to give the Colony what it certainly deserves.

Mr. ELEAZAR: I beg to support the hon. Member in his appeal to Government to recommend to the Secretary of State the appointment of another Judge. From time to time attempts have been made to reduce the number of the Judiciary, but every attempt has failed. One such attempt was the appointment of two

Judges and a Judge-Magistrate to assist in the Supreme Court when the occasion arose. That arrangement did not work satisfactorily and Government resorted to three Judges as formerly until the Financial Commissioners recommended the reduction of the number to two. At that time there were a Senior Puisne Judge and a Junior Puisne Judge and it was decided that the Junior Puisne Judge should be retrenched. The retrenchment was made by the promotion of the Senior Puisne Judge and the retention of the Junior Puisne Judge without any extra remuneration. With only two Judges to carry the load very often the large number of cases could not be heard because the Judges were more than fully occupied. It also happened on occasion that the Criminal Sessions are being held in Georgetown and New Amsterdam at the same time, as the hon. Member for Demerara River has pointed out, and there is no Judge available to attend to urgent matters.

There are people who say that the Judges have plenty of time. That is due to their ignorance of the technicalities of the duties of the Judges. The work of the Supreme Court differs from that of the Magistrates' Court in several respects. Major matters are heard in the Supreme Court and the Judges have to consult authorities after hearing cases. A Judge cannot run the risk of giving written decisions because he has not the time to read the authorities cited to him. After hearing the arguments on both sides he has to read the authorities and put his decision in writing. That involves time and thought, and the Judge perhaps has to spend the night in reading the authorities, writing his decision and preparing his work for the next day. That is what is going on at the present time. At one time we had no Judge at all. One Judge went on leave and the other broke down, and we had to requisition the services of the Attorney-General who made an excellent Chief Justice. Hon. Members warned this House and warned Government that the reduction of the number of Judges is a dangerous thing to trifle with. The Financial Commissioners, both of whom were laymen, came here and said we must economise, and on their recommendation one of the Judges was retrenched.

Difficulties have arisen and have continued from the time the third Judge was re-

trenched. Your Excellency is on the spot and you would have seen in the newspapers what is happening and spoken to your advisers on this question. Though there may not strictly be sufficient work to occupy the time of the Judges every day of the year, there is too much for two and a third is necessary, even if it results in lightening the work in some measure and the three have not quite so much to do. The necessity is there for a third because there is too much work for two. The social life and property of the community depend on confidence in the Judiciary, and that confidence can only be expressed by the satisfaction of all parties that they had full consideration of matters by a Judge. The evidence of the necessity for a third Judge is overwhelming and the question needs no special pleading.

Mr. DIAS: The retrenchment which resulted in the number of Judges being reduced from three to two has been tried sufficiently long to prove that the decision is a very unsatisfactory one. My association with the law covers a period of 38 years, and this is not the first occasion during that period on which an attempt was made to reduce the number of Judges. Very much objection was not offered to the attempt on the last occasion because it was recognised that retrenchment in expenditure was imperative, but it was felt by persons who were in a position to express an opinion and by practitioners that it was a mistake. In point of fact that has been proved to be the case. Practitioners are often blamed by clients for the length of time taken in getting their cases heard because they cannot blame the Judges direct. I do not think that should be the position.

One of the things that should receive attention, and very serious attention, is the administration of justice. A man has his remedy at law, but it is somewhat fallacious when he cannot get his case heard through circumstances over which the Judges have absolutely no control. Some people believe that because a Judge happens not to be on the Bench on a particular day he is idle. A Judge has any amount of Chamber work to do about which the public hears nothing; he has law to read and judgments to write, and he is expected to write his judgment in every case but that cannot be always done because he has not the time.

Whether it is due to bad luck or not I do not know, but the Judges have had a most trying time within the last two years. Cases went before them that occupied quite a long time. One case tried just before Your Excellency arrived in the Colony lasted 42 days. I do not think anybody can charge the Judge with not expediting that case or practitioners with not being as brief as possible, because it was one of the most important matters that ever engaged the attention of the Courts in the Colony. The case must also have taken the Chief Justice a considerable time to consider and write his decision. That case was one of many. There were others lasting 30, 35 and 37 days with three Judges, two on the Bench and one in Chambers, and I wonder how they were able to keep their health. One Judge broke down when there were only two, which did not surprise me; the wonder is that both did not.

Those are the positions in which litigants and others find themselves. The Judges do everything in their power, by consultation with practitioners and otherwise, to get matters expedited. As a matter of fact, in order to get rid of cases they fix two or three for hearing in as many days, but it is not always possible to dispose of cases in so short a time and we get complaints from time to time. Only to-day I heard from a certain gentleman that he has two cases pending and cannot get them fixed for hearing. That is no fault of the Judges because there are only two occupants of the Bench. Even when there were three Judges the work was so much that it was delayed. It is difficult to sit here and itemise the various duties to establish the need for a third Judge. One has to have experience of the impediments and difficulties to be contended with in order fully to appreciate that there can be no other remedy. I would be the last person to advocate further expenditure in the present financial circumstances of the Colony, but in a matter of this kind I would be wanting in my duty both to Government and the community if I did not ask Your Excellency to use what influence you have to bring about a settlement of the position.

THE ATTORNEY-GENERAL (Mr. Hector Josephs): I have listened, sir, with interest to the speeches on this

subject. There is no doubt that the administration of justice, whether in the Supreme Court or in the Magistrate's Court, is a matter of very great importance to the State, and, of course, it is equally important that justice should be speedily administered. The question at issue is whether the Supreme Court can effectively carry on with two Judges, or is it necessary that there should be three. I may mention that the change took place in 1931, but from March or April, 1934, until Mr. Justice Savary went on leave, there have been in effect three Judges of the Supreme Court. Since Mr. Justice Savary's departure there have been a Chief Justice and an acting Judge, so that it is important to bear in mind that during one year of that period the Court has been fully manned. The volume of work varies at times, as practitioners mentioned. Sometimes there is a great deal of work, arduous and of long duration; a great deal depends upon the methods of practice before the Court or the nature of cases having regard to the duration of cases.

During the period in which there have been two Judges I am aware of an instance when the two Judges undertook the work. There was then some arrears and when their term of office came to an end they had done all the arrears and all the current work. With reference to that I should like also to mention that there were no cases lasting for 30 or 40 days. It does seem to me—perhaps I have been longer a practitioner than any other Member of this House—that in recent years, for some reason or other, the duration of cases has considerably increased in this country. Whatever the cause may be I think that a great deal of the difficulty in the administration of justice by two Judges is due to the length of the cases. Perhaps the older practitioners may not remember as a frequent occurrence cases lasting 30 or 40 days, but recently that has occurred with unfortunate frequency. Compared with the duration of cases in England, in the High Court or at the Old Bailey, some of them have lasted longer in proportion to cases there. The reason I do not know. I am merely dealing with it as a question of fact, and there is no doubt that the unusual duration has had a good deal to do with the difficulty of getting through the work.

Apart from that, sir, even in times when cases are of normal duration, it does sometimes happen that it is difficult for the Judges to do all the work that goes before them. It is a fact that sessions in Georgetown clash with sessions in Berbice or Essequibo and the trial of civil cases has been held up. It is very difficult to lay down a general proposition in regard to it because the number and nature of cases and the duration of cases vary from time to time. A case may last for three or four days and it may strike the average layman as being very simple or easy to determine, but there may be involved in it difficult questions of law which necessitate research and thought. Decisions of the Supreme Court lay down the law of the Colony for the guidance of Judges of equal jurisdiction. I appreciate that difficulty. I would also like to point out that Judges do not consider themselves exempt from work only when they are in Chambers or only during the hours they spend in the Law Courts here or anywhere else, just as in the case of some Government Officers who have to do a good deal of work outside of office hours.

As I said, there have been times within my experience when the work of the Courts has been done by two Judges. It, however, involved hard work and considerable application. There have also been times when there were heavy Assizes and a number of cases requiring in their hearing a much longer time than usual and other work has been held up, but I do not know whether there has been any particular or special hardship. The hon. Member for Demerara River said it was difficult to get an Order because one Judge was engaged at the Criminal Session in Georgetown and the other was out of town. I do not think the Judges would like it to be thought that an urgent Order could not be obtained during the luncheon adjournment or after the adjournment of the Court at the end of the day's work. Judges frequently have to do that and are frequently doing it everywhere, and no Judge, I take it, would decline to do an act which appertains to his office and is necessary for the administration of justice where questions of urgency arise.

I may mention, further, that there were three Judges when Mr. Justice Savary went away. Since that time there have

been two, but special difficulties have arisen by reason of the very lengthy cases that have come before the Courts in the meantime. Whether cases in future are going to be quite so lengthy is a matter I cannot express an opinion upon. I prefer to say that we have struck perhaps an exceptional period in our legal history which has brought about the difficulties which hon. Members have complained of. I must admit that it seems to me that the position would be easier if there was a third Judge, and there have been occasions when the work would no doubt have been more rapidly and speedily accounted for if there had been a third Judge. It would be idle for me to say that has not been the case and that it would not be the case again, but whether the recent experiences in that respect are sufficient to justify the appointment of a third Judge is another matter. Personally, I hope the cases will not last so long.

Mr. ELEAZAR: I beg to differ from the Attorney-General with respect to the exceedingly long cases. Previous to those cases we had complaints that the number of Judges was not sufficient to cope with the work, and it is within the Attorney-General's knowledge that the late Chief Justice undertook to do the criminal work and release the Puisne Judge for civil work. The criminal cases took a longer time and civil cases went on at the same time, but other matters could not be dealt with. These difficulties arose not through the length of cases but because there are more cases than the Judges can cope with if they are to give the usual care to them. The cases that took a long time were exceptional cases involving \$96,000, \$37,000 and three-quarters of a million dollars. There was complaint immediately after the Judges were reduced to two, and one went on leave and the other became ill and the Attorney-General had to act. We are speaking of the ordinary work of the Judiciary and not of exceptional cases. When we had three Judges they were never idle and now that we have more work we have only two. I ask Government to leave out the abnormally long cases from consideration and regard the question from the point of view of the normal work of the Judges.

Mr. WIGHT: I desire to join in the appeal for a third Judge. I belong to the

commercial section of the community and my views are distinct from those of the lawyers. I have, unfortunately, to attend the Law Courts very frequently, and I know the inconvenience of having to wait two or three years to have cases heard. It is not fair to litigants. Evidence on oath cannot be as good after two or three years as it would be a few months or a year after an event. The Hon. Mr. Dias said the lawyers are blamed for delays. I blame them myself. They are in the fortunate position of having to be paid refreshers, and that is another ground for complaint by the commercial community. I do not see why a criminal should have the advantage of being tried quickly and of knowing what his sentence would be, while I having a big action and to pay for its hearing should have to wait three years to know what the decision is going to be. Appeals from Income Tax assessment would also take a long time and it is only on that account that people do not prosecute such appeals. If we are going to make a mistake—if it can be called a mistake—let us err on the right side by having too many instead of only two Judges. On occasions when the West Indian Court of Appeal sits in British Guiana one of the Judges is also not available for his ordinary work, and the commercial section of the community insist strongly on having a third Judge if it is possible.

Mr. ELEAZAR: I ask permission to remind Government of a very important matter which I have forgotten to mention. A short time ago the question was raised in this Council of establishing a Criminal Court of Appeal. It is astonishing that if a man is fined \$5 by a Magistrate with the alternative of 14 days' imprisonment and he is not satisfied he can appeal right away; but if the same man is sentenced to seven years' imprisonment he cannot appeal unless the Judge gives him permission to do so on some point of law. It has been pointed out that the establishment of a Criminal Court of Appeal would require four Judges, but if we have three Judges provision can be made for a Magistrate to act as Judge for the purpose of the Criminal Court of Appeal. I believe the Attorney-General drafted a Bill providing for the establishment of a Court of Criminal Appeal, but the matter is still in abeyance because there are not the Judges to carry it out.

Mr. JACOB: I have listened very attentively to the various speakers and particularly to the Attorney-General. It seems to be admitted that the commercial community are suffering by the absence of a third Judge for the expeditious hearing of cases in the Supreme Court. At the moment we have three Judges—one on leave and two on the Bench—and according to the arguments we require a fourth. After listening to the Attorney-General I think the present arrangements are quite satisfactory. One point which he has not explained quite satisfactorily to my mind is that he could not tell why certain cases lasted for 30 or 40 days. I happened to be interested in a case that lasted 20 days. Almost every day the time of sitting and adjournment of the Court was late, with the result that I do not believe the Court sat for three hours every day. That may be one of the reasons. The time spent in hearing cases is a little too short. It may be advisable, in the interest of economy, that the present arrangements should continue, and to overcome the difficulty of cases lasting so long the judges might be asked to put in half-an-hour more each day.

Mr. KING: There are only two permanent Judges. The other occupant of the Bench, Mr. Justice Stewart, is a Magistrate and at present acting as a Judge in order to relieve the strain of the work. The hon. Member seems to think that there are now three Judges, which is not the case. With regard to the point that the Court is sometimes started late, that is probably due to the fact that the Judges have to do Chamber work before going into Court, which also shows the necessity for another Judge.

THE CHAIRMAN: This matter has been fully discussed. I shall be writing very shortly to the Secretary of State on the subject and I shall attach a copy of the debate for his information.

THE COLONIAL SECRETARY: I move that sub-head 1c (1 Class 1 Clerk, \$1,812) be increased to \$1,844. That is the actual salary that will be drawn by the officer next year.

Mr. DE AGUIAR: I want to make reference to a matter which was brought to my notice in the hope that some action

will be taken on it. I am informed that it is the practice in the Deeds Registry to charge \$1 for each summation for the recovery of taxes whether the summons is served or not. In practice the Town Clerk or a Village Overseer would send in a summation to the Registrar and in due course that summation would be served on the defaulter. In cases where the taxes are paid before the summation is served the fee of \$1 is still exacted. I would not call that a hardship but nothing short of extortion. It seems to me that more leniency should be shown to those people who respect the issue of these summations.

Mr. GONSALVES: Complaints have been made to me in my capacity as Mayor of the hardship suffered by property owners in regard to this matter. Although no process has been issued or service made of the summation the fee is collected, and it creates a grievance and does seem somewhat hard on the ordinary man. If the document has actually been served the fee is legally collectable, but where no document has been prepared or service effected it creates a hardship on the people, who at the present time are hard pressed to meet their rates and taxes. The matter should be looked into, and if the Registrar is governed by Rules those Rules might be amended.

THE COLONIAL SECRETARY: I am advised that the fee is not charged if no work is done in connection with the summation. If the fee is collected in the first instance and the summation is not prepared the fee is refunded, and it is only if some work has been done that the fee is not refunded.

Mr. GONSALVES: The work that was done in a case which was brought to my notice was to write a receipt for the payment of the cheque. If that is regarded as work done it is correct, but I understand that where the papers have been lodged in the Deeds Registry for probably only a day the fee is still charged.

THE CHAIRMAN: I think the hon. Member's suggestion is the best. The point has been sufficiently explored and satisfaction will be given to it.

Mr. ELEAZAR: I am asking Government whether it would see its way to strengthen the staff of the Deeds Registry

branch in New Amsterdam. The senior officer there is also Marshal. He is an invaluable officer and it is difficult to find a successor to him. When he is out of the office no business can be done there, and I understand that while he has been promised from time to time an addition to the staff nothing has been done.

Mr. JACKSON: With regard to the fee for summations, the custom was to levy the costs after the summation had been served. That was the system that obtained in connection with the villages. It is only recently that instructions were issued that the fee should be exacted as soon as the summations are lodged, and the reason given was that in many cases work was done for which nothing was paid. The fixing of a time limit for payment of the rates or taxes after the summations have been lodged would not create a hardship, and I suggest that the complaint might be met by fixing the limit at a fortnight. In that way there would be some relief.

THE CHAIRMAN: I still think this is a matter which can better be discussed outside this Council. I regret being unable to comply with the request of the hon. Member for Berbice River for an addition to the staff in New Amsterdam.

Question put, and agreed to.

THE COLONIAL SECRETARY: I beg to move that items (f) and (g) be amended to "(f) 1 Class II Clerk, \$1,812" and (g) "9 Class III Clerks, \$8,030." This is due to the fact that Class II Clerks have been reduced from two to one and Class III Clerks have been increased from eight to nine.

Question put, and agreed to.

TRANSPORT AND HARBOURS.

THE CHAIRMAN: As hon. Members are aware, the vote before them is the amount of \$133,657, the total of the three sub-heads. The estimates of the Transport and Harbours Department are passed by the Governor in Executive Council, but as this Council has been asked to vote money it is therefore within the right of Members to raise any question, if they

wish to, with regard to the running of the Department, or the steamers, trains and so forth.

Mr. ELEAZAR: I am going to ask Government to ask "these people" not to bluff us all the time. This is not a Government Department and it is carried on by Directors. If the Department is run at a loss, as has been the case and will be for some time to come, we regard that as what we pay for the convenience of having a railway. What we do not appreciate is that there are certain people taken from here and there and placed on the Fixed Establishment. If it is not a Government Department how it is that you have a Fixed Establishment? You have officers receiving from \$60 to \$100 per month who are not supposed to be on the Fixed Establishment and are left to the mercy of the Directors when they come to retire. I do not think that these people should be placed in such a position on the mere quibble that the Directors and not Government are responsible. I moved a motion when this matter was last before the House and the Colonial Treasurer replied that there were cases of hardship and that the matter would be looked into to the benefit of these people. The men know that they are not on the Fixed Establishment, but if they also knew that their position is assured after 15 or 20 years' service and they would not then have to make out a case, there would be something for them to look forward to. Government hide behind the claim that it is not a Government Department to treat the men in that way. Men who work in the Department for 20 years should not have to go cap in hand to the Directors if they have to retire or special cases of emergency should arise.

There is another grievance in respect of this Department. Whenever they are asked to do anything for the benefit of the community they say they are losing money in some other direction. Take fares of passengers travelling on the Berbice River. I think they are the highest in the world. The fare is something like \$9 to go up the river and return first-class, and if you want to suffer inconvenience travel second-class because you are mixed with hogs and everything else. It is only from necessity that people travel by the steamer at all. Even then they travel to New Amsterdam

by steamer to Mara and complete the journey by bus, which should not be the case. Take again the freight rate for bringing cattle from Rosignol to Georgetown. That used to be \$9 50 and when an appeal was made to them they reduced it by the 50 cents, and the charge is now \$21 for a cattle box to bring animals to Georgetown. We claim that we ought not to be penalised in that way. The Department is suffering from the lack of a little original thinking. I have heard of the intention to close down the West Coast Demerara Railway. In England they are electrifying railways yet here, instead of electrifying it, we are thinking of abandoning our railway. On the West Coast sea punts are utilised by the sugar estates to bring their produce to town. Instead of using engines of the size of those used on the East Coast railway they are using tremendously large engines to do work which they have not got, and when they eat their heads off you decide to run the railway to death. The suggestion is one which nobody can consider with equanimity. One of the things which the Constitution Commissioners said would be done when the Constitution was taken away—and we have heard much from Government at times about following the advice of the Commissioners—was that the country would be developed by means of railways. Instead of that we get the suggestion of abandoning the West Coast railway and scrapping the little bits we have. I hope that Your Excellency will never be a party to anything of that kind, or sympathise with the people who make such a retrograde suggestion, which must inevitably damn your reputation.

THE CHAIRMAN: I suggest that the hon. Member should leave over the question of the scrapping of the railway until it comes before the House.

Mr. ELEAZAR: Very well, sir. I will conclude by asking you to consider the other points I have raised.

Dr. SINGH: I intended to speak on the question of the West Coast railway, sir, but in consequence of what you have just said I will not.

THE CHAIRMAN: I think that course is desirable.

Mr. DE AGUIAR: It is a little difficult

for one to discuss this Department by confining himself to the net deficiency. While I am prepared to compliment the Board of Directors who are looking after the railway and steamer services, I am also prepared to criticise certain things which do not seem to me to be quite satisfactory. I wish, first of all, to refer to what took place when the Estimates were considered at the end of last year, and to draw attention to page 11 of Appendix "A." I am doing that just to show that I am not satisfied in my own mind that these particular estimates receive the care and attention they deserve. For 1935 the gross receipts were put down at \$713,670 and the working expenses at \$596,911, leaving a total net receipt of \$116,759. It is extraordinary that the expectations were not realised. What do we find? The gross receipts were increased to \$724,554 and the working expenses to \$607,795, leaving the identical figures, \$116,759, we started with at the end of 1934. It seems to be a case of juggling with figures, and I would like to know how with the figures revised they leave the same net balance. I have studied these figures very carefully and endeavoured to analyse them for myself, but I have not succeeded and I confess that it would require a great deal of explanation to convince me that the receipts and working expenses went up to the same figures to leave the identical net balance.

In addition to the amount appearing in the Estimates there is a further sum of \$10,980 that will be required. I do not think any Member of the Council will offer any objection to that vote for the reason that it is for a project which was mentioned some time last year. As a matter of fact the original sum was \$15,000 and it is now reduced to \$10,980. I think myself that is absolutely necessary. What I am concerned about is the operation of the Bartica-Potaro service. And here I would like to sound a warning, first of all that the expected revenue will not be realised, and secondly, that the working expenses will be considerably higher than is estimated. The reason why I consider that the expenses would be higher is that I am not satisfied that a reasonable figure is set aside for the replacement of the lorries used on that service. I do not think that the amount provided for lorries is sufficient, and I anticipate that

next year we shall have to vote a much larger sum for replacement. As we are not going to be afforded the opportunity of criticising the estimates in detail, I am going to move the reduction of the total vote by \$1,920 to make a few remarks on the item "Training Officer and Pilot, \$1,920" under "Harbour Services."

THE CHAIRMAN: May I interrupt the hon. Member to make a suggestion. It would not be in accordance with the Constitution if I put the sub-heads to the Council, but it may be convenient if we discuss them under the various Heads of the Appendix. I would be glad to do that to meet the convenience of Members.

Mr. DE AGUIAR: That would meet my purpose.

THE CHAIRMAN: I will therefore call for comments on page 1 of Appendix "A."

Head II.—Engineering (Mechanical Branch).

Mr. PEER BACCHUS: The railway on the West Coast, Berbice, unfortunately, was built away from the villages, the distance being a mile or more. That condition we cannot remedy now, but we can cater for more freight and passengers. Fort Wellington station is over two miles from the nearest village. That station is isolated and I am suggesting its removal to some more convenient site, say, between Hopetown and Bush Lot, where the railway would get three-quarter more traffic than it is getting now.

Mr. ELEAZAR: The hon. Member has forgotten that it would also be necessary to move the Church and Post Office. I do not know where he got his two miles from. I have never heard of any inconvenience. If the people at Hopetown want to ship their rice by railway that can be more cheaply done by an extra tax on buses.

Mr. PEER BACCHUS: If the railway was catering for the Police station and the Post Office only Fort Wellington is a good spot for the purpose, but the railway is catering for the public and I make the suggestion for public convenience.

THE COLONIAL SECRETARY: I do not believe it is within the realm of practical politics to attempt to move the station

at the present time. I understand that there are sidings and buildings there which would entail a cost of more than \$10,000 if we intended to remove them elsewhere, and I am quite sure that the traffic offering cannot justify any expenditure on that scale.

Head III.—East Coast Railway.

Mr. PEER BACCHUS: I join in the appeal which was made by the hon. Member for Berbice River for a reduction of the freight on cattle. A flat rate of \$21 was charged for a cattle box between stations of Belladrum and Rosignol. The rate to Rosignol was reduced by \$1 and put on New Amsterdam, but the rate between Belladrum and Hope-town is still very high. Previous to the War the freight was from \$12 to \$14. Cattle were then fetching very high prices. To-day those prices have dropped considerably, in some cases by 100 per cent. Most of the cattle of the small farmers are taken by road and traffic by rail is primarily from the big ranches. If these ranches had tame animals and were able to drive them, like the small farmer, the Transport Department would have got very little of the cattle. The rates should be reduced to at least the figure at which they stood prior to 1914, although the price of cattle to-day is far less than it was then, and at that figure the Department should benefit by carrying more cattle than is the case at present.

Mr. ELEAZAR: I am pleading for a reduction of the freight but I cannot ask Government to go back to the pre-war rate. We can never get back to those days, and what I plead for is a reasonable reduction.

THE CHAIRMAN: I think that is a matter which should be referred to the General Manager and the Transport Board for consideration, and the Committee which I mentioned this morning will no doubt deal with it.

Mr. DE AGUIAR: It seems to me that at this stage I can reasonably ask for the particulars I asked for a little while ago. My remarks dealt with the whole situation and do not apply to any one part of the Service. The point I made was that the total receipts on the working of the entire

Department was estimated at \$713,670 and the revised estimate was \$724,554, while, on the other hand, the working expenses were estimated at \$596,911 and in the revised estimate at \$607,795, in each case giving the total net receipts of \$116,759.

THE COLONIAL SECRETARY: In regard to the figure \$116,759, I admit that it does look very curious that the exact figure should remain. The fact of the matter is that the revised estimate of expenditure is the exact figure as worked out in the revised estimate. In regard to the revenue it is always a matter of guess work when dealing with small differences in a big concern such as the railway, and the original total of net receipts was retained in the revised figures.

THE CHAIRMAN: The hon. Member has heard the explanation.

Mr. DE AGUIAR: I have heard the explanation, and I don't intend to pursue the matter any further this afternoon, but I ask Government to go into it.

THE CHAIRMAN: The Colonial Secretary has answered it as a fact.

Head V.—Steamer Services.

Mr. ELEAZAR: I am asking Government to get the Transport Board to consider freight rates from New Amsterdam. It costs more now to get a good size parcel from the Berbice River to New Amsterdam than to get a similar parcel from the Berbice River to Georgetown during Sproston's regime. Sir Walter Egerton could not understand why freights should be so high when a subsidy was being paid to contractors, and that is the reason why the Steamer Service was inaugurated. Something ought to be done to reduce both fares and freight rates. Every year mention is made of the matter and nothing is done. The Transport Department hold themselves above the criticism of this House, and the result is that our complaints remain unredressed and the public suffer the same inconvenience.

THE COLONIAL SECRETARY: This matter will receive consideration by the Board, but I should just like to state that the Berbice River section of the Transport

Service is run at a loss of \$4,000. Nevertheless the matter will receive consideration.

Mr. ELEAZAR: When Sprostons ran the service the Captains were supplied with meals. Since the Transport Department has been running the service that privilege has been withdrawn. I think the Department can well afford such a small privilege, and I hope they will give attention to that question also.

Mr. JACOB: There are a few matters

in connection with the North West District which I should like to refer to. For bringing empty gasoline drums to Georgetown the freight is 72 cents each, whereas on other routes the freight is below 24 cents. That is a point that requires consideration. Another question is the accommodation of passengers. Passengers have to travel 20 hours and I hope when the new steamer arrives that question will be gone into.

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