

REPORTS

ON THE

SCHEME FOR INDIAN EMIGRATION TO BRITISH GUIANA.

PART I—Report by

Dewan Bahadur P. Kesava Pillai, M.L.C.,

AND

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PART II—Report by

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WITH APPENDICES.



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GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE AND AGRICULTURE.

 (EMIGRATION.)

Simla, the 24th October 1921.

PRESS COMMUNIQUE.

Towards the end of 1919 a deputation from British Guiana came to India to lay before the Government of India a scheme for the colonization of British Guiana by means of assisted emigration from India. This scheme was examined by a Committee appointed by the Legislative Council under the chairmanship of the Hon'ble Sir Surendra Nath Banerjee. The Committee were of opinion that no scheme of emigration of Indians should be approved unless it was certain that the position of the immigrants in their new homes would in all respects be equal to that of any other class of His Majesty's subjects resident in the Colony. In order to satisfy this condition, the deputation from British Guiana laid before the Committee a draft Ordinance assuring to Indians equal rights with other classes of British subjects in British Guiana. On receipt of this, the Committee passed the following Resolution:—

“ The Committee having heard Dr. Nunan and Mr. Luckhoo is inclined to take a favourable view of the scheme of colonization presented by them in view of guarantees and safeguards which they are prepared to provide by legislation and otherwise, but before recommending definite acceptance of it would advise the appointment of a deputation of three competent persons to proceed to British Guiana, investigate the conditions on the spot and report to the Government of India.”

The draft Ordinance prepared by the deputation was forwarded by the Government of India to the Secretary of State with the request that they might be informed whether the Government of British Guiana was prepared to undertake legislation on the lines suggested in it. It was added that if the promised guarantees were given, the Government of India would send a small deputation to British Guiana to investigate local conditions, to test on the spot the suitability of the colonization scheme, and to report whether any further guarantees were necessary before emigration was reopened. The Secretary of State reports that the Colonial Government is willing to undertake legislation assuring to Indian emigrants to the colony equal political rights with other classes of British subjects in British Guiana, and the necessary steps are being taken.

3. The Government of India have accordingly decided to despatch the promised deputation which will be composed of the following members :—

Mr. G. F. KEATINGE, C.I.E., I.C.S., Director of Agriculture, Bombay,
at present on leave in England.

M. R. RY. DIWAN BAHADUR PATTU KESAVA PILLAI, Deputy President,
Madras Legislative Council.

Mr. V. N. TIARY, M.A., Servants of India Society, Allahabad.

It is expected that the deputation will reach British Guiana early next year.

4. The terms of reference to the deputation are to investigate local conditions in British Guiana to examine on the spot the suitability of the colonization scheme prepared by the representatives of British Guiana and to report whether any further guarantees in respect of the status of Indian immigrants are necessary before emigration is reopened.

R. EWBANK,

Deputy Secretary to the Government of India.

PART I REPORT

BY

**Dewan Bahadur P. Kesava Pillai, M.L.C, and
V. N. Tewary, M.A.**

SECTION I.—INTRODUCTORY.

The terms of reference to the Deputation were as follows :—

1. to investigate local conditions in British Guiana ;
2. to examine on the spot the suitability of the colonization scheme prepared by the representatives of British Guiana ; and
3. to report whether any further guarantees in respect of the status of Indian immigrants are necessary before emigration is reopened.

2. We reached British Guiana on the 12th February, 1922, and stayed there till the 7th April. During our stay, we jointly and severally visited a number of sugar plantations and rice-farms, where we examined the conditions under which the immigrants have to live and labour, and heard their grievances in the presence of their managers. Besides a large number of petitions written in their vernaculars were presented to us by the labourers from all over the Colony. A summary of their difficulties and sufferings will be found in Appendix* XXI. There were several informal meetings, at which various questions relating to our investigation were discussed with the representatives of the East Indian† Association, the East Indian National Congress, the Sugar Planters Association and the British Guiana Labour Union. We recorded the evidence of many witnesses representing various interests as well as groups of labourers. Further, all classes of East Indians belonging to different parts of the colony used to visit us daily, thus enabling us to get an insight into the different aspects of the Indian question. We had also several conferences with the officials of the Immigration Department, whose invariable courtesy and hearty co-operation we gratefully acknowledge. We are also indebted to several Christian Missions in the colony for their active sympathy with the objects of our enquiry ; particularly, to the Reverend Dr. Cropper of the Canadian Mission, and to Major Alexander of the Salvation Army, both of whom freely gave us the benefit of their intimate knowledge of Indian affairs in the colony,—knowledge acquired in the course of their devoted service among immigrants extending over 25 years.

3. We left British Guiana on the 7th and arrived at the Port of Spain, Trinidad, on the 9th April, where we remained till the 17th April, 1922. We visited various places, and met a large number of East Indians. We also requested the Protector of Immigrants to give us information on several points

*Page 154 *infra*.

†Immigrants from India and their descendants are known in British Guiana and the West Indies as East Indians.

relating to the East Indians domiciled there, on the lines of the information collected through the Agent-General of Immigration in British Guiana. He was good enough to promise that he would do so.

4. The Deputation broke up at Trinidad on the 17th April, and re-assembled in London on the 15th May. We held several meetings for the preliminary discussion of various questions arising out of our investigations. But we had regretfully to put off the drafting of the report in view of the fact that neither the corrected transcript of the minutes of evidence recorded in British Guiana nor all the statistical information asked for in British Guiana and Trinidad, had arrived or was expected to arrive within less than six weeks. We were also influenced in arriving at this decision by the fact that the problem of emigration to British Guiana had ceased to be urgent, as, in the opinion of His Excellency the Governor, the colony would not, owing to the present economic crisis in the sugar industry, require immigrants from India till the end of 1924. In these circumstances, nothing, it was felt, was to be lost, and much to be gained, by waiting for the arrival of the above information, before the drafting of the report was taken in hand.

5. As regards the official reports and statistical data from Trinidad, which the Protector of Immigrants had promised to send at the earliest opportunity, we regret to say that they have not even now been received. From British Guiana, however, the last batch of papers from the Immigration Agent General reached us in the last week of July, and the typed summary of the evidence on the 16th August, 1922.

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6--10.	*	*	*	*	*	*	*	*	*
	*	*	*	*	*	*	*	*	*

11. We should place on record our deep sense of gratitude to His Excellency Sir Wilfred Collet, Governor of British Guiana, for his kindly courtesy and unaffected hospitality, and of our indebtedness to His Excellency and his officers for all the help and information given to us in the course of our investigation. We are also indebted to non-official gentlemen of all classes for their valuable help and co-operation.

12. Our stay in Trinidad was short, and our enquiry there was of an informal character. We are very thankful to His Excellency Sir Samuel Herbert Wilson and his officers for their kind hospitality. We avail ourselves of this opportunity to place on record our sense of great obligation to the Hon'ble the Reverend C. D. Lalla and other prominent Indians of Trinidad for their warm welcome to us, and for the great trouble they took in acquainting us with the condition of Indian immigrants in the island.

SECTION II.—PHYSICAL FEATURES.

13. British Guiana, the "El Dorado" of Sir Walter Raleigh, is the only British possession in the vast continent of South America. It is bounded on

* These paragraphs discuss the action of Mr. Keatinge in submitting a separate report. The Government of India have decided to omit them on the ground that they could not properly be published without first giving Mr. Keatinge an opportunity of replying to the criticisms which they contain and as they are not pertinent to the main question under discussion.

the north-west by the Atlantic Ocean, while on the other three sides its frontiers march along the boundary lines of Venezuela, Brazil and Dutch Guiana.

14. *Area and extent.*—It is said to comprise an area of 90,000 square miles and has a sea-board extending over 250 miles. Its length from north to south has been estimated at about 550 miles, and its average breadth from east to west at 300 miles. It is bigger than Bengal or the Presidency of Bombay minus Sindh. If a territory as big as the Province of Agra, or Bihar, and Orissa, were to be carved out of British Guiana, there would still remain an area of 7,000 square miles. But in this big country, only the coast-land is as yet inhabited, the rest being primeval forest. This coastal strip stretches along the whole length of the sea-board; and in depth, varies from 10 miles on the west to 40 miles along the Berbice and Courantyne rivers. A peculiar feature of this flat and comparatively narrow plain is that it is to a large extent slightly below the level of ordinary spring tides which flood the low-lying parts. Its margin is protected from sea and river by a dense growth of mangrove and courida, behind which lie grassy savannahs which are mostly under water during the rains. The coastal land is, as one writer has said, "often below the level of the sea, in most parts liable to its inroads, and requiring dams and sluices (now replaced by a sea-wall) to guard against the dangers of inundation. The soil, however, is rich, and its fertility grows year by year on account of the deposits of many great rivers." (*Vide Handbook of British Guiana, page 13.*) This alluvial land resembles the soil of Bengal alike in its fertility and the natural causes responsible for it.

15. While the coast strip is flat, there are high and undulating lands in the interior. The southern and western districts are more hilly than the northern and eastern; and the coast-line is broken by the mouths of great rivers. "Though the mountains are mainly in the south and east, yet on the same sides, towards Brazil and Venezuela, are to be found vast savannahs or plains covered with grass, almost unbroken by tree or hill. A somewhat similar plain lies further north between the Cayuni and Pomeroon districts; the latter, however, is largely covered with timber, and indeed the interior of the colony generally is so clothed with virgin forests, even up to the tops of the mountains, that it has hitherto proved more or less inaccessible except to the aborigines." (*Vide A historical Geography of the British Colonies, by C. B. Lucas, Volume II, pages 288-9.*) British Guiana has four mighty rivers and a large network of creeks one of the rivers, the Essequibo, being as broad as 14 miles at its mouth.

16. *Natural Resources.*—The country is said to possess great mineral wealth Gold, diamond and bauxite are at present the chief mining industries. But so long as communication with the interior is not rendered possible, it is difficult to be quite sure about the potential mineral wealth of the colony; but no uncertainty exists in regard to the commercial value of its vast and magnificent forests. It has got over 300 varieties of timber, some of which are of great durability and even heavier than water. There is also great scope for cattle-farming in this colony on account of its long stretches of savannahs and a perennial supply of water from its network of streams and rivers.

17. *Climate and Rainfall.*—British Guiana lies roughly between 1° to 8° North of the equator, and between 75° to 61° West of Greenwich. The

climate is equable and temperate, resembling that of Malabar. The temperature seldom touches 90° F., and rarely falls below 75° F.; and the average rainfall varies from 84·19 inches at Matobe to 154·86 inches at Look Out. It has two wet and two dry seasons. From the middle of April up to the middle of August it is wet, and then follows the dry season which lasts till about the middle of November, when the second wet season of the year begins, lasting up to the middle of January.

SECTION III.—AGRICULTURE AND TRADE.

18. *Land*.—The total area of the colony, as pointed out above, is over 90,000 square miles (or 57 million acres), of which the area under cultivation is less than 200,000 acres; but apart from land actually cultivated, there are considerable areas held on various tenures for grazing, wood-cutting, mining or speculative purposes. The total area of land over which private rights of any kind exist does not appear to have been calculated, and is constantly changing; but the general statement that only one per cent. of the total area of the colony is at present developed, may be taken as representing approximately that portion of the total area, in regard to which private rights of a permanent nature exist. The rest of the land is still reserved by the Government.

19. *Tenures*.—The unoccupied land, comprising 99 per cent. of the whole area, is known as Crown Land, with the exception of quite small areas which have come into the hands of the Government of the colony by purchase, by acquisition, or by levy in satisfaction of a debt. These latter are known as Colony lands. Until 1914, extensive grants of lands were made to individuals and companies, conveying proprietary rights in the soil similar to free-hold rights. The bulk of the occupied lands on the coastal strip is now held on such tenure. It includes an area of 167,000 acres held by sugar companies; many village lands along the coast, inhabited by East Indians and Africans, and some rice lands along the coast and up the creeks held mainly by East Indians. The land held on these terms is frequently the subject of many sales and leases, and freely changes hands. The policy now in force is not to make such grants of land, but to give it on lease. An exception has, however, been made as regards grants of land not exceeding 10 acres made to small cultivators.

20. The regulations under which proprietary rights in Crown lands may be acquired are known as the *Crown Lands Regulations of 1919*. The most important provisions of these regulations may be briefly summarised as follows:—

- (1) Application must be made in writing to the Commissioner of Lands and Mines for a Grant, Lease, Licence or Permission relating to Crown lands. The following fees have to be paid:—

(a) Filing fees	..	..	..	\$5·00
(b) Survey fee for land up to 10 acres	..	..	..	\$7·50

(For larger areas the survey fee is fixed on a sliding scale.)

- (2) *Grants to small holders*.—The area disposed of to one person at one time shall not ordinarily exceed 10 acres.

- (3) The price of land is now \$2·40 per acre, one-fifth of the purchase money being payable at once, and the residue in four annual instalments.
- (4) The grant is made subject to the condition of cultivation or beneficial occupation of 1-5th of the grant within two years, and half of the grant within five years.
- (5) At the end of five years, the grant is made absolute, provided that the purchase money has been paid and the conditions of beneficial occupation have been complied with.
- (6) For five years from the date of the grant the grantee has preferential claim to purchase the second depth of the grant.
- (7) Grants may be transferred, leased, or mortgaged as soon as they become absolute.
- (8) *Leases to small holders.*—The area of the land leased to any one person at one time shall not ordinarily exceed 10 acres.
- (9) The length of the lease may extend at the option of the lessee to 99 years and the lessee is entitled to one renewal for a similar period subject to a revision of the rental, which shall be based on the value of the land, apart from any improvements effected by the lessee.
- (10) The present rate of rent is 20 cents per acre per annum.
- (11) The land taken on lease must be cultivated or beneficially occupied as follows :—
 - (a) One-fifth of the area within two years and
 - (b) One-fourth of the area within three years.
- (12) Cultivation must be maintained in good order and in husbandman-like manner throughout the tenure, to the reasonable satisfaction of the Commissioner.

Leases may be transferred or mortgaged ; but as regards a lease of land not exceeding 10 acres, mortgage can be effected only with the sanction of the Commissioner ; and if the holder so desires, the mortgage may be effected in the presence of the Commissioner, a Magistrate, Commissary or Police Inspector. In the case of both grants and leases to small holders, made under these regulations, the rights to minerals, metals, precious stones, coal, and oil are reserved to Government.

21. *Grazing leases.*—Grazing leases are granted for a period up to 99 years, up to the limit of 5,000 acres, at an annual rent of 10 cents per acre, subject to the condition that at least two head of cattle for every five acres are kept and that the land is fenced within five years.

If land given out on grazing lease is required for cultivation or for other purposes, Government may resume it, after paying for actual improvements. It may be mentioned that the alienation of land is subject to special terms in the Crown Land Regulations, and to the discretion of the Governor.

22. *Other concessions.*—Special terms are offered for large-scale cultivation, timber-cutting, mining, etc.

23. *Agriculture.*—The following table shows the progress of agricultural development during recent years :—

Year.					Total area cultivated.	Sugar-cane.	Rice.	Other products.
1903	..	..	..	..	118,000	78,000	17,000	2,000
1908	..	..	..	..	147,000	74,000	39,000	33,000
1913	..	..	..	..	152,000	72,000	35,000	43,000
1918	..	..	..	..	197,000	73,000	60,000	63,000
1919	..	..	..	..	194,000	71,000	61,000	62,000

The above round figures indicate a slight but steady decrease in the area under sugar-cane, and a marked increase in the area under rice and other crops. The total area cultivated shows a steady increase amounting to 61 per cent. in 16 years. Apart from rice cultivation, the crops showing the best progress are cocoanut which advanced from 4,000 to 27,000 acres, and coffee which advanced from 1,000 to 5,000 acres, during the period. The area under cocoa and ground provisions* has remained stationary. Of the total acreage under cultivation in 1919, 71,000 and 61,000 acres were under sugar and rice, respectively. Cocoanut accounted for 27,000 acres, while 18,000 acres were used for other crops, such as yams, cassava, etc. The areas under limes, cocoa and para-rubber were 1,000, 2,000 and 4,000 acres, respectively.

Of the above total area under cultivation, 89,000 acres comprise the total average of the sugar estates. On these estates, there are, roughly, 71,000 acres under sugar-cane, 15,000 acres under rice and 2,000 acres under cocoanuts; while ground provisions, rubber, limes, coffee and cocoa would account for the remaining 1,000 acres.

The live stock were returned in 1919 as follows :—

Cattle	..	..	..	..	..	..	105,000
Other live stock	..	..	..	..	..	..	58,000

24. *Sugar.*—In 1919, 86,971 tons of sugar were produced from 70,876 acres of cane, giving an average of 1.22 tons of sugar per acre under cane. This is a very low average, comparable with that of India taken as a whole.

* A technical term used in British Guiana to denote roots like yam, sweet potatoes etc.

and far below that of countries such as Java and Hawaii. It is partly due to poor extraction by two mills, and partly to poor cane outturns on some of the estates. This latter result, however, is largely due to the fact that on most estates all the tillage is being done by hand. The best estates, however, get about 2½ tons of sugar to the acre.

25. *Rice*.—The product next in importance is rice. It is owing mainly to the initiative and enterprise of the East Indians that the rice industry has attained its present position, and promises, in the near future, to be the leading crop of the colony. There was a time when British Guiana had to import practically every pound of rice needed for local consumption. In the quinquennium, 1884-1888, only 2,500 acres were under rice and 43·5 million lbs. of rice had to be imported into the colony. By 1903, the average area under cultivation had increased to 15,000 acres, while the import had fallen to 18 million pounds. From that time onwards, the history of the industry is one of continuous and rapid development. By the end of 1913, the colony was able not only to meet its own requirements, but also to export about 10 million pounds. The highest development was reached in 1917 when the area under cultivation was 63,000 acres, and the quantity exported exceeded 32 millions of lbs. In 1920, the area under the crop was 58,000 acres, while the export consisted of 18 million lbs. of rice and 15 million lbs. of paddy, both being valued at about 1·7 million dollars.

26. The path of a rice-farmer in British Guiana has been beset with many obstacles, and he has had to contend against heavy odds, natural and otherwise. Not only has he had to face drought or floods for want of facilities for irrigation or drainage, but he has also had to live down the narrow prejudices of the conservative planters and the short-sighted attitude of the Government. As regards the prejudices of the planters, reference may be made to the evidence of certain witnesses before the Sanderson Committee, 1910, and the action taken by the Hon'ble Mr. Duncan in 1907 when he tried to get the Combined Court to prevent rice-growers from growing more than one crop of rice per year. So far as the attitude of the Government is concerned, East Indians complained to us not only about its indifference towards questions of irrigation and drainage, but also about the executive action taken in 1919-20 which placed an embargo on the export of rice, and practically led to the throttling of the industry. When Major Wood, then Under Secretary of State for the Colonies, visited British Guiana in the beginning of 1922, the elected members of the Combined Court presented an address to him. In that address, they made a reference to the condition of the rice-industry and said, "When it has not suffered from floods or drought, it has languished under legislation or Government restrictions, not always in its best interests." And they added "It has risen from small beginnings, unaided by capital or Government directions, and has hitherto been maintained under most distressing conditions." It speaks volumes, in the words of that address, "for the perseverance and industry of the persons engaged in it that it should have survived in its present dimensions." And it is gratifying to note that it is mainly the East Indians who have succeeded in building up this industry under such discouraging circumstances.

27. *Trade and Commerce.*—The colony's trade statistics for the period of eight years 1913—1918, are summarised below :—

Year.	VALUE OF EXPORT TRADE (EXCLUSIVE OF TRANSHIPMENTS.)			Value of import trade.	Value of Transhipment goods.
	Local produce.	Other goods.	Total.		
	\$	\$	\$	\$	\$
1913	9,565,844	564,052	10,129,896	7,750,988	397,880
1914	11,313,082	465,905	11,778,987	7,665,530	611,720
1915	14,833,824	529,416	15,363,240	8,796,247	651,181
1916	16,140,110	543,208	16,683,318	10,509,931	1,355,398
1917	18,253,716	709,353	18,963,069	13,947,440	1,753,439
1918	13,817,315	982,001	14,799,316	16,292,240	2,119,713

Canada is the only country with which British Guiana has a trade agreement, which came into effect in June 1913 for a period of 10 years. This agreement has had the effect of increasing the trade with Canada. The privileges granted under that agreement have, as far as this Colony is concerned, been unconditionally extended to the United Kingdom, Newfoundland, and all British possessions which are parties to the above convention.

23. *Currency.*—The standard coin of British Guiana is the British gold sovereign but other British coins are also in general use. In addition, there is a paper currency of dollar denomination, the dollar and the cent being reckoned as equivalent to 4s. 2d., and one half-penny, respectively. The paper currency is controlled by the Government as well as by the Colonial Bank and the Royal Bank of Canada. Government has reserved to itself the right to issue notes of the value of one dollar and two dollars, while the two Banks may each issue notes of five, twenty, and one hundred dollars.

29. *Communications.*—British Guiana has three separate lines of railway, the total length being 97½ miles only. For an area of 90,000 square miles, it has only 350 miles of public roads. Even if Municipal and Village roads are included, the total length does not exceed 480 miles. Compared with this, Trinidad, with an area of 1,754 square miles, has over 2,250 miles of roads; and Jamaica, with an area of 4,450 square miles, has over 6,560 miles of roads. The backwardness of the colony in the matter of communications is stupendous; and before the question of land settlement can be considered as a practical issue, the vast hinterland should be opened up so that the interior may become

easily accessible.- There is a cattle trail to the Rupununi River in an advanced stage of construction, which will facilitate the bringing down of cattle from the upper savannahs to George Town.

30. *Land for settlement not available.*—The Government of British Guiana expressed a desire that the members of the Deputation should inspect the north-west district, the two savannahs up the Taipacruma Creek in the County of Essequibo and the area round the Penal settlement at Bartica, with a view to examine the suitability of these localities for the proposed settlement of immigrants. Our esteemed colleague, Mr. Keatinge, who is an agricultural expert, visited all the three places. Mr. Tivary went with him up the Taipacruma Creek which was, later on, visited by Mr. Pillai as well. Messrs. Pillai and Tivary also paid a short visit to Bartica. As far as the two savannahs and the land round about Bartica are concerned, they are utterly unsuitable for settlement, as the soil is very poor, and the savannahs, in addition, are practically always under water. In regard, however, to the north-west district, Mr. Keatinge was very highly impressed with its exceptional fertility, but in order to make it suitable for settlement, large capital is needed for clearing the land, making roads, etc. In regard to the question whether land for settlement is at present available, the views of the deputation are given in the next paragraph.

31. The alluvial clay soil on the coast is very rich and has been turned to excellent advantage by the various sugar estates which can command adequate capital; but the difficulties of drainage and general organization make these low-lying lands a very difficult proposition for a small holder, who can have only a few hundred dollars at his command. There are, however, places in the colony, which have all the advantages of the alluvial clay and pebass, and are at the same time peculiarly favourable for small holders. But even there some organization with large funds at its disposal, is necessary to guide and assist the settlers and to make them the necessary advances if settlement is to be effected in an orderly and satisfactory manner, and not in a piece-meal fashion, unsatisfactory alike to the Colony and the settlers themselves. Every immigration scheme, which purports to import labourers; and subsequently, to settle them on the land, contains this great weakness, that no satisfactory means are shown for settling small holders on the land. Further, the land has not been protected against flooding, nor properly drained. A large number of East Indians are eager to take up suitable small holdings, but no such holdings are at present available for them in localities and under conditions in which an average small holder can make good.

SECTION IV.—POPULATION.

32. The total population of the colony was about 273,000 souls in 1891. No figures are available for 1901 as no census was taken in that year. The census report for 1911 recorded an increase of 18,000 from 273,000 to 296,000 souls in twenty years. At the last census held in 1921, the population rose to 297,700, thus showing an increase of only 1,700 as compared with 1911. The smallness of increase is accounted for by the influenza epidemic of 1918-19, which is estimated to have caused 12,000 deaths, and by the fact that

indentured immigration from India ceased in 1917, while 3,357 immigrants were repatriated to India during the years 1919 and 1920, under the terms of indenture (Appendix I).

33. Another interesting fact brought out in the report of the last census is that during the last fifty years, the growth of the population in the colony has been mainly due to immigration. The population in 1871 amounted in round figures to 194,000 souls, exclusive of all immigrants, while in 1921 it rose, excluding the number of immigrants, to 199,000, thus showing a natural "increment" of 5,000 only. The significance of this fact as well as the highly important part that immigration has played in the increase of the population in the colony should be borne in mind, when the question of sending out more emigrants to British Guiana arises for consideration.

34. *Analysis of Races.*—There were, roughly, 67,000 persons living in towns at the last census, while 66,000 persons lived on the sugar estates. Over 112,000 persons were found in villages, and 42,000 on farms and settlements. Only 8,000 were enumerated in the forest districts. If we classify the population according to races, we find that there were 3,000 Europeans, 9,000 "Portuguese," 125,000 East Indians, 2,000 Chinese, 117,000 Blacks, 30,000 persons belonging to the mixed races and 9,000 aborigines.

35. *East Indians.*—The total number of East Indians returned at the 1921 census, was 124,938 or 1,529 less than in 1911. Of the present East Indian population, 68 per cent. were born in the colony. There were 96,000 Hindus, 18,000 Mohammedans, 11,000 Christians, and 244 Parsis. Turning to occupations, we find 350 East Indians belonging to various professions, 430 employed as domestic servants, over 78,000 as agricultural labourers, including those working on sugar estates, and 2,500 classed under industries; while the number of the unoccupied or dependents (*i.e.*, women engaged in domestic duties, children, etc.) is stated to be over 40,000.

36. *Sex.*—As the population contains a very large element of immigrants in its composition, there is bound to be a pronounced disparity in the numbers of the two sexes. This disproportion has been further aggravated by the indentured system under which forty women were sent out for every hundred men. In 1881 the number of females in the colony for every 1,000 males was 800, which rose to 834 in 1891, and has rapidly risen to 926 in 1911, and 968 in 1921. At present, however, only three races show an excess of females over males. Among the blacks and the coloured, there are 52.4 females to 47.6 males, while the Portuguese have 53 females to 47 males. Of the rest, the Europeans have 45 females to every 55 males and the Chinese 86 for every 100. It is among the East Indians that the disproportion of the sexes is most marked. Out of 125,000 East Indians in the colony, the number of females is only 55,800, giving a proportion of only 80 females to 100 males.

37. *Excess of males over females among East Indians.*—There were among East Indians in 1911, 20,000 females, *i.e.*, 73 females to 100 males, and in 1921 13,000 females, *i.e.*, 80 females to 100 males. Prior to 1911, the disproportion between males and females amongst the East Indians must have been greater, since amongst the indentured labourers brought to British Guiana the ratio of males to females was more than 2 to 1; and the fact that the number of

females is now approximating the number of males is due to the fact that 68 per cent. of the present East Indian population are colony-born, amongst whom the number of males and females is approximately equal.

38. In this connection, it may be mentioned that from the commencement of immigration from India in 1838, when the first batch of East Indians landed on the shores of Demerara, to the cessation of the indentured system in 1917, a total of 239,000 Indian immigrants was introduced into the colony, of whom about 69,000 had been repatriated to India by the end of 1920.

SECTION V.—VITAL STATISTICS AND PUBLIC HEALTH.

39. During the ten years, 1911 to 1921, the total births recorded in the colony amounted to 92,000, and the deaths also amounted to 92,000. Amongst the East Indians, there were 40,000 births and 42,000 deaths during the same periods, so that there was a net loss of 2,000.

40. The following table gives the statistics for the whole colony as well as for the principal races from 1915 to 1919.

		<i>Births per mille.</i>				
		1915.	1916.	1917.	1918.	1919.
1.	Europeans and Portuguese ..	18·4	19·0	21·5	20·0	19·5
2.	East Indians ..	32·6	25·5	27·6	23·3	24·6
3.	Chinese ..	30·6	26·2	25·6	31·7	28·0
4.	Blacks ..	29·5	26·2	27·9	25·2	26·8
5.	Mixed Races ..	33·9	30·5	32·0	27·0	27·2
For the whole Colony ..		31·3	26·5	28·4	25·1	26·0

		<i>Deaths per mille.</i>				
1.	Europeans (including Portuguese) ..	23·5	24·1	26·5	29·3	28·3
2.	East Indians ..	28·8	27·1	33·1	49·4	49·3
3.	Chinese ..	25·9	18·7	23·5	28·2	31·2
4.	Blacks ..	28·4	28·4	29·9	35·7	33·2
5.	Mixed Races ..	20·5	20·4	21·5	25·0	22·4
For the whole Colony ..		27·7	27·1	30·4	40·6	40·4

The figures tell their own tale. In the first place, during the five years, 1915-19, the death-rate per thousand among the East Indians was generally in excess of the colonial average, except in 1916 when both were equal. Taking the two years, 1918-19, when the influenza epidemic was causing havoc, we find that the community that paid the heaviest toll was the East Indian community. If the figures for 1918 are examined, it will be found that while the death-rate among the East Indian community shows an increase of 20·6 per mille over that of 1915, in the case of the Europeans, the Chinese, the Blacks and the mixed races, the excess amounts to 5·8, 2·3, 7·3 and 4·5 per mille, respectively. It is rather remarkable that only the East Indians should have been affected so seriously by influenza. This fact throws, we think, considerable light on the relative position which the East Indians occupy in the economic life of the colony.

41. In the second place, out of the above five years, four show an excess of deaths over births for the whole colony. This excess in the case of East Indians is generally accounted for by the preponderance of males over females amongst them. But the above explanation does not hold good in the case of other communities, such as the Blacks, the Europeans including the Portuguese, and the mixed races, that have more females than males. Moreover, if the reason assigned for this excess in regard to the East Indians were true, one would expect to find a similar state of things among the Chinese; but as a matter of fact, although they have 86 females to 100 males, the birth-rate among them is in excess of the death-rate in four out of five years, for which figures are given. The true cause for this regrettable state of things lies not in the disparity of the sexes, but has to be sought in the general insanitary condition of the colony and, so far as the East Indians are concerned, also in malnutrition due to the extremely low wages earned by them.

42. In this connection, we may briefly notice a statement made by the representatives of British Guiana, who came over to India in 1919, that the rate of mortality in their colony was lower than in other tropical countries. The following table provides a test for determining the correctness of this assertion :—

Deaths per thousand population.

	1913.	1914.	1915.	1916.	1917.
Grenada	19·2	21·2	24·0	17·4	29·6
St. Vincent .. ..	..	20·6	18·3	19·4	21·0
Trinidad and Tobago .. ..	..	..	21·2	20·4	21·2
Barbados .. ..	..	..	19·2	22·7	25·0
Jamaica	23·9	20·4	21·7	22·5	26·9
British Guiana	24·2	24·5	27·7	27·1	30·4

43. As the figures relating to the West Indian colonies in the above table are taken from a pamphlet called "the British Guiana Colonization Scheme", published in 1919 under the authority of the Colonization Committee, the figures may be accepted as correct. Those persons who admit that the general record of the colony in the matter of mortality has not been satisfactory, point to the comparatively better sanitary condition of the sugar estates, as shown by a lower death-rate among the labourers residing on the estates. The table below gives the relative figures :—

Deaths per mille.

	Total Colony.	East Indians on Estates (Indentured).
1916	27·1	17
1917	30·4	16
1918	40·6	36
1919	40·4	56
Average	34·6	31·2

This reasoning, however, omits to take note of the fact that the estates employ only those who are in the prime of their manhood, "sound in limb and sound in mind," and in every way fit for manual labour. The decrepit, the old, the weak and all those persons who have become incapacitated for hard labour,

have to leave the estates, and go to some public institution, or drift down to George Town and swell there the ranks of "jobbers." Under the indentured system, only those persons were selected for enlistment, who, after having been examined thrice in India by different medical authorities, were passed as fit. In these circumstances, it is only natural that the death-rate on the estates should be lower than in the colony. In order, therefore, to find out the true state of things in regard to the estates, it is desirable to compare British Guiana with, say, Trinidad which also used to import a similar class of labourers from India. If the rates of mortality among the indentured immigrants resident on the estates in both the colonies are compared, we find that while the death rate on the estates for 1919, an influenza year, was 56 per mille in British Guiana, it was only 12·5 in Trinidad in the same year; that is to say, there were more than four times as many deaths in British Guiana as there were in Trinidad. We append the following table, giving the death-rate per thousand among the indentured labourers on the estates in both the colonies from 1916 to 1919 :—

		British Guiana.		Trinidad.
1916	17	7·3
1917	16	4·2
1918	36	11·7
1919	56	12·6
Average for four years		..	31·2	8·9

The yearly average for four years from 1916 to 1919 yields practically the same proportion that we get for 1919, that is, nearly four times as high in the case of British Guiana as it was in Trinidad.

44. At this stage, the question naturally arises how does the death-rate among East Indians in British Guiana compare with that in India? If the point be superficially examined, it will be found that the rate of mortality in both the countries is practically the same, as the following table shows :—

Death-rate per mille.

Year.		India.	BRITISH GUIANA.	
			East Indians on the Estates.	Whole East Indian population.
1915	.. ..	30	24	29
1916	.. ..	29	24	28
1917	.. ..	33	29	33
1918	.. ..	62	46	50
1919	.. ..	36	48	48
1920	.. ..	31	23	27
Average		37	32·3	35·8

This comparison, however, is on the face of it wrong and altogether misleading. The despatch which the Government of India sent along with the report of Messrs. McNeill and Chimmanlal to the Secretary of State for India pointed out the great difficulty in comparing the two rates, owing to the different conditions

prevailing in the two countries. An extract from that despatch, dealing with this point, is reproduced as Appendix II to our report. We should like to point out that before instituting any comparison between British Guiana and India, one vital consideration should be borne in mind. The East Indian population of British Guiana is divisible into two main classes; viz., (a) East Indians on the Estates, and (b) other East Indians residing in towns, villages, etc., so far as those resident on the estates are concerned, the death-rate among them is naturally very low, on account of the fact that, more than two-thirds of them are adults between the ages of 20—35 years. They were specially selected in India, after they had been thrice medically examined and declared fit. It should not be forgotten that till the close of 1917, about 3,000 emigrants were on an average sent every year from India to British-Guiana; and almost every year a little less than 1,000 immigrants, after at least 10 years' residence in the colony, were repatriated. So far as the estates are concerned, as soon as an East Indian Immigrant is found unfit or disabled, he is turned out. In these circumstances the resident population on the estates was kept in a state of high physical efficiency by the elimination of the weak, and the addition to the existing stock of the fresh arrivals from India. This two-fold process not only helped to keep the death-rate on the estates at a low figure, but it also had the effect of creating a false impression regarding the death-rate among the whole East Indian community in the colony. The two factors, viz., the high preponderance of the adult population on the estates in a state of full physical vigour, and the rejection of the disabled labourers, must be considered, before any comparison can be made between India and British Guiana. In order to do so, we must compare the death-rate among the East Indians in British Guiana, who are not resident on the estates with that in India. In order to arrive at the figure relating to the rate of mortality among those East Indians, it will be necessary to deduct the number of deaths among the immigrants on the estates from the number of deaths among the total East Indian population in the colony. In preparing the table given below, we have taken the mean population on estates as 62,000; and in the whole colony as 125,000.

Approximate death-rate per mille.

Year.					India.	Madras.	East Indians of estates in British Guiana.
1915	..	..	..	..	30	23	34
1916	..	..	..	..	29	22	32
1917	..	..	..	..	33	26	37
1918	..	..	..	..	62	43	54
1919	..	..	..	..	36	27	48
1920	..	..	..	..	31	22	31
Total for 6 years					221	162	236
Average for 6 years					37	27	39.3
Average of 4 years (omitting 1918 and 1919.)					30.75	23	33.5

The above table brings out the relative positions of British Guiana as compared with India and the Province of Madras. It may be added here that roughly, one-third of the East Indian population in the colony consists of the emigrants from Madras while the remaining two-thirds are drawn from various other provinces.

45. Before we proceed to give our impressions regarding the health conditions of British Guiana, we should like to refer to the opinions of the Colonial Secretary and the late Surgeon-General of British Guiana, regarding the paramount importance of giving precedence to the question of improving the sanitation of the colony, before embarking on a policy of further immigration. Their high and responsible positions as well as the unrivalled opportunities they had for acquiring a most intimate knowledge of the various problems affecting the welfare of that country give special weight to their views. We think that no apology is needed for quoting at length from their statements, so that the gravity of the problem may be clearly appreciated.

46. Mr. Clementi, the Colonial Secretary of British Guiana, submitted a report "On the Condition of the Colony of British Guiana during the Great European War and on the Chief Local Problems Awaiting Solution" in 1919, which is known as Combined Court Paper No. 21 of 1919. In this report Mr. Clementi says that, although the introduction of more immigrants is necessary for the development of the Colony, "the most pressing duty of the Government is to protect the health and the lives of the existing population; and to secure that, instead of the death-rate exceeding the birth-rate, as has too often been recorded in the Vital Statistics of British Guiana, there shall be a steady natural increment". And after dealing in great detail with the various aspects of the problem, he thus sums up the situation:—

"When Macaulay wished to bring home to readers of his History of England published in 1848, the progress in sanitation made in his day in the United Kingdom, he contrasted the conditions then prevailing with the by-gone times, 'when men died faster in the lanes of our towns than they now die on the coast of Guiana'. Seventy years have passed by, and it would no longer be fair to quote Guiana as typical of all that is insanitary. But taking a broad view of the health conditions in this colony, it must be admitted that there has been no case of plague or cholera in the last 40 years, though the last outbreak of yellow fever was in 1885 and of small-pox in 1904, and notwithstanding the fact that the five years, 1912-16 inclusive, constituted a record for health in British Guiana unequalled by any other quinquennium in the last fifty years, nevertheless a colony in which at frequent intervals the death-rate exceeds the birth-rate, and where malaria, enteric fever, ankylostomiasis, tuberculosis, and intestinal troubles are prevalent, cannot be deemed to be in a satisfactory state. Much arduous, unremitting and expensive work is imperatively necessary, before we can hope to rely on a natural yearly increment of the population; nor could

such natural increment suffice save in a very remote future to provide a population sufficient for developing the colony. *It would, however, be sheer folly, indeed it would be immoral, to take steps to introduce immigrants in large numbers into British Guiana, without at the same time taking the steps necessary to keep them alive and in good health.*" (The italics are ours.)

47. On another occasion, he again returned to the subject, and made an equally serious indictment of the policy of immigration pursued by the Colony in the past, and of the measures adopted for the preservation of the public health. Speaking in the Combined Court, when the resolution regarding the Colonization Scheme was under discussion, he said : —

“ The mass of our population is an immigrant population and the history of immigration into British Guiana is a calamitous history. The chapter of calamities begins with the first immigrants who came here, Dutch, French and British, now classified in our Vital Statistics under the head ‘ Europeans other than the Portuguese ’. I have not the time here to dwell upon the vicissitudes of our white colonists before British Guiana came into existence by the union of Essequibo and Demerara with Berbice in the year 1831 ; but I note that the census of March 1831 shows that at that date there were no Portuguese in the colony, that the population was then estimated to be 98,000 souls, and that the enumerated white colonists numbered 3,529 souls, 2,519 being males and 1,010 females. Now the estimated total of the White Colonists other than Portuguese at the end of 1917 was only 3,659 souls, 1,950 being males and 1,689 females, in an aggregate population of all races estimated to be 313,999 souls. Thus there are now fewer white men in British Guiana than there were in 1831, and relatively to the total population the white element has decreased from 3·6 per cent. to 1·1 per cent. during the past 86 years. These figures to my mind explain in epitome the stagnation from which this colony suffers. The vitalizing stream of colonists from the Mother Country flows very sparingly into British Guiana.

“ Portuguese emigration from Madiera took place between the years 1835 and 1882, during which period there arrived 30,645 souls ; while from the Azores in the year 1851 there came 164 souls. The Portuguese immigrants, therefore, numbered, 30,809 souls in all ; and, in view of this fact, it is distressing to record that on the 31st December 1917, the total Portuguese inhabitants in the colony numbered only 9,766 souls, 4,637 being males and 5,129 females.

“ The nucleus of the black population in British Guiana was imported from Africa before 1807 the year in which the slave trade was abolished ; and the report of the Registrar of Slaves for Demerara and Essequibo records that on the 31st of May 1832

they may be estimated at 86,162 souls, of whom 45,369 were males and 40,793 females. These figures can be relied upon within a small margin of error, for, when on the 1st August 1834 all slaves of British Guiana were emancipated, the number in respect of whom compensation was paid by the British Government was 84,916 souls. Now, at the end of 1917, the Negro population of the colony was estimated at 118,612 souls, 56,895 being males and 61,717 females; therefore, in 85 years our Black population has only increased by 32,450 souls. But the colonist's immigration statistics show that, between the years 1835 and 1892, there were introduced 40,813 immigrants of Negro Race from the West Indian Islands, as well as 13,355 Blacks from Africa. Thus, not only is there no natural increment in our Black population during the period of 85 years in question, but there has been a net decrease of 21,718 souls.

“ The history of Chinese immigration is equally deplorable. The first Chinese indentured immigrants arrived in British Guiana on the 12th January 1853, and the last reached George Town on the 17th March 1879. During that period there were introduced into the Colony a total of 14,002 Chinese immigrants, 11,894 being males and 2,108 females. Yet at the end of 1917 the estimated population of Chinese Race in British Guiana was no more than 2,810 souls, 1,573 being males and 1,237 females.

“ Nor is the case any better with respect to the East Indian Immigrants, who now form the largest racial element in our population. The first East Indian immigrants arrived in British Guiana in the year 1838 and from that time down to the cessation of indentured immigration from India with the arrival of the S. S. “ Ganges ” at George Town on the 18th April 1917, there were introduced into the colony a total of 238,979 East Indian immigrants. Nevertheless, on the 31st December 1917, the total East Indian population was estimated to be no more than 137,959 souls, 78,808 being males and 59,151 females. That is to say, for every one thousand East Indians introduced into the colony under the indentured system there now remain here only 572 souls—a little more than half. It must, of course, be remembered that, in accordance with the conditions of indentured immigration, 65,588 East Indians were sent back from British Guiana to their native country during the course of the seventy-nine years in question; but, even after making this allowance, we find that the present East Indian population is less by 35,482 souls than the number of immigrants introduced.

“ As regards the population of Mixed Race in the Colony, it now forms 10 per cent. of the whole and appears to increase slowly. Statistics on this point are first given in the census report of 1891, when the total number of persons of mixed race was returned

as 29,029 souls, 13,227 being males and 15,802 females. On the 31st December 1917, the total population of mixed race was estimated at 33,860 souls, 15,743 being males and 18,118 females, an increase of 4,831 souls in 26 years, or at the rate of 7 per mille per annum.

“ The case may be put in a nut-shell by pointing out that the total population of British Guiana was returned at the census of 1841 as 19,154 souls and at the last census taken on the 2nd April 1911, as 296,041 souls; and the total number of immigrants introduced into the colony between the years 1835 and 1911 was 333,803 souls; and that therefore seventy years after the census of 1841 the colony contained a population actually less in number than the immigrants introduced. These figures are a grave indictment of the colony's immigration methods in the past as well as of the measures taken in bygone years to preserve the public health. The inference to be drawn is very clear, namely, that the most pressing duty of the Government at the present time is to protect the health and the lives of the existing population and to see that instead of the death rate exceeding the birth-rate, as has too often been recorded in the vital statistics of British Guiana, there is a steady natural increment. Measures aimed at the prevention, and failing that, the cure of disease should therefore engage our most earnest attention. Improved sanitation is the paramount need of the colony to day. I am well aware that, as Lord Cromer has said, ‘ improved sanitation is a bottomless financial abyss ’. *Nevertheless it is sheer folly, indeed it is immoral, to take steps to introduce immigrants into this colony without at the same time taking the steps necessary to keep them alive and in good health ’.* (The italics are ours).

48. Let us now turn to Dr. Wise, the late Surgeon General of the Colony, and see what he has to say on the subject. Addressing the joint meeting of the public bodies and representatives of British Guiana in George Town on the 27th January 1919, he stated that there was sufficient labour available in the colony for developing not only all the acreage under cultivation but double that area, if mechanical appliances were utilized; and as regards sanitation, he made the following remarks:—

“ With regard to sanitation in the past, millions of dollars had been spent on immigration, whereas they could reckon the amount spent on sanitation in hundreds. That was not the right proportion. *The sanitation maintained by the estates in the past was largely one that was the minimum that would satisfy the Indian Government.* The question now was not what was the minimum in order to allow immigration to continue but what was the maximum to keep their labourers in the best conditions possible. He pleaded with the meeting to view the

question of sanitation in a more liberal spirit, and not deal with it in the pork-knocking spirit in which it had been dealt with in the past". (The italics are ours).

49. The "magnificent colony", as British Guiana has been described by one of its Governors, is, so far the coast-land is concerned,—and the rest of the country being practically empty does not concern us for the present—a land of marshy swamps and mosquitoes, of malaria and filariasis. As it is below the level of the sea, the problem of drainage is a difficult one. In these circumstances, the country is subject to inundations during the rainy season; and it is not an uncommon sight to see miles and miles of the country submerged under water. In the words of Mr. Clementi, the inhabitants of the coastal tract have to lead an amphibious life, and their houses surrounded by water on all sides present an appearance of "lake dwellings". On the sugar estates, canals run along and between the fields, to facilitate the transport of sugar-cane to the factories, and to serve as channels of drainage. The canals on the dismantled estates are generally over-run with weeds and hyacinth. Moreover, for the construction as well as the upkeep of the roads, earth is dug out of the neighbouring fields on both sides, leaving pits for the accumulation of water. Similarly, villages have canals for purposes of drainage; and more often than not, they are not properly looked after, and, in consequence, are full of rank growths. A more ideal place for the breeding of mosquitoes it would be hard to discover. Another source of ill health is to be found in the utter lack of any arrangements for getting pure water for domestic use. In the City of George Town those who can afford to store it utilise rain water for drinking and cooking. Others get their supply from the Municipal taps which are fed from a reservoir several miles away from the city by means of an open trench about 42 feet wide.

50. Among 882 school children in George Town examined by Dr. Rose, 865 suffered from infection from a certain kind of worms, which can only be contracted by swallowing the germs contained in human excreta, and in no other way. "The infection of so large a percentage of children with these parasites", writes Dr. Rose, "is due directly to the fact that human excrement in the town is not disposed of in a safe and efficient way, but is allowed to come into contact with the persons, the food and drink of the children". "There is no more unpleasant chapter" he adds, "in the story of the insanitary conditions of these schools than that which is concerned with the arrangements for the disposal of excreta. Surface soil pollution is apparent and extensive. The privies provided are wooden buildings frequently dilapidated, giving free access to flies and animals, the seats are strained with excreta; nor do the floors escape; the odours are such as to discourage their use, one would imagine, by sensitive children. In the almost universal absence of urinals, I have seen the ground around the school and the pillars of the building used frequently for this purpose instead. Moreover, the privy accommodation is, in many cases, inadequate, nor is there any attempt at provision of toilet paper or any substitute for such an article. One has only to visit these buildings to understand such facts as that 56.3 per cent. of the children suffer from infection with intestine

parasites, due solely to the swallowing of human excrement or that in one small school of 100 children examined, five had had typhoid, with five histories of the occurrence of typhoid in their families during that year 1917".* In regard to the health conditions of George Town, Dr. Wise says:—"The midden-pits are repulsive and hardly approachable, the nightsoil remaining open to the air in a semi-fluid state; they are the hunting ground of rats and the breeding places of flies and other vermin. The rise of ground water in wet weather brings all the foul gases to the surface, polluting the atmosphere; and ultimately it drifts the contents of the midden-pits out on the surface of the premises where it floats, settles and finally dries. The cess tanks are perhaps not so obvious but equally insanitary and dangerous. These tanks are constructed so that one side or bottom is knocked away and the ground water has free access to the accumulation of sewage. This sewage mixes freely with the subsoil water throughout the length and breadth of George Town, and it is no exaggeration to repeat that the *city veritably floats on sewage*."† (The italics are Dr. Wise's).

51. As in George Town, so in the rest of the colony the causes responsible for bad health are the same, *viz.*, defective water-supply and filthy methods of sewage disposal. People get their water-supply from ponds and trenches fed by rain or peaty water led through canals for many miles and open to surface pollution. There are, however, some villages which have artesian wells, the only trouble about them being that they often get choked up and require constant attention. The following description by a competent observer of the conditions prevailing in the villages of British Guiana may be taken as literally true, howsoever startling it may appear to be:—

"Disgust and dismay faces one when one realises that in most of our villages there is no water-supply for drinking purposes. A few barrels, empty receptacles and old Dutch jars are kept, the water in the rainy season being conducted by an old piece of tin gutter, from the roofs of the thatched cottages. These abominable receptacles are veritable death traps, forming as they do admirable breeding places for mosquitoes. When the dry weather comes, this small storage of water-supply is soon used, the canals are then resorted to. These are never, at any time, fit for drinking purposes and in dry season they are still more filthy, and unfit. The partial success attending our artesian wells should encourage the authorities to continue sinking these. Before the well at Lichfield on the West Coast of Berbice was drilled, the villagers in and round this district used to walk from the public road to the Abary river for their supply. All manner of utensils were employed and whole families would set out in the early hours just before the break of dawn. Hence it can be seen that in places where there is no well, the fate of our peasantry in dry weather is far from pleasant. The nasty trench water is responsible for numerous

* *Vide* Combined Court paper No. 21 of 1919, page 12.

† *Vide* the Progress No. of the *Times* † of British Guiana, page 139.

deaths from intestinal troubles. And yet we have extended our artesian wells so slowly that from 1915 to the present date, we doubt whether we have fifty wells throughout the whole of our coastal fringe".* (By Edgar Beckett, F. L. S.).

52. The same authority continues :—

“ The decrease in all our immigrants is a deplorable comment on our health conditions. If we intend to introduce the colonisation scheme we are morally bound to pay attention to our health and sanitary problems. There can be no question about that. It is a moral obligation. We cannot introduce people here to die. Our immigration schemes of the past, when the census figures are studied, prove a damnable indictment against the public health measures of those times ”.† (By Edgar Beckett, F. L. S.).

53. Efforts in all directions are no doubt being made to effect improvement in the sanitary conditions of the colony. But they are slow and unsteady for want of funds and lack of enthusiasm on the part of those who can exercise some influence in this direction. The *Daily Chronicle* (British Guiana) of the 8th March 1922 brings out this fact very well when it says, “ It has also to be admitted that the sugar planters had no interest in furthering schemes of a similar nature, (i.e., of drainage and irrigation) elsewhere, shortsightedly failing to see that the omission to provide these schemes was sapping their labour supply at the very sources ; since, as a consequence, the *most appalling wastage of child and even adult life took place* ”. (The italics are ours). And that it is not wrong in holding the planters responsible for this state of things is shown by the fact that “ the influence of British owners (of the sugar estates in British Guiana) through their local representatives on the Government and politics of the country is very great ”.‡

SECTION VI.—WAGES AND COST OF LIVING.

I.

54. No other question falling within the scope of our enquiry bristles with so many difficulties, or is likely to give rise to such differences of opinion, as the one with which we are going to deal in this section. At the same time, we are conscious of its prime importance ; for it is in reality the crux of the problem, and upon it depends whether, even if other conditions prove satisfactory, labour emigration as part of a colonisation scheme is to be permitted, or not.

55. Difficulties of arriving at Average of Earnings.—Field labourers in British Guiana are paid by piece-work ; wages, therefore, are not fixed but depend upon so many variable factors that the earnings of one group of labourers differ from those of another, though both may be engaged on similar tasks. They fluctuate from season to season ; and, even in the same season, from week

* Vide The “ Progress ” No. of the *Times* of British Guiana, pages 142-143.

† Vide The “ Progress ” No. of the *Times* of British Guiana, page 147.

‡ The *Historical Geography of British Colonies*, by Lucas, page 293.

to week, on account of variations in the weather. Then, all tasks are not paid for at the same rate; neither is the working capacity of two men alike. In the case of an individual employed on a particular estate, how much he earns in a week, again, depends on where he has been allotted his task, as the nature of the soil varies. Another, and by no means unimportant, factor in this connection is whether a certain estate is paying or not, because there is a marked tendency to pay higher rates on a prosperous estate than on another that is either just paying its way or running at a loss. Over and above all these factors, is the consideration whether at any given moment the supply of labour exceeds the demand, or *vice versa*. The above causes are purely economic, but even on the sugar estates which are, as we were repeatedly told, "not philanthropic institutions, but business concerns run on business lines," the human factor does to a certain extent modify the action of the economic forces, and in no small measure determines the amount of earnings. It arises from differences among the managers, overseers and other subordinate staff in temperament, the sense of humanity, and an appreciation of what is due to labour; and is partly responsible for variations in wages from estate to estate, and also in the weekly earnings of individuals on the same estate. It would therefore be a wrong method to adopt, in working out the average wage of a labourer, to pick out half a dozen best workers, or the highest wage earners, (as they are called in the reports of the Immigration Department) from the best paying estates and to strike an average. The right course to follow is to take the best as well as the worst workers belonging to the good and bad estates alike, and find out the average by taking their earnings in both good and bad months.

56. *Cost of living*.—Similarly, it is not easy to find out what the average cost of living is. It varies from individual to individual, and the factors causing these differences are just as complex as those relating to wages. Personal habits, customs, idiosyncracies and surroundings as well as the nature of the work, are all responsible in a greater or less degree for variations in the cost of living. It is not always considerations of mere marginal utility that impel an individual to purchase this thing or that, and to indulge his fancy occasionally for better food than regulation rations or one more *kurta* than is laid down in the scale of the Immigration Department. It is a mistake to regard the labourer as a machine, ignoring altogether the human element in him. Besides food, clothing and implements, he requires relaxation every now and then, and has to provide occasionally for religious ceremonies and the entertainment of guests. Here, again, the average can only serve as a rough indication of what, in our opinion, may be the cost of living in the case of an average labourer on the basis of the current rate of prices. We have thought it desirable to refer to the above difficulties with the twofold object, of showing that in arriving at our conclusions, we have made due allowances for these variable factors, and of suggesting that certain estimates given below are not to be regarded as safe bases for calculation.

57. *Hours of work*.—By far the greater part, roughly 90 per cent. of the work on a sugar estate is piece-work as mentioned above. Forking, cane-cutting, punt-loading and weeding constitute the bulk of the work, the first three for able-bodied men and the last for men of inferior physique

and women. A very small percentage of labourers on an estate is also paid by the day. Skilled workers, most of whom are non-Indians, are paid by the week. As regards the number of hours, we were informed that ordinarily an unskilled labourer had to work for 7 hours a day, excluding stoppages. In the case of factories, however, we were told by Messrs. Brassington and Anderson of the Sugar Planters' Association in the course of their evidence that the number of hours varies from 12 to 15 a day. The representative of the British Guiana Labour Union, as well as the labourers, complain that even in the case of field-work, the hours range from 10 to 12 a day. We have also received a number of written statements from labourers, in which it is stated that they have to work in factories from 15 to 18 hours and in fields from 9 to 11 hours a day. As early as 1871, the Royal Commission, appointed to enquire into the allegations made by Sir William DesVoeux of ill-treatment of indentured immigrants in British Guiana, stated their conclusions regarding the hours of work as follows:—"The average number of hours which the labourers work in the buildings is about 15 a day; but we have found instances where they had been working for 18 to 22 hours without any change of hands and without any extra pay given. This was the case on Skeldon, Canchield, Johanna Cecilia, and Leonora estates. The people were not always hard at work the whole time, but they had to remain at their post because the work was drawn out, and, when work was over, had only two or three hours' sleep before beginning again. In some cases this only happened occasionally; in others it lasted for many successive days, omitting Sundays." We may add that although there has been some improvement as regards the hours of work since 1870, the difference between the two statements regarding the hours of work in fields, is more apparent than real. During the slack season when the factories are not working, the hours of work are, as stated by the planters, between 7 and 8, if we exclude the time spent in walking a distance of 1 to 5 miles from the ranges where the labourer lives to the back dams where he has to work, and in getting back. But when milling operations are resumed and there is heavy pressure of work, labourers are required to work as many hours in fields as are alleged by them, in order to keep the mills going.

58. *Days of work in a week.*—On an average, the total number of working-days in a week does not exceed five, Sundays being generally days of rest. The first half of Monday is usually spent in the allotment of work, while Saturday being pay-day, practically all work is suspended at 1 o'clock in the afternoon. The managers told us that the labourers did not work for more than 5 days. This fact is very often adduced in support of the statement that the rate of wages is very high; otherwise, it is said, sheer necessity would drive them to work for a longer period. It is also stated by the planters that the labourers have been so much demoralised by the very high wages earned in 1920, when they could live for two days on one day's earnings, that they cannot now shake off habits of laziness then formed. If it is due to mere disinclination to work, and not to the exhausting nature of field work, then it is wrong to suggest that these habits were of recent growth. It appears from the report of the Royal Commission of 1871 that the Indian immigrants in British Guiana used even in those days to work for 4 days a week; and that some worked 5,

and in the buildings 6 days. (*Vide* report No. 6-393 of 1871, page 90, paragraph 327). We have gone through the reports of the Immigration Department from 1899-1900 right up to 1920; and in several of them the same statement is repeated. This practice of working for 4½ days or 5 days seems to have become almost a tradition among the labourers, dating back to a time when laziness was a criminal offence under the indentured system. It is, moreover, difficult to reconcile this charge of laziness with another statement frequently made that the Indian is continuously working, working either on the estate or in his rice-field; and that work is his one passion. He is said by competent authorities to be industrious, steady, regular in his work and thrifty. The latest witness to the industrious character of East Indians is the writer of the Peace Handbook on British Guiana in 1920, published by the historical section of the British Foreign Office, who says that the British Indian immigrants are thoroughly acclimatized and work hard. Either of the two pictures may be true; but both cannot be true at one and the same time. Therefore, there can be only two possible explanations for the alleged laziness; either the labourer finds other work more paying, or the work on the estate is so exacting that it is not possible for him to bear the strain for more than 5 days in a week. The labourers maintain that field work is so exhausting that it is difficult for them to go on working for more than 5 days in a week from year's end to year's end. We are inclined to take the latter view, although there is some amount of truth in the first. That they preferred gaol to working on an average for more than 5 days a week during indenture shows that there were some other causes responsible for it than habitual laziness. A resident labourer, though nominally free, has to live under conditions of economic dependence. He has to obey the manager on pain of having to vacate the estate range and sleep on the dam. In the terms of the contract offered in 1919 by the British Guiana Government to intending emigrants from Barbados, work for at least 5 days a week, Sundays excepted, was guaranteed; as long experience had shown that an average man could only work 5 days.

There is also another aspect of this question. A number of labourers gave us the following reason for the loss of such a large percentage of working days in the year. During the slack season as well as in times of depression when there was little work to be done, the estate authorities would naturally cut down the amount of work, thereby reducing the number of days actually worked in a week. The Hon'ble Mr. Luckhoo bore this out in his evidence before us, and he as well as the representative of the Labour Union complained that at the present time, the number of days in a week for which work could be had on the estates had been considerably reduced. But it may be suggested that as field work is task work, it is open to the labourer to work for so long as he chooses. Apparently, it is so; but the manager, by regulating the severity of the task, determines the minimum period of work.

59. *Current Wages*.—Another fact that deserves special notice in this connection relates to the sense in which the expression "Current Wage" is generally understood. When the Hon'ble Dr. Nunan, chairman of the deputation from British Guiana, was being examined by the Committee of the Imperial Legislative Council, he stated in reply to a question that in British

Guiana the new comers would be paid at the current rate. But he did not explain whether he was referring to the rate current on the sugar estates or elsewhere; though there is considerable difference between the two rates. In the course of our investigations, we asked the representative of the Sugar Planters' Association to explain the reason for the discrepancy between the wages paid to an unskilled adult male labourer on the sugar estates and that paid to him by say, the Public Works Department. The difference between the two rates was so great as to attract notice. In 1921, while the average wage earned per day on the sugar estates was 43 cents on the basis of 5 days per week, labourers working on the Sea Defence Wall under the Public Works Department were being paid 96 cents per day, or practically double the rate on the sugar estates. In reply to our question, the Hon'ble Mr. Brassington, after remarking that the Government departments were extravagant, said— and this is the relevant portion of his reply—that as the estates provided free houses, medical relief and such other benefits, they were justified in paying less. On being further asked to state whether those labourers who were not living on estates and therefore not enjoying these benefits were paid higher wages, he said, "No." This leads to two conclusions: (i) that because of these benefits the wages paid to resident labourers are 50 per cent. less than the current rate on Government works; and (ii) that non-resident labourers on estates are not being paid at a higher rate than resident labourers, even though the former do not enjoy the benefits available to the latter. We think that the above explanation of the phrase, "current rate," will remove the impression that it was exclusive of benefits. It therefore amounts to this, that the non-resident labourer has to be satisfied with less than what the resident labourer gets, including the benefits. This disparity accounts for the bitterness of feeling among the free labourers that existed once against the indentured immigrants and now continues against the resident labourers who are, as pointed out by the Hon'ble Mr. Webber, living in a state of economic bondage; thus enabling the planters to get more labour at a cheaper rate.

60. *Husband "fined" if Wife does not work.*—An incident arising out of this system of benefits is that on a majority of estates if a married woman who is physically fit and free to work absents herself from the field or does not care to work, 2s. are deducted from her husband's weekly pay-bill, and refunded to him, it is said, only when she turns up on the field. In case she persistently refuses to work, her husband is fined 2s. per week, week in and week out, the excuse being that it represents her portion of the rent for the house in which she lives with her husband and which he is entitled to get free as one of the benefits available to resident labourers on the estate. We discussed these points with several managers. After pointing out to them the grave injustice of punishing the husband for the "fault" of his wife, we asked if it was fair and proper for them to put pressure on the husband with the object of coercing him to make his wife work, even when he did not want her to do so. Their point of view would seem to be that every one living on the estate must work; otherwise even the wife of a labourer must pay for the privilege. The estate authorities apparently cherish the idea that a labourer is nothing more than a machine. Being unable any longer to make a wife work by the penal

clauses of the indenture system, they are resorting to this device in order to continue the old system under which every labourer including the wife of a labourer had to work. It was admitted that if this fact were known in India, it would have a deterrent effect on the immigration of families; and yet they do not seem inclined to alter the practice. In these circumstances there appears to be some justification for the allegation frequently made that the mentality generated by the indentured system still persists and that many more years must elapse before the employers will be able to adjust themselves to the new order of things.

61. *Wages in 1912.*—Messrs. McNeill and Chimmanlal, when dealing with the question of wages on sugar estates, gave in their report extracts from a memorandum of the then Acting Immigration Agent General, and practically adopted the rates given therein as correct for the year 1912. We have also received from the present Acting Agent General a similar memorandum for 1921. “The weekly average (including females as well as males, children, invalids and convalescents) for the period of 4 years ending 1912,” proceeds the memorandum for that year, “has been \$1-17½C. On the assumption that all the workers worked for 6 days, the daily average is 19·6 cents. Assuming for a fact, as it is, that immigrants do not work for more than 5 days a week on an average, the weekly average of 1·17½ dollars gives an all round daily average of 23·5 cents.” It goes on to say, “In 1912 there were 30 estates which employed indentured labour. On these estates the total selected earnings (of 10 shovelmen and 10 male and female weeders in 12 weeks) amount to 13,166·16 dollars; this divided by 20 × 12 × 30 gives practically the highest weekly average per unit. This refers to only field work, earnings in the factory not being dependent on rates. Of the above amount, 7,588·93 dollars were earned by 3,600 shovelmen; 5,577·18 by 3,600 women and weakly men, showing a weekly average of 2·11 dollars for shovelmen and 1·5 dollars for the others. Taking both together, the weekly average per unit was 1·83 dollars.”*

62. *Wages in 1921.*—As regards the rate of wages in 1921, we give below the important portions from the memorandum of the present Acting Agent General :—

- “ 1. The weekly average per worker (including females as well as weakly males) for 1921 was \$2·17.
2. This amount is arrived at by taking the total sum paid out in the year by all the estates from which statistics were obtained and dividing by the total workers in the gangs employed from week to week on those estates, namely, dollars 1,515,954·76 divided by 698,481=2·17 dollars.
3. On the assumption that the workers all worked 6 days, the daily average is 2·17 dollars divided by 6=36·1 cents.

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- “ 6. At each monthly visit to a sugar estate, the Immigration Agent obtains an average of the earnings for the week previous to the visit

* There are six working days in a week.

(which may occur at any time during the month) of the 12 shovelmen who have earned most in that week and similarly the average of 6 male weeders and 6 female weeders. In 1921 there were 38 estates visited from which these earnings were selected. The average of these $12 \times 12 \times 38$ shovelmen in 1921 was 78 cents a day: of the $6 \times 12 \times 38$ male weeders, 74 cents a day and of the female weeders 54 cents a day. As at the time of the Delegates' Report of 1913, the East Indians employed themselves also on their own enterprises of rice-growing, cattle breeding, etc.

" 7. It may be added that the average earnings per day worked in 1921 is as follows:—

(Berbice) No. 1. Immigration Department—

Shovelmen	..	..	..	..	..	57·6 cents.
Male Weeders	..	..	..	..	..	46·7 "
Female Weeders	..	..	..	..	..	37·7 "

(E. C. D.) No. 2. Immigration Department—

Shovelmen	..	..	..	..	..	56·3 cents.
Male Weeders	..	..	..	..	..	43·4 "
Female Weeders	..	..	..	..	..	43·4 "

(E. B. & W. C. D.) No. 3. Immigration Department—

Shovelmen	..	..	..	..	..	56·3 cents.
Male Weeders	..	..	..	..	..	54·1 "
Female Weeders	..	..	..	..	..	43·4 "

(Essequibo) No. 4. Immigration Department—

Shovelmen	..	..	..	..	..	52·1 cents.
Male Weeders	..	..	..	..	..	43·4 "
Female Weeders	..	..	..	..	..	32·5 "

" 8. In addition to the sum of \$1,515,954·76 mentioned in paragraph 2 the sum of \$173,667·91 was paid during 1921 to the less routine 'Task' and 'Creole' gangs. Both these sums relate almost exclusively to field work."

63. The comparison of the two memoranda shows that the latter has been so drawn up as to render any comparison between the rates for 1912 and 1921 impossible. While the one gives the average earnings for men, women, invalids, convalescents and children, the other excludes children, invalids and convalescents from the number of workers. In the same way, while in the former, the weekly averages are given for the highest wage-earners among shovelmen and weeders, the latter does not clearly state whether the average earnings of highest wage-earners are per working day or per day worked, and the difference between the earnings per working day and per day worked is so considerable as to render any conclusions based on the comparison of the two figures

absolutely worthless. It is to be regretted that the present Immigration Agent General could not give figures in a form which would have enabled us to compare the rates for these two years. Assuming, however, after the exclusion of the earnings of the "Creole gangs," (i.e., child labour,) invalids, etc., from the total amount paid in wages in 1912, that the daily average in a week of six days for an adult in that year was 23 cents, we find that there has been an increase of about 57 per cent. in the rate of earnings per working day, i.e., from about 23 cents in 1912 to 36·1 cents in 1921.

64. *Wages in 1922.*—In 1912, the best workers among shovelmen of 30 estates earned 35·1 cents and in the case of weeders belonging to the same plantation, the rate was 26·8 cents *per working day*. According to the present Acting Immigration Agent General, the average earnings of a shovelman amounted to 78 cents., that of a male weeder to 74 cents, and of a female-weeder to 54 cents *per day worked* in 1921. We collected figures relating to wages from certain estates. For the purpose of this report, we shall confine ourselves to the figures taken from the pay-books of the *Rose Hall Estate* in Berbice, which has the reputation of being one of the best managed estates in the Colony. We took figures for 8 weeks from the 1st January to the 24th February, 1922, during three of which grinding was going on, when every one was made to work at a high pressure. It is therefore obvious that the wages during the period selected would be exceptionally high. Let us take first the figures relating to shovel gangs. Out of the five highest earners, we found that 3 were headmen or *overseers*, and we had therefore to exclude them. Of the remaining two, Mohan and Sanichar, each worked for 5 days in the week ending the 24th February and earned 272 cents; that is to say, 48 cents per working day or 51·4 cents per day worked. Mohan worked for 33 days during the period of 8 weeks and earned 1,672 cents, giving a daily average of 35 cents; while Sanichar's earnings for 31 days during the same period amounted to 1,432 cents in 8 weeks, with a daily average of about 30 cents. But if we take their average earnings per day actually worked, we find that it was 51 and 48 cents for Mohan and Sanichar, respectively. Compared with the daily average for the highest earners among shovelmen in 1912, the rate of earnings of either Sanichar or Mohan does not seem to have gone up at all.

Turning to those whose wages on the last week in the period referred to were lowest, we find that Ram Lagan No. 1 earned by working on 36 days during these 8 weeks, 1,264 cents, which gives a daily average of 35 cents per day worked, or 27 cents per working day; while in the case of Ram Lal o. 1, the total earnings amount to 896 cents for 29 days' work during 8 weeks, giving an average of about 31 cents per day worked or nearly 19 cents per working day. If we take the earnings of the whole gang, we find that the average rate was nearly 38·6 cents for shovelmen per day worked. In the case of weeders the earnings are even lower. The average per day worked was roughly 30·7 cents for men and 26·2 cents in the case of women. Similarly, taking the earnings of the shovelmen's gang of the *Albion Estate* for the same period, when grinding was done for 4 weeks, we find that the average rate was 48·8 cents per day worked.

65. The above facts may, for the sake of convenience, be presented in a tabular form thus :—

	1921.	1922.
	Per day worked. Average for the whole colony.	Per day worked. Rose Hall Estate.
	Cents.	Cents.
Shovelmen	58	38·6
Male weeders	49	30·7
Female weeders	38	26·2

66. *Wages in 1870.*—In this connection, it may be of interest to note the earnings in 1870 of the best workers per day worked. The Royal Commission of 1871 say in paragraph 368 of their report as follows :—“ Mr. Kelly has favoured us with some returns, showing the wages earned by 16 of the labourers on his estate. . From the number of days they have worked, and the amounts they have earned, we infer that they were first class men, taking all of them together, they have averaged more than 5 days' work in a week throughout the year. The best man worked for 238 days, and averaged 49 cents a day : and he who earned least worked for 178 days and averaged 30 cents a day. From the returns of Messrs. Field and Kelly together with the tables referred to and other data already given, it is evident that very few immigrant labourers average 48 cents a day for 5 days in a week. . It will also be seen that of those classed as effectives those who earn about 36 cents a day, are few compared with those who earn from 24 to 36 cents.” On the *Albion Estate* in 1870, effective male Indian adults averaged 32½ cents and effective females 26½ cents per day worked in the year.

67. *Recapitulation.*—To sum up, we find that Mohan of the *Rose Hall* whose case is noted above, earned during the period of 8 weeks 35 cents as against the average of 36·1 cents per working day for the best workers among shovelmen in 1912. Secondly, it would be seen that in the case of the selected shovelmen in 1921 the average of 78 cents per day worked on the basis of the highest earnings in one particular week instead of several weeks, is likely to create a wholly erroneous impression that the best workers could earn as much as that all the year round. For instance, Mohan is found to have earned not more than an average of 49 cents per day worked in 8 weeks, as compared with 54·4 cents per day worked in one particular week. It is remarkable that in the year 1922, Mohan who is among the highest wage-earners on the *Rose Hall* for the week ending 24th February should be found not to have exceeded the average of 49 cents per day worked earned by the best worker of Mr. Kelly half a century ago. In the same way, the earnings of the lowest earners for the above

week, viz., Ram Lagan I and Ram Lal I of the same estate averaged in 8 weeks 35 and 31 cents, respectively, per day, as compared with 30 cents earned by one of Mr. Kelly's labourers who earned least fifty years ago.

68. As compared with the *Rose Hall*, the *Port Mourant* may show higher results, while estates like *Mara and Friends*, a lower average. As a result of the examination of the pay sheets of some estates as well as from personal inquiries made by us from a large number of labourers, we have come to the conclusion that broadly speaking, the scale of wages on a sugar estate may, at the present time, be taken as 24 cents ranging between 24 and 30 cents per working day for all classes of workers, as compared with 36·1 cents in 1921 when the rate was admittedly higher. We should like to add that we are satisfied that our estimate does in no way err on the side of strictness. On the other hand, on the Sea Defence Wall a male labourer gets now 76 cents a day as compared with 96 cents in 1921. The current rate for male labourers working on the Sea Wall Road are 84 cents and on the Public Works Department yards 106 cents per day, respectively.

69. The following table exhibits the fluctuations in the average weekly earnings of an adult male between 1870 and 1919 :—

Years.	Average weekly earnings of an adult male.		As compared with 1913-14 for which the index number is 100.
	s.	d.	
1870	over 5	3	105
1908	4	0	80
1913-14	5	0	100
1915	5	2	103·5
1916	5	7	117·0
1917	6	3	124·5
1918	6	11	133·5
1919	7	10	157·0
1920* .. .. .	..	..	..

70. *Relation between Wages and prices in 1913 and 1920.*—Before leaving the subject of wages, we should like to give prominence to the fact that some of

*The figure for 1920 has been omitted, as the tables of earnings have been omitted from the Report for that year, thus making it impossible to check the figure for 1920, given in the Report for 1919.

the sugar estates paid in wages to all classes and races of their employees the sum of over \$5,894,000 in 1920 as against \$1,982,000 in 1913. (Appendix V). We asked the representative of the British Guiana Sugar Planters' Association who supplied the above figures, to give us information also about the profits, made by the sugar estates, the prices realised per ton of sugar, the number of labourers employed and the amounts paid to each race and class of workers for both the years under comparison. We regret to say that we have not received the required information. So we are unable to test the correctness of the inferences which the above figures may suggest. However, the table of the prices of different commodities in 1913 and 1919, respectively, given in the Report of the Immigration Department for 1920 shows that the increase in wages for 1920 was wholly due to the abnormal rise in the cost of living for 1920 as compared with 1913. Along with this abnormal rise in the retail prices, there was also another factor at work, making for increase in wages. Rice was competing with sugar for labour; while tempted by the great rise in the price of rice, such of the labourers as could afford were forsaking sugar estates for rice farming. It was the stress of these twofold causes as well as the strong agitation among the employees who had been hard hit by the extraordinary rise in the price of food-stuffs, that appear to have forced the planters to give them increased wages. But as soon as the sugar market began to show signs of depression, there was an immediate cut of 25 per cent. in the wages during the latter part of 1920, and further reductions have been made since then, as the result of the downward tendency shown by sugar though the retail prices of the food-stuffs and cloth have yet to come down to the level touched by the wages.

71. *1914 and 1919 compared.*—A study of the figures relating to wages for 1914 and 1919 throws further light on the question whether wages for 1920 showed an increase over those for 1913-14, proportionate to the rise in the price of sugar during the same period. We are unable to give the daily average earned by men and women respectively for 1920, because the usual work and wages return has been omitted for the first time since 1913-14 from the report for 1920. However, from the annual reports of British Guiana we have been able to ascertain the quantity of sugar exported and their respective values for the years 1914 and 1919. The appendix III gives the wages earned by an adult male labourer on the sugar estates per working day as well as the quantity and value of sugar exported for each year from 1913-14 to 1919.

72. We find that, roughly, 83,000 tons of sugar valued at £2,473,000 were exported in 1919, as compared with 107,000 tons worth £1,575,000 exported in 1914. It shows that while sugar sold at the rate of £14·70 per ton in 1914, it fetched £29·74 per ton in 1919. In the light of these facts and the retail prices of food-stuffs prevailing in 1914 and 1919 respectively, the figures relating to the average earnings per day are most significant. The average per working day in 1919 was 31·4 cents for men and 15·9 cents for women, or 26·8 cents per worker on the basis of 19 males to 8 females on the estates. Compared to this, the earnings per working day in 1913-14 amounted to 20 cents for men and 9·9 cents for women, or 17 cents per worker on the basis of 10 men to 4 women. This gives an increase of 58 per cent. in the daily average earnings

per worker during the period of these 6 years, although the price of sugar had gone up 100 per cent. and food-stuffs were dearer by over 138 per cent. (*vide* appendix IV).

73 Let us now consider the relation between wages and the price of a ton of sugar in 1913-14 and 1920, respectively (*vide* appendix V). In 1913-14 when £1,575,000 were realised by the export of 107,000 tons of sugar, the total amount paid in wages by certain sugar estates to all classes and races of workers in 1920 was 1,982,000 \$ = £412,916, or 26·2 per cent. of the total value of the sugar exported. But in 1920, when 83,800 tons of sugar worth £4,193,000 were exported, the total wages amounted to \$ 5,894,000 equivalent to £1,227,917, or 29·2 per cent. of the total value of the sugar exported. In other words, the ratio between the amount of wages and the value of sugar exported in 1920 was practically the same as in 1913-14. But while the price of sugar per ton showed in round figures an increase of 240 per cent. (from £14·70 in 1913-14 to £50 in 1920) and the retail prices of food-stuffs had gone up roughly by 271 per cent. in the interval, the rate of wages in 1920 increased by 197 per cent. only, as compared with 1913. It is thus clear that the labourer did not get in 1920 an increase in his wages even to the extent of the rise in the retail prices of the necessaries of life, let alone the full benefit of the abnormal increase in the price of sugar in 1920, as compared with 1913.

II

74 *Cost of living.*—Coming to the question of the cost of living, we may begin by considering the memorandum on this subject prepared by the present Immigration Agent, which is reproduced *in extenso* (appendix VI.) He estimates the weekly cost of living as follows:—

Class of worker.	Cost of food.	Cost of clothing.	Cost of implements.	Total cost.
	Cents.	Cents.	Cents.	Cents.
1. Shovelman	185	33	10	228
2. Male Weeder	185	33	10	228
3. Female Weeder	185	20	4	209

Further, on the income side, he assumes that the labourers are earning in 1922 as much as they did in 1921. In that year, the average amount earned per day worked by different classes of workers was:—

	Cents.
For Shovelmen	56
For Male Weeders	49
For Female Weeders	38

On this basis, he arrives at the conclusion that after 10 years' stay in British Guiana, a shovelman would be able to save 494 dollars, and male and female weeders 284 and 53 dollars respectively.

75 Even a most cursory examination of the above estimates, assuming them to be correct, would reveal that in framing them, the human element in the labourer has not been taken into account; and that, as a consequence, no provision has been made for meeting the expenditure on religious ceremonies, such as the recitation of the "*Bhagvat*" and the "*Satyanarayana's katha, etc.*" charity offerings to temples, feasting priests, entertaining guests, and occasional trips, and similar other items of expenditure. As Mr. Jack, I.C.S., says in his book on "*The Economic Life of a Bengal District*". "In the house of a Hindu, certain ceremonies and entertainments are obligatory." The same is true, though to a much smaller extent, in the case of Mohamadans and Christians. Personal idiosyncracies in matters of dress and food cannot be ignored altogether, when we are dealing with human beings who are not, like the inmates of a jail, to be fed on prescribed rations or clothed in regulation dress. In the case of East Indian women, again to quote the words of Mr. Jack, "it may reasonably be urged that jewellery of some kind is a necessity, not a luxury." Some allowance should therefore be made for these trinkets in any true budget; but taste and caprice enter so largely into the amounts spent by different families or individuals that an average becomes extremely difficult to estimate. There is yet another item of expenditure which should be provided for. Labourers in British-Guiana, as all the world over, do marry and multiply; and by marrying and multiplying, they incur additional expenditure. And although the children of immigrant labourers are said to begin earning after they are 8 years old, nevertheless they have to be supported by their parents until they have been absorbed in the Creole gangs. Here, again, it is difficult to arrive at any average figure. But a rough, very rough, calculation can be made. In 1919 there were in round figures about 61,000 East Indians on the sugar estates, of whom 42,000 were adults and 19,000 children. Roughly speaking, there were then about 10,000 children who would not be working in the Creole gangs, and so must have been supported by their parents. Let us further assume that each child would cost only 3 dollars a month—surely a most conservative estimate. On this basis, the average cost to every adult on the estates of maintaining children works out at about 9 dollars a year. Similarly, we should set apart another 6 dollars a year for "extras," such as items of expenditure under religion, &c.

76. Now add (9 plus 6)=15 dollars per year to the estimate of expenses prepared by the Immigration Agent General; and the budget of an average worker for 10 years (at the end of which he or she is entitled to get an assisted return passage) would be as follows:—

A. Income.

Dollars.

(1) Wages earned in 10 years at the average rate (for 1921) 1,083.00
of 34.1 cents per working day for 300 days in a year
= $361 \times 10 \times 300$ divided by 100 ..

MSJHL

B. Expenditure.

	Dollars.
(a) For food, clothes and implements at 2.18 dollars a week for 10 years.	1,138.60
(b) For extras, etc., at 15 dollars a year in 10 years ..	150.00
(c) Cost of passage money and clothing at the average rate for men and such women as have to pay a part of the passage money, etc.	85.00
(d) Total expenditure	1,371.60
(e) Deficit at the end of 10 years	288.60

77. Let us however examine the matter on the basis of the rates of wages given by the Acting Agent General in the above note, and work out the budget on the lines on which he has proceeded.

1. Shovelman.

	Dollars.
A. Income per year at 56 cents per day worked for 300 days in a year.	168.00
Therefore income in 10 years	1,680.00
B.—Expenditure.—	
(a) Food, etc.	1,185.60
(b) For extras and child	150.00
(c) Passage money	98.00
(d) Deduct loss of income owing to illness at 15 days per year for 10 years.	84.00
Total expenditure	1,517.60
C.—Net saving in 10 years	162.40

2. Male Weeder.

A.—Income for 10 years as per note of Acting Agent ..	1,470.00
B.—Expenditure.—	
(a) Food stuffs, etc.	1,185.00
(b) Extras, etc.	150.00
(c) Passage money	98.00
(d) Loss of income through illness at 15 days per year for 10 years.	73.50
Total expenditure	1,507.10
C.—Net deficit in 10 years	37.10

3. Female Weeder.

A.—Income in ten years at 38 cents per day worked for 300 days per year	Dollars.	1,140·00
B.—Expenditure.—		
(a) Food, etc., as per note	1,086·00	
(b) Extras, etc., for ten years 15 dollars per year ..	150·00	
(c) Loss of income owing to illness at 15 days per year	57·00	
Total Expenditure	1,293·00	
C.—Net deficit in 10 years	153·00	
N. B.—But if she comes within the scope of the ordinance of 1900 she must also pay her portion of the passage.		
	Dollars.	
We may roughly put it down at the current rate at ..	72·00	
Therefore Total net deficit	225·00	

78. We accepted, with regard to the rates of wages as well as the cost of food, clothing and implements, the figures given by the present Agent General as correct for the purposes of the above calculation; and the result, even on this basis, are startling. An able-bodied man going out from India to a far off place at a distance of 12,000 miles, and working as a shovelman for seven hours a day during the slack season, and fifteen hours per day during the period of grinding, is able to save after ten years' unremitting toil, not more than a sum of 162 dollars; while a male weeder saves nothing but has a debt of 37 dollars at the end of the period. A female weeder fares even worse. Her budget, prepared on the basis of the above note, actually shows after ten years a deficit of 153 dollars, if she gets a free return passage, or, of 225 dollars when her share of the cost of the passage money is included. Or, to put it differently, among the three, there is a deficit per head after 10 years of 9 dollars, or of 23 dollars, if the female weeder's share of the passage money etc., is included. Further comments on the above is obviously unnecessary.

79. *Cost of living as estimated by Mr. Collier.*—The above estimated cost of living, as given by the present Acting Immigration Agent General, was assumed to be accurate. On the other hand, the Acting District Immigration Agent, Mr. Collier estimates an average weekly expenditure on food of 234 cents per adult worker as against 185 cents per week for food, according to the Agent General. (*vide* Appendix VII). While Mr. Collier's estimate allows 8½ lbs. of rice plus 6 lbs. of flour plus 2 lbs. of dhol, or 16½ lbs. in all to an adult; the Agent General considers 2 lbs. and 3 ozs. of bread plus 3½ lbs. of rice plus 1½ lbs. of dhol plus 7 lbs. of flour=14½ lbs. as sufficient. Now, if we reconstruct the three budgets given above on the basis of the Collier estimate by adding another 25·84 dollars per year or about 259 dollars per 10 years to the cost of food, we find that the savings of the shovelman disappear, leaving a minus balance of 97 dollars; and that the female weeder's deficit is increased by an additional sum of 254 dollars while the male weeder budget shows an excess of 302 dollars on the deficit side.

80. *Collier Budgets Analysed.*—We are indebted to Mr. Collier for collecting a series of 45 budgets and forwarding them to us through the Acting General. It may be added that these Budgets sent by Mr. Collier have been collected by or under the supervision of the Managers of the Estates themselves; they are therefore not likely to err on the side of exaggeration. The Appendix No. VIII (1) gives the amounts (exclusive of clothing and implements) spent on food, etc., by these 45 families. The number in the table refers to the serial number of the budget [*vide* Appendix No. VIII (2) from C.1 to C. 45]. We arrive at an average of \$2.95 as representing the cost per week of food etc. (excluding cloth and implements) to a single male labourer by adding up the amounts given in column 2 of the table and dividing the total by 15. The average for a woman is taken as 80 per cent. and that for a child as 40 per cent. of the amount needed for a man. The cost to a male, a female or a child, on the basis of the weekly average of 2.95 dollars for a single man given above, works out as follows :—

(1) Single man	.. .. .	2.95 dollars per week.
(2) Single woman	.. .. .	2.36 dollars per week.
(3) Child	.. .. .	1.18 dollars per week.

The columns (3), (6) and (10) of the table given in Appendix VIII (1) show the difference between the average estimate and the amount actually spent in each case.

81. In Appendix No. VIII(1), are given the budgets of 45 families, comprising 45 men, 30 women and 52 children, or $(45 + \frac{30 \times 80}{100} + \frac{52 \times 40}{100}) = 90$ males. We find that the numbers 3, 16 and 31—35 among single males and No. 37 among men and wives show an excess over the average. The rest have to be content with less than the weekly average of 295 cents. That is to say, out of 100 labourers (male) in British Guiana, 90 are living on insufficient food. The position of single men alone appears to be tolerable, as 7 out of 16 single men in the above table spend on food, etc., more than the average, while even among those single males whose budgets show a deficit, the debit balance is not much except in No. 15 which has a minus balance of 108 cents a week. As regards married couples, there is an average shortage of 154 cents in 14 cases, while one shows an excess of 172. But it is the man with a family—as was only to be expected—whose lot is most to be pitied. These 15 families with 30 adults and 52 children, spend on food, etc., roughly 7,600 cents against the estimated average of over 14,000 cents; it shows that they are actually living on half rations. To sum up, 50 per cent. of the single men have not enough to eat, while the average expenditure in the case of a married couple and a family is below the estimate by 30 per cent. and 45 per cent., respectively. That these figures accurately represent the existing state of things among East Indian immigrants is susceptible of easy demonstration. The average earnings in 1921 of an adult are given by the Immigration Agent General as 36.1 cents per working day, or 217 cents a week as against a weekly expenditure of 234 cents per adult on food, etc., (exclusive of clothing and implements) according to the Collier budget.

82. It will be observed that both the above estimates—Mr. Collier's as well as the Immigration Agent General's—have been drawn up on the assumption that they represented the average cost of living for all classes of workers irrespective of sex. That the Immigration Agent General's estimate is only an average budget is shown by the fact that in his calculations of the amount of savings after 10 years in the case of 3 classes of labourers alike, the cost of food has been shown at an average figure of 1.85 dollars a week, though in the matter of earnings, he treats them as distinct and separate units. It is evidently wrong to adopt two different bases of calculation. We, however, proceed on the assumption that in the matter of food values only, there should be a difference of not more than 20 per cent. in the case of a female worker as against a male worker. So far as "additional" such as tea, milk, kerosine oil, etc., are concerned, there would be no difference; and while in the "male" budget there is provision for tobacco, in the "female" budget hair oil, etc., should also be provided for. Similarly, a woman would use more soap for washing than a male. Therefore, the difference between the two budgets, after allowing for all these discrepancies, may roughly be taken at about 17 per cent. In the case of a child, we should ordinarily adopt an all round average of per cent. of the male budget. The value of the Immigration Agent General's budgets is further vitiated by the fact that he takes on the income-side, amount of earnings per day worked, and not per working day. The income in one case is nominal, and in the other, real. Both Messrs. Shadwell and Seeborn Rowntree in their studies have taken note of this difference between the nominal and real incomes. The third objection to which the Immigration Agent General's estimate is open, is that while the cost of living relates to 1922, the earnings relate to 1921. (In this connection, we would draw attention to what seems to us an indefensible practice, viz., of making the labourer purchase the implements for work on an estate, thus still further curtailing his already insufficient income).

83. *Estimate of Income.*—The real income of a labourer on a sugar estate, as distinguished from his nominal income, must of course include the extra amount paid to him not in cash but in the form of "benefits". Of these house rent and medical assistance are the most important. But, since no provision for either is made in the budgets to follow, we may omit from the income as well as from the expenditure side.

84. As regards grazings 20,000 heads of cattle and 5,000 sheep and goats are kept by 7,000 labourers, on estates, i. e., about $3\frac{1}{2}$ animals per owner. Since then Government, we understand, charges grazing rent at 10 cents per annum per acre, a charge of \$3.50 per owner would equal a grazing area of 100 acres per animal—an extravagant estimate. For the 7,000 owners we may therefore put down \$25,000 as the total value of their grazing rights.

85. As regards land for growing rice or vegetable, we found that it can be obtained at about \$10 per annum per acre. The estates grant the use of roughly 15,000 acres for rice, and 500 acres for vegetables, to their labourers. The aggregate benefit thus accruing to them under this head may therefore be set down at \$155,000 per annum.

86. Adding to this amount that of the grazing rights (\$25,000), we arrive at a total of \$180,000. Divided by the total number of adult labourers

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83. *Estimate of Income.*—The real income of a labourer on a sugar estate, as distinguished from his nominal income, must of course include the extra amount paid to him not in cash but in the form of "benefits". Of these house rent and medical assistance are the most important. But, since no provision for either is made in the budgets to follow, we may omit from the income as well as from the expenditure side.

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86. Adding to this amount that of the grazing rights (\$25,000), we arrive at a total of \$180,000. Divided by the total number of adult labourers

(42,000) we get an average annual value of these benefits as \$4.28, or a weekly average of under 9 cents per head.

87. As regards fuel, the total requirements per head per week we have budgeted for is 24 cents per week per labourer. Assuming that about one-third of the estates grant free fuel, the total benefit accorded to the labourers as a whole may be put down at one-third too, i.e., 8 cents per week.

88. Thus, the total value of the benefits to be taken into consideration amounts to 17 cents per labourer per week, and we should further note that as some of the rice land is given to non-resident labourer, the proportionate value per resident labourer should be still less.

89. In order to find out the total earnings per week of a worker we shall therefore now add the sum of 17 cents a week to the total amount earned by an adult at the rate of 24 to 30 cents per working day, as estimated by us, for the current year. On this basis, it will be seen that the weekly average per adult works out at \$1.79. Or, to be more accurate, we may take separately the earnings of a shovelman, a male weeder and a female weeder per day actually worked. On page 30 we have given the amounts earned per day worked by the three classes of workers on the *Rose Hall Estate*, which average 38.6 cents for a shovelman, 30.7 cents for a male weeder and 26.2 cents for a female weeder. On another estate, the name of which has not been mentioned by the Immigration Agent General, we are told that the averages per day actually worked in 1922 are 41 cents for a shovelman, 32 cents for a male weeder and 31 cents for a female weeder. As these rates are higher than those of the *Rose Hall Estate* we shall, to be on the safe side, adopt them in framing our budget. We may here repeat that it is impossible in the present circumstances for a labourer to work for more than five days in the week, as two half days (on Monday and Saturday) are lost in a week on account of the time occupied in allotting tasks and wages. Therefore, a *shovelman* would earn in a week $41 \times 5 = 205$ cents; a *male weeder*, $32 \times 5 = 160$ cents; and a *female weeder*, $31 \times 5 = 155$ cents. Add to these amounts the cash value of the benefits, viz., 17 cents per week and the gross weekly average works out as follows:—

	Per day. Cents.	Per week of* 5 days. Dollars.
1. Shovelman	44.2	2.22
2. Male weeder	35.4	1.77
3. Female weeder	34.4	1.72

These may be taken as representing a liberal estimate for 1922 of the gross average earned by the three classes of labourers now.

* FOOTNOTE.—Compare these rates with those prevalent on different Government works given below:—

For males:—

1. Sugar estates .. 222 cents in a week of 5 days (plus house and medical relief.)
2. Sea Defence Wall 380 cents in a week of 5 days (cash only.)
3. Sea Wall Roads .. 420 dollars in a week of 5 days.
4. Public Works De- 540 ditto.
partment yard.

On this basis we find that—

	Dollars.
(a) A Shovelman would earn in 10 years at the rate of 222 cents a week.	1,154·40
(b) A Male weeder would earn in 10 years at the rate of 177 cents a week.	920·40
(c) A Female weeder would earn in 10 years at the rate of 172 cents a week.	894·40

But from these amounts should be deducted the loss of earnings for days, on which a labourer may be unable to work, owing to illness. We assume that the number of such days will not be more than 15 in a year or 150 in ten years. The net average earnings in 10 years, after making the deduction, are noted below:—

	Dollars.	Dollars.	Dollars.
1. Shovelman	1,154·40	—66·00	= 1,088·40
2. Male weeder	920·40	—53·10	= 867·30
3. Female weeder	894·40	—51·75	= 842·65

90. *Cost of living.*—As regards the cost of living, we have to consider four different estimates given by different authorities (Appendix No. VII). The Nunan deputation to India prepared, at the desire of Mahatma Gandhi, an estimate of the cost of living to a small farmer or labourer, which amounted to 226 cents a week (exclusive of the cost of clothing, implements, etc.). The Immigration Agent General estimates it at 185, and Mr. Collier at 234 cents a week per adult; while the 15 single men whose budgets have been supplied to us by Mr. Collier himself [*vide* Appendix No. VIII (2) from 1 to 45] spent on an average 295 cents a week on food, etc. A medical Doctor whom we have consulted, works out the minimum average per week at 288 cents a week for a male. His estimate has been framed on the physiological basis of calculation laid down by Professor Atwater and adopted by Mr. Seeböhm Rowntree in his various studies. Two other medical men in British Guiana, who have intimate knowledge of the immigrant labourers, estimated the minimum cost of living at 300 cents a week, but would add another 50 cents, if the labourer is allowed food on a slightly more varied and higher scale than what is necessary in order to maintain him in a state of bare physical fitness. We shall however adopt the figure of 288 cents a week for a male adult in our calculation of the cost of living. The Immigration Agent General's and Mr. Collier's estimates fall short of the minimum laid down by the medical authorities for those who have to do heavy work. The average of 295 cents a week spent by the 15 men of the Collier Budgets would more correctly represent what a labourer actually does spend on food than the estimate of either the Agent General or that of Mr. Collier. Therefore, the weekly cost of food per head may be estimated as follows:—

	Cents.
(a) In the case of males	288
(b) In the case of females (83 per cent. of a male adult) ..	239
(c) In the case of children (40 per cent. of a male adult) ..	115

91. The estimated cost of clothing in a year to an adult male, given by the Agent General as 33 cents per week, is extremely low. He does not include in

his estimate boots, shoes or umbrella, etc. Moreover, retail prices of cloth in British Guiana we found to be abnormally high, and clothes would cost more than the amount suggested by him. Similarly, we do not agree with him that a woman would have to spend less on clothes than a man. From what we observed in the colony as elsewhere, we have no hesitation in coming to the conclusion that if there is any difference between the two, it would be higher for a woman than a man. To be on the safe side, we should treat them alike, and take 50 cents a week for both. As regards implements, we take the figures given in the estimate of the Immigration Agent General. We should add to the above items of expenditure items under "extras" and passage money, etc. The budgets for different classes on this basis may now be given as follows :--

(A) *Shovelman.*

Expenditure.	Per week		In 10 years	
	Cents.	Dollars.		
(a) Food, etc.	288		1,497	
(b) Clothing	50		260	
(c) Extras	11.5		60	
(d) Implements	10		52	
(e) Passage money	19		98	
Total	378.5		1,967	

(B) *Male Weeder.*

(a) Same as (A)	378.5	1,967
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(C) *Female Weeder.*

(a) Food, etc.	239	1,243
(b) Clothing	50	260
(c) Extras	11.5	60
(d) Implements	4	21
Total	304.5	1,584

But if in the case of the female weeder we include in her estimate the cost of her share of passage money and clothing, her total would be increased by \$ 72 or, even if a free return passage is allowed to her, she would have to pay only \$ 20 for clothing. Her total would, in one case, be 1,656 dollars; and in the other, \$ 1,604.00 after she had been in the colony for 10 years.

92. We may summarise what has been stated above in a tabular form as below :--

	Income in 10 years.	Expenditure in 10 years.
	Dollars.	Dollars.
1. Shovelman	1,088	1,967
2. Male Weeder	867	1,967
3. Female Weeder	843	1,604

it will be seen that at the current rates, the debit side shows a considerable excess over the credit side and it is clear that the average earnings of a

Shovelman must be raised by 80 per cent., of a male weeder by 120 per cent. and of a female weeder by 88 per cent. a week before they can even make both ends meet. It will further be noticed that if the above increments were to be granted, even then the labourers could not be said to be earning a living wage since after ten years' continuous residence in the colony, they would return to their native land as paupers.

SECTION VII.—MATERIAL AND MORAL CONDITIONS.

I.

93. Of the total number of East Indians in the colony, about 53 per cent. live on the estates; while of the remaining 47 per cent., a considerable number, resident in neighbouring villages, also works for the plantations, when not otherwise engaged. The latter are called the "task-gangs". It may therefore be assumed that about 75 per cent. of East Indians are connected directly or indirectly with the sugar industry. In these circumstances, we shall begin by describing the conditions on the estates, under which immigrants have to live and labour, and then, deal with the position of the community as a whole.

94. *Housing Accommodation.*—The dwellings on an estate are called the "Coolie" lines or ranges. A range is a single-storied building, fifty to hundred feet long, fourteen feet broad, and fifteen feet high from the floor to the apex of the rafters. Its roof is either shingled or covered with corrugated iron-sheets. It has either a mud-floor, or wooden flooring plastered over with earth. Some ranges are raised two feet above the ground level. Each range is divided by thin partitions into five or ten rooms, according to its length. The floor area of a room may roughly be taken as 120 square feet. The partitions between the rooms are usually close-boarded to a height of 10 feet from the floor, the space above that being close-lathed. Each range has a covered verandah, four to six feet wide, running along the whole length on the front side. For ventilation, there is a window on the windward side and a door on the leeward side in every compartment. The distance between two ranges varies from fifty to sixty feet. There are drains both in the front and behind the range; though, being mere channels cut in the soil, they are seldom in a satisfactory condition. One family or three bachelors are required to live in one room. There are, in addition, a number of cottages of improved type on several estates, about ten on each, which were put up in 1919 and 1920. At that time, an attempt was being made to attract labour from Barbados and Grenada; and as they would not have agreed to live in the "Coolie" ranges, better dwellings had to be provided for them. Only a small number of them, however, were built, as the construction of more cottages was soon stopped for various reasons. We found a number of East Indian labourers living in these cottages, as the Black immigrants from the West Indian islands did not stay long in the colony. The responsibility for keeping the "Coolie" yards clean, rests on the occupants. There are no line sweepers. Some of the ranges which we saw were fairly satisfactory, but most of them, such as those on the Plantation Friends were found to be in a state of advanced dilapidation. White-washing

seems to be the exception, not the rule, with the result that the ranges present a rather dreary and dismal appearance. Some of the ranges, in our opinion, are hardly fit for habitation, resembling more "a pigstye" in the vivid phrase of a labourer, than a dwelling fit for men; while, as regards married couples, they are absolutely unsuitable. No privacy is possible, when words whispered on one side of the partition may be overheard on the other. In these circumstances, it is not at all surprising to find all decency of a family life destroyed. The "Coolie" lines are as much responsible for the immorality among the immigrants as any other cause. We are therefore sorry to have to record that the authorities in British Guiana do not consider it necessary to provide separate cottages at least for the married couples who are already in the colony; although even bachelors among the new comers are promised accommodation in new cottages. All that Messrs. Andrews and Pearson have written about the "Coolie" lines of Fiji in their report applies with equal force and justice to the "Coolie" ranges of British Guiana. And the least that should be done immediately is to make separate arrangements for the housing of married immigrants.

95. *Drinking Water.*—Arrangements for the supply of drinking water on the sugar estates are pretty much the same as in the villages of the colony, to which a reference has already been made in Section V dealing with Vital Statistics and Public Health. It is therefore unnecessary to go over the same ground again. We are glad to note that in some cases, cisterns have been constructed for storing and purifying water brought in pipes from an outside source; and we wish very much, we had been able to say as much for others also. Although we are assured of the existence of a keen desire among the managers, now as before, to improve the water supply on their estates, we are constrained to add that its improvement should not only be desired, but also effected without any further delay. In order to emphasize the need for promptitude in this direction, we may mention the case of the *Plantation Friends*. The water-pond there is in close proximity to a cemetery, and during the rainy season the danger of contamination is very great. Its Board of Directors have been aware of it for a long time. When it was brought to the notice of the Hon'ble Mr. Brassington, who is the Attorney of the Estate, he said that the company had spent about 7,000 dollars in trying to improve the water supply there; but when the question was further pressed, whether the fact of the cemetery being so near to the pond was known to them, and if known, what had been done to remedy this state of affairs so far, the reply was that they had been aware of it and were desirous of improving the arrangement. There the matter rests. Another estate, that of *Albion*, may also be mentioned in this connection. Wherever we went, the labourers bitterly complained of the impure and dirty water they had to drink.

96. *Medical Arrangements.*—The hospitals on the estates we visited, appeared to be well-equipped and quite ship-shape. As regards medical arrangements in general, we regret to say that the suggestions made in the report of Messrs. McNeill and Chimmianlal have not been adopted. They stated:— "The memorandum, Appendix 7, contains the rules relating to the medical treatment of poor persons of estates. It will be seen that certificates entitling persons to treatment either gratis or at reduced fees may be issued by

a number of residents of each locality. Most Government medical officers dispense with certificates and treat Indians free unless they know them to be well off. On settlements at a distance from the residence of a Government Medical Office, Indian settlers sometimes complained that medical aid was not sufficiently accessible. In one locality we found that an allowance had been granted to defray the cost of a motor launch to enable the medical officer to travel up a creek twice a week to an Indian settlement of rice-growers and cattle owners. It seems impossible to send fully qualified medical officers to every locality to which settlers are spreading, but we think that the prevailing conditions render desirable the entertainment of a small staff with qualifications similar to those of sub-assistant surgeons in India. The Indian population in villages and settlements, accustomed to medical treatment on estates, and appreciating its value, needs local and prompt treatment of ordinary ailments. Dispensaries in charge of men of the sub-assistant surgeon class would be very useful if out-door patients received gratuitous treatment and visits to patients' homes in the vicinity of the dispensary, were covered by a very small fee. It is possible that young Indian licentiates of medicine and surgery would be attracted by the offer of salaries of 50 dollars a month, and on resignation after 10 years' service a bonus of one month's pay per year of service. Leave might be given at intervals of four years with arrangements for passage as assisted medical officer on emigrant steamers. Not only Indians but all labourers would benefit by the establishment of dispensaries in populous localities situated at a distance of not more than 6 miles from any existing centre of medical relief. It would also be well to exempt from payment of medical fees persons, whose yearly incomes did not exceed £30. Though certificates of poverty may be obtained more easily than in Trinidad, a general rule of this kind will often obviate the need for obtaining a certificate. The suffering and privation due to sickness amongst the very poor in tropical countries call for the administration of medical relief free from harassing restrictions." (Vide Report, Part I, page 62, paragraph 16).

97. If the above proposals had been given effect to a good many of the complaints made to us in this connection would have been removed. We hope, now that the war is over, their recommendations will be carried out at an early date. We may here refer to two points, especially brought to our notice. One was that medical facilities available on the estates were being restricted, owing to the amalgamation of various estates. The case of *Houston* was cited as an instance. The *Houston* Estate used to have its own hospital; but as it has now been taken over by another group, its hospital will be closed, and labourers working on it required to go to the one on the *Diamond* Estate even for out-door medical relief. It is obvious that although the labourers of the *Houston* would not be paid at a higher rate now than before, and, in consequence, would continue to contribute to the same extent towards medical relief in future, the company owning the *Houston* would, by cutting down the hospital, be making additional profits to the extent of the saving thus effected. It is a real grievance, especially in a country where medical relief is not easily available. The second point raised was this. East Indians are anxious that, as they constitute 45% of the total population, the Government should appoint a larger number of Indian doctors, who would be in a better position to

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inspire confidence among East Indian patients by reason of their instinctive sympathy with and understanding of the patients' sentiments and requirements. It is obviously unnecessary to amplify this point. If the recommendations of Messrs. McNeill and Chimmanlal are carried out, they will go a great way towards removing this grievance.

98. *Rice-beds*.—According to the Report for 1920 of the Immigration Department, the number of immigrants who had rice-beds in that year was a little over 17,000 and the total acreage under rice did not exceed 15,000. It will thus be seen that only about 27 per cent of the resident population had rice-beds, and that the average size of a plot per head was even less than one acre. It would appear that bachelors are generally given about $\frac{1}{2}$ to 1 acre; and that a family, from 2 to 2 $\frac{1}{2}$ acres. But some estates also give rice-beds to non-resident immigrants, in order to induce them to enter into an agreement with the estate to work for four days in a week. For instance, on the *Port Mourant* Estate there were 1,800 acres of rice-beds, of which 1,500 had been given to the residents, and 300 to the non-residents. This would further reduce the number of resident labourers who have rice-beds from 27% to 22%. The rate of rent per acre varies from estate to estate. Of the 57 sugar estates in 1920, 11 estates charged no rent, while 7 from 1 to 4 dollars, and the rest from 5 to 8 dollars a year per acre. The yield of the above 15,000 acres in 1920 was estimated at 255,000 bags of paddy, or nearly 127,000 bags of milled rice. As each bag of milled rice contains on an average about 164 lb, the total yield may be estimated at 20,828,000 lb. This would give an average of 7 $\frac{1}{2}$ bags of rice per head of the immigrants having rice-fields. But it would be unfair to assume that these 7 $\frac{1}{2}$ bags of rice represent the net profits to the labourer. From the detailed figures collected from a large number of labourers, who have rice-beds, we find that the average expense on an acre of rice-bed to the immigrant varies from 20 to 30 dollars, if we assume that he or his family work with hired labour. We had these figures tested by some of the biggest as well as the most successful rice-farmers in the colony; and in their opinion, the average expenses (excluding his labour) that have to be incurred by an immigrant per acre of rice would amount to 20 dollars. In addition, he is exposed, though to a far lesser extent than a village farmer, to the inclemencies of the weather. Let us now work out the total profits per head of 17,000 immigrants from 15,000 acres of rice-beds. As stated above, the estimated yield per head may be taken as 7.5 bags or 154 gallons of rice. According to Mr. Collier, the retail price of rice in March 1922 was 20 cents per gallon. On the above basis, 154 gallons would be worth 30.80 dollars. Deduct the amount of 18 dollars as representing the expenditure on 15-17ths of an acre at 20 dollars per acre from the above total of 30.80 dollars; and we find that the net profit per head to the immigrants from the cultivation of rice-beds amounts to 12 dollars and 80 cents only. But then this profit in a good year would be turned into a net loss of 20 dollars in a bad year. Taking, therefore, good and bad years together, we may roughly say that on an average the net profit per head amounts to 9 dollars a year.

99. *Cattle, etc.*—It is stated that in 1920, on those sugar estates for which statistics are available, 6,253 East Indians owned 20,000 head of cattle, and 1,046 owned 5,000 sheep and goats. We could not ascertain how many

of those owning head of cattle were included in the number of the owners of sheep and goats; although we were told that their number would be considerable. On the assumption, however, that the two figures are exclusive of each other, the total number of immigrants owning these animals amount: to 7,300 out of a total resident population of 63,000 on the sugar estates, showing that out of every 25 immigrants, 22 own no animals.

100. The figures relating to rice-beds and live stock on the sugar plantations are most significant. They show that by far the greater majority of immigrant labourers have no other source of income than their weekly earnings on the estates. We have already pointed out that the rate of wages at the present time are miserably low. We have gone at length into the question of rice-beds and live stock, because great emphasis is often laid on these two additional sources of income, from which a majority of them are said to be making a good deal of money. From what we have stated above, it is evident that the percentage of immigrants who have rice-beds to the total resident population working on the estate is only 27, and that of the owners of live stock less than 12. It will further be seen that the net income from rice-beds is not so high, as is generally supposed. But in any case, the income from these two sources should not be included in the amount of earnings on an estate, as it represents the profits of extra labour and capital.

101. *Savings*.—We tried to find out the total amount of savings, if any, of the immigrant labourers on the sugar estates. We regret to say that no information could be had on this point, either from the Post Office Savings Banks or the two banking institutions in the Colony. Nor could we collect any data for arriving at the total amount of indebtedness among them. We are therefore unable to express any opinion on these points. The general impression left on our minds by what we saw and heard was that only a small percentage of workers on the sugar estates, such as drivers, immigrants of superior physique, those who may enjoy certain facilities not open to the majority, are able to lay by anything. Then, there are also a number of those who, by continuously *skinting* and starving themselves are able to save a few cents. But in the case of the vast majority, it may be said that they are just about the poverty line, some below, and others slightly above, it. The series of the Collier budgets [Appendix VIII (2), C. 1 to C. 45] shows that only 10 per cent. of them were spending on food more than the average of 295 cents a week; and this proportion may be taken as a rough indication of the economic condition of labourers on the estates.

102. *Immorality among immigrant labourers*.—That in the days of indenture, immorality among the indentured labourers was rampant is acknowledged on all hands. Messrs. McNeill and Chimmanlal in their report ascribe it mainly to the sex-disparity and the class of women who were sent out from India. To these two causes should be added another, viz., the "Coolie" lines, already alluded to. Sudden freedom from all the social restraints of a village life, chaotic intermixture of different classes and individuals from various provinces, the conditions of life on an estate, the non-recognition of Indian marriages: all these tended to lower the moral standard and destroy the sanctity

of married life. And though the indentured system has been abolished, it has left behind an evil legacy. If separate housing arrangements for married couples are immediately made by the provision of a large number of separate cottages; if legal recognition is given to marriages solemnised in accordance with Indian religious ceremonies; and if the State in British Guiana, disregarding all narrow considerations of harm or injury to any particular industry, takes early steps to discharge the obligation laid upon it by law in the matter of imparting education to the children of the Indian community, the progress towards a settled life of a higher moral standard will be considerably hastened.

103. There is not only sexual laxity among the immigrant labourers themselves, but very serious allegations have been made from time to time that managers and overseers have had immoral relations with "coolie" women on the estate. The Sanderson Committee came to the conclusion that there was not much substance in the allegations. From our investigations, we have arrived at the conclusion that there is ground for believing that such immoral relations do exist, though, to what extent, it is impossible to say. East Indians almost unanimously made these allegations; and with equal unanimity and emphasis the planters denied them. The Hon'ble Mr. Webber stated that such immorality did exist; and added that things were pretty much the same, as they were in 1913.

104. It may be mentioned here that there is an Ordinance in the colony, under which a manager or an overseer living with an immigrant woman must either marry her, or leave the estate. It was said that the owners of the sugar estates would not tolerate such an immoral practice and would punish the man, if they were satisfied of his guilt. In spite of all this, the very conditions under which young overseers are required to live on the estates are such that it is impossible to prevent the growth of this evil. Young overseers are either unmarried, or, if married, are not allowed to have their wives on the estate. This seems to be the general practice, though on a few estates a small number of married quarters for overseers have been put up in recent years. Such being the conditions, under which they have to live, it is easy to understand why so often they go wrong. Married men are not generally appointed overseers, because they would be more costly, and, secondly, because the estate would have to incur additional expenditure over the construction of married quarters. These reasons were put forward by one of the sugar magnates of British Guiana who further explained that sugar plantations, being business concerns, have to be run on business lines, and that they had to consider proposals involving additional expenditure, recurring or non-recurring, from that point of view; and he ended by saying that young men would be young men. The subject is a most unsavoury one, and we have no desire to pursue it any further. We should, however, like to place on record our deliberate opinion that the evil does exist, and that the only feasible solution would be to employ married Indian overseers who would be less costly than married overseers imported from Scotland.

105. *Relation between employers and labourers.*—As regards the treatment of labourers by the supervising staff, it appears that things are gradually changing

for the better ; although complaints of ill treatment are even now often heard. We made enquiries into some cases of alleged ill-treatment brought to our notice ; and we found most of these complaints to be substantially true. In this matter, as in others, it must be borne in mind that the indentured system has only recently been abolished, and that therefore sometime must elapse before occurrences like these can become an exception rather than the rule. The labourer, too, is slowly waking up to the realisation of the fact that he is no longer in bondage but is a freeman who can demand fair and considerate treatment. And add to this another factor that, as there has been a cessation of immigration from India and the consequent stoppage of the supply of fresh labourers, the employers with a limited number of labourers to draw upon are feeling the imperative necessity of treating their employees with more consideration, so as to secure their good will and confidence.

106. *Immigration staff.*—The Immigration Department of British Guiana consists of an Immigration Agent General, a Senior Immigration Agent, four Immigration District Agents and a number of clerks and interpreters. The first six posts of responsibility are held by Europeans. All the interpreters are practically Indians. The officers of the Immigration Department appear to us to be anxious to do as much as they can, under the existing circumstances for the immigrants. But they labour under several obvious disadvantages. The Indian, and, to a certain extent, non-Indian, witnesses are not quite satisfied with the way in which it is being run. The complaint was not against the personnel of the Department, but entirely against the system.

107. The general opinion would seem to be that the Immigration Department, though said to exist for the protection of the emigrants, in reality acts, as if its main function was to protect the planters. Both Dr. Wharton and the Hon'ble Mr. Lukhoo as well as other Indian witnesses deplored the fact that no Indian had ever been appointed to senior posts in the Department, and strongly pressed that one of the precedent conditions to the resumption of immigration from India should be the acceptance of the principle that the Immigration Department shall in future be manned ordinarily by Indians only, so far as the senior appointments are concerned.

II.

108. *Economic Conditions.*—We shall now pass on to a consideration of the material and moral conditions of those Indians who are not connected with the sugar estates.

109. From Appendix IX dealing with the "floating resources" of the East Indians, it will be seen that the total estimated amount under all heads comes up to well over two million dollars or roughly \$18 per head of the total number of East Indians. But if we exclude the number of those living on the estates from the total population, we find that roughly 59,000 people own under various heads these \$2,165,000 or, \$37 per head so far as their floating resources are concerned. It must, however, be added that the above figures cannot be accepted as accurate. For instance the total value of jewelry given above as nearly \$42,000 is a guess, pure and simple, based on no reliable data. Then, again, the figures under various

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108. *Economic Conditions.*—We shall now pass on to a consideration of the material and moral conditions of those Indians who are not connected with the sugar estates.

109. From Appendix IX dealing with the "floating resources" of the East Indians, it will be seen that the total estimated amount under all heads comes up to well over two million dollars or roughly \$18 per head of the total number of East Indians. But if we exclude the number of those living on the estates from the total population, we find that roughly 59,000 people own under various heads these \$2,165,000 or, \$37 per head so far as their floating resources are concerned. It must, however, be added that the above figures cannot be accepted as accurate. For instance the total value of jewelry given above as nearly \$42,000 is a guess, pure and simple, based on no reliable data. Then, again, the figures under various

heads have not been taken for the same year; and any figures compiled in such a haphazard manner are likely to yield quite unreliable results. Take, for instance, the amount brought by repatriated Indians to India. In the table, the figures relate to 1920, while we find that if the amount for 1921 is taken in place of that for 1920, there will be a reduction of roughly \$199,000 from \$250,000 in 1920 to \$51,000 in 1921. Similarly, in the table (7), the total deposits in the Savings Bank Department of the Royal Bank of Canada have been given for the year 1921 instead of 1922, thus inflating the total in (7) by about 37,000 dollars. Again, in the case of the purchasers of land in 1920, it is not stated how much of this land was bought by East Indians from East Indians and how much from others. Then, the figures of the total amount owed by Indians either to the banks or raised by means of mortgage on their properties in 1922 should be ascertained, before any trustworthy conclusions be drawn from these figures. But even on the basis of the above figures, we find that the floating resources do not amount to \$18 per head of the total population. These figures in themselves are enough to show that the East Indians in British Guiana cannot be regarded as being in affluent circumstances.

110. *Comparison between Indians and Chinese.*—A comparison of the economic condition of East Indians with that of the Chinese immigrants in British Guiana will throw further light on this subject. There are in the colony 125,000 East Indians as against 3,000 Chinese; but of the trading licenses issued in 1920, 16,000 were held by East Indians and 2,600 by the Chinese. (*Vide* Appendix X.) Separating from these figures those items which are indicative of comfort or luxury, we find that only a very small proportion of Indians can be said to be living in comfort. The figures bearing on this aspect of the question are given below:—

	East Indians.	Chinese.
(1) Cycles	981	507
(2) Motor Cars	99	55
(3) Motor Cycles	3	10
(4) Motor, 4-wheel, Private	3	3
(5) Motor, 2-wheel, Private	1	1
(6) Motor, hackney	21	2
(7) Horses and Mules, Private	14	2
Total	1,122	580

111. Thus, it will be seen that although East Indians have got an overwhelming superiority of numbers over the Chinese, being in the proportion of 42 to 1, the order of superiority in the matter of the ownership of cycles, motor cars, etc., is reversed, as while 19 per cent. amongst the Chinese hold these licenses the number of licensees amongst Indians is less than 1 per cent. These figures show that Indians, as compared with the Chinese, are occupying a very low position in the economic life of the Colony. That the European leads is obvious enough; but that the Indian whose thrift and industry as well as initiative and enterprise have become proverbial in the colony, should not be even as well off as the Chinaman, is due entirely to the fact that the Chinaman,

long ago, came to realise that so long as they were tied down to the sugar estates, it was hopeless for them to aspire to a position of economic independence. While the Indians were working for the benefit of others under the indenture system, the profits earned by the Chinese remained in their own pockets. This conclusion is further confirmed, if we refer to the amounts deposited in the Savings Banks or invested in lands.

112. Let us first take the Post Office Savings Bank. We find that in 1920, there were 8,716 East Indian depositors, who had \$795,000 as against 596 Chinese depositors with \$87,500 in the Post Office Savings Bank account. While only 7 per cent. of the total East Indian population had in 1920 deposits in the Post Office Savings Bank, the number among the Chinese was 20 per cent. If we take the number of depositors and the amounts deposited by the two classes respectively, we find that in the case of East Indian depositors, the amount per head was \$91 as against \$147 per head for the Chinese. So far as only the Post Office Savings Banks are concerned, it is interesting to note that in 1870, there were 1,800 East Indian depositors with \$138,000 to their credit, or \$77 per head. The Royal Commission of 1871 commented on these figures as follows:—" (It) seems to show that the stratum of small depositors for whom specially Savings Bank is intended, has been as yet hardly reached." We think that their remarks are just as true now as they were in 1871. It is true that since then 2 more Banks have been opened in British Guiana, which attract a number of depositors who would have otherwise gone to the Savings Bank. The amounts deposited by the East Indians in these two banks have already been stated above; but it is safe to assume that the number of depositors—the exact numbers of whom the managers declined to communicate to us—would be proportionately the same, as in case of Savings Banks.

113. Turning now to the amounts invested in land by Indians and the Chinese in 1920 respectively, we find that 852 East Indians purchased land valued at \$380,000 as against 71 Chinese who invested nearly \$152,000. The average amounts per purchaser are \$447 for East Indians and \$2,270 for the Chinese. Further, 428 East Indians owned in the towns of George Town and New Amsterdam property worth \$640,000 as against 97 Chinese whose property were valued at about \$258,000 giving an average of \$1,490 and 2,560 per owner for the Indians and the Chinese, respectively. We were informed by the Immigration Agent General that in March 1922, there were not more than 52 East Indians owning real property of any kind, worth \$10,000 and more. It shows that out of roughly 239,000 East Indians who have been introduced in the Colony during the last 85 years, only 52 East Indians have been able to acquire property worth \$10,000 and over, in this long, long period. These figures conclusively show that although both the East Indians and the Chinese were taken to British Guiana as immigrants to work on the sugar estates, the latter have succeeded in improving their economic condition to a far greater extent than the former, simply because they are free and in no way dependent on the sugar plantations for their living, unlike 75 per cent. of the Indian immigrants.

114. *Some instances of successful Indians.*—A small number of East Indians seem to have succeeded very well indeed, notwithstanding the most unfavour-

able circumstances, under which they had to labour. Pandit Risal Maharaj, who, as a young lad of 16 years, emigrated from India, has succeeded in building up a position, as a merchant, which does great credit to his integrity and enterprise. Similarly, Mir Abdul Rahman Sahib, another indentured immigrant, is the owner of a large area of land and has, besides, some shops. Both these gentlemen belong to the United Provinces of Agra and Oudh, the one having gone from Gorakhpore, and the other from Allahabad. In Berbice, there are two other most successful East Indians, Mr. Sheo Tahl, and Thakoor Ram Singh. Both of them are engaged in cattle-farming on a very large scale. The Luckoo brothers are another instance in point. The elder Mr. Luckoo is a successful solicitor at New Amsterdam, who was for one term Mayor of that town. His younger brother, Mr. J. Luckoo, is a leading barrister, and enjoys the distinction of being the only East Indian to have sat in any of the Courts of Policy. Among medical men, Mr. Wharton is acknowledged on all hands to be a most successful physician. But it is Mr. Jagadev of Mahaicony, who represents the high water-mark of Indian enterprise in British Guiana. Born on a sugar estate, of parents who were indentured immigrants, and with no educational advantages to boast of, he is the first man in the Colony to have successfully utilised mechanical appliances for agricultural purposes. The machines which an American Company failed to make use of, were purchased by him, and are now being used on his rice farms, after having undergone the necessary alterations to suit the local conditions. These alterations were made by Mr. Jagadev himself, his only qualification for work of this kind being that he is quite innocent of all knowledge of engineering. He owns over 4,000 acres of rice-fields, and has constructed at his own expense a canal of 4 miles in length to irrigate them.

115. On a smaller scale, there are several others, who have made good in different walks of life. It would seem that an Indian in British Guiana finds full scope for his enterprise and initiative, only when he leaves the estate. In some of the villages visited by us, we saw a number of small farmers, well-to-do and contented, though they were bitterly complaining of the apathy shown by the authorities towards them. For instance, in spite of repeated representations, no road has been constructed from the Mora Point to the main road, with the consequence that a very large number of East Indian farmer living on the Mahaicony Creek have to come down to Mahaicony in a boat. The residents of Skeldon are, for want of a road, similarly cut off from all communication with important centres of life.

116. *Savings of the Repatriated.*—At this stage, reference may be made to the amounts either remitted, or personally brought, to India by the immigrants. It is very often assumed that these amounts represent savings out of the earnings made by the immigrants working on the sugar estates. That it is not so, and cannot be so, in the case of the vast majority of immigrants is evident from what we have stated in the Section on "Work and Wages." From a despatch addressed by the Government of India to the Secretary of State for India, No. 41 of 1915, we learn that out of 581 repatriates from British Guiana in 1914, only 483 had brought any savings with them, while the number of those who had with them sums over Rs. 150 was only 241. These figures do not include the value of jewelry brought back, "which a

say the Government of India in their despatch, "is presumably estimated, and somewhat doubtful." We have got the testimony on this point of another independent witness, Mr. Mahadev Panday, who has accompanied to India the returning immigrants of British Guiana and Trinidad, more than 25 times, in the capacity of either a third compounder (medical officer) or a senior compounder on board the return ship. He said that in the last boat from Trinidad to India, there were 900 repatriates in all, of whom about 400 were "without any money at all". "The few who had a few thousand dollars with them were generally *Pandits* (Priests) who did not labour", said he, and added that "the labourers save very little." Further light on this point is thrown by the Royal Commission of 1871. They say in their report as follows:—

"854. *Money remitted to India by Coolies returning.*—In the general reports of the Immigration Commissioners there has annually appeared a return of money remitted through Government agency to India on behalf of immigrants claiming a free passage. From papers submitted by the Immigration Agent General, containing full details, we gather that in twelve ships which sailed with returning Indian Immigrants, between the 15th November 1834, and the 11th November 1859, 2,828 immigrants took away with them money acquired in the colony to the amount of 453,369.70 dollars, or £94,452 Os. 5*d.* The whole number who have returned is 6,281; but the money of those who went by 5 slips out of twenty was not officially remitted, and cannot now be ascertained. The Return of the Emigration Commissioners for 1870, which includes some times estimated, rather than ascertained, figures, gives a total of £116,473 17*s.* 7*d.* It seems of little use to calculate averages in this connection, or to guess at the amount of cash and value of jewelry on their persons, which the immigrants very carefully conceal. The number of those who go back is but a small fraction of those who come, and no attempt has hitherto been made to discover whether the method by which the well-to-do among them have made their money was one equally open to the majority of their compatriots.

"855. *Return passengers per Ganges inspected.*—To the above estimate must be added 421 passengers who embarked by the Ganges on the 10th September 1870, carrying with them, through official channel the sum of 47,438.95 dollars. This convoy we had an opportunity of inspecting before they set sail. There was one man aged 39, with his wife, and three children all born in the colony, who took back 1,100 dollars of his own, and 200 dollars in the name of his wife. Another with wife and children, took 7,000 dollars. It seems to be the fathers of families who had thriven best; but we did not succeed in finding any one who had made a large sum of money without having been aided to his wealth by trade, and having lived for some time in the colony as a free labourer. In particular, we noticed each

of the two families above mentioned, as having come from Berbice where they had been engaged in cattle-farming. A third, returning with his wife and with the reputation of being rich, took with him officially 808 dollars. He, however, had come out but 18 months before, was paying his own passage back, and had made his money in the interval by begging, in the character of a Brahmin".

117. Very few of the "repatriates" to India from British Guiana returned immediately on the expiry of their period of service on the estates. We made enquiries on this point, and were told that an immigrant who had come all the way from India to British Guiana would not care ordinarily to go back empty-handed to India, after having come all the way to British Guiana. It is only the "stony-broke" among immigrants, that are anxious to get away as early as they can. On the other hand, those who are physically fit take to rice-farming, shop-keeping, etc., and continue working for another period of 5 to 25 or 30 years before they would think of returning. Most of the savings are therefore brought by such men. In these circumstances, it is quite erroneous to suppose, as is only too often done, that the amounts remitted or brought to India by the immigrants represent in any way the savings made by them while working on the sugar estates. It may be stated here that the total number of repatriates from British Guiana from 1919 to 1921 was, in round figures, 3,800, and the amount brought back by them \$377,000 or \$100 per head. This 100 dollars per head may be taken as representing that savings on an average of 15 years.

III

118. *Criminal Statistics.*—As regards the criminal statistics, we regret to say that we could not get the figures, relating to the total number of cases for various offences decided by all the courts of the colony, or the number of Indians tried or sentenced. We give below the figures relating to the cases tried by the higher courts only:—

Year	TOTAL NUMBER OF CASES OF ALL RACES:		NUMBER OF CASES IN WHICH EAST INDIANS WERE IMPLICATED.		Col. 3 as compared with Col. 1 in %.
	Reported.	Convicted.	Reported.	Convicted.	
	1	2	3	4	
1917.	81	63	40	33	49.4
1918	69	62	16	16	23.2
1919	136	69	49	35	36.0
1920	83	57	37	27	44.6

In 1920, 7 East Indians were convicted of murder; which show the very high rate of 56 murders per lac of population as against 5 and 5½ per lac in Madras and the United Provinces, respectively; but from the summary of cases appended to the Report of the Immigration Department, it is impossible to draw any inferences of a general character. The figures relating to the number of convicts for the years 1917, 1918, 1919 and 1920 are given below :—

Year.	All classes.	East Indians.	Per cent. of East Indians as compared with all classes.
31st December 1917	427	152	- 35·6
Ditto. 1918	331	144	43·5
Ditto. 1919	458	140	30·6
Ditto. 1920	572	149	26·0
Average ..	447	146	31·4

These figures appear to be satisfactory when they are compared with the number of the Indians in the colony (45 per cent.).

119: *Alms House*.—The total number of inmates in the Alms House in various years is as follows :—

Year.	Monthly average of all classes.	Monthly average of Indian immigrants.	Percentage of Indian immigrants.
1914 to 1918	756	149	19·6
1919	749	217	28·9
1920	764	298	31·1
1921	719	211	29·6

The above figures, as regards the East Indians, would have been higher but for the fact, as pointed out by the Secretary to the Poor Law Commissioners, that "batches of that race have been repatriated from time to time". We find that in three years, 1919 to 1921, 571 were repatriated as paupers from British Guiana. If they had all remained in British Guiana, the number in 1921 would not have been 211, but somewhere in the neighbourhood of 800. But apart from these officially-declared paupers, there are a very large number of broken-down Indians, known as "Jobbers", who are

one comes across mainly in the streets of George Town. We have seldom seen a more pathetic sight than the one presented by them. One missionary who had also worked for some years in India spoke most feelingly about their wretched condition, and deplored very much that there was no institution like a *Dharmshala*, to which these people could go and rest during the night, instead of being driven to seek shelter under bridges and by the road-sides. Here it may be appropriately mentioned that the President and Mr. Tivary were very much impressed with the three or four rest-houses established and maintained at George Town by Major Alexander (Garib Das) of the Salvation Army, where people who earn something can get food and shelter at cheap rates.

120. *Lepers*.—The number of lepers belonging to all races as well as the East Indian community are given below from 1914 to 1921 :—

Year.	Monthly average of lepers of all races.	East Indians only.	Percentage.
1914 to 1918	318	120	38
1919	260	101	39
1920	267	101	38
1921	248	82	33

The fall in the percentage of East Indians in 1921, as compared with other years, is due to the fact that a number of those cases which were not very serious were sent away from British Guiana to India in the immigrant ships.

121. *Lunatics*.—There were in March 1922, 642 lunatics in the Lunatic Asylum, consisting of 372 males and 270 females. They were classified as under :—

(1) East Indians	250
(2) Portuguese	15
(3) Chinese	4
(4) Blacks	301
(5) Europeans	2
(6) Mixed Race	61
(7) Others	9

These figures show that East Indians constitute 39 per cent. of the total population of the Lunatic Asylum.

IV.

122. *Administration of Intestate estates*.—The administration of intestate estates may be referred to here. We find that the total number of such estates was 998 during the period, 1917-1920. The property during this period was

valued at roughly \$30,000 of which \$6,500 were paid to heirs residing in the colony or in India. A considerable portion of the balance was escheated to the State; as under the law of the colony, most of the marriages celebrated according to Hindu or Muhammadan customs are not recognised as lawful, and the issues of such marriages are regarded as bastards. It may be added that such an issue may apply to His Excellency the Governor to waive the rights of the State in his favour. Several persons have done so. We asked for the total amount under this head from the beginning of immigration down to 1922; but the necessary figures have not been received by us. A very large amount has however been escheated owing to the existence of such a law. If an additional argument were needed to justify the unconditional recognition of such marriages, it is to be found in these figures. That the hard earned money of poor immigrants should be taken over by the State, while their children, legitimate, or illegitimate, should go a-begging, is a glaring injustice which calls for immediate redress. The figures for the four years are given below:—

V.

	1917.	1918.	1919.	1920.
1. Number of estates dealt with ..	149	261	340	248
2. Amount realised	Dollars. 7,594	Dollars. 5,302	Dollars. 7,904	Dollars. 9,143
3. Amount paid to heirs in the colony ..	321	909	2,573	1,554
4. Amount paid to heirs in India ..	346	302	366	325

123. *Racial inferiority.*—We are glad to say that we found no traces of that racial feeling which exists in a very acute form in certain British Colonies. The law of the land makes no distinction, at any rate in theory, between one race and another. Indians can anywhere acquire property or carry on business without let or hindrance. Similarly, there is no problem of "segregation". In George Town, for example, Indians live side by side with other races; and as far as we are aware, nobody has ever taken any objection to their doing so. East Indians are allowed to use tram-cars and railway trans on exactly the same terms as members of other communities. But, we feel bound to say, that although in theory, and to a certain extent in practice, no disabilities have so far been imposed upon East Indians on merely racial grounds, there does exist considerable race-prejudice. The East Indian is considered to be of a very inferior race and an Indian has been described in official documents as of the "Cooly race". Every East Indian, high or low, rich or poor, is a cooly. This contempt against East Indians is partly racial and partly economic, and is the direct outcome of the conditions under which East Indians used to be taken from India and made to work during the continuance of the indentured system. It is further to be regretted that the

manager and the authorities responsible for the social and moral well-being of immigrant labourers, have, barring exceptional cases here and there, cared more for pound, shilling and pence, than for the good of their dependents, practically voiceless and helpless employees. We asked Mr. Lukhoo in the course of his evidence whether the following statement made by the non-official members of the Imperial Legislative Council in their letter addressed to Sir George Barnes, the then Member of the Viceroy's Executive Council in 1917, was true of British Guiana or not :—" It is known fact that the general body of Europeans in the colonies consider Asiatics as racially and fundamentally inferior to them. When therefore such men obtained privileged control over Asiatics, the position of the latter is reduced to that of mere cattle, and even the most humane planter does not succeed in lifting his Asiatic employee in the social and moral scale. So long as such a view continues to be entertained by the European planters, no Indian who has any regard for the moral well-being of his fellow men can possibly contemplate with equanimity a continuation of such a system of service however modified and whatever may be the safeguards devised for the protection of the servant". Mr. Lukhoo stated, " Of course, 'cattle' is a strong word to use but that is exactly what is thought of Indians here". He added that Indians were considered to be inferior in intelligence to others, including the Negroes. In confirmation of this fact, it may be stated that on the sugar estates, rarely has an Indian, if any, been appointed to the post of an overseer the reason given for this being, as stated by one of the sugar magnates that Indians could not be trusted in money matters; although on some of his own estates white overseers have been guilty on more than one occasion of misappropriation of estate funds. As was admitted by Mr. Sherlock, who gave evidence before us on behalf of the Chamber of Commerce, the sugar planters went to Scotland for overseers but came to India for labourers. It may be incidentally mentioned that in Scotland they do not grow sugarcane, while in India they do. The members belonging to races other than the East Indian, are appointed to these positions but not Indians. Similarly, in the various Government departments there are over 388 posts carrying an annual salary of £150 and over. Only twenty-three out of which are held by Indians; but of these twenty-three appointments, 12 are held by the interpreters in the Immigration Department. In the Police, the Judicial or Executive line, there is no Indian. In the Medical Department there are one permanent and two temporary posts held by East Indians. In the Educational Department which looks after a population, 45 per cent of whom are East Indians, there is not a single East Indian in the higher grades. Even in the Immigration Department which has to deal almost exclusively with East Indian immigrants, not one Indian has ever been appointed as District Agent, let alone the highest posts. The prevailing idea has been that the East Indian is fit to serve only as a labourer and nothing more. One of the ex-Governors of the British Guiana publicly stated that because East Indians were uneducated, they were such good labourers. The prospect of remaining a labourer not only for himself, but also for his children and his children's children seems to be, in the opinion of some persons, the utmost that an immigrant might aspire to. He has merely been looked upon as an efficient machine for labour. As one of the labourers has stated in written statement submitted to us, " we have been treated like horses and are made to live in

ranges, no better than stables; but while there is a groom to look after the horse there is none to care for us".

124. Let us mention another small fact, as showing that the Indians do not count for anything else except as labourers. On the Board of the Poor Law Commissioners, there is not one single Indian although it manages the Alms House besides discharging other functions. This point was prominently brought to our notice, by both Hindu and Muhammadan gentlemen that although Hindus and Muhammadans pay taxes just as other communities did, even in such a small matter, as the Board of Poor Law Commissioners, there was not one Indian; and yet they added, the number of Indian inmates in that institution was not inconsiderable. When we visited the Alms House we were surprised to note that the vegetarian diet meant for Indian inmates, and described in the printed schedule as the "cooly diet", was less than the ordinary diet. We have no doubt that, had an Indian been on the Board of the Poor Law Commissioners, this could never have been allowed for such a long time. The Hon'ble Mr. Luchoo thought that the number of Indians in public services should be in proportion to their numerical strength; and added that, unless this principle was recognised, a considerable doubt should remain in their minds as to whether their claims would ever meet with due recognition. We would close the subject after referring to two incidents. During the war when there was a shortage of medical men and a number of posts in the Medical Department were vacant, the Surgeon-General of British Guiana advertised the posts in America, although American Degrees are not recognised within the British Empire. Dr. Wharton, who was a member of the Medical Board, suggested that instead of getting doctors from America, they might get qualified men from India. Nothing came out of this proposal. Secondly, the Honourable Mr. Webber stated that although there was no statutory bar to the appointment of any qualified man, irrespective of race or creed, to the posts of Inspectors of Police, only Europeans were appointed because it was felt that they alone possessed the necessary social status.

125. *Feligion.*—We note that Indians are allowed liberty in the practice of their religious beliefs and worships, except in regard to two points to which we shall refer later on. We visited a certain number of the mosques and temples on the sugar estates, which had been built by the contributions raised by the immigrants themselves and liberal donations by the State authorities. But Hindus are not allowed to cremate their dead, and similarly the marriages celebrated according to Hindu or Muhammadan customs are not regarded as lawful. With regard to the first point, it would be difficult to give a more glaring instance in support of our statement that the Immigration Department was lacking in sympathetic understanding of Indian sentiment and feeling, than the statement made to us by the immigration authorities, that Hindus did not desire to cremate their dead. That they are quite ignorant of the strength of Indian sentiment on this point is borne out by the fact, that no less a man than Dr. Wharton, an Indian Christian, wanted to cremate the body of his father (Hindu) who had left instructions that after his death, his body was to be cremated; and had applied for permission which was declined on the ground that he could not do so under the law. Where Dr. Wharton failed, it is not at all surprising that hundreds

and thousands of immigrants should have failed to impress the authorities with the strength of their sentiment in this matter. On the return of the British Guiana Deputation from India in 1920, Mr. Thomas Greenwood who represented the West India Committee on that deputation, submitted a report to the Government of British Guiana, in which he recommended that "Religious Observances—in particular the right to burn the dead on the sea-shore—should be treated with every consideration and respect." (The italics are ours.) This was in 1920; and nothing has so far been done to remove this disability simply because the immigration authorities are under the impression that Hindus do not want it. Could there be, we wonder, a more flagrant instance of direct interference with the religious observances of the Hindu community although Hindus constitute 32 per cent. of the total population of British Guiana?

125. *Marriage Law.*—Similarly in the matter of Indian marriages, the Immigration Agent General defends the existing law affecting the validity of what are described as Asiatic marriages on the ground that a certain Christian Missionary also agrees with him. In the opinion of the latter gentleman, the unconditional recognition of Indian marriages would have disastrous consequences, because the parties who might change their minds afterwards and separate from one another, would be thereby prevented from so doing. He, evidently, does not realise that his argument, if correct, applies with equal force to the marriages celebrated according to the Christian religion. The only proper course to be adopted in a matter like this should be to consult the leading members of the Hindu and Muslim committee and be guided by their advice rather than rely on people professing a different religion, howsoever sincere and well-meaning they may be. As we have dealt with this question of marriage at length in a separate section, it is not necessary to discuss it here.

VI.

127. *Other Grievances.*—Of the grievances under which the East Indian community in British Guiana is labouring, and which were brought to our notice, the most serious ones are those relating to (1) education, (2) political status, (3) marriage and (4) repatriation. We shall deal with them in the next section of our report. There are, however, several points, to which a passing reference may be made here.

128. Under the Masters and Servants Ordinance of 1853, labourers are still prosecuted and fined. In case they cannot pay fines, they were sent to jail. We asked the representatives of the British Guiana Sugar Planters' Association, who expressed themselves in favour of its being revised so as to bring it into harmony with present-day requirements. We are of opinion that it should be revised.

129. Two Indian festivals are celebrated in British Guiana—the Moharram and the Holi. But there is no holiday on either of these occasions, either in public offices or in sugar estates. A large number of labourers complained to us about it, and we think that it would involve no inconvenience to any one, if these two festivals are declared public holidays. It is one of those things which should have been conceded long ago.

130. Children under 12 years should not be made to work in "Creole gangs" by the estate authorities. The Planters' Association are in principle favourable to the stoppage of child labour. Immigrant labourers considered it a real hardship that their children should be indirectly compelled to work in these gangs. We feel that if only the existing provisions of the Education Ordinance are properly enforced and the offending parties prosecuted, this practice will speedily come to an end.

131. The practice of getting agreements signed by labourers in an objectionable form seems to be prevalent on some estates. The Planters' Association, we are glad to note, is opposed to this practice; and we hope that it will soon cease.

132. Women, when engaged on cane-picking in trenches, have to stand in water up to their knees and, at times, even above their waists. It is really a most objectionable practice which should immediately be put a stop to.

133. There is no Labour Bureau or Arbitration Board to decide the disputes between labourers and managers regarding the rates of wages and hours of work. Consequently, labourers have to go on suffering until it becomes unbearable, when they go on strike, which may lead to friction and at times even to bloodshed. The planters' case is that on a difference between a manager and labourers arising on this point, the immigration authorities always intervene, and that they do so with effect, and further, that the manager of a neighbouring estate is also sometimes requested to arbitrate. In either case, the labourers do not regard the award as an impartial one. An independent arbitrator or a body of arbitrators will be in a better position to judge between the claims of the two parties; and their decision will inspire far greater confidence among the labourers.

134. There have been cases in which men have been penalised for taking a prominent part in strikes caused by the disputes regarding the rates of wages. The cases of 5 such men were particularly brought to our notice; and we found that the complaint was not altogether baseless. We are hopeful that in view of the definite assurance publicly given by the Planters' Association, such men in future will not be penalised.

135. One of the most important points raised in the course of our enquiry relates to the appointment of an officer in the West Indies by the Government of India, to look after the affairs of the immigrant Indian population in British Guiana and the British West Indies. So long ago as 1875, the late Marquess of Salisbury, then Secretary of State for India, addressed to the Government of India a despatch in which he suggested that the Colonial Governments should agree to receive and pay for a sufficient number of qualified agents to be appointed by the Government of India, from its own servants, who should be stationed at suitable places in the colonies. They were to have the fullest opportunities of ascertaining the condition of the emigrants and of bringing to the immediate notice of the Colonial authorities everything which might in their judgment afford a reasonable ground of complaint, furnishing at the same time to the Indian Government full reports of the condition of the Indians

resident in the colony. The Government of India sent a reply to this despatch in 1877, in the course of which they made the following observations on the above proposal :—

“ It would, perhaps, be desirable to have in each Colony an officer appointed by the Indian Government—but paid for by the Colony—to look after the affairs of the immigrants on our behalf in the manner proposed; but we apprehend that the salary necessary to secure a properly qualified official for so responsible a post (the functions of which might be in many cases extremely disagreeable and calling for much tact and decision) would not be small and would add considerably to the present cost of emigration, of which the Colonies are already inclined to complain. In all but the larger Colonies, the cost of such an appointment would probably be prohibitory. We are disposed to think that the requirements of the case would be sufficiently, and in some respects better, met by the periodical deputation from India of an officer acquainted with the business of emigration to visit the several Colonies which receive Indian emigrants, both British and foreign. The report of such an officer would, in our opinion, sufficiently supplement the sources of information already at our disposal, and the cost of his deputation, which would only be occasional charge, might be debited to the revenues of India.” (*Vide* the Report of the Sanderson Committee, page 11, paragraph 38.)

After this reply from the Indian Government, the proposal was dropped; and nothing seems to have been done in this direction for a long time. The Government of India, however, deputed in the early nineties Dr. Cumins, and in 1913-14, Messrs. McNeill and Chimmanlal to visit the various colonies which were engaged in recruiting Indian emigrants under indenture. When the Nunan-Luckhoo deputation from British Guiana came to India in 1919-'20, they once again put forward the Salisbury proposal with reference to their colony, and expressed on behalf of their Government their willingness to pay the expenses of such an officer from India. The latest scheme placed before us for consideration by the British Guiana Government also contemplates the appointment of such an official. The Indian witnesses in British Guiana strongly pressed on us the desirability of this proposal being adopted at an early date. The Honourable Mr. Luckhoo speaking on behalf of the Indian community, laid great emphasis on it, and urged that if the proposal should prove acceptable to the Government of India, he would like to suggest that this officer should be an Indian. Indians in the colony were unanimously of opinion that an Indian from India alone should be appointed. We note that under the latest Indian Emigration Act, the Governor-General in Council is empowered to make such appointments. The officer should not only be appointed by the Government of India, but his expenses, in our opinion, should be a charge on Indian revenues. He should be entrusted with the duty of looking after the interests of Indians in British Guiana, Jamaica and Trinidad. We recommend the appointment of such an officer at an early date; it would not only enable the Government of India to keep in constant

touch with their nationals in those far-off places, but also facilitate considerably an early solution of the many outstanding problems in those colonies.

SECTION VIII.—EDUCATION.

136. British Guiana had, in 1920, 224 aided elementary schools imparting instruction to 35,000 pupils, of whom about 8,500 or 24 per cent. of the total number on rolls were East Indians. (*Vide* Report of the Commissioner of Education for 1920.) The State gives special grant-in-aid to those schools that teach an Indian vernacular to East Indian pupils; and many schools are taking advantage of this offer. It is interesting to note that an Ordinance was passed as early as 1876, making elementary education compulsory in the Colony for children between the ages of 5 and 12 years and living within the radius of two miles from a school; but the number of schools even at the present time is insufficient to accommodate more than 50 per cent. of the children of the compulsory school age. Under another Ordinance (1919), the employment during school-hours of children under 12 years, is an offence punishable with fine. (*Vide* appendix XI). The number of children of compulsory school age, is given in the last Census Report of 1921 as 49,000; and on the same basis, the number of such children of East Indian parentage works out, in round figures, at 19,000, of whom less than 50 per cent. are receiving instruction of some sort; and, in the case of the Black and coloured races, at 23,500, all of whom are practically at school.

137. *Causes of illiteracy among East Indians.*—Out of every 19 children belonging to this community, who must receive, under the law, instruction for seven years, 11 children are permitted by the State to grow up in illiteracy; while almost every Negro or Coloured child is found to be at school. Two reasons are usually assigned for this state of educational backwardness of the community. The first reason is that the Indian parent, being illiterate himself, does not realize the benefits of literacy, and, therefore, prefers his child's working in a creole gang on the sugar estate to his or her going to school. And, secondly, as the estate authorities are anxious to have child-labour for their creole gangs, no-serious notice is taken of this breach of the law on the part of the East Indian parents. That the Indian, who is himself illiterate, should dislike the idea of sending his child to school is true, just as illiterate parents all the world over have generally been, or are, opposed to the education of their off spring. But there is another aspect to this question. Several labourers told us, when asked about it, that as "book nectar does not satisfy the cravings of a hungry stomach," they are compelled by their poverty to send their children of tender age to earn on an estate rather than learn at school. Therefore, while it is possible to sympathise with the parents' point of view, it is really difficult to appreciate the apathetic attitude taken up by the authorities in a matter of such serious importance. In this connection, it may be mentioned that although the employment during school hours of a child of school-going age renders his employer liable to punishment, practically no notice seems to have been taken of such breaches of the law by the estates.

138. *What East Indians in British Guiana say.*—The following observations of a well informed and responsible publicist, who is himself an East Indian,

may be taken as embodying, what the educated section of his community thinks of the attitude of the authorities on this important question:—

“ The moral welfare of the labourer hardly counted in the policy of the employer. He was generally regarded as a machine capable of exerting only so much man-power for certain ends. With him it was only work, work,—work like the woman in Hood’s ‘ Song of the Shirt,—till the heart is sick, and the brain benumbed as well as the weary hand.’ Legal regulations for ensuring his general well-being certainly existed, but the machinery responsible for their due observance was miserably inadequate and unsatisfactory. The educational interests of his children received but scant attention, so scant indeed as to have implied culpability in a high degree on the part of our educational authorities. What must we think of a so-called paternal Government, which tolerates, if not actually encourages, a state of affairs in which we find that out of some 20,000 children of Indian parentage, who should be attending school, only about 6,000 do so, and this despite the presence in the Education Ordinance of the compulsory attendance clause? The only reasonable explanation for this is that the Government does not wish to see a literate Indian population; or it may be that in the interest of a certain class of employers of labour it recognizes the expediency of keeping these people at such a mental standard as to make them practically incapable of extending their outlook, beyond the field of agricultural labour. Even at the present moment, many of us are painfully aware of an atrociously iniquitous movement on foot to conserve and utilise the Indian child life of the Colony, for labour purposes on sugar plantations; and a supine and conniving Government is supposed to be looking on quite complacently.” (*Vide* Mr. J. Rohoman’s article on “ The Creole of East India ” published in the Progress No. of the “ *Timheri* ” of British Guiana, page 103).

139. *Schools, undenominational.*—Another noticeable feature of the educational system is that it is practically under the management and control of Christian Missionaries. There are no schools run by Government; and though there is a conscience clause in the Educational Code, it is so worded that Hindu and Mohammadan children have necessarily to receive religious instruction according to the Christian faith. The fact that education in the colony is in the hands of the Christian Missionaries, appears to have had its origin in the belief that thereby the conversion to Christianity of the Asiatic Immigrants—Indian as well as Chinese—would be accelerated. The Royal Commission of 1871, after showing that very few converts were being made, and pointing out that there was no hope of a wave of Christianity flowing backwards to Asia from the colony, stated, “ it is well that this (*i.e.*, the unlikelihood of making converts to Christianity from among the Hindus and Chinese races) should be acknowledged; because so long as it is fashionable to believe the contrary, the idea operates to prevent the State from assisting and prompting the work which is really open to it.” (*Vide* the report of the Royal Commission of

1871, page 194, paragraph 899.) Although this note of warning was sounded so far back as the year 1871, we regret to find that the missionary still continues to monopolise a field which should have been left, as suggested by the said Commission, to the school-master. And the consequences of persistence in this mistaken policy have been most disastrous, so far as the education of the Indian children is concerned. A number of parents, we were informed, would let their children grow up in ignorance rather than run the risk of their being converted as a result of attending mission schools. In these circumstances, it would seem to be only just and fair for the State itself to run schools on undenominational lines, so that in the matter of education at any rate Indian children should enjoy equal facilities—not in theory only as in the past, but also in practice—along with the children of other communities. This proposal, if adopted, would not impose any additional financial burden on Government, as at the present time all current expenses of the aided institutions are paid out of the general revenues.

140. *Instruction poor in quality and Schools unclean.*—We visited a number of schools in different parts of the country and two things specially struck us in what we saw. First, the quality of instruction seemed to be very poor; and secondly, most of the schools were very unclean. We give below two extracts from the two reports by Dr. Rose, who was in charge of the medical inspection of schools in the city of George Town and on the East Coast Demerara from 1917 to 1920. He examined in all over 4,000 children from 23 schools. His reports are valuable, and reveal a deplorable state of things. In the course of his report dealing with the city of George Town, he writes about the sanitary conditions in the schools as follows:—

“ Most of the schools are essentially one-room buildings raised from the ground with another room below, about one foot from the ground, apparently enclosed afterwards as the need for accommodation increased. There is no attempt at class-room accommodation in these two rooms, the teaching of all the classes is carried out, with a result peculiarly disconcerting to the medical inspector and others engaged in the examination of children, since in the majority of the schools there was no private room, in which the examination could be carried out. Indeed in one striking case we found it difficult to thread our way through the multiplicity of pupils and benches to the exit.

“ The yards vary in size, but are almost universally unworthy of the name of playgrounds. They are inadequate in size and in many cases neglected and covered with rubbish and debris; in some schools I found no receptacle for refuse, nor was the necessity for such an article in any degree recognised. Some, however, were remarkably clean and tidy.

“ The drainage, as a rule, was very unsatisfactory, and in the rainy weather, some of the yards resembled quagmires rather than grounds in which children could be afforded facilities for healthy outdoor exercise.



“There is no more unpleasant chapter in the story of the insanitary conditions of these schools than that which is concerned with the arrangements for the disposal of excreta.” (As regards the conditions of urinals and privies, we have already given the extract from Dr. Rose’s Report in Section V under Public Health.)

141. And as regards schools in Demerara, his testimony runs as follows :—

“It may be said, however, that the conditions in these schools present an even graver aspect than in the City schools described in a previous report. Drinking water is derived from vats or from so-called ‘sweet-water’ trenches, the vats being either inadequately covered or not covered at all. One school was blessed with 3 cups, most provided with none at all; where one cup is shared among 100, would seem, however, to be a healthier procedure than to use the hands as a drinking cup, as most of the children do. In one school the gutters were in such a state of disrepair that no water ran into the vat. Some of the latrines were pit-latrines and some were latrines over open trenches. In two cases, at the time of my visit, the trenches were quite dry, and the latrines resolved themselves into dilapidated out-houses over shallow depressions in which heaps of fæces made themselves obvious to the channels of both eye and nose. In another case, though the accommodation nominally fulfilled the requirements of the Code, one of the compartments for the boys was in so grave a state of disrepair, that it could not be used; while one of the girls’ compartments was completely blocked by the trunk of a tree, and has been so for some days when I examined the latrines and drew the attention of the school-master to it. Another was spattered with dried fæces on the floor, seat, door and sides. Such a condition of things reflects grave discredit on all concerned, and not the least grave aspect of the matter is the apparent failure of some teachers to realise the far-reaching importance of such conditions in their schools.”

142. *Schools on the estates.*—We should like to state our opinion that what Dr. Rose says of the schools of George Town is equally true, for all intents and purposes, of the schools in different parts of the Colony. As regards the schools on the estates, what was said of them by the Report of the Royal Commission of 1871 is, in our opinion, equally true at the present time. They said, “Wherever we had the opportunity of inspecting the schools upon estates we did so, with the result of finding *the education of the coolie children, and even their attendance, to be rather a thing desired than effected.*”* (The italics are ours.)

143. *Number of Indian teachers small.*—The number of East Indian teachers is very small; only 21 out of a total of 939 teachers being of this community. It is to be hoped that in future an increasing number of educated East Indians will be attracted to this profession. It was suggested that in order to give an impetus to the spread of education among the East Indians

*Vide Report of the Royal Commission, 1871, page 194, paragraph 900.

it would be desirable to adopt measures similar to those that have been taken in regard to the education of Mussalmans in India. Another proposal was also put forward by Indian witnesses, particularly Mr. Luckhoo, *viz.*, that in view of the urgent necessity of accelerating the progress of literacy amongst them, it was desirable that the number of Indian teachers should very largely be increased, by importing them from India, if necessary, as was contemplated in the Nunan-Luckhoo Scheme. We doubt not that if action on some such lines was taken, it would have a most beneficial effect on the education of the Indian community.

144. Notwithstanding the fact that there is considerable scope for extension and improvement, it must be admitted that the system of Elementary Education in British Guiana is fairly satisfactory. So far as the provision for Secondary Education is concerned, there is only one High School for the whole colony—the Queen's College which prepares students for Cambridge Local Examinations. For higher education there are no facilities available in the colony; and the students have to go out of the colony to qualify themselves for the Bar, etc. There is one Government Industrial School for the instruction and training of vagrant and juvenile offenders. The majority of inmates are trained in Agriculture. A small number of boys are also trained there as carpenters, tailors, and bakers.

SECTION IX.—POLITICAL STATUS.

145. Our terms of reference require us to report whether any further guarantees in respect of the status of Indian Immigrants are necessary before emigration is re-opened. We were also asked to consider the two alternative forms of the Draft Ordinance, which is contemplated by the British Guiana Government, in order to declare by legislation the existing political equality of Indians with other British subjects in the colony. Before dealing with these points, we think it desirable to give a brief sketch of the British Guiana Constitution Ordinance of 1891 as modified by subsequent ordinances; so that the problem of the political status of Indians in British Guiana may be properly grasped and its practical bearings brought out,

146. *Constitution of British Guiana.*—The constitution of British Guiana is unique in the world. It is not that of a Crown colony, neither can it be described as that of a Dominion. The "elective majority" in the Combined Court exercises practically full control over the budget; but in matters of legislation the will of the Executive is supreme. This divorce between financial control and executive power has not, broadly speaking, led to many dead-locks, and the system seems to be working on the whole in a satisfactory manner; but it is not necessary for us to say whether this device of two-fold check and counter-check is not likely to develop caution on the one hand, and want of responsibility on the other, resulting in the retardation of progress. We have thought it advisable to make a passing reference to this aspect of the constitution, only because on more than one occasion responsible persons in British Guiana ascribed to it most of the ills, such as lack of drainage and irrigation, or the insanitary conditions, from which Indians along with other communities were suffering.

147. The representative of the Crown and the Executive head of the administration is the Governor, who holds office during the Sovereign's pleasure, and is responsible to the Colonial Office.

(1) *Executive Council*.—He is President of the Executive Council, consisting of the Colonial Secretary, the Attorney-General and such other persons as may be appointed from time to time by the King. No salary is, however, paid to these Councillors as such. The Council is purely advisory, as the expression "Governor-in-Council" means the Governor acting with, but not necessarily in accordance with the advice of, the Executive Council.

(2) *Court of Policy*.—The Chamber which deals exclusively with legislative measures is called the Court of Policy. It is composed of the Governor, seven official members and eight elected non-officials. As the Governor can give a casting vote in addition to the one which he has as an ordinary member, there is a standing official majority of one in the Court. Its power to pass laws is subject to the veto of the Crown and to the power of the crown to pass by Order in Council Ordinances which cannot be altered by the Court of Policy.

(3) *Combined Court of Policy*.—While the laws are passed by the Court, it has no authority over the money Bills which are considered and passed only by the Combined Court of Policy which, however, has no voice in measures other than the financial ones. The Combined Court consists of the Governor, the other members of the Court of Policy and six additional elected members who are known as financial representatives. Thus, there is a standing non-official majority of six in the Combined Court; and the popular element can exercise fairly complete control over the raising of taxes and the voting of supplies. Both the non-official members of the Court and the Financial Representatives hold office for five years, but are eligible for re-election. Both are elected at one and the same time; and the same electorate returns both classes of members.

148. *Qualifications of Voters*.—Every male British subject can become a voter if he satisfies certain conditions.

A voter must—

- (a) have attained the age of 21 years,
- (b) be under no legal incapacity,
- (c) know how to read and write some language and
- (d) have not received within 12 months previous to registration any relief from public or parochial funds.

In addition, he must possess certain property or income qualifications.

A person residing in a county may be registered as a voter if he—

- (1) owns 3 acres of land or a house of the annual rental value of at least 96 dollars, or

- (2) has taken on rent at least 6 acres of land or a house of the annual rental of 192 dollars, or
- (3) enjoys an annual income or salary of 480 dollars, coupled with 6 months' previous residence in the county, or
- (4) pays direct taxes of at least 20 dollars coupled with residence.

But in a city or town, only those persons who—

- (1) own a house or a house and land of the annual rental of not less than 500 dollars, or
- (2) occupy a house of an annual rental of at least 120 dollars, or
- (3) possess a yearly income of 480 dollars, or
- (4) pay annually direct, taxes of 20 dollars, coupled with 6 months' previous residence,

are eligible for registration.

149. The qualifications of a voter may be summarized as literacy and the possession of property or income of a specified minimum value. It is not necessary to give in detail the qualifications of a candidate for the Court or the Combined Court. Two other facts of great significance from the Indian point of view may be mentioned here. First, every voter has to apply to the registering officer to be registered as a voter, before his name can be entered on the voters' register, and a somewhat complicated procedure is laid down in this connection. Secondly, though a voter is required to read and write some language, either European or Asiatic, all the papers, including ballot papers, are printed only in English. It is worthy of note that Mr. Luckhoo is the only East Indian who has been returned to the Combined Court, while not a single Indian has up till now sat in the Court of Policy.

150. *Voters*.—According to the last Census report, the total number of voters in the colony is about 5,000; made up of 563 Europeans, 482 Portuguese, 96 Chinese, 3,396 blacks and coloured, and only 428 East Indians. Or, to put it differently, we may say that, roughly speaking, out of every 100 voters, 68 are black and coloured, 11 Europeans, 10 Portuguese and only 8 East Indians. There are, roughly, 86,000 adult males; of whom the blacks and coloured number 38,000, and 41,000 are Indians. Of the total adult male population of the European race, 43·7 per cent. are on the voters' list, while in the case of Chinese, the Portuguese, the black and the coloured, the figures are 11·8, 19, and 8·8 per cent. respectively. But only one per cent. of the adult male population of the Indian community are registered as voters. This fact adds point to the contention of the East Indians that their community, to borrow the language of the Indian section of the Colonization Committee, has been practically disfranchised.

151. *Causes of low number of Indian Voters*.—Several causes have been assigned for this extremely low number of Indian voters, among which may be mentioned the following:—

- (a) Unlike the Negro, the Indian is said to have no taste for politics.
- (b) He is actively discouraged by certain influential missionaries from taking part in politics; and as they are believed to be sincere

well-wishers of the Indian community, they are able to exercise their influence successfully in this direction. We have discussed this point with some of these persons, who, themselves unasked, told us that they had been dissuading Indians from taking an active interest in politics.

- (c) While Indians enjoy theoretical equality, most of them are, for all practical purposes, disfranchised; as, being illiterate, they cannot become voters, even if they are otherwise qualified.
- (d) Even when they are literate (*i.e.*, they can write and read some Indian language), they are practically disfranchised, as the voting papers, etc., are all printed only in English. For this reason, a large number of literate and qualified Indians do not care to get themselves registered as voters.
- (e) The procedure for the registration is complicated and troublesome.

152. As regards (a), there is some truth in the statement that the Indians on the whole have hitherto not been very keenly interested in politics. Men who had to live during the period of indenture, for at least 5 years, in the words of Mr. Gokhale, under conditions bordering on semi-slavery, could not be expected to turn politicians immediately on regaining freedom. But to a far greater extent have the other causes enumerated above been responsible for keeping them away from politics. The influence of missionaries of the type referred to in (b) has largely contributed towards it. The causes alluded to in (d) and (c) have not been mentioned now for the first time. For instance, in 1915, the then Immigration Agent General commented in his report for that year on the fact that there were so few Indian voters; and laid emphasis among others on (c) and (d) as being the reasons on account of which so few Indians cared to get themselves registered, or which prevented them from applying for registration.

153. *Remedies suggested.*—In view of the above, a good many proposals, emanating from various quarters, have been put forward with the avowed object of securing to the Indian community in both the Courts representation commensurate with their numerical strength, and adequate for the protection of their vested rights and special interests. Nomination, communal representation with a separate electorate, a combination of the two, and proportional representation of various communities, with a general register, have been advocated at one time or another. Some of these proposals have been coupled with the suggestion that the clauses in the constitution, relating to the qualifications of a voter as well as to the procedure for the registration of voters and the recording of votes, should be so amended that the Indians would be placed on a footing of practical equality with other races in the colony. It is not necessary to agree with any of these recommendations, in order to realize either the persistence or the importance of the problem. The Indians represent a separate and distinct race in the colony; and both as labourers on the estates and in virtue of the fact that they constitute an overwhelming majority of rice growers, they have special class interests to safeguard. There are 95,000 Hindus and 18,600 Mohammodans, whose faiths, customs and usages cannot be said to have received—not owing to any want of sympathy

but merely from a lack of knowledge on the part of others who profess a different faith—that consideration which would perhaps have been shown in an abundant measure, if there had been spokesmen in the Court of Policy and the Combined Court, to represent their point of view, when measures affecting them were on the legislative anvil. Looked at from any point of view, the claim of the community for a fair and adequate representation appears to be incontestable. It becomes overwhelmingly strong, when the services which they have rendered to the colony are borne in mind. It is admitted on all hands that but for them, the sugar industry of the colony would have collapsed years ago; and that they have saved the colony from utter ruin and bankruptcy. Not only have they proved to be the mainstay of the sugar industry, but they have also contributed materially towards the development and exploitation of the colony, by building up the rice industry, and that under the most adverse circumstances. They have cleared jungles and converted marshy swamps into rice fields. In the words of Dr. Cropper of the Canadian Mission, who has been working as a missionary in British Guiana for more than 25 years, “Without the labour of the East Indian, the colony would to-day have been little more than a mangrove swamp fringed with courida bush.” Yet the men who have to play so important a part in the economic life of the colony have practically been without any representation during the last 85 years. Surely, neither justice nor expediency can be pleaded for continuing indefinitely the existing system, as suggested by the Hon’ble Mr. Webber and others. That being so, it is surprising that neither the Sanderson Committee (1910) nor the Hon’ble Major Wood and his colleagues who visited the West Indies in 1922, while recognising the justice of the Indian claim in Trinidad in the matter of representation in the legislature, should have made any analogous recommendations in respect of the Indians in British Guiana, although in the latter they form 45 per cent of the population, while in the former they are less than 33 per cent.

154. *Our proposals.*—Coming to the specific proposals that have been made and to which we have already referred, we should like to make our own position clear in regard to two of them. We are not in favour of nomination or communal representation. We are in favour of dropping the literacy test and otherwise modifying the present system to the following extent:—

- (a) Instead of requiring every person desirous of being registered as a voter to apply to the Registering Officer, it should be the duty of the Government to prepare a preliminary list of all eligible voters in the first instance; and
- (b) The ballot-papers should be printed in such a way as to make it easy for all voters, literate and illiterate, to record their votes.

155. If the suggestion (a) is adopted, the procedure for preparing the list of voters in British Guiana will be brought into line with the practice followed in the United Kingdom and India. Already, in British Guiana a similar method is in vogue in the preparation of the list of jurors. As regards (b), the present practice is admittedly wrong; as it places those voters who do not know English at a serious disadvantage in recording their votes. His Excellency the Governor was good enough to tell us that steps would be taken at an early

date to ensure that the names of the candidates are printed in the principal Indian languages along with English on the voting slips. We should however prefer the placing of a dot of a distinct colour against the name of each candidate, which may continue to be printed in English; or, if separate ballot boxes be provided for each candidate, that each box is coloured differently.

156. *Dropping of literary test suggested.*—As the above proposals (a) and (b) are in the nature of details, we do not anticipate any difficulty in their being adopted, especially when it is remembered that they will benefit all communities alike. Their adoption by itself will not improve the position of the Indians materially, unless the proposal for the dropping of the literacy test is also adopted. We regret to say that a very large number of East Indians in the colony, who may satisfy the property or income test, are debarred from exercising the vote on the ground of illiteracy alone. And, yet, they pay taxes and are affected by the laws of the colony as much as any other community. If our proposal be not found acceptable, the existing inequality will be perpetuated indefinitely. We have already pointed out that in British Guiana, the State has not been able to provide a sufficient number of schools for all children of the compulsory school age, although more than 45 years ago, an Ordinance making elementary education compulsory was placed on the statute book. Apart from this fact, there has been a deplorable indifference on the part of the authorities towards the education of the children of the Indian community. More than three generations have passed since the first batch of Indians landed in British Guiana; and we find that the percentage of children at school in the case of the Indian community is lowest, when compared with that of the other communities. The charge is therefore not made without some justice that the State has failed in its duty towards them. The present illiteracy of the Indians being thus the fault of the Colonial Government, to deny the franchise to them on that ground would be tantamount to penalizing them for the fault of the State. Indian representatives went so far as to say that, if they had had their own representatives in the two Courts, they would not have been in such a sorry plight; and they fear that any further delay in removing this disability will have the undoubted consequence of retarding the whole progress of the community. The objection that an illiterate voter is of necessity inferior in commonsense and shrewdness to an average voter who just knows how to read and write, can scarcely be regarded as of any weight, especially in the case of those immigrants who have shown such remarkable enterprise and initiative in a far-off land and amidst strange surroundings. We are convinced that until a fair and adequate representation is secured to the East Indian community of British Guiana, the present state of backwardness will be perpetuated; and, without committing ourselves to any particular method by which the desired end may be achieved, we earnestly press for an early consideration of this question, so that a satisfactory solution of it may be arrived at as soon as possible. In our opinion, this is the crux of the Indian problem in British Guiana; and on its decision, it is pointed out, depends whether in future the East Indian of British Guiana is to be a self-respecting and self-reliant citizen, or whether he is to remain a serf, a mere hewer of wood and drawer of water, as he has been up till now.

157. To another and a small matter in this connection, a passing reference may be made. There is a provision in the Ordinance relating to the Municipality of George Town which requires the voter to be able to read and write English in addition to the property or income qualifications. This obviously operates against those Indians who can read and write some language other than English, and renders this Ordinance even less liberal than the Constitution Ordinance. His Excellency the Governor, was, however, pleased to assure us that this anomaly would soon be removed by amending the Ordinance.

158. In regard to the Declaratory Ordinance, the suitability or otherwise of which we were asked to examine, we are of opinion that one on the lines suggested by the Government of India will be very suitable and its passing advantageous to Indians. (*Vide* Appendix XII.) We further suggest that the Ordinance should make it clear that no land shall be reserved, now or hereafter, for any community or shall be leased on such terms to an individual or a corporation, as will have the effect of excluding Indians merely on racial grounds from enjoying equal rights with others. Moreover, if the proposal for a West Indian Federation materializes at any time, the Government of India should request the Colonial Office to give an undertaking that the said Declaratory Ordinance shall be embodied in the Federal Constitution.

SECTION X.—MARRIAGE.

159. *Present Marriage Law.*—In addition to the General Marriage Law of the Colony, special provision is made for Immigrants in Part X of the Immigration Ordinance 18 of 1891, a copy of which is appended (Appendix XVI). Under it the Immigration Agent General keeps a Register of Immigrants found to be married at the time of their arrival (these marriages include those of spouses who arrive in separate ships.) Another Register of Marriages contracted in the colony is also kept. Immigrants may be married by :—

- (1) A Magistrate,
- (2) A Christian Minister, or
- (3) A Priest of the immigrants' religion.

160. *Indian marriages invalid without registration.*—In all cases a certificate from the immigration department is required, showing that there is no impediment to the union ; but only in the case of a marriage solemnized by the Priest, does the failure to obtain beforehand such a certificate, invalidate the marriage. With the object of removing this anomaly as well as of making uniform the civil requirements in all the three cases, Part X of the Immigration Ordinance 18 of 1891 has been revised (Appendix XIII) and simplified into a proposed Marriage Ordinance for Asiatics, which has not yet been placed before the legislature. Most of the marriages would have been valid but for the omission to obtain the certificate. The acting Immigration Agent General has prepared a note relating to the law governing marriages among immigrants (*vide* Appendix XIV & XV) from which the following extract will be in place :—

“ The effect of an illegal marriage of course is that children of such a marriage are illegal and in some cases may fail to inherit the

property of their parents. On the other hand, this disability disappears if such parents are careful to make wills and is to some extent obviated by petition to the Governor respecting escheat ; while at the same time latitude is afforded to the immigrants in the observance of their own usage without the complexity (to mention one alternative) of separate laws for the diverse races of this community. Provision is made for the protection of wives in Section 157 *et seq* for the protection of spouses' property in Section 154 ; for the punishment of persons who entice, cohabit with or unlawfully harbour wives of immigrants, in Section 160 ; for divorce, in Section 162 ; and for the division of property when couples cease to live together, whether, they are legally married or otherwise, and without resort to Divorce under the law, in Section 156." (*Vide* Appendix XIV.)

161. In this connection the following observations of a missionary may be noted as representing the views held on this subject by prominent non-Indians in British Guiana :—

“ The impression prevails that the great mass of the children of the East-Indians of the Colony who are classed as illegitimate, should be regarded as legitimate : it being presumed that they are the offspring of parents who have been duly married in accordance with the rites of their own religion. This impression is the foundation of the widespread desire to bring these ceremonies within the pale of law. Unfortunately this impression is not correct. It is a fact that the parents, very many of them, of the children in question, have passed through a marriage ceremony, but not with each other ; and the children are not the fruit of that ceremony. Far and away, the majority of boys and girls and the very young men and women who are married according to the rites colloquially described as Bamboo Marriage* separate from each other and, later in life form connection of their own choice. The great bulk of the children born are the children of this subsequent Connection.

162. It is clear that marriages performed by priests other than Christian Ministers are not recognised as lawful, until a certificate from the Immigration Department has been obtained. The proposed legislation would have the effect of placing a marriage solemnised by a Hindu or Mohammadan priest on an equal footing with that performed by a Christian Minister. To the extent to which this is done, the position would be certainly improved ; but in our opinion, marriages celebrated according to Indian customs should be recognised as lawful, without the imposition of unnecessary and irritating conditions, such as requiring the registration, either by the parties themselves or the priests concerned, of the marriages before or after the performance of the ceremony

*In British Guiana, Indian marriages celebrated according to Indian customs are called “Bamboo marriages” by non-Indians.

Even if registration of marriages be insisted upon for one reason or another, it should be clearly stated that the failure to do so would in no wise affect the validity of such unions. The Indians, Hindus as well as Mohammadans, brought to our notice the anomalous position in which they were placed under the present law, and strongly pressed for the recognition of Indian marriages celebrated according to their respective religious ceremonies and customs as lawful. The Government of the Colony has given repeated assurances to the Government of India that it is the established policy of British Guiana to allow full liberty to the immigrants in the exercise of their religious beliefs and practices. It is hardly necessary for us to point out that the law of marriage and inheritance which governs Hindus or Mussalmans is their personal law; and wherever they go, they are bound by the same law. The responsibility on the part of the Governments of those colonies for allowing such immigrants the full and unrestricted liberty of observing their personal law, is far greater because Indians have gone there not of their own accord, but at the invitation and at the expense of their Governments. Moreover, the recognition of such marriages will in no way interfere with the rights of the other communities. We have deliberately refrained from dwelling upon the grave moral injury that the present law has been inflicting upon the community. We lay special stress on the urgent necessity of an early solution of this question which is of long standing, and vitally affects the social well-being of the East Indian Community in British Guiana.

SECTION XI.—REPATRIATION.

163. *Number of Repatriates to India from 1913 to 1921.*—The number of repatriates from British Guiana from 1913 to 1921 was 4,917, of whom 1,295 left for India in the years 1913-14. Owing to the war, the despatch of repatriated immigrants to India had to be stopped for five years from 1914-18. From 1919, repatriation was resumed, 809 returning in 1919, 2,362 in 1920 and 452 in 1921. Of the total repatriated, 2,778 were males, 1,315 females and 824 children. 386 paupers consisting of 350 males, 32 females and 4 children, and constituting a little more than 8 per cent. of the total, came out at the expense of the British Guiana Government under the terms of the agreement. (*Vide Appendix XVII and XVIII.*) It is interesting to note in this connection, that while British Guiana would not bear the cost of repatriating more than 112 paupers or 4.6 per cent. of the total repatriated amounting to 2,362 in 1920, Trinidad repatriated that year at its own expense 347 paupers including lepers, or, 39 per cent. of 893 souls who sailed for India; that is to say, Trinidad spent on the repatriation of paupers thrice as much money as British Guiana did in 1920. If the percentage of paupers to the total repatriates for the two colonies be taken into consideration, it will be seen that where, for every hundred repatriates, British Guiana pays the expenses of only one pauper, Trinidad bears the cost of sending out 12. It is not due to there being fewer paupers in British Guiana than in Trinidad; but to the attitude of Trinidad being more in consonance with the demands of justice, not only in the matter of repatriating paupers, but also in regard to the cost of passage and clothing. The Guianese Government having to administer a huge area with a population of roughly three souls to a square mile in the colony, are believed to be more concerned

with keeping in the colony as many immigrants as possible than dealing justly with the claims of repatriates.

164. *Causes of sudden fall in number of repatriates in 1921.*—That this belief is not altogether groundless is shown by the following table:—

Year.	Numbers repatriated.	Immigrants' share of the cost of passage.	Cost of warm clothing payable by immigrant.
		\$	\$
1913	606	36	5
1919	809	46·3	7·5
1920	2,369	48	10
1921	454	78	25
1922	Not known	78	20

The sudden rise in the passage money and the cost of clothing by 47·5 dollars from 55·5 dollars in 1920 to 103 dollars in 1921, had the inevitable consequence of reducing the numbers of the repatriated, roughly, from 2,400 in 1920 to 500 in 1921. That this consequence was both unforeseen and undesired by the authorities is shown by the comment of the acting Agent General on this big drop of about 80 per cent. in the number of immigrants in 1921 as compared with 1920. He says in his annual report for 1920, "this out-flow of useful colonists stopped in the following year, 1921, when only 500 immigrants (as against 2,468 in 1920) embarked for India." We understand that Trinidad charges in 1922 \$ 30 for a return passage and 7·5 dollars for clothes as against 78 dollars and 26 dollars respectively in British Guiana.

165. *Procedure of Repatriation.*—As the question of repatriation is a prolific source of discontent among the East Indian emigrants of British Guiana, and, from the Indian point of view, of more than ordinary interest, we think it desirable to give below important portions of a statement on Repatriation drawn up at our request by the Acting Immigration General:—

"The Law governing Repatriation is found in part XIII of the Immigration Ordinance 18 of 1891. * * *

"Immigrants are registered for return passages at the Immigration Offices in three counties of the colony—Berbice, Demerara and Essequibo.

"The registrations are in respect of passages to be provided during the year in which they are made. If an immigrant registers for return passage and does not present himself at the time of despatch of the return ships of the year in which he has registered

such payments as he may have made are refunded to him on application, and he must register again in the subsequent year . . . which he may choose for repatriation.

“The Registration of Immigrants who have become entitled to a return passage to India either wholly or in part, at the expense of the Immigration Fund, commences on the 2nd January and under ordinary circumstances continues until the 31st March. Each immigrant is informed at the time of registration as to the ship in which he will probably be embarked.

2) “The following shows the parties who are entitled to a return passage:—

“(a) All immigrants introduced into the Colony at the expense of the Government or of the Immigration Fund previous to the 1st September 1895, are entitled to be registered free of charge if they have completed a continuous residence of ten years.

“(b) All immigrants introduced at the same expense between the 1st September 1895 and the 30th September 1898 are required to pay a portion of the passage money, viz:—

Males $\frac{1}{2}$, and Female $\frac{1}{3}$.

“(c) All immigrants introduced at the same expense after the 1st October 1898, are required to pay, the men $\frac{1}{2}$ and the women $\frac{1}{3}$.

“(d) All children born in the Colony are allowed free passages to India, provided their parents are entitled and accompany them.

“(e) Illegitimate children born in the Colony are, as a rule, registered with their putative fathers, free of charge, provided their mothers are dead; but if their mothers are alive and do not go with them, then the putative father is made to pay for their passage. Where the father is married and he and his wife have separated he has no legal claim to a free return passage for any children he may have by another woman, even if such woman be dead, but the case should be reported for instructions of the Immigration Agent General.

“(f) Orphans are, as a rule, allowed a free passage to India, but all cases should be submitted for the consideration of the Immigration Agent General. (The term orphans here used means a child who has lost both parents.)

“(g) Grandchildren (the children of Creoles who are accompanying their parents; in fact all children beyond the second generation) are required to pay.

“(h) Creoles and others married to immigrants entitled in their own right, acquire such right through their husbands. This right, however, does not extend to females introduced after the 1st October 1898, who are debarred by the terms of Ordinance 27 of 1900, section 9, sub-section 3 and clause (a). In these cases the husband has married the woman with a full knowledge of the law, and must therefore pay the full cost of the passage.

- (e) In all cases where children are concerned, the Governor has the power, where he thinks it will be for the benefit of the child, to refuse a passage.
- (3) "Registration of passengers, *i.e.*, those who have no rights to return passage does not commence until the 1st June, by which time the clerk in charge should be in a position to say whether there will be accommodation. At the time of registration it must be carefully explained that although the money has been received no passage can be guaranteed. The granting of a passage depends solely on the numbers of those entitled who come up for embarkation.
- (4) "The registration of paupers, *i.e.*, those who are unable to pay their shares of the cost of the return passage and cost of clothing and are pronounced permanently incapable of labour, "*lachar aur garib*," according to the wording of their agreements, as a rule does not commence until the 1st June. No application should be received from any pauper unless he produces his certificate of exception from labour, or satisfactorily accounts for its loss. The order for registration in each case must be made by the Immigration Agent General, or, in his absence, by the Senior Immigration Agent."

166. *Grievances re repatriation.*—We shall proceed to state briefly the main grievances relating to repatriation which were brought to our notice by the East Indians. Their complaints are as follows:—

- (1) That although they had been told before embarkation in India that they would have to pay only Rs. 30 to Rs. 36 for return passage after ten years' residence in the colony, and Rs. 5 for clothing and the promise had been repeated on their disembarkation in Demerara, they were now asked to pay twice and even thrice that amount for the return passage and clothing.
- (2) That although in the English text of the agreement which they signed before leaving India it is expressly laid down that "such emigrants as are *destitute or disabled* shall, with children, dependants or wives, *be entitled to a free return passage*; the immigration authorities have been persistently refusing to allow destitute emigrants free return passages on the ground that they were not also disabled.
- (3) That in the repatriation of paupers the number of such persons to be sent back is determined by the number of berths available in any immigrant ship rather than by the number of paupers in the colony entitled and anxious to return (*vide* paragraph 4 of the above statement).
- (4) That the arrangements on board the return ship as regards accommodation, food, etc., are unsatisfactory.

167. *Exorbitant charges.*—The complaint about the charges being exorbitant was made so universally and repeated with such persistence by both the labouring and non-labouring immigrants that it was impossible to ignore it or treat it as an exaggeration. Wherever we went, whether it was a village or a sugar estate, at a public meeting or a private interview, the story of the undertaking as to their being required to pay between Rs. 30 and Rs. 35 only towards the cost of a return passage was repeated by thousands of East Indians with so much force and earnestness that it was utterly impossible to doubt their sincerity or to question their veracity. That some such undertaking was given seems to be beyond doubt.

168. Let us take the case of those who left India in 1911 and who, having completed their term of ten years' residence, became qualified for an assisted return passage in 1921. We find the cost of passage from India to British Guiana in 1911 was £11 or 53 \$ (Canadian). That this is at variance with the terms of the contract is obvious; but it is equally apparent that if they had been told all that the clause implied, very few, perhaps, would have cared to emigrate in these circumstances. The emigrants' complaint is two fold: (a) that when the terms of the agreement were explained to the intending immigrants before embarkation in India, they were told that their share of the cost of return passage would amount to Rs. 30; but when they reached Demerara and the terms were again explained, they were told that they would have to pay not Rs. 30 but 30 dollars, and (b) that even then, the amount has been raised from 30 dollars to 78 dollars, as the rate of fares has gone up. What is true in the case of an emigrant who went in 1911 in respect of this grievance, is equally true of others who had gone before or after him. In view of the above it would appear that while the strict letter of the agreement may be on the side of the British Guiana Government, considerations of equity and good faith are on the side of the emigrant. In support of the plea that not the printed letter of the agreement but the pledged word of the Agents of British Guiana should prevail, an immigrant may, and as a matter of fact did, urge, that while the agreement did not contain a word about the penal clauses under the indentured system, he was punished for committing what were offences under the Immigration Ordinances, of which he had not been told a word, when enlisting. We were informed that the Government of Trinidad, after careful consideration of the above circumstances, were only charging a fixed sum of \$ 30 towards a return fare, irrespective of the increase in the passage money.

169. We, therefore, would recommend to the Government of India, to move in the matter as early as possible; and we trust that the Government of Guiana will show the same fairness in this respect as the Government of Trinidad.

170. *Charges for clothing high as compared with Trinidad.*—Again, British Guiana charged \$25 in 1921 and is charging \$ 20 in 1922 for clothing and blankets supplied to the emigrants on the return voyage; while in Trinidad, the charge is only 7.5 \$. It means that in British Guiana the cost has gone up 400 per cent. on the pre-war rate as compared with 50 per cent. in Trinidad. The difference between the two rates is too great to be explained

away on the ground of an increase in prices ; in our opinion, it is extremely unlikely that the articles supplied by British Guiana are so superior in quality as to justify the increase.

171. *Destitute or disabled immigrant.*—We came across a large number of destitute immigrants who, having completed 10 years' residence, had become entitled to free repatriation under the terms of the agreement, and were clamouring to be sent back to India. The emigration authorities have, however, been refusing their applications on the ground that they are not also disabled. They rely in support of their action on the words "*lachar aur garib*" in the Urdu version of the phrase "*destitute or disabled*" used in the English text of the contract. It will be noticed that "or" of the English text has been translated into "aur" in Urdu, which is obviously incorrect. We may point out that the responsibility for the translation of the agreement from English into Urdu is that of the British Government ; and it cannot and it should not profit by its own mistake. Again, it does not appear that Tamil repatriates fare better than Hindustanis, although the Tamil translation reproduces quite correctly the "or" of the English original.

172. If by "destitute" was meant one who is both destitute and disabled, there was no need to use in the English text two words, when one word would have done equally well, and join them with "or" instead of "and." The intension of those who drafted the agreement in English is absolutely clear. They meant to refer to two distinct classes of emigrants ; that is, (a) to those who were without any resources as well as (b) to those who were suffering from bodily disability. On either of the two distinct grounds, an emigrant could claim free return passage ; one ground being economic in character, and the other physical. We, therefore, earnestly urge the Government of India to take at an early date such steps as may be necessary for the free repatriation of the destitute as well as of the disabled.

173. As regards the repatriation of those immigrants who are admittedly paupers, the procedure followed by the Acting Agent General is so manifestly unjust that it is not necessary to deal with it at any length. Referring to the question of compassionate passage, in the section relating to Trinidad, Messrs. McNeill and Chimman Lal said in their report 'Every year a certain number of invalids, mendicants, etc., are given free passages. The number varies partly with the demand and partly with the accommodation, but has of recent years increased. In January 1912, 195 passages were issued to paupers, invalids, etc. Domiciled Indians pressed for still more liberality. . . In each of the three districts there are numbers of immigrants who, owing to bad health, intemperance or general thriftlessness, drift into mendicancy and most Indians would rejoice at their departure.' (Vide their Report, Volume I, page 38, paragraph 11.) In regard to British Guiana, they emphasised the desirability of repatriating infirm persons, and the number of such persons in British Guiana is very large, who have no relatives and wish to return. The presence of a large number of broken-down men, who for one reason or another drift into mendicancy or become jobbers in George Town, is one of the main causes on account of which other communities look down upon East Indians. Under the indentured system, a very

large number of beggars and other undesirable persons used to be recruited. The emigration of such persons, however, has been of no possible benefit to them or to the community domiciled in the colony. East Indians earnestly desire their departure, while they themselves would rejoice to return from an "uncongenial and inhospitable," land as they put it, to their land of charity and hospitality. Even persons who have been and are receiving relief, in the Alms House, are not, as they should be, treated as "paupers" for the purpose of repatriation, because the number of paupers to be sent out in any given year or by any particular boat, depends not on the demand, but on the accommodation that might be available. The sooner such persons are repatriated the better it will be for all the parties concerned. And, after having taken into consideration every possible aspect of the question, we have deliberately come to the above conclusion.

174. *Return ships.*—It appears that the return ship is provided in accordance with the "Indian Emigration Act, XXI of 1883," and is furnished with provisions, clothing, fittings, etc., as required thereby. These arrangements, however, are far from satisfactory. We therefore suggest the desirability of taking early steps to improve them. Further, we think that there should be more frequent sailings from British Guiana to India than provided at present.

175. There is yet another point to which we should like to refer in this connection. In paragraph 2, sub-section (h), of the Acting Immigration Agent General's statement, it is stated that this right to free return passage "does not extend to females introduced after the 1st October 1898, who are debarred by the terms of the Ordinance 27 of 1900." Since, in the terms of the agreement, there is no mention of so serious a curtailment of this right it seems to us to be inequitable to debar such wives of immigrants from the exercise of a right which is theirs under the agreement, on the ground of some law, of whose existence on the statute-book, no emigrant could reasonably be supposed to have any knowledge. The right course to follow would have been to clearly state the changes made by the Ordinance of 1898 in the agreement itself. That not having been done, it is highly unfair to take away this right on the merely technical plea put forward by the Agent General.

SECTION XII.—THE SCHEME EXAMINED.

176. *Inter-departmental Committee's Report.*—For a proper appreciation of the actual proposals regarding the conditions to regulate emigration from India in future, that are now put forward by the British Guiana Government, it is necessary to set forth a few salient facts bearing on this question.

177. After the announcement by the Government of India of their decision to abolish the indentured system, the Secretary of State for the Colonies sent to the Colonies concerned a despatch, dated the 31st March 1916, in which he suggested the desirability of their holding a preliminary conference, with a view to consider the new situation that had thus arisen. The conference accordingly met at the Port of Spain, Trinidad in the following June, and unanimously came to the conclusion that the continuance of emigration from India was of vital importance to the colonies which they represented, not merely from the point of view of development, but also for the maintenance of existing

industries. The delegates were anxious to remove any conditions attaching to the then existing scheme which might be repugnant to Indian opinion, and to afford to the immigrants the freest scope for development. With this object, they put forward certain proposals which it is not necessary to refer to here in detail. It was followed by another conference of the delegates, representing the West Indian Colonies and Fiji, which was held at the Colonial Office in London in 1916, when a scheme was formulated. This scheme was later on placed by the representatives of the Colonial Office before the Inter-departmental Committee, consisting of the representatives of the Colonial Office, and the India Office, and presided over by Lord Islington. The proposals of the Islington Committee seem to have been shelved by the Government of India.

178. *Genesis of the British Guiana Colonisation Scheme.*—In the meantime, while protracted negotiations were going on between the Colonies concerned and the Colonial Office on the one hand, and the Indian Government on the other, regarding the terms on which emigration from India should once again be permitted, the sugar interests in British Guiana were being put to great inconvenience and heavy loss on account of the serious contraction of labour supply, arising from the stoppage of indentured immigration from India. After the cessation of hostilities in 1918, while the price of sugar rose to a very high figure, and large profits were being reaped, the total acreage under sugar cultivation in British Guiana, it was stated, had to be reduced to a considerable extent for want of sufficient labour. It was in these circumstances that the Colonisation movement was inaugurated in British Guiana; and a deputation headed by His Excellency the Governor, Sir Wilfred Collet, was sent to England to represent to the Colonial Secretary “the needs of the colony, both for the maintenance of present industries and for their extension.” The object of the deputation was to secure emigrants, not only from India, but also from China, Africa and Madeira. As a result, however, of the interviews between the Colonial Secretary and the members of the deputation, it was decided to approach only the Government of India, with a request to raise the embargo on emigration. A deputation headed by the Hon’ble Dr. Nunan, Attorney-General of British Guiana, came to India in 1919; and placed their scheme of Colonisation before Sir George Barnes who was then in charge of the portfolio of Industry and Commerce. (Hereafter we shall refer to this scheme as the Nunan-Luckhoo Scheme.) The Imperial Legislative Council appointed a committee to examine Messrs. Nunan and Luckhoo with regard to the scheme, and to make such recommendations to the Government as they deemed fit. The committee examined them, and adopted a resolution in which they, while taking a favourable view of the scheme, advised the appointment of a deputation to be sent to British Guiana, with the object of investigating the local conditions. Accordingly, the present deputation was sent to that colony in December 1921.

179. On reaching British Guiana, the Deputation was informed by His Excellency Sir Wilfred Collet that the Nunan-Luckhoo scheme was unauthorised by, and unacceptable to, the Guianese Government; and that it must be considered to be purely unofficial in character, and, therefore, in no way binding on the Colonial Government. Another scheme drawn up in 1920, with a

memorandum by His Excellency the Governor, was placed before us for examination. (We shall refer to this scheme as the Governor's scheme). His Excellency informed us that this scheme should be regarded, not as a definite offer, but only as a proposal for discussion. In this connection, we should like to state that the attitude of the Government of British Guiana towards the Nunan-Luckhoo scheme seems inexplicable, specially in view of the following facts:—

(a) The Combined Court of Policy of British Guiana adopted the following resolution on the 5th February, 1919,—

“ And this Court pledges itself to provide the funds necessary for sending such deputation, the work of which is to be based on the lines to be recommended by the General Colonisation Committee appointed at the conjoint meeting held in the Royal Agricultural and Commercial Society's Rooms on the 29th January, subject to the acceptance of the same by His Excellency Sir Wilfred Collet, K.C.M.G.”

His Excellency the Governor presided over this meeting of the Combined Court.

(b) The conjoint meeting energetically took up the work, and after three months' labour, produced a scheme embodied in a pamphlet called “ British Guiana and the Empire, 1919.”

(c) The deputation headed by His Excellency the Governor waited upon the Colonial Secretary in London with the above scheme.

(d) When the British Guiana deputation consisting of five members waited upon Sir George Barnes at Delhi on the 5th December 1919, the Hon'ble Dr. Nunan, Chairman of the Deputation, stated in the course of his introductory remarks that the Colonisation scheme which they wished to place before the Indian Government and people had been referred by the British Guiana Legislature to a large committee consisting of the various representative bodies (*Vide* Report by Mr. Thomas Greenwood, page 24).

(e) In the course of his examination by the members of the committee appointed by the Imperial Legislative Council, the Hon'ble Dr. Nunan once more repeated his former statement that the Legislative Council of British Guiana had unanimously accepted his scheme; and added that the scheme of Colonisation which he wished to propose and the deputation to put forward that scheme, were both authorised by the local Legislative and Executive bodies and were supported by public opinion.

(f) In the letter, dated No. J. & P.-6236-19 of October 1919, from the India Office to the Government of India, introducing the deputation from British Guiana, the following statement is found:—
“ Dr. Nunan and other delegates, including Mr. J. A. Luckhoo, Dr. W. Hewley Wharton, and Mr. Parbhu Sawh, should proceed to India to lay the scheme before the Government of India and

enter into detailed proposals for carrying it into effect in the event of its proving acceptable."

- (g) We examined, among others, the Hon'ble Mr. Luckhoo and Dr. Wharton, both of whom came out to India as members of the British Guiana Deputation, and they emphatically stated that the scheme was a duly authorised one. The Hon'ble Mr. Luckhoo stated in the course of his evidence "The Deputation from this Colony was headed by His Excellency the Governor himself, who introduced us to Lord Milner, then Secretary of State for the Colonies, who in turn obtained an interview for us with the Under Secretary of State for India, Lord Sinha. He also examined us on the scheme, and suggested that a small Deputation should go to India and put forward the scheme. A letter was forwarded, in which the Indian Government were informed that we were going over, and that we were the representatives of this Government. Our credentials were examined, and then we were treated as the accredited representatives of the Government of British Guiana."

"*The Chairman* :—' His Excellency introduced you ' ?

" *Mr. Luckhoo*.—' Yes ; he was present on both occasions .

" *The Chairman*.—' So you were the accredited representatives of British Guiana ? And yet your scheme and promises have been altogether thrown overboard ' ?

" *Mr. Luckhoo*.—' It would seem so, and I would like the idea to be dispelled that Dr. Nunan and myself were not authorised, on behalf of this Government, to put forward the best possible proposals in order to enlist the sympathy of the Indian Government with a view to carrying out a scheme of Colonisation in British Guiana. To say that we were not authorised would be incorrect.'

Similarly, the Hon'ble Mr. Brassington, the Hon'ble Mr. Webber, and the Hon'ble Mr. Thorne, who was the only member of the Combined Court to vote against its resolution *re* the colonization scheme, did not contradict the statement of Mr. Luckhoo and Dr. Wharton that the Nunan-Luckhoo scheme was authorised.

180. *Comparison between Nunan-Luckhoo scheme and Governor's scheme.*— We shall now proceed to compare the Governor's scheme with (1) the Nunan-Luckhoo scheme and (2) the scheme formulated by the Interdepartmental Committee (Appendix XX) ; and state the conclusions we have arrived at in regard to the Governor's scheme. Both the scheme and the memorandum have been so vaguely and ambiguously worded that it is difficult to find out exactly what some of its provisions mean. For instance, it is not clear whether emigrants who are desirous of taking up land forthwith on their arrival will be entitled to free passages or not. Similarly, it is not stated whether the inducements, such as improved cottages, reward grants of land, etc., are to be offered to the labourers already in the Colony on the same

terms as to the new comers. In regard, however, to both these points, we were informed by the authorities that the answer would be in the negative. It is further mentioned in the scheme that an adult male working for seven hours a day could earn on an average 4s. 2d. per day. This might have been true in 1920, but is not so now.

181. *Governor's Scheme.*—The Governor's scheme and memorandum are given below *in extenso* :—

“ This memorandum is issued under the authority of the Commissioner of the Government of British Guiana and sets out the terms that Government undertakes to observe in respect of persons who are accepted as Colonists and emigrants to British Guiana under that Colony's Colonisation Scheme.

“ An adult man or woman accepted as a colonist will receive :—

“ (1) A free passage to British Guiana, for himself or herself, wife, children and such dependents as may be permitted to accompany them.

“ (2) Employment with registered employers, if they desire such employment at the outset, at the current rates of wages which are such that—

“ An ordinary able-bodied man can earn 4s. 2d. at piece work in the field, in seven hours.

“ No prospect of a fall in these rates can be foreseen.

“ (3) Free housing for three years if employed with a registered employer; for married persons, separate married quarters or cottages. A number of separate cottages are now being built.

“ (4) Free hospital and medical treatment for three years if employed with a registered employer.

“ (5) Free rations for children under eleven years of age, for twelve months after arrival.

“ Free milk rations for children under five years during the whole-time their parents remain in the employment of a registered employer.

Free rations will be issued for a period of six months to pregnant nursing women working with a registered employer.

“ (6) A free return passage to India after seven years' residence in the colony for adult colonists and their dependents. An assisted passage after five years' residence in the Colony, towards which each adult emigrant will contribute £7-10-0 or one quarter of the cost, whichever is less. An assisted passage after 3 years' residence towards which an adult emigrant will contribute £15 or one half of the cost, whichever is less.

the case of colonists' children under 10 years of age, the above amounts are halved.

“ Any individual or family will be sent back free of charge at any time if the Government of India’s supervising officer or the Chief Colonisation Officer so directs.

“ (7) A special Reward Grant of Land, protected from, or not liable to, floods, drained and suitable for cultivation, of five acres to the head of a family or two acres to a colonist (man or woman), where the claimant has engaged in any form of agriculture under a registered employer for three years continuously.

“ The title to such land will be conditional on the fulfilment of the requirements of the British Guiana Crown Lands Regulations in regard to the payment of fees and beneficial occupation. The fees payable for the Reward Grants of Land will be five annual payments of 4s. 2d. an acre each, made in advance at the beginning of each year.

“ The cost of preparing these Reward Grants of Land as stated above will be borne by the Government of the Colony.

“ (8) A colonist who has applied for or received a free or assisted return passage to India will not receive a Reward Grant of Land. No colonist who has received a reward grant will receive a free or assisted passage unless he has fulfilled all the requirements of the Crown Lands Regulations in regard to the payment of fees and beneficial occupation.

“ (9) Emigrants who are eligible for return passage may commute or defer such right in exchange for a free grant of land, subject to carrying out the condition as to beneficial occupation.”

182. *The Governor’s Memorandum.*—The following is the memorandum relating to the above scheme by His Excellency the Governor of British Guiana :—

“ (1) Hitherto the only terms proposed with regard to Indian immigrants have been those which, it has been suggested, should be given to immigrants whose passage to the colony is paid by the colony, and who have no means by which they can start agricultural operations immediately on their own account. Up to the present moment, nearly every indentured immigrant had to start work as the employee of some other person, and the immigrants who have made such remarkable progress in the acquisition of property began their career in this manner.

“ (2) Under the new system, the immigrant, if he works for anybody else, can choose his own employer. If he is able to support himself for a little while, and has some small means of his own, he can almost at once become a small farmer on his own account.

“ (3) The financial aspect of the introduction of immigrants most of whom will during the first three years work under registered

- employers, is different from that of immigrants who immediately on arrival start work on their own account. Registered employers will probably have to contribute a small sum for each day on which labour is done by a recently introduced immigrant. These small contributions will in time go to some considerable way towards paying the cost of return passages of those immigrants who desire to return.
- “(4) It is within the power of the Government, without reference to the Legislature, to give grants of Crown Land to any person who are likely to make a good use of them, and it is part of the policy of the Government to make such grants to immigrants who are their own masters, so as to induce them to settle permanently in the colony.
- “(5) Similar grants would be made to immigrants on their first arrival if they were in a position to occupy the land immediately; but it is possible that available Crown land within reach of the market may require some expenditure before an income can be derived from it. When the immigrant has a certain amount of money himself, the Government would be willing to help him by advance repayable over a term of years, but it cannot make such advances without the previous consent of the Legislature. Such consent would probably be freely given in times of prosperity, but would be withheld whenever there is financial stress. In times of financial difficulty, it would no doubt be advisable to suspend temporarily the introduction of immigrants.
- “(6) There may be immigrants who would arrive in the colony at their own expense either by immigrant ship or by ordinary means of conveyance. To such immigrants the free grants of land that would be made would be more liberal than in the case of immigrants whose passage to the colony was paid from the Government Funds.
- “(Possibly, if it was known that a certain number of families were coming at their own expense, the Government could prepare for their reception, plots of land with dwellings thereon, the Government bearing the cost of preparation of the land and the erection of buildings to an amount equal to the ordinary cost of introduction of immigrants. Any scheme of this kind would in each case have to be previously approved by the local Legislature.
- “(7) It is impossible to say how many acres of land would be given, as the value of the land differs so much in different localities. Most of the sugar lands on the coast are even at this time of depression, worth some £20 an acre, and have cost much more than that to be put into their present condition with drainage and sea defence. On the other hand, there are lands which can be utilised at a comparatively low cost, and for each the only permanent requirement would be the actual cultivation

of half of it within a term of years to be fixed. In all these cases, it is necessary for an agreement to come to between the immigrant and the Government.

- “(8) It is doubtful whether the Legislature would be willing to assume the obligation to give free passages back to India in the case of immigrants who did not serve for a minimum period under registered employers; but it would probably agree to repatriate any immigrants whom the representative of the Indian Government in the colony might for special cause deem it desirable to repatriate.
- “(9) The Government will not feel bound to make grants to any immigrants not previously approved by its own agent”.

183. *Governor's scheme summarised.*—Under this scheme, emigrants on arrival in the colony will have to engage in some agricultural work under some registered employer for a period of three years, in order to qualify for grants of specially prepared lands. As regards those emigrants that wish to start farming on their own account, the idea seems to be that they should go to the colony at their own expense, where they would be given free grants of land on a more liberal scale, and could also get from the Agricultural Banks loans for agricultural improvements. But it is not certain whether those emigrants that engage in agricultural work for three years from the date of their arrival under an employer other than the registered one will be entitled to claim assisted or free return passages to India. This curtailment of right to assisted or free repatriation has been suggested for the first time in His Excellency the Governor's memorandum; although his scheme, in paragraph 6, promises free or assisted return passages to all adult colonists and their dependants. This modification will result in sending all emigrants desirous of securing free or assisted return passages to the sugar plantations only. As the *Daily Argosy* of British Guiana has put it in its leader of the 24th February 1920, “If Indian immigrants come here.....they would in the natural course of things be attracted to sugar estates.” The scheme seems to have been drawn up mainly in the interests of the sugar industry, while the rice growers, most of whom are East Indians, will not benefit by the reopening of emigration to the same extent.

184. *Compared with Nunan-Luckhoo Scheme.*—A comparison of this scheme with the Nunan-Luckhoo scheme shows that the former differs from the latter on several points, and that these differences are of a vital character. The following important features of the Nunan-Luckhoo scheme are not to be found in the Governor's scheme:—

- (a) It provides for large schemes of irrigation and drainage. (*Vide* “British Guiana and the Empire, 1919,” pages 4-5.)
- (b) The inducement of land settlement is to be offered to old settlers as well as to fresh emigrants on similar terms of service. (*Vide* “British Guiana and the Empire, 1919,” pages 4-5.)
- (c) An organised campaign of sanitation is to be initiated. (*Vide* “British Guiana and the Empire, 1919,” pages 4-5.)

- (d) Water supply is to be improved. (*Vide* "British Guiana and the Empire, 1919", pages 4-5.)
- (e) Agriculturists with families, if any, emigrating from India, and desirous of working on land of their own, immediately on their arrival in the colony, are to be given free passage to British Guiana. As regards repatriation, they are placed on terms of equality with those that start as labourers.
- (f) Similarly, reward grants of five acres of land, specially prepared, are to be given to both classes of agricultural settlers on the completion of three years' residence, during which time they may have been engaged either on their own account or as labourers, in any form of agricultural work in the colony.
- (g) Non-agricultural settlers are also to be encouraged to emigrate by providing free passages for them in some cases and assisted passages in others. Traders and small capitalists will be given cheap passages.
- (h) One religious minister for each group will be taken free on each voyage with right of repatriation free.

185. Thus, it is obvious that while the Nunan-Luckhoo scheme provides for the free immigration of both classes of agricultural settlers, namely, those who would in the first instance commence their careers in the colony as labourers as well as others who on arrival, instead of seeking employment, would straight-away purchase or lease lands and start farming on their own account, the Governor's scheme promises free passages only to those emigrants that undertake to serve under some employer for a period of three years. Further, while, the Nunan-Luckhoo scheme offered equal facilities in regard to free or assisted return passages and reward grants of lands to both classes of agricultural settlers, the Governor's scheme aims primarily at securing a supply of labourers only. Under the former, some inducement, however inadequate, was offered to non-agricultural settlers; the latter, being principally a labour scheme, does not include them within its scope. Even in regard to the purely labouring section of immigrants, the Governor's memorandum suggests a further curtailment of their right to free or assisted return passages. Then, again, while the Nunan-Luckhoo scheme recognised the urgency of improving sanitation, housing accommodation and water supply as well as drainage and irrigation, the Governor's scheme is studiously silent on these important points. The latter, further, differs from the former in the discrimination it makes against the old settlers in the matter of inducements to work, such as improved types of houses and "reward grants of lands," offered to the new comers. The Governor's scheme, in these circumstances, must be regarded as one radically different from the Nunan-Luckhoo scheme which was placed by the duly accredited representatives of British Guiana before the Committee of the Imperial Legislative Council for consideration.

186. *Compared with the Inter-Departmental Committee's Report.*—The Governor's scheme as modified by the memorandum, is practically identical,

so far as it goes, with the Inter-Departmental Committee's Report on all major points. The vital points of difference, however, are two:—

- (1) The former does not require an immigrant to undergo six months' probation while the latter does, and
- (2) While under the second scheme all the immigrants will be entitled to assisted or free return passages as well as reward grants of land under the first scheme, it is only the employees under the registered employers who will get these benefits. In order however, to bring out clearly the substantial identity of the two proposals, we give below in a tabular form their main terms.

Governor's Scheme.

1. A free passage to British Guiana for himself and herself, wife, children and such dependants as may be permitted to accompany them.

Islington Committee's Scheme.

The immigrant will as at present arrive in the colony entirely free of debt and of any financial liability connected with the cost of his introduction into the colony.

While it is considered impracticable to insist upon any hard and fast proportion of single men to families, the emigration of whole families containing young unmarried girls, but persons below the age of 18, will be assisted to emigrate only when accompanied by their parents or guardians. To discourage the emigration of women of an undesirable class, women unaccompanied by their families will not be assisted and the rule requiring a certain proportion of women to men will be abolished.

The non-working dependants of an immigrant will not be rejected medically merely on the ground that they are physically incapable of work or on the score of age.

A written statement shall be given to each intending emigrant and explained to him, stating the terms of his employment and the conditions of life in the colony to which he proposes to emigrate. Emigration from pilgrim centres will be prohibited during times of pilgrimage or festivals.

Governor's Scheme.

2. Employment with registered employers, if such employment at the current rate of wages is desired.

An ordinary able bodied man can earn 4s. 2d. at piece work in the field in seven hours. No prospect of a fall in these rates can be foreseen.

3. Free housing for 3 years if employed with a registered employer; for married persons separate married
MSSEHL

Islington Committee's Scheme.

IV-1. An employer specially selected as being able to provide conditions of employment and living, which the Governor in Council may deem to be adequate, will be chosen by the Protector of Immigrants for each immigrant on arrival. The immigrant will be required to remain with this employer for six months. The Protectors of Immigrants having power to sanction are required during that time (for?) a change of employment, should he see reason to do so. After this period of six months the immigrant will have perfect liberty to change from one employer to another upon a month's notice.

At no time will the immigrant be under any indenture or any contract other than the above, and the relation between him and his employer will be purely that prevailing in the colony between any master and servant. The immigrant can only be proceeded against for any breach of engagement by way of civil suit in the ordinary course of law, and will be liable to no criminal penalties.

IV-2-(a).(1) A *minimum wage* will be fixed which will bear to the minimum wage at the time of Mr. McNeill the same proportion that the cost of living when the wage is fixed bears to the cost of living then (when it was estimated at 3s. 6d. a week). This minimum wage will require revision every five years on the same proportional basis. In the calculation free rations to women and children granted in accordance with IV-3 will be excluded.

2-(b). (1) All wages will be paid regularly and in full, *i.e.*, without deductions.

IV-3. The provision of married quarters separate from the "single" quarters will be made compulsory

Governor's Scheme.

quarters or cottages. A number of separate cottages are now being built.

4. Free hospital and medical treatment for three years if employed with a registered employer.

5. Free rations for children under eleven years of age, for 12 months after arrival.

Free milk rations for children under five years, during the whole time their parents remain in the employment of a registered employer.

Free rations will be issued for a period of six months for pregnant and nursing women working under a registered employer.

7. A special reward grant of land protected from or not liable to floods, drained and suitable for cultivation of 5 acres, will be given to the head of a colonist family or of 2 acres to a single colonist (man or woman), where the claimant is engaged in any form of agriculture under a registered employer for three years continuously.

The title to such land will be conditional on the fulfilment of the requirements of the British Guiana Crown Lands Regulations in regard to the payment of fees and beneficial occupation. The fees payable for reward grants of lands will be five annual

Islington Committee's Scheme.

upon all employers of more than 20 adult male Indian immigrants, and will be insisted upon as far as practicable in the case of all employers on the Register.

IV-6. The existing regulations and provisions will continue in force, and will be applicable to immigrants under the new system. Under the present regulations, in addition to other medical care, hospitals, public or private, are provided at which immigrants are treated free of charge either as inmates or out-patients.

IV-3 (a). During the first twelve months after arrival in the colony, children under 11 years of age will be entitled to free rations on the scale to be determined by the Colonial Government; while children under five years of age will be given free milk rations during the whole time that their parents remain in the employment of an employer on the register.

(b). Free rations will be issued for at least six months to pregnant and nursing women working under an employer on the register.

7 (iii) Each adult male immigrant employed in an agricultural industry will be granted for his personal use and cultivation a garden plot of one-tenth acre, if he desires it, after six months' service. A larger plot, up to one-third acre, will be made available to industrious workers in the nature of a reward.

Land not exceeding five acres in extent, will be granted to an immigrant after three years' employment under employers on the register, subject to a reasonable annual rent in the case of lease-holders. The rent will vary according to the fertility and

Governor's Scheme.

payments of 4s. 2d. an acre each made in advance at the beginning of each year.

The cost of preparing these Reward Grants of land as stated above, will be borne by the Government of the colony.

6. A free return passage to India after seven years' residence in the colony for adult colonists and their dependants. An assisted passage after five years' residence in the colony, towards which each adult emigrant will contribute £10-10s. or one-quarter of the cost, whichever is less. An assisted passage after three years' residence towards which an adult emigrant will contribute £15, or one half of the cost, whichever is less.

In the case of colonists' children under 10 years of age, the above amounts are halved.

Any individual or family will be sent back free of charge at any time if the Government of India's supervising officer or the Chief Colonization Officer so directs.

Islington Committee's Scheme.

position of the land and will be subject to revision every three years. For ten years after the grant the immigrant will be prohibited from alienating or encumbering his right in the land except with the sanction of the responsible department and the department will have power further to resume any land not brought under cultivation within two years of the grant.

Any immigrant wishing to return to India will be granted for himself and his dependants half the passage money after three years, three quarters after five years, and the whole after seven years' continuous residence in the colony. But the acceptance of a grant of land under the special facilities outlined in paragraph 3 will be held *ipso facto* to extinguish the claim to a free or assisted return passage. By this it is not to be understood that the immigrant will at any particular period be required to make a choice between a return passage and a grant of land, but merely that the acceptance of a grant of land under the special conditions outlined above will be taken as extinguishing his right to a return passage.

Any immigrant who has availed himself of a free or assisted return passage under these conditions, should he return to the colony, shall have no right to a second free or assisted return passage to India.

Six months' previous notice must be given by any emigrant of his intention to claim a free or assisted passage.

Governor's Scheme.

8. No colonist who has applied for or received a free or assisted return passage to India will receive a reward Grant of Land. No colonist who has received a reward grant will receive a free or assisted passage unless he has fulfilled all the requirements of the Crown Lands Regulations in regard to the payment of fees and beneficial occupation.

9. Immigrants who are eligible for return passage may commute or defer such right in exchange for a free grant of land, subject to carrying out the conditions as to beneficial occupation.

Islington Committee's Scheme.

The Protector of Immigrants shall have the right, subject to approval by the Governor in Council to grant at any time free return passage in full in cases where he deems repatriation desirable. This right will extend to the cases of immigrants whose claim to a return passage has been extinguished by the grant of land and who may have been reduced subsequently to indigent circumstances.

187. We said above that the two schemes were identical. But while the Inter-departmental Committee's scheme contains provisions relating to (a) emigration and supervising staff, (b) Depots, (c) Conditions of the colonies and (d) Surgeons on Emigrant ships; the Governor's scheme is silent on these points.

188. What has already been stated, makes two points in regard to the scheme under review absolutely clear: first, that it is frankly a labour scheme; and secondly, that it has been devised mainly in the interests of the sugar planters. The resumption of emigration from India under such a scheme will tend to affect adversely the condition of the resident labourers, Indians as well as others, in the matter of wages, housing and land settlement. The resident labour population is apparently excluded from the scope of the benefits under the scheme, though the scale of wages paid to it will be determined by the rate at which the new comers are paid. Similarly, as we were informed by His Excellency the Governor, the improved types of cottages will be reserved for immigrants who may go hereafter, while the old labourers will continue to live in the old ranges. Therefore, the adoption of the present scheme will place resident labourers at a serious disadvantage, as compared with the new comers. One would expect that the resident labourers should have the first claim to the benefits of land settlement. To neglect their claim for prior consideration is unjust. It will breed discontent which may lead to friction between residents and new comers. There is another point that needs emphasizing. Under the Governor's scheme an immigrant can get as a reward grant five, or two acres as the case may be, of specially prepared land after three years' service, under

a registered employer. These labourers who went to the colony under indenture have put in more than the required period of residence, and, in consequence, acquired greater experience and knowledge of agricultural conditions prevailing there. And yet they are not to be given land, which the new comers are offered. Surely, under any scheme of land settlement, preference should be given to those who have larger experience, due to the longer period of work. That it has not been proposed may be due, as was pointed to us by more than one witness, to the fact that there is at the present moment no land specially prepared and within easy reach of the market available for purposes of settlement. "It is not a case of land crying for settlers, but of men crying for land and crying in vain", said the representative of the Farmers' conference.

189. *Evidence analysed.*—The opinions received in regard to the merits of the Governor's scheme may, for the sake of convenience, be considered as falling into three separate categories, according to the different interests represented by various witnesses: first, the planting and commercial interests; secondly, the representatives of the non-Indian community other than the planters and thirdly, the Indian community in the colony.

190. *Evidence of the planters.*—The Hon'ble Mr. Brassington, President of the Sugar Planters' Association, and of the Royal Agricultural and Commercial Society, may be taken as representing the views of the first group. He favoured the scheme as he thought that it would be very unwise to bring labourers of any sort and dump them on land. They must undergo a period of apprenticeship on the sugar estates, in order to get acclimatized and acquire a knowledge of local conditions. It was a stupendous proposition, he said, to bring people to settle on land through any other channel than the sugar or cocoanut estates. He admitted that the Indians already in the colony were entitled to preference in regard to the grant of land; but added, that some of the promises made by Dr. Nunan and Mr. Luckhoo to the Government of India were impracticable, although made in perfect good faith. He referred in particular to the promise of five acres of land to each man. They could give 500 acres of jungle, he added, but of what use would that be? He stated that owing to the shortage of labour, there had been a serious reduction in the acreage under sugar cultivation, and demurred to the suggestion that there was any insufficiency of work on account of the present economic crisis. Mr. Cressal, who represented the same interests, also emphasized the desirability of the immigrants passing through the sugar estates on to the land.

191. The first point that strikes one in connection with this group is their obvious anxiety not to admit that, under the present circumstances of the colony, it is not settlers, but labourers, that are wanted. They are at pains to emphasize that though the settlement on land was to be the main object for the bringing in of fresh immigrants from India, it was absolutely necessary for them, in their own interests, to put in "three years' probation" on sugar estates. Where is the land available for settling these men? Mr. Brassington characterized the proposal put forward by Dr. Nunan of giving five acres to each man as impracticable; but a similar proposal also forms part of the present scheme. If that was impracticable, would not this one be too? And

if specially prepared land, free from floods and well drained, is available on a large scale why have not the resident Indians, whose claims to preference were admitted by Mr. Brassington, been given land? Moreover, the reason given for insistence on three years' probation does not carry conviction because, for instance, punt-loading cannot teach one how to grow rice. Then, will not one year suffice? The second point to call for notice is the statement that a considerable area had gone out of cultivation, owing to the insufficiency of labour-supply. Now, to a certain extent, it may have been so; but when one remembers the closing down of several sugar estates, such as *Windsor Forests, Cotton, Tree, Bush Lot, etc.*, in the past, or "the complete cessation of work on six sugar estates" and the impending collapse of several others during the present crisis, which has led to the throwing out of employment of 15,000 people, it is difficult to agree with Mr. Brassington. His denial of the fact that there is a large number of labourers out of employment, at the present time, owing to the economic depression does not easily fit in with another statement made by him and other elected members of the Combined Court in the course of their address to the Under Secretary of State for Colonies to the effect that "15,000 people had been thrown out of employment on account of the cessation of work on six sugar estates."

192. *Evidence of Black and coloured witnesses.*—The second group consists of the Hon'ble Mr. Webber, the Hon'ble Mr. Thorne, Mr. Britton on behalf of the British Guiana Farmers' Conference, and Mr. Critchlow who represented the British Guiana Labour Union. The Hon'ble Mr. Webber is the editor of the *Daily Chronicle*, published in George Town, and has also written a novel called "Those that be in Bondage," which deals with the life of an indentured immigrant on the sugar estate. Neither a planter nor an East Indian, he may be expected to take up an attitude of impartiality. That he is in no way an anti-planter, is conclusively shown by the fact that on the Board of Directors owning the paper and responsible for its policy, the planting interest is well represented. The members of the Deputation were impressed by his frankness and fairness in giving evidence. He described the scheme as "very confusing" and "was struck by its lack of preciseness." He further said, "the newly proposed scheme leaves me in a state of mental confusion;" and added "as far as I know, this scheme has no authority behind it. It might be the Governor's personal views, but he has no authority to propound it on behalf of the Colony." Asked if he thought the present scheme to be a labour scheme, he replied that it was. "The moment the element of return passage is introduced, it seems to be frankly recognised that the repatriates are only going to labour for a period to increase their own wealth and incidentally the wealth of the country they go to and then return to their homes. It presupposes they are only going to labour and return; and not as settlers going to a country to make their new homes." He would not favour the resumption of immigration so long as the present economic depression continued and the sanitary conditions were not improved. In the *Daily Chronicle* of the 17th March 1922 he strongly pressed for prior consideration being shown to those who were already in the colony, so that the Government of British Guiana might not be charged with being "more concerned with elaborating schemes for people yet to come, while neglecting those who bore the heat and burden of the day. By all means, when the

Industrial situation is opportune, get every additional colonist into the country ; but by all that is great, neglect not the call of those who are crying night and day for certain essentials." The Hon'ble Mr. Thorne, who had opposed in the Combined Court the resolution relating to the Nunan-Luckhoo scheme of colonization, described the Nunan-Luckhoo scheme as impracticable and the present one as "idle." In his opinion, they had more labour in the colony than could be profitably utilized ; and held that arrangements as regards drainage and irrigation were exceedingly bad. Similarly, Mr. Critchlow, describing the scheme as a labour scheme, opposed it on the ground that it was not a colonization scheme, and that, so far as the supply of labour was concerned, there was not enough work for those already in the colony. He would like to see first the conditions "regarding housing, drinking water, sanitation, etc., improved for those at home." Mr. Britton complained of want of sufficient land well-drained and properly irrigated, where immigrants could be settled. He held that as there was abundant labour available in the colony for its immediate requirements, there was no need to send for more. Asked to state the reason why the Black does not as a rule like to live on the estate or work there, he said "No one likes to live in surroundings which they considered to be bordering on slavery." He mentioned the fact that in 1919 an attempt was made to get labourers from Barbados and Grenada, but that very few of them cared to stay and work on the sugar estates.

193. *Is repatriation essence of labour scheme?*—Before we pass on to a consideration of views of the representatives of the Indian community, we should like to deal with one point made by Mr. Webber, which, we have reason to believe, not only represents his view-point but also finds favour in responsible official circles. The point raised by him is that any scheme which contemplates or provides for repatriation is of necessity a labour scheme. It may or may not be a correct statement of the principle ; we are not, however, concerned here with any theoretical discussion, but have to consider a practical proposition. We have to find out whether the proposals under review make, as a matter of fact, any distinction between those who are likely to come away and others who do not.

194. If all the immigrants were to take advantage of repatriation facilities, the financial burden would be so great as to render the scheme utterly unworkable. Out of 237,000 persons who went out to British Guiana, roughly 69,000 persons have so far returned to India. In view of this fact, the assumption made by the framers of the Nunan-Luckhoo scheme, among whom was Mr. Webber himself, that only 25 per cent. of immigrants would exercise the right of repatriation, was in no way unduly optimistic. This being so, it is difficult to resist the inference that the majority of the remaining seventy-five per cent. should continue, it is intended, to work as labourers, for the obvious reason that the provision relating to the grant of specially prepared land does not discriminate between those who are expected to settle down and those who may not do so. This is not, we venture to think, as it should be in a scheme that aims at attracting not merely labourers, but also settlers. It may also be added that the retention of a repatriation clause in a scheme of emigration is necessary for reasons different from those urged by the Hon'ble Mr. Webber. Whenever the Government of India have, in the past, been approached with

if specially prepared land, free from floods and well drained, is available on a large scale why have not the resident Indians, whose claims to preference were admitted by Mr. Brassington, been given land? Moreover, the reason given for insistence on three years' probation does not carry conviction because, for instance, punt-loading cannot teach one how to grow rice. Then, will not one year suffice? The second point to call for notice is the statement that a considerable area had gone out of cultivation, owing to the insufficiency of labour-supply. Now, to a certain extent, it may have been so; but when one remembers the closing down of several sugar estates, such as *Windsor Forests, Cotton, Tree, Bush Lot, etc.*, in the past, or "the complete cessation of work on six sugar estates" and the impending collapse of several others during the present crisis, which has led to the throwing out of employment of 15,000 people, it is difficult to agree with Mr. Brassington. His denial of the fact that there is a large number of labourers out of employment, at the present time, owing to the economic depression does not easily fit in with another statement made by him and other elected members of the Combined Court in the course of their address to the Under Secretary of State for Colonies to the effect that "15,000 people had been thrown out of employment on account of the cessation of work on six sugar estates."

192. *Evidence of Black and coloured witnesses.*—The second group consists of the Hon'ble Mr. Webber, the Hon'ble Mr. Thorne, Mr. Britton on behalf of the British Guiana Farmers' Conference, and Mr. Critchlow who represented the British Guiana Labour Union. The Hon'ble Mr. Webber is the editor of the *Daily Chronicle*, published in George Town, and has also written a novel called "Those that be in Bondage," which deals with the life of an indentured immigrant on the sugar estate. Neither a planter nor an East Indian, he may be expected to take up an attitude of impartiality. That he is in no way an anti-planter, is conclusively shown by the fact that on the Board of Directors owning the paper and responsible for its policy, the planting interest is well represented. The members of the Deputation were impressed by his frankness and fairness in giving evidence. He described the scheme as "very confusing" and "was struck by its lack of preciseness." He further said, "the newly proposed scheme leaves me in a state of mental confusion;" and added "as far as I know, this scheme has no authority behind it. It might be the Governor's personal views, but he has no authority to propound it on behalf of the Colony." Asked if he thought the present scheme to be a labour scheme, he replied that it was. "The moment the element of return passage is introduced, it seems to be frankly recognised that the repatriates are only going to labour for a period to increase their own wealth and incidentally the wealth of the country they go to and then return to their homes. It presupposes they are only going to labour and return; and not as settlers going to a country to make their new homes." He would not favour the resumption of immigration so long as the present economic depression continued and the sanitary conditions were not improved. In the *Daily Chronicle* of the 17th March 1922 he strongly pressed for prior consideration being shown to those who were already in the colony, so that the Government of British Guiana might not be charged with being "more concerned with elaborating schemes for people yet to come, while neglecting those who bore the heat and burden of the day. By all means, when the

Industrial situation is opportune, get every additional colonist into the country ; but by all that is great, neglect not the call of those who are crying night and day for certain essentials." The Hon'ble Mr. Thorne, who had opposed in the Combined Court the resolution relating to the Nunan-Luckhoo scheme of colonization, described the Nunan-Luckhoo scheme as impracticable and the present one as "idle." In his opinion, they had more labour in the colony than could be profitably utilized ; and held that arrangements as regards drainage and irrigation were exceedingly bad. Similarly, Mr. Critchlow, describing the scheme as a labour scheme, opposed it on the ground that it was not a colonization scheme, and that, so far as the supply of labour was concerned, there was not enough work for those already in the colony. He would like to see first the conditions "regarding housing, drinking water, sanitation, etc., improved for those at home." Mr. Britton complained of want of sufficient land well-drained and properly irrigated, where immigrants could be settled. He held that as there was abundant labour available in the colony for its immediate requirements, there was no need to send for more. Asked to state the reason why the Black does not as a rule like to live on the estate or work there, he said "No one likes to live in surroundings which they considered to be bordering on slavery." He mentioned the fact that in 1919 an attempt was made to get labourers from Barbados and Grenada, but that very few of them cared to stay and work on the sugar estates.

193. *Is repatriation essence of labour scheme?*—Before we pass on to a consideration of views of the representatives of the Indian community, we should like to deal with one point made by Mr. Webber, which, we have reason to believe, not only represents his view-point but also finds favour in responsible official circles. The point raised by him is that any scheme which contemplates or provides for repatriation is of necessity a labour scheme. It may or may not be a correct statement of the principle: we are not, however, concerned here with any theoretical discussion, but have to consider a practical proposition. We have to find out whether the proposals under review make, as a matter of fact, any distinction between those who are likely to come away and others who do not.

194. If all the immigrants were to take advantage of repatriation facilities, the financial burden would be so great as to render the scheme utterly unworkable. Out of 237,000 persons who went out to British Guiana, roughly 69,000 persons have so far returned to India. In view of this fact, the assumption made by the framers of the Nunan-Luckhoo scheme, among whom was Mr. Webber himself, that only 25 per cent. of immigrants would exercise the right of repatriation, was in no way unduly optimistic. This being so, it is difficult to resist the inference that the majority of the remaining seventy-five per cent. should continue, it is intended, to work as labourers, for the obvious reason that the provision relating to the grant of specially prepared land does not discriminate between those who are expected to settle down and those who may not do so. This is not, we venture to think, as it should be in a scheme that aims at attracting not merely labourers, but also settlers. It may also be added that the retention of a repatriation clause in a scheme of emigration is necessary for reasons different from those urged by the Hon'ble Mr. Webber. Whenever the Government of India have, in the past, been approached with

a request to agree to the abrogation of the repatriation clause from the agreement under the old indentured system, they rejected the proposal, mainly on the ground that it served as an effective check on the employers against bad treatment of the immigrants. Therefore, the mere existence or otherwise of a clause relating to repatriation in a scheme is not sufficient to determine its character whether it is a labour scheme or not. Another fact to be borne in mind in arriving at a correct conclusion relates to the extent and the character of available land, as well as the number of acres to be given to each man. Any immigration scheme, as already pointed out by us, which purports to import labourers and subsequently to settle them contains this great weakness that at present no satisfactory means exist of settling small holders on the land. There are at present numbers of Indians who desire to take up suitable small holdings; but such small holdings are not available for them in localities and under conditions, in which an average small man can make good. Assuming, however, that such small holdings are available in localities under conditions in which a small man can make good, the grant of five acres in the case of a family or two acres for a colonist, as contemplated under the Governor's scheme, would not yield enough for their or his sustenance; and the inevitable result of it would be that they or he would be forced to continue working under one employer or another, even after the expiry of three years. In these circumstances, it is not so much the element of repatriation as the limited extent of the proposed grant of land and the restrictions attached to it, which makes the Governor's scheme a labour scheme, as distinguished from a settlement scheme.

195. *Indian Representatives.*—Representative Indians in the colony unanimously press for the rejection of the scheme. Naturally, in a matter like this, great weight must be attached to the views of Indian leaders like the Hon'ble Mr. Luckhoo and Dr. Wharton, both of whom, as already stated, visited India in 1919-20 as members of the British Guiana Colonisation Deputation. Just as Mr. Luckhoo is a distinguished member of the Bar, so is Dr. Wharton, a leading Medical practitioner. Both of them were strong supporters of the Nunan-Luckhoo scheme, and continued to support it, although by so doing, they became unpopular with a section of their community, that was opposing it. Neither of these two gentlemen favours the present scheme. Dr. Wharton would support a colonisation scheme only if "it embraced what was in the pamphlet issued by him and his colleagues in London, in their capacity as members of the British Guiana Deputation in 1919." Nothing less than that would meet with his acceptance. Asked to state his opinion of the present scheme, the Hon'ble Mr. Luckhoo said, "I would not for one moment favour the present scheme being put into operation at all in this colony." He further stated that in submitting the scheme to the Indian Government, Dr. Nunan and he promised that questions of housing and sanitary improvements, etc., would be conditions precedent to the bringing in of more people from India. There was a large number of people in the colony, who desired to get land, but specially prepared land was not available. In his opinion, no immigration should be allowed, unless and until labour already available in the colony had been absorbed. The people

already in the colony, he thought, should be given preference in the matter of land settlement.

Similarly, Mr. Vipree, a Solicitor of George Town, speaking on behalf of the East Indian Association of British Guiana, strongly opposed the scheme. One or two Indians who differed on certain points from their leaders and compatriots were at one with them in opposing the scheme.

196. *Conclusions.*—As a result of what has been stated above, we have come to certain conclusions in regard to the scheme, which we now state as briefly as possible.

(1) *Immediate resumption of emigration, neither desired nor desirable.*—We are satisfied that immediate resumption of emigration is neither desired nor desirable. Evidence on this point is unanimous. When, as a result of the present fall in the price of sugar, six estates have been closed down and fifteen thousand persons have been thrown out of employment, it would be folly to allow emigration. During our enquiry, we did not come across any one in British Guiana, who was in favour of its immediate resumption. His Excellency the Governor informed us at the last interview he gave us that he was not favourable to the resumption of immigration from India till the end of 1924; and not even after that date, until cottages of improved type had been put up. There is, in our considered opinion, abundant labour available for the present, and the question of securing more men can only arise, when the labouring population resident there has been fully absorbed. We found in the colony a large body of workers out of employment; and such of them as were working were bitterly complaining, not without justice, of the extremely low wages they were being paid.

(2) *Governor's scheme only tentative.*—We have already stated that the present scheme is only a tentative one; and that it does not represent a "*firm offer*." We have roughly indicated in what directions it radically differs from the Nunan-Luckhoo scheme. It is substantially the scheme put forward by the Inter-departmental Committee which was admittedly devised with the sole object of securing from India a continuous supply of labour which had been stopped first by the suspension, afterwards by the abolition, of indentured emigration and the continuance of which was of vital importance to the colonies concerned, not merely from the point of view of development but also for the maintenance of existing industries. It represents no advance upon the offer made to India through the Nunan-Luckhoo Deputation by British Guiana in 1920, but actually makes a serious subtraction from those terms; and marks a definite and complete return on the part of that colony to the proposals made by the Islington Committee in 1917 and found unacceptable at that time.

(3) *Rejection of scheme recommended.*—In these circumstances, and bearing in mind the unanimous opposition to it by the East Indian community of British Guiana, we have no hesitation in recording our deliberate opinion that the Governor's scheme in its present form must be rejected.

SECTION XIII.—SUMMARY AND RECOMMENDATIONS.

197. *Suitable land for settlement not available.*—We consider that the climate and natural characteristics of British Guiana are such as to offer good opportunities for Indian immigration, and great possibilities for Indian settlers to obtain fertile land and become substantial peasant farmers.

198. At present, however, though unoccupied land is available to an almost unlimited extent, the physical conditions which govern the agricultural situation are such that it is hardly possible for ordinary settlers to take up land and cultivate it successfully immediately on arrival in the colony.

199. We think that it would be possible to make available large areas of suitable land for the purpose of settlement by Indian agriculturists, and to call into existence the organisation necessary for securing this result and giving the settlers the assistance which they would need to overcome their initial difficulties. We consider the inauguration of such a scheme to be desirable, though we are doubtful, whether in the near future, it would be possible for the colony to find the large funds needed for opening up the hinterland and making it suitable for settlement.

200. *Health conditions in British Guiana unsatisfactory.*—Health conditions in the Colony are far from satisfactory, as is shown by the excess of deaths over births in several years. The problem of sanitation is intimately connected with the problems of drainage and the arrangements for the supply of pure drinking water. The improvement of sanitary conditions is, in our opinion, of prime importance; it would be, to quote the words of the Colonial Secretary, Mr. Clementi, “sheer folly, indeed immoral, to take steps to introduce immigrants into this colony, without at the same time taking the steps to keep them alive and in good health.” It is, again, a question of ways and means; and we are not sure whether, in these days of financial stringency, the Colony would be in a position to undertake measures for the improvement of sanitation on a large scale, and commensurate with the requirements of the existing population. In these circumstances we recommend that emigration to British Guiana should not be permitted, until the health conditions there have materially improved.

201. *Declaratory Ordinance to be passed in modified form.*—The Government of British Guiana may take necessary steps to get the declaratory ordinance passed on the lines proposed by the Government of India. But what is of even greater importance is that steps should be taken to secure to the resident Indian population fair and adequate representation in the Court of policy and the Combined Court of Policy. We are opposed to this being effected either by nomination or communal representation. We have indicated in Section IX, dealing with the political status of Indians the lines on which action should be taken to remedy the present state of practical disfranchisement of the Indian community.

202. *Educational Ordinance to be enforced.*—At the present time, the community is from an educational point of view, in a most backward condition. The provisions of the existing Educational Ordinance, should be

given full effect to, in the case of Indian children, as is being done in regard to the children of other communities.

203. The Government of India should represent to the Government of British Guiana that marriages celebrated according to Hindu or Muhammadan religion should be recognised as lawful. Hindus should also be allowed the right of cremating their dead.

204. *Housing arrangements not satisfactory.*—The existing housing arrangements on the estates are far from satisfactory; and so far as the married immigrants are concerned, they are more likely to affect the integrity of family life. The quality and supply of drinking water is not good and requires immediate attention. The employment of children in Creole gangs and several other legitimate grievances dealt with in the body of the report, from which labourers on the estate have been suffering for a long time, should be attended to.

205. *Arbitration Boards.*—To settle disputes regarding wages, steps should be taken to constitute a Board of Arbitration composed of members who, on account of their independence and impartiality, would be acceptable to both parties.

206. *Wages very low.*—The rate of wages at the present time is so low that an average worker cannot earn a living wage. For its present requirements, the Colony has got an abundant supply of labour. Until this has been absorbed and the claims of the existing population to prior consideration in any scheme of land settlement have been fully satisfied, we think there should be no resumption of emigration to British Guiana. As regards repatriation, we have dealt with the various points in the section relating to the subject, and we recommend that the Government of India may take them into consideration for necessary action.

207. *Present scheme unacceptable.*—The Indian community in British Guiana is unanimously opposed to the acceptance of the present scheme. For the reasons given in the body of the report, we have no hesitation in recommending its rejection in its present form. It is merely tentative and does not contain definite terms which British Guiana is willing and prepared to offer to immigrants from India. If and when the Government of British Guiana make a definite offer, we would recommend that a satisfactory solution of the various points raised in the body of our report should be a condition precedent to the consideration of that scheme.

208. *Official Representation from India in British Guiana.*—In order that the interests of Indian immigrants to British Guiana may be safeguarded, we would strongly urge that there be stationed in British Guiana, an officer of the Government of India, who would watch over the interests of Indian immigrants, and keep the Government of India informed of their condition. This officer should also be entrusted with the duty of safeguarding the interests of Indian immigrants in Dutch Guiana, Trinidad and Jamaica. Under the new Emigration Act, the Government of India can appoint such officers, wherever they may deem it necessary. We earnestly recommend

that such an officer may be appointed as early as possible for Guianas, Jamaica and Trinidad.

209. *Return Ships*.—The Government of British Guiana should be requested to arrange for more return ships in order to expedite the repatriation of those who are anxious or entitled to come. Arrangements on board these return ships should be improved, and greater regard shown for the comfort and convenience of the passengers.

210. *Conclusions*.—His Excellency the Governor told us that, owing to the present economic crisis, he was not in favour of emigration from India being resumed till the end of 1924; and, not even then, if cottages of an improved type have not been put up.

212. The Indian community of British Guiana would not favour emigration from India until 1930; as they require time to settle down, and to raise themselves from the prevailing state of depression and backwardness. They urge that the immediate resumption of emigration would aggravate and prolong the existing evils. The Hon'ble Mr. Luckhoo is strongly opposed to any emigration for at least another five years. *Indians in British Guiana are strongly opposed to the acceptance by the Government of India of a purely labour scheme.*

P. KESAVA PILLAI,

President.

VENKATESH NARAYAN TIVARY.

SERVANTS OF INDIA SOCIETY'S HOME

ROYAPETTA, MADRAS;

20th May, 1923.

APPENDIX I.

Census of population for the periods 1891, 1911 and 1921.

Nationalities.	PERIODS.					
	1891.		1911.		1921.	
	Total Population.	Number of females to every 100 of male population.	Total Population.	Number of females to every 100 of male population.	Total Population.	Number of females to every 100 of male population.
Europeans other than Portuguese ..	4,558	67	3,037	83	3,291	82
Portuguese	12,166	101	10,084	110	9,175	112
East Indians	1,05,463	63	1,26,517	73	1,24,938	80
Chinese	3,714	43	2,622	77	2,722	86
Africans (born)	3,433	} 97	1,114	} 109	185	} 110
Blacks	1,12,155		1,14,372		1,16,984	
Aborigines	7,463	90	30,251	91	30,587	99
Mixed races	29,029	119	6,901	125	9,150	120
Race not stated	347	115	243	102	659	113
Total	2,78,328	..	2,96,041	..	2,97,691	..

R. P. STEWART,

Acting Immigration Agent General.

Dated 1st April 1922.

APPENDIX II.

Extract from Despatch No. 41 of 1915 (from the Government of India, to the Secretary of State for India).

The statement below represents the death-rate in the colonies of indentured and, so far as figures are separately available, of unindentured labour :—

Year.	Colony.	POPULATION.		DEATH-RATE PER 1,000.		General Indian Death-rate in Colony.
		Indentured.	Unindentured.	Indentured.	Unindentured.	
1911-12 ..	British-Guiana.	9,141	54,804	17·7	26·4	25·6
1912-13 ..	..	9,453	57,442	12·1	19·4	18·9
1913-14 ..	..	9,114	57,336	9·4	20·2	18·6

The above figures do not enable a contrast to be made in all cases between indentured and unindentured population, * * * * *

The death-rates for persons of all ages and for persons of 20—30 years of age, the age which most nearly corresponds to the average age of indentured immigrants, in the United Provinces and Madras, were as follows :—

Year.	AGES 20—30.				ALL AGES AND SEXES.	
	United Provinces.		Madras.		United Provinces.	Madras.
	Per 1,000 Men.	Per 1,000 Women.	Per 1,000 Men.	Per 1,000 Women.	Per 1,000 Men.	Per 1,000 Women.
1910	20·48	21·66	11·5	11·9	38·67	24·7
1911	23·09	26·71	10·9	11·6	44·95	23·1

The average death-rate in 1914 in Madras and the United Provinces jails, where the inmates are cared for on somewhat similar principles but much more closely than in the colonies, were 11·83 and 11·9, respectively. Allowing for the fact that indentured emigrants are all medically examined before leaving India, and that the housing, sanitation and medical supervision of colonies in the colonies are far superior to anything available for the Indian village population, it is clear that mortality among indentured coolies is decidedly high.

APPENDIX III.

Quantity and value of sugar exported and wages for 1913—1919.

Year.	Quantity of sugar in tons.	Total value.	Price per ton.	Wages per working day.
1	2	3	4	5
	Tons.	£	£	Cents.
1913-14 .. ..	..	..	..	20·08
1914-15	107,138	1,574,823	14·70	19·7
1915	116,224	2,058,952	17·71	20·7
1916	101,650	2,100,472	20·66	22·4
1917	114,007	2,500,029	21·93	24·9
1918	93,902	2,066,784	22·01	27·7
1919	83,140	2,472,660	29·74	31·4

APPENDIX IV.

Increase in prices of sugar and food-stuffs and wages—1914—1919.

Year.	Sugar price per ton %	Wages of men per working day. %	Wages of women per working day %	Price of food- stuffs %
1914	100·00	100·0	100·0	100
1915	120·00	103·5	109	126
1916	140·00	117·0	87·9	130
1917	148·60	124·5	116·1	199
1918	149·12	133·5	145·3	212
1919	200·17	157·0	160·6	238

APPENDIX V.

Comparative Statement of prices and wages for 1913 and 1920.

No.	Items.	IN ROUND FIGURES.		Increase or decrease as compared with 1913.
		1913.	1920.	
1	2	3	4	5
		Tons.	Tons.	
1	Tons of sugar exported ..	107,800	83,800	-23,200.
2	Value of sugar ..	£1,575,800	£4,193,000	+£2,618,900.
3	Price per ton of sugar-exported.	£14.70	£50	+240 per cent.
4	Retail prices of food-stuffs (Index number).	100	371	+271 per cent.
5	Amount in dollars paid in wages by certain sugar estates.	1,982,000 (= 4412,916)	5,894,000 (=£1,227,917)	+197 per cent.

APPENDIX VI.

Average income and expenditure.

(1)

Commodity.	Quantity per week.	Price, March 1922.
Bread	2 lbs. 3 ozs.	17 Cents.
Sugar	17 lbs.	5 "
Milk	3½ pts.	28 "
Rice	3½ lbs.	11 "
Dholl	1 lb. 5 ozs.	13 "
Cocoanut-oil	7 "	6 "
Masalah	5½ "	7 "
Salt	3½ lbs.	1 "
Flour	7½ "	42 "
Onions .. ..	.....	4 "
Tea .. ..	.....	4 "
Kerosine oil .. ..	.....	6 "
Matches .. ..	.....	2 "
Tobacco .. ..	.....	12 "
Fuel .. ..	.....	24 "
Soap .. ..	.....	3 "
Total .. ..	.....	<u>1.85</u> "

(2)

Clothing and Implements.

	Quantity.	Price, March 1922.
1. Male, Working.—		
Trousers	3	2.52 Dollars.
Shirt	3	2.52 "
Hat .. ..	.....	.....
Ordinary.—		
Trousers	2	1.68 "
Jacket	2	4.80 "
Shirt	2	1.68 "
Singlet	2	1.12 "
Hat (Felt)	2	24.0 "
Belt	1	0.36 "
	$17.08 \div 52 = 33$ cents a week	.. 17.08 "
2. Females.—		
Jhula	4	1.44 "
Skirt	4	3.36 "
Petti Coat	4	2.88 "
Orhni	4	1.28 "
Chemisea	4	1.44 "
	Dollars $10.40 \div 52 = 20$ cents a week	.. <u>10.40</u> "

(3)

<i>Implements.</i>	<i>Quantity.</i>	<i>Price, March 1922,</i>
1. Male. Shovelmen.—		
Fork	1	2.00 Dollars.
Shovel	2	1.44 "
Cutlass	1	.96 "
Lines .. .. .	..	.48 "
Saucepan	3	.48 "
		5.36 "
$5.36 \div 52 = 10$ cents a week		.. ..

2. Females.—Hot Cutlass and Saucepan=4 cents a week.

(4)

Total cost of living, clothes and implements.

Man	Per week.	2.28
Woman	"	2.09

(5)

Earnings per day worked in 1921 :—

From statistics supplied it will be seen that the average earnings per day worked in 1921 is :—

Shovelmen	=56 cents.
Male Weeder	=49 "
Female	=38 "

(6)

Budget.

1. Shovelmen.—

1. Income in 300 days (a year)	$56 \times 300 = 168$ Dollars.
2. Expenditure re cost of living, etc.	$2.28 \times 52 = 118.56$ "
3. Saving in one year	$= 49.44$ "
4. In ten years therefore, he could save towards return passage or otherwise. $49.44 \times 10 = 494$ "	

2. Male Weeder.—

1. Income in a year of 300 days at 49 cents per day = 49×300 cents or 147 Dollars.	
2. Expenditure on food @ 2.28 per week	$= 118.56$ "
3. Saving in one year	$= 28.44$ "
4. Saving in 10 years	$= 284$ "

3. Female Weeder.—

1. Income in one year at 38 cents per day = 38×300 cents or 114.00 Dollars.	
2. Expenditure in one year on food, etc. @ 2.09 per week = 198.60 "	
3. Net saving in one year	$= 5.32$ "
4. Net saving in 10 years	$= 53.0$ "

APPENDIX VII.

Estimated cost of living per week.

(In cents).

Description.	For labour according to the British Guiana deputation to India, 1920.		Per adult according to the Acting Immigration Agent General.		Per adult according to Mr. C. W. H. Collier.		Per adult male according to a Doctor.	
	Quantity.	Price in cents.	Quantity.	Price in cents.	Quantity.	Price in cents.	Quantity.	Price in cents.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Rice	84 oza.	25½	3½ lbs.	11	1 gallon	20	1 gallon	24
Bread .. ..	..	..	2 lb. 3 ozs.	17	..	..	..	..
Flour	112 oza.	49	7 lbs.	42	6 lbs.	36	1 gallon.	50
Dall	1 oz.	10½	1 lb. 5 ozs.	13	2 pints.	16	2½ lbs.	10
Masala, salt, etc. ..	..	9	..	12	..	22	..	28
Ghee	4 oza.	16	..	..	½ lb.	16	7 ozs.	28
Meat or fish .. ..	..	..	..	..	..	16	½ lb.	16
Potatoes .. ..	..	..	..	..	2 lbs.	10	..	..
Tobacco* .. ..	..	..	..	12	2 ozs.	18	..	..
Matches* .. ..	..	48	..	2	1 box.	2	..	40
Tea* .. ..	..	..	..	4	..	0·6	..	..
Sugar	14 oza.	6	17½ oza.	5	2 lbs.	8	1 lb.	4
Milk .. ..	..	..	3½ pints.	28	3 pints.	14	3½ pts.	24
Fuel .. ..	..	..	..	24	..	12	..	21
Mustard or coconut oil ..	7 oza.	11	7 oza.	6	..	10	7 oza.	10
Kerosine .. ..	..	28 (x)	..	6	..	8	..	8
Soap .. ..	..	..	..	3	1 cake	4	..	4
Ground provisions ..	112	21	..	..	..	16	112 lbs.	21
TOTAL .. ..	..	\$ 2·24½	..	\$ 1·85	..	2·84	..	\$ 288

* Garlic, onions, vegetables, bhafis are also included. (x) Including sundries.

APPENDIX VIII.

(1)

Abstract of the Collier Budgets.

SINGLE MALE.			MAN AND WIFE.			MAN, WIFE AND CHILDREN.				REMARKS.
Budget No.	Amount in cents.	Difference as compared with the average.	Budget No.	Amount in cents.	Difference as compared with the average.	Budget No.	Children	Amount in cents.	Difference as compared with the average.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
35	458	+163	37	703	+172	15	1	315	-334	1. Average for a man 295 cents.
34	383	+ 88	24	502	- 29	43	2	524	-243	2. do. and a wife 531 "
31	371	+ 78	25	460	- 71	29	3	716	-169	3. Average for M plus wife plus 1 child 649 "
32	367	+ 72	38	457	- 74	45	3	572	-313	4. Average for M plus wife plus 2 children 767 "
16	325	+ 30	36	453	- 78	27	3	565	-320	5. Average for M plus wife plus 3 children 885 "
33	307	+ 12	8	436	- 95	42	3	525	-360	6. Average for M plus wife plus 4 children 1,003 "
3	290	+ 4	23	432	- 99	44	3	408	-477	7. Average for M plus wife plus 5 children 1,121 "
17	283	- 12	22	428	-105	14	3	403	-482	8. Average for M plus wife plus 6 children 1,239 "
19	281	- 14	39	378	-153	28	4	638	-365	
4	274	- 21	21	376	-155	26	4	586	-417	
18	262	- 33	7	297	-234	30	4	526	-477	
2	237	- 58	6	293	-238	41	4	496	-507	
5	234	- 61	9	272	-259	12	4	466	-537	
20	226	- 69	40	269	-262	13	5	353	-768	
1	187	-108	10	223	-308	11	6	489	-750	

APPENDIX I.

Census of population for the periods 1891, 1911 and 1921.

Nationalities.	PERIODS.					
	1891.		1911.		1921.	
	Total Population.	Number of females to every 100 of male population.	Total Population.	Number of females to every 100 of male population.	Total Population.	Number of females to every 100 of male population.
Europeans other than Portuguese ..	4,558	67	3,037	83	3,291	82
Portuguese	12,166	101	10,084	110	9,175	112
East Indians	1,05,463	63	1,26,517	73	1,24,938	80
Chinese	3,714	43	2,622	77	2,722	86
Africans (born)	3,433	} 97	1,114	} 109	185	} 110
Blacks	1,12,155		1,14,372		1,16,984	
Aborigines	7,463	90	30,251	91	30,587	99
Mixed races	29,029	119	6,901	125	9,150	120
Race not stated	347	115	243	102	659	113
Total	2,78,328	..	2,96,041	..	2,97,691	..

R. P. STEWART,

Acting Immigration Agent General.

Dated 1st April 1922.

APPENDIX IX.

Floating resources of East Indians in British Guiana.

(Prepared by Mr. G. F. Keatinge).

(1) Land purchased by the East Indians in British Guiana.—

Year.				Number of purchasers.	Total price paid.
\$					
1915	..	..	..	413	.. 96,898
1916	..	..	..	557	.. 150,216
1917	..	..	..	630	.. 204,850
1918	..	..	..	703	.. 249,723
1919	..	..	..	807	.. 403,605
1920	..	..	..	852	.. 379,949

(2) Accounts of East Indians in Government Savings Bank.—

Year.				Number of Depositors.	Total of deposit.
\$					
1915	..	..	..	7,756	.. 393,347
1916	..	..	..	7,336	.. 411,398
1917	..	..	..	7,507	.. 489,801
1918	..	..	..	7,824	.. 539,265
1919	..	..	..	8,220	.. 659,599
1920	..	..	..	6,716	.. 795,130

(3) Amounts deposited by East Indians in the Savings Bank Departments of private banks, apart from larger accounts in the ordinary deposit and current accounts.—

		Date.	Total of deposit.
\$			
Colonial Bank	..	.. March 1922	.. 275,588
Royal Bank of Canada	..	.. January, 1921	.. 414,472
		.. January, 1922	.. 376,709

(4) There are 27 Co-operative Credit Societies with a subscribed capital of \$ 40,420, in which East Indians have a large share, and in which they deposit money freely.

(5) Remittances through Post Office by East Indians to India.—

Year.						Amount remitted.
\$						
1915	..	..	..	..	..	.. 4,410
1916	..	..	..	..	..	.. 7,460
1917	..	..	..	..	..	.. 10,073
1918	..	..	..	..	..	.. 7,935
1919	..	..	..	..	..	.. 12,241
1920	..	..	..	..	..	.. 7,195

(6) Money and jewelry taken to India by East Indian immigrants repatriated to India.—

Jewelry.	Year.		Number of adult Immigrants.	Money deposited with Immigration Agent for remittance to India.
\$				\$
12,670	.. 1919	..	814	.. 76,023
41,618	.. 1920	..	2,245	.. 249,710

(7) Floating resources of East Indians during 1920-22.—

				\$
Money invested in land during 1920	..	..	..	379,949
Deposits in Government Savings Banks	..	..	..	795,180
Deposits in Savings Bank Department of Colonial Bank, March 1922	..	..	..	275,588
Deposits in Savings Bank Department of Royal Bank of Canada	..	..	..	414,472
Remittance by Post Office to India in 1920	..	..	..	7,195
Taken by repatriated immigrants in 1920	..	..	..	249,710 Money.
Taken by repatriated immigrants in 1920	..	..	..	41,618 Jewelry.
			Total	2,163,712

APPENDIX X.

Table of trading and other licences.

A.—

	East Indians.	Chinese.
Total population .. ..	.. 125,000	3,000

B. Number of trading and other licences taken out in 1920 for—

	East Indians.	Chinese.
(1) Carts, horse or mule hire .. ..	.. 49	8
(2) Donkey carts .. ..	.. 2,508	127
(3) Hucksters .. ..	.. 1,189	24
(4) Colony craft (river and sea) .. ..	.. 7,925	153
(5) Dogs .. ..	.. 903	547
(6) Cycles .. ..	.. 981	507
(7) Gold .. ..	.. ..	4
(8) Spirit shops .. ..	.. 8	17
(9) Provisions shops .. ..	.. 575	251
(10) Drug shops .. ..	.. 48	38
(11) Cook shops .. ..	.. 25	32
(12) Bread shops .. ..	.. 6	24
(13) Stores .. ..	.. 54	112
(14) Wine and malt to sell .. ..	.. 99	135
(15) Indian hemp .. ..	.. 23	56
(16) Guns .. ..	.. 658	94
(17) Revolvers .. ..	.. 13	12
(18) Arms and ammunition .. ..	.. ..	1
(19) Gunpowder .. ..	.. 2	11
(20) Tobacco .. ..	.. 629	335
(21) Public entertainment .. ..	.. 87	27
(22) Motor cars .. ..	.. 99	55
(23) Motor cycles .. ..	.. 3	10
(24) Balata .. ..	.. ..	1
(25) Boilers .. ..	.. 53	12
(26) Carriages, 4-wheel, hire .. ..	.. 30	2
(27) Carriages, 4-wheel, private .. ..	.. 3	3
(28) Carriages, 2-wheel, hire .. ..	.. 2	1
(29) Carriages, 2-wheel, private .. ..	.. 1	1
(30) Carriages, hackney .. ..	.. 21	2
(31) Horse or mule, hire .. ..	.. 61	40
(32) Horse or mule, private .. ..	.. 14	2
GRAND TOTAL .. ..	.. 16,077	.. 2,644

APPENDIX XI.

Elementary Education Ordinance, 1918; Amendment Ordinance 1919, No. 12.

“ 17. *Age of children who may be employed.*—After the commencement of this Ordinance, no person shall take into his employment or shall employ any child : —

“ (1) who is under the age of nine years, or

“ (2) shall employ on school days during school hours any child being of the age of nine years or upwards and under the age of twelve years.

“ Provided that “ Employment ” does not include service rendered by a child to its parents being such service as is usually given by children to their parents.

“ (3) Section eighteen is hereby repealed and the following substituted therefor : —

“ 18. *Responsibility of employer for elementary instruction of any child employed as a domestic servant.*—Any person who receives into his house as a domestic servant, or permits any child to perform any work in his house shall be deemed to have undertaken the duty of a parent with respect to the elementary education of such child so long as the child remains with him, and if he does not cause such child to receive efficient elementary instruction he may be proceeded against as if he were the parent of such child, but the duty of the parent should not be diminished or discharged nor shall the parent be thereby exempted from liability to be proceeded against as hereinafter provided.”

APPENDIX XII.

A-II.

A copy of the Declaratory Ordinance. (As drafted by the Hon'ble Mr. Nunan.)

A BILL RELATING TO THE STATUS OF IMMIGRANT BRITISH SUBJECTS.

Whereas it is desired to encourage the immigration into the Colony of British subjects from various parts of the British Empire and

Whereas it is expedient with a view to facilitating such immigration that a declaration should be made as to the legal and political status of such immigrants.

Be it therefore enacted and declared by the Governor of British Guiana with the advice and consent of the Court of Policy as follows :—

1. Any British subject who has hereafter entered or may hereafter enter the Colony as an immigrant has not been and shall not be subject to any legal, political or other disability, disqualification incapacity by reason only of his race or place of origin.

B.

Extract from a copy of the telegram dated 9th February 1922, from the Viceroy to Secretary of State for India.

* * * * *

Re-draft Ordinance.

* * * * *

" *Paragraph 3.*—We concur in amendment of clause 1 as proposed by Secretary of State. Both drafts mention only British subjects, but as no doubt subjects of Indian States have emigrated and will emigrate to British Guiana we suggest such persons should be included in Ordinance.

* * * * *

" *Paragraph 4.*—We should suggest following amendments to draft Ordinance. In paragraph 1 of preamble for "desired" substitute expedient. "For body of Ordinance substitute" no British subject and no subject of a State in India who enters or has entered the colony as an immigrant, or is resident or permanently settled therein, shall be placed or shall be deemed over to have been placed, before the passing of this Ordinance, under any legal, political or other disability in the Colony only by reason of his race or place of origin."

* * * * *

Schedule of amendments to original dra^g.

Title.—Words “ of non-European race or origin ” *inserted* after the words “ British subjects.” Words “ all classes of ” *deleted*.

Preamble.—Word “ declare ” *substituted* for “ remove any doubt as to ”.

In clause 2 (1) words “ shall be deemed to ” *struck out* and after the word “ apply ” the words “ and have always applied ” *inserted*.

In clause 2 (2) words “ shall be deemed to apply ” *struck out* and “ applies and have always applied ” *inserted*.

In clause 2 (1) words from “ under the British Guiana Constitution Ordinance 1891 ” to the words “ or under any other Ordinance ” *omitted*.

In clause 2 (1) “ prescribed ” *substituted* for “ presented.”

APPENDIX XIII.

A BILL TO PROVIDE FOR THE MARRIAGE AND DIVORCE OF ASIATICS.

Be it enacted by the Governor of British Guiana, with the advice and consent of the Court of Policy thereof, as follows:—

1. *Short Title.*—This Ordinance may be cited as the Asiatic Marriage and Divorce Ordinance, 1922.

2. *Interpretation of term "Asiatic."*—In this Ordinance unless the context otherwise requires, the term "Asiatic" means any person introduced or coming into this colony from Asia, whether directly or indirectly, and whether wholly or in part at the expense of the Immigration Fund or otherwise, and includes any descendant of such a person.

3 (1). *Keeping of Register of Marriages of Asiatics contracted in the Colony.*—The Immigration Agent General shall keep a Register of Marriages of Asiatics contracted in the colony according to Form No. 1 in the Schedule to this Ordinance.

(2) *Schedule Form No. 1.*—In such register the number of any registration shall be the same for the husband and the wife, and shall be continued in regular sequence.

4. *Marriage of Asiatics by Marriage Officer for Asiatics.*—The Governor on the recommendation of the Immigration Agent General may appoint such Magistrates, Pandits, Moulvies or other persons as he may deem fit to be Marriage Officers for Asiatics for the purposes of this Ordinance and may prescribe from time to time a scale of fees to be charged by such Marriage Officers, and may revoke any appointment so made.

5 (1) Before celebrating a marriage between Asiatics such Marriage Officer shall obtain from the Immigration Agent General a certificate according to Schedule Form No. 2. Form No. 2 in the Schedule to this Ordinance signed by him to the effect that there does not appear from the records of the Immigration Department to be any impediment to the intended marriage.

(2) The Marriage Officer shall thereafter require the parties to sign a notice, which shall be furnished to them free of charge by the Marriage Officer and which shall contain a declaration by the parties that, to the best of their belief, there exists no lawful impediment to their marriage, and, if the female is under fifteen years of age, that the consent of her father if alive and in the colony, or if he is dead, of her mother, if alive and in the colony, or if her father and mother are both dead or absent from the colony, of the Immigration Agent General, has been obtained. The Marriage Officer, if not a Pandit or a Moulvie shall thereupon give notice according to Schedule Form No. 3. Form No. 3 in the Schedule to this Ordinance of the intended marriage by posting or delivering the notice to the Magistrate's Clerk of the Judicial District who shall, as soon as possible after

receipt of the said notice, exhibit the same for three weeks in a conspicuous place at the Court-house nearest to the place of residence of the parties or of one of them or at the Court-house nearest to the place of the intended ceremony, but where such Marriage Officer is a Pandit or a Moulvie he shall exhibit the notice for three weeks in a conspicuous place at the Mosque or Temple nearest to the place of residence of one of the parties. If the parties reside in different Judicial Districts, the proceedings as to notice of an intended marriage mentioned in this section shall be taken in each district.

Provided that where objection has been raised to a marriage the Marriage Officer shall suspend the celebration of such marriage until he shall receive a further certificate from the Immigration Agent General under sub-section (2) of section eight of this Ordinance.

(3) Marriage Officers for Asiatics may perform the marriage ceremony in accordance with the rites of any religion to which the Marriage Officers belong.

(4) No marriage celebrated under this Ordinance shall be valid unless the Marriage Officer, the parties to the marriage and the witnesses to the marriage at the time of the celebration shall in the presence of each other execute a certificate in the form set out in Form No. 4 in the Schedule to this Ordinance.

(5) Immediately after the celebration of a marriage, the Marriage Officer shall deliver to each of the contracting parties to such marriage a certified copy of the certificate thereof according to Form No. 4 in the Schedule to Schedule Form No. 4. this Ordinance and shall within twenty-four hours after the celebration of the marriage forward a certified copy of the said certificate to the Immigration Agent General and the certificate to the Registrar General.

(6) The Registrar General shall duly record all marriages celebrated under this Ordinance and duly file and safely preserve in his office the certificates received by him under sub-section (5) of this section.

6. *Prohibition of certain marriages.*—No marriage shall be celebrated under this Ordinance or if so celebrated, the same shall be null and void *ab ini io*, where it is shown that the parties are within the prohibited degrees enumerated in section twenty-eight of the Marriage Ordinance, 1901, or in any Ordinance No. 25 of 1901. amending the said Ordinance.

7. *Marriage under Marriage Ordinance, 1901.*—Where an Asiatic desires to be married by a Marriage Officer or Superintendent Registrar under the Marriage Ordinance, 1901, such Marriage Officer or Superintendent Registrar shall be subject to the provisions of section five of this Ordinance save that in the case of marriage by banns, the Marriage Officer may give notice of the intended marriage by the publication of banns.

8. *Making and decision of objection to proposed marriage.*—(1) Any person who desires to make objection to an intended marriage, of which notice has been given as hereinbefore provided, shall make such objection to the Marriage

Officer or Superintendent Registrar before the expiration of the period of three weeks mentioned in sub-section (2) of section five of this Ordinance.

(2) If any such objection is made, the Marriage Officer or Superintendent Registrar shall immediately report the matter to the Immigration Agent General who shall fix a day for the hearing of such objection and shall cause notice thereof to be given to the parties to the intended marriage; and at such hearing the onus of proof shall rest upon the person making the objection to prove the existence of the alleged impediment to the marriage. Should the Immigration Agent General consider that the objection has not been established he shall issue to the Marriage Officer or Superintendent Registrar a certificate to this effect and the Marriage Officer or Superintendent Registrar may thereupon proceed to perform the marriage. If the Immigration Agent General shall allow the objection he shall certify the fact to the said Marriage Officer or to the Superintendent Registrar who shall thereupon return to the Immigration Agent General the certificate mentioned in sub-section (1) of section five, or in section seven of this Ordinance and the Immigration Agent General shall destroy the said certificate.

(3) If any party to an objection is dissatisfied with the decision of the Immigration Agent General he shall immediately upon the decision being pronounced give notice to the Immigration Agent General of his dissatisfaction and shall within one month thereafter apply to the Chief Justice to have the decision reviewed. After the said notice has been given the Immigration Agent General shall not certify his decision on any objection unless the party giving the notice has not made application for review of the decision within the said period of one month.

9. *Grounds of objection to proposed marriage.*—No objection shall be allowed to any marriage proposed to be contracted under this Ordinance unless it is shown to the satisfaction of the Immigration Agent General that either of the parties thereto has a wife or a husband still living; or that the parties stand in any of the degrees of relationship within which it is hereinbefore declared to be unlawful for persons to celebrate marriage, or, in the case of a male, that he is under fifteen years of age, or in the case of a female, that she is under thirteen years of age, or, if she is under fifteen years of age, that the consent mentioned in sub-sections (2) of section five of this Ordinance has not been obtained.

10. *Penalty.*—Every Marriage Officer or Superintendent Registrar, who offends against the provisions of section five of this Ordinance shall be liable to a penalty not exceeding forty-eight dollars; provided that no complaint shall be brought for the recovery of any such penalty without the sanction in writing of the Immigration Agent General.

11. *Certificates when void.*—No marriage shall be celebrated under this Ordinance after the expiration of three months from the date of the certificate issued by the Immigration Agent General either under sub-section (1) of section five or under section seven, or after the expiration of two months either from the date of the certificate of the Immigration Agent General under sub-section (2) of section eight that an objection to a marriage has not been estab-

lished, or from the date of an order of the Chief Justice dismissing an application for review of any such decision as mentioned in sub-section (3) of section eight.

DIVORCE.

12. (1) *Proceedings for divorce of Asiatics.*—Where Asiatics are married and one of them is guilty of misconduct entitling the other to dissolution of the marriage, it shall be lawful for the spouse so entitled to apply to a Magistrate for an order dissolving the marriage.

(2) The Magistrate shall, on receiving any such application, summon before him the parties, and such witnesses as they may desire to be examined, and any persons whom the Magistrate may think it expedient to examine, and the Magistrate shall reduce the statements on oath of the parties and the witnesses into writing, and shall transmit such application and statements to the Registrar in order that they may be laid before the Chief Justice for his decision.

(3) On such application and statements being laid before him, if it appears that the party applying is entitled to a dissolution of the marriage, the Chief Justice may deal with the application in a summary way and may make an order dissolving the marriage.

(4) The Chief Justice may require the Magistrate to take further evidence on the application and transmit the same to the Registrar, or may require the parties to appear before him and produce such evidence as may be necessary.

(5) On any such application and statements being laid before him, the Chief Justice shall have the same powers as the Supreme Court would have in a suit in the said Court for the dissolution of marriage and may make any such order, on such terms and conditions, as the said Court might make in such a suit.

(6) Every order dissolving a marriage made under this section shall have the same incidents and the same effect as a judgment of the said Court.

(7) The fee payable in respect of any such proceedings shall be the sum of twenty-four dollars, and such fee shall include all charges in the Office of the Registrar.

(8) The said fee shall be payable on making the application to the Magistrate: Provided that nothing in this section shall affect the right of any person to apply to be allowed to sue *in forma pauperis*.

(9) The provisions of this section shall apply to marriages contracted or registered under the provisions of Ordinance No. 10 of 1860 or of Part X of the Immigration Ordinance, 1891, or of this Ordinance.

13. *Keeping of Register of Divorces of Asiatics.*—Immediately on the making of an order under the last preceding section, the Registrar shall transmit a copy thereof to the Immigration Agent General who shall cause it to be entered in a Register of Divorces of Asiatics to be kept by him.

OFFENCES.

14. *Punishment of person making false entry in register.*—Every person who knowingly and wilfully inserts, or causes or permits to be inserted, in any register kept under this Ordinance any false entry of any matter relating to any marriage or to any dissolution of marriage shall be guilty of a misdemeanour, and being convicted thereof, shall be liable to imprisonment with or without hard labour, for any term not exceeding two years.

15. *Punishment of person signing false declaration or certificate.*—Every person who makes, signs, or attests any declaration or certificate by this Ordinance required or authorized to be made or given containing a statement which is false, and which he either knows or believes to be false or does not believe to be true, shall be guilty of a misdemeanour, and, being convicted thereof, shall be liable to imprisonment, with or without hard labour, for any term not exceeding two years.

16. *Punishment of person forging certificate.*—Every person who forges or alters in any material particular, or offers, utters, disposes of, or puts off knowing the same to be forged or altered in any material particular, any certificate by this Ordinance required or authorized to be given, shall be guilty of a misdemeanour, and being convicted thereof, shall be liable to imprisonment, with or without hard labour, for any term not exceeding two years.

SUPPLEMENTAL PROVISIONS.

17. *Proof of marriage or divorce.*—An entry whether purporting to be an original entry or not, in any register kept under this Ordinance shall be conclusive evidence until the contrary is proved of the marriage or dissolution of the marriage of the parties to whom the entry relates and also of the date of a marriage or of an order dissolving a marriage, if the same is specified in the entry: Provided always that the Immigration Agent General may correct any entry which he is satisfied from facts within his own knowledge is an error.

18. (1) *Use as evidence of entry in register and of certificate.*—Where any entry is by this Ordinance required to be made in any register, *prima facie* evidence may be given of such entry in any Court of Justice and in any legal proceeding by production of an extract purporting to be certified by the Immigration Agent General to be a true copy of such entry.

(2) Where any certificate is by this Ordinance required or authorized to be given, *prima facie* evidence of such certificate may be given in any Court of Justice and in any legal proceeding by production of a certificate apparently in accordance with this Ordinance and purporting to be signed as required by this Ordinance.

(3) No proof shall be required of the handwriting or official position of the person signing any such certificate.

(4) Every certificate given under this Ordinance shall be *prima facie* evidence of any fact therein certified.

(5) The provisions of this section shall be deemed to be in addition to, and not in derogation of, any powers of proof under any existing law.

19. *Cost on appeal from a decision of Immigration Agent General.*—Where application has been made to the Chief Justice to review the decision of the Immigration Agent General on an objection to a marriage the Chief Justice shall make such order as to the objection and costs as may seem just.

20. *Appeal where registration is refused.*—If the Immigration Agent General refuses to register a marriage or any order dissolving a marriage under this Ordinance, any person aggrieved by such refusal may apply to the Chief Justice to have such registration made, and on such application, if it appears that the registration ought to be made, the Chief Justice shall order the Immigration Agent General to make such registration, and may make such order as to costs as may seem just.

21. *Cancellation of registration.*—Where registration under this Ordinance has been made of any marriage or any order dissolving a marriage, any person aggrieved by such registration may apply to the Chief Justice to have such registration cancelled, and on such application, if it appears that the registration ought not to have been made, the Chief Justice shall order the Immigration Agent General to cancel such registration, and may make such order as to costs as may seem just.

22. (1) *Procedure on application to the Chief Justice.*—Any application to the Chief Justice under this Ordinance and the subsequent proceedings thereupon shall be as prescribed by any general orders made by the Chief Justice under this Ordinance, or if no orders are made and subject to such orders, if any, the application shall be by motion, and the subsequent proceedings shall be in accordance with the usual practice of the Supreme Court on motions.

(2) All general orders made by the Chief Justice under this section shall be published in the *Gazette*.

(3) In all proceedings before the Chief Justice in regard to any marriage or divorce of Asiatics the Immigration Agent General shall have the right to appear by counsel for the purpose of any application which he may see fit to make.

(4) The production of a copy of the *Gazette* purporting to contain any such orders shall be *prima facie* evidence of the due making and tenor of such orders.

23. *Right of appeal from Magistrate's order.*—Every order of a Magistrate made under this Ordinance shall be subject to the review provided by the Summary Jurisdiction Ordinances.

See Ordinance No. 13 of 1893.

24. *Furnishing of certified copy of entry in register.*—It shall be lawful for any person, on the production of a receipt for the sum of one dollar from the Colonial Treasurer's Office, to have a true copy, certified under the hand of the Immigration Agent General, of any entry made in any register kept under

this Ordinance: Provided that the public officer shall not be required to pay for any such certified copy required by him in his capacity as such public officer.

25. *Penalty on unauthorized person performing marriage.*—If any person who is not a Marriage Officer under this Ordinance, or a Marriage Officer or Superintendent Registrar under the Marriage Ordinance, 1901, shall celebrate a marriage between Asiatics, or if any person who is not a Marriage Officer or Superintendent Registrar under the

No. 25 of 1901. Marriage Ordinance, 1901, shall celebrate a marriage between an Asiatic and a person who is not an Asiatic, he shall be liable to a fine not exceeding one hundred dollars or to imprisonment with or without hard labour for a period not exceeding three months or to both such fine and imprisonment; provided that where an Asiatic other than a Marriage Officer or Superintendent Registrar performs a ceremony between Asiatics purporting to be a marriage according to any usage of Asiatics, and at the time of the ceremony he in or ns both the parties thereto that the ceremony does not constitute a legal marriage, such Asiatic shall not be guilty of an offence under this section.

26. (1) *General law of Colony.*—Save as herein provided every marriage contracted or registered under this Ordinance shall be subject to the general law of the Colony in all its incidents in like manner as if it had been celebrated under the Marriage Ordinance, 1901, or under any

No. 25 of 1901.

Ordinance amending that Ordinance.

(2) Subject to the provisions of section nine hereof nothing herein contained shall be deemed to prevent any Asiatic from contracting a marriage in any manner prescribed by the Marriage Ordinance, 1901.

No. 25 of 1901.

(3) No marriage between an Asiatic and one who is not an Asiatic shall be celebrated under this Ordinance by a Marriage Officer for Asiatics, and no such marriage shall be celebrated until the Marriage Officer or Superintendent Registrar has obtained a certificate from the Immigration Agent General as in section five sub-section (1) provided.

27. *Immigration Agent General may delegate powers.*—The Immigration Agent General may by writing delegate to any Immigration Agent from time to time the exercise or performance of any of his functions or duties hereunder but without diminution of his own responsibility and in the absence of the Immigration Agent General anything which may by law be done or permitted by the Immigration Agent General may be done or permitted by the Senior Immigration Agent.

28. *Repeal of sections 143 to 153, 162, 163 of Ordinance No. 18 of 1891.*—Sections one hundred and forty-three to one hundred and fifty-three both inclusive and sections one hundred and sixty-two and one hundred and sixty-three of the Immigration Ordinance, 1891, are hereby repealed.

29. *Forms.*—The forms in the Schedule hereto shall be used for the purposes of this Ordinance but the Immigration Agent General with the approval

of the Governor-in-Council may make, alter and repeal any forms from time to time.

30. *Commencement.*—This Ordinance shall come into operation on such date as the Governor may fix by Proclamation in the *Gazette*.

SCHEDULE.

FORMS.

FORM NO. 1.

SECTION 3.

Register of Marriages of Asiatics contracted in the Colony.

No.	Date.	Name	Country.	No., Ship, and Year of Arrival or No., and Year in Birth or Creole register.	Place of Abode.	Place of Publication of Notice, if any.	Date and Place of Marriage.	Name of Officer before whom Marriage contracted.	Signature of Immigration Agent General.

FORM NO. 2.

SECTION 5 (1).

CERTIFICATE.

Under Section 5 (1) of the Asiatic Marriage and Divorce Ordinance, 1922.

I hereby certify that there does not appear from the records of the Immigration Department to be any impediment to the intended marriage of

.....

.....

and

.....

.....

Immigration Agent General.

IMMIGRATION OFFICE,
Georgetown;

this Ordinance: Provided that the public officer shall not be required to pay for any such certified copy required by him in his capacity as such public officer.

25. *Penalty on unauthorized person performing marriage.*—If any person who is not a Marriage Officer under this Ordinance, or a Marriage Officer or Superintendent Registrar under the Marriage Ordinance, 1901, shall celebrate a marriage between Asiatics, or if any person who is not a Marriage Officer or Superintendent Registrar under the

No. 25 of 1901. Marriage Ordinance, 1901, shall celebrate a marriage between an Asiatic and a person who is not an Asiatic, he shall be liable to a fine not exceeding one hundred dollars or to imprisonment with or without hard labour for a period not exceeding three months or to both such fine and imprisonment; provided that where an Asiatic other than a Marriage Officer or Superintendent Registrar performs a ceremony between Asiatics purporting to be a marriage according to any usage of Asiatics, and at the time of the ceremony he in or ns both the parties thereto that the ceremony does not constitute a legal marriage, such Asiatic shall not be guilty of an offence under this section.

26. (1) *General law of Colony.*—Save as herein provided every marriage contracted or registered under this Ordinance shall be subject to the general law of the Colony in all its incidents in like manner as if it had been celebrated under the Marriage Ordinance, 1901, or under any

No. 25 of 1901.

Ordinance amending that Ordinance.

(2) Subject to the provisions of section nine hereof nothing herein contained shall be deemed to prevent any Asiatic from contracting a marriage in any manner prescribed by the Marriage Ordinance, 1901.

No. 25 of 1901.

(3) No marriage between an Asiatic and one who is not an Asiatic shall be celebrated under this Ordinance by a Marriage Officer for Asiatics, and no such marriage shall be celebrated until the Marriage Officer or Superintendent Registrar has obtained a certificate from the Immigration Agent General as in section five sub-section (1) provided.

27. *Immigration Agent General may delegate powers.*—The Immigration Agent General may by writing delegate to any Immigration Agent from time to time the exercise or performance of any of his functions or duties hereunder but without diminution of his own responsibility and in the absence of the Immigration Agent General anything which may by law be done or permitted by the Immigration Agent General may be done or permitted by the Senior Immigration Agent.

28. *Repeal of sections 143 to 153, 162, 163 of Ordinance No. 18 of 1891.*—Sections one hundred and forty-three to one hundred and fifty-three both inclusive and sections one hundred and sixty-two and one hundred and sixty-three of the Immigration Ordinance, 1891, are hereby repealed.

29. *Forms.*—The forms in the Schedule hereto shall be used for the purposes of this Ordinance but the Immigration Agent General with the approval

of the Governor-in-Council may make, alter and repeal any forms from time to time.

30. *Commencement.*—This Ordinance shall come into operation on such date as the Governor may fix by Proclamation in the *Gazette*.

SCHEDULE.

FORMS.

FORM No. 1.

SECTION 3.

Register of Marriages of Asiatics contracted in the Colony.

No.	Date.	Name	Country.	No., Ship, and Year of Arrival or No., and Year in Birth or Creole register.	Place of Abode.	Place of Publication of Notice, if any.	Date and Place of Marriage.	Name of Officer before whom Marriage contracted.	Signature of Immigration Agent General.

FORM No. 2.

SECTION 5 (1).

CERTIFICATE.

Under Section 5 (1) of the Asiatic Marriage and Divorce Ordinance, 1922.

I hereby certify that there does not appear from the records of the Immigration Department to be any impediment to the intended marriage of

.....

.....

and

.....

.....

Immigration Agent General.

IMMIGRATION OFFICE,
Georgetown;

We, *A. B.* and *C. D.*, severally declare as follows :—

We were duly married on the _____ day of _____ 1____, at _____ by _____ and we severally say that such marriage was well and truly effected on the _____ day of _____

(Signed.)

A. B.

C. D.

We, *E. F.* and *G. H.*, severally declare that we were present at the ceremony of marriage between *A. B.* and *C. D.*; and that the statements contained in this certificate are true.

Dated this _____ day of _____ 1____

(Signed.)

E. F.

G. H.

If the female is under 15 years of age, the following declaration must be added :—

I, _____ father [or as the case may be] of _____ do hereby declare that I consent to the marriage of the said _____ to _____

Dated this _____ day of _____ 1____

(Signed.)

I. J.

FORM NO. 5.

SECTION 13.

Register of Divorces of Asiatics.

No.	Date.	Name.	Country.	No., Ship, and Year of Arrival. Or No. and year in Birth or Creole register.	Date of Marriage.	No. of Divorce.	Date of Divorce.

APPENDIX XIV.

Marriage Law.

In addition to the General Marriage Law of the Colony, further provision is made for Immigrants in Part X of the Immigration Ordinance 18 of 1891, copies of which have been supplied.

2. Under this latter provision the Immigration Agent General keeps a Register of Immigrants found to be married at the time of their arrival, these marriages including those of spouses who arrive in separate ships, as well as a Register of Marriages contracted in the Colony.

3. Under Part X immigrants may be married by :—

Magistrate

Christian Minister or

Priest of own religion.

4. In all cases a certificate from the Immigration Department is required showing that there is no impediment to the union ; but in the case of marriage by Priest of Own Religion only does the failure to obtain beforehand such a certificate invalidate the marriage. With a view to removing this anomaly and also of making uniform the civil requirements in all three cases, Part X of the Immigration Ordinance 18 of 1891 has been reviewed and simplified into a separate Marriage Ordinance for Asiatics, but its terms are still under consideration, and it has been held over for discussion with the members of the Delegation from India now in the Colony.

5. Immigrants hitherto have in many cases taken advantage of the anomaly above referred to in order that their marriages may be illegal although reputable and celebrated with all the ceremony of their religions.

6. Except for the omission to obtain the certificate there was nothing contrary to the law in many of these marriages, and to get the certificate presented not the slightest difficulty. One of the reasons for resort to this expedient lies possibly in the fear of complications in connexion with return to India ; the husband may not desire to take the wife to his people in India ; the wife may not desire to go to a strange land or to return with such a spouse to the land she remembers or to the land whose customs have grown strange and irksome to her ; the consequence may be the demand by one of compensation from the other, or other difficulties.

7. With regard to the certificate described in paragraph 4, the observations of an experienced member of the community who has been intimately associated with East Indian life and sentiments in British Guiana for a score of years are as follows :—

“ It is required among existing provisions that as a preliminary to marriage procedure a certificate be had from the Immigration Agent General attesting that so far as the records of the Department show no impediment exists to the proposed marriage ;

and it is also required that a certificate be sent to the Immigration Agent when the marriage has been solemnised or celebrated attesting this fact.

The importance and value of this certificate cannot be over-estimated. No publication of banns or affixing of notices at Magistrates' Courts or other means of giving publicity can take its place. While the members of a small fraction of the East Indian Community are sufficiently widely known to make such a provision unnecessary, the great bulk of the people are absolutely beyond effective reach by the means employed in connection with the general population. The identity of names and the absence to a considerable extent, of family relationships renders difficult and uncertain the tracing of individuals. The constant addition of strangers to the Community, the absence of conditions as exist in India—the village life, the public opinion (Custom, Caste, etc.)—make it essential that there should be a central source of information and that this source should be consulted. The records of your (the Immigration) Department will bear me out in this, that every year among the applications made for this certificate of non-impediment are more cases than one in which one or other or both of the parties have been married and there is no record of the death of any. I am certain from my own knowledge that in many, if not in all, of these cases the marriages would have been solemnised but for the information preserved in the Department and furnished. Many and various excuses were, of course, made by the parties when confronted by the facts.

I fully appreciate the desire to free the marriage procedure among the East Indians from all unnecessary encumbrances. But care must be taken not to break down necessary safeguards; and the provision under reference I regard as very necessary.

It is a detail whether the parties to the intended marriage or the solemnising or celebrating officer should obtain this certificate; and if it is deemed an effort for the former, make it incumbent on the latter to secure it. It is very easily obtained and need not cause either delay or inconvenience in the getting of it.

It is sometimes argued that restrictions on the East Indians in connection, especially, with marriage make an invidious distinction between him and the other members of the general community. Is it not the case that distinctions as between the East Indian and the ordinary member of the community abound? It is recognised that special treatment is still necessary for the community (the East Indian community) as a whole; and it will be found very difficult to make distinction within this community itself. I deem it wiser to preserve the East Indian Community as a united whole than to encourage its being left

into sections, one remaining East Indian the other merging itself into the general community."

8. The effect of an illegal marriage is of course that children of such a marriage are illegal and in some cases may fail to inherit property of their parents. On the other hand this disability disappears if such parents are careful to make Wills and is to some extent obviated by petition to the Governor respecting escheat; while at the same time latitude is afforded the immigrants in the observance of their own usages without the complexity (to mention one alternative) of separate laws for the divers races of this community.

9. In this connexion the following conclusions drawn from the source referred to in paragraph 7 should be noted :—

"The impression prevails that the great mass of the children of the East Indians of the Colony who are classed as illegitimate should be regarded as legitimate; it being presumed that they are the offspring of parents who have been duly married in accordance with the rites of their own religion. This impression is the foundation of the widespread desire to bring these ceremonies within the pale of law. Unfortunately this impression is not correct. It is a fact that the parents—very many of them—of the children in question have passed through a marriage ceremony, but not with each other; and the children are not the fruit of that ceremony. Far and away the majority of the boys and girls and the very young men and women who are married according to the rites colloquially described as "Bamboo Marriage" separate from each other and, later in life, form connexions of their own choice. The great bulk of the children born are the children of this subsequent connexion.

This is no mere conjecture on my part. It is a conviction deliberately formed after 20 years of experience among the East Indians of this Colony; and in it I am supported by my fellow missionaries, all the native members of the Mission staff and intelligent East Indians of every caste whose opinions I have sought.

Accurate judgment in this matter is essential to a consideration of any remedial measure.

In the first place no recognition can be given to the marriage of children below a standard age no matter what the religious ceremony may be or what the religious persuasion of the parties.

In the next place the wisdom of disturbing the present situation is very questionable. The fact—for it is a fact—that so very many of the young people coupled in "Bamboo Fashion" do not remain attached to each other is evidence that the connections are not happy. There being no legal bond these parties may and many frequently do make legal the connections, which subsequently they form of their own choosing. If the earlier connections were

invariably made legally binding, there would be no loss of separation ; but the parties would be debarred from the opportunity of contracting a lawful marriage ; and adultery in gross and flagrant form would be fostered. The remedy would be far worse than the malady. It is the desire of many Pandits that the young people once married should be compelled to abide with each other. They would effect by law what public opinion—" Custom "—has maintained in India for centuries. But they are factors in the situation of which these men do not take account. It is impossible to *force* upon the generation of to-day the thoughts and habits of the past centuries. They live in the West and breathe the atmosphere ; and among other lessons they learn that of choosing their own partners in life. At the early age at which their marriages are celebrated—even the legal age—the young poples' minds are hardly formed ; and they are seldom fit to exercise a wise judgment in a choice of such far reaching effect. Besides, the circumstances under which the marriages are brought about afford them no opportunity to make a choice. Sometimes the semblance of opportunity is afforded ; but it amounts to nothing. However well intentioned, it will be a retrograde step and a cruel injustice to the youth of India in this Colony to bring any pressure to bear to a greater extent than now obtains. It is on the other hand just that facilities should be provided whereby those who desire it may follow the customs of their fore fathers. Provision for this exists in the law as it now stands and it is wisely hedged about with such precautions as are necessary for the justification of the unwary and the ill-informed."

10. Provision is made for the protection of wives in section 157 *et seq.*, for the protection of spouses' property in section 154 ; for the punishment of persons who entice, colabit with or unlawfully harbour wives of immigrants, in section 160 ; for divorce, in section 162, and for the division of property, when couples cease to live together, whether they are legally married or otherwise, and without resort to divorce under the law, in section 156.

11. There is no record of the number of marriages of the sort referred to in paragraph 5, but the following is a return of the number of legal marriages for the last ten years :—

APPENDIX XV.

Number of authorised marriages.—(1912—1921).

Year.	Registered on arrival. Section 141.	By Magis- trate. Section 146.	By Clergy- man. Section 150.	By own priest. Section 151.	Total.
1921 .. ..	..	177	137	24	338
1920 .. ..	..	193	181	47	421
1919 .. ..	..	225	160	50	441
1918 .. ..	..	153	184	28	365
1917	81	139	141	12	373
1916	94	108	144	16	362
1915 (9 months) ..	109	88	104	9	310
1914-15	75	125	108	19	327
1913-14	95	142	104	18	359
1912-13	163	162	100	6	431
Total ..	617	1,512	1,369	229	3,727

R. P. STEWART,

*Acting Immigration Agent General**22nd March 1922.*

APPENDIX XVI.

PART X OF THE IMMIGRATION ORDINANCE.

Marriage, Divorce, etc.

139. *Interpretation of term "immigrant" in Part X.*—In this Part, unless the context otherwise requires, the term "Immigrant" means any person introduced or coming into this Colony from Asia, whether directly or indirectly, and whether wholly or in part at the expense of the Immigration Fund or otherwise, and includes any descendant of such a person.

Marriage.

140 (1) *Keeping of Register of Married Immigrants arriving in Colony.*—The Immigration Agent General shall keep a Register of Immigrants who may be found to be married at the time of their arrival in this Colony.

(2) In such register the number of any registration shall be the same for the husband and the wife, and shall be continued in regular sequence.
Schedule: Form No. 26.

141 (1) *Registration of married immigrants on arrival.*—When any ship with any immigrants on board arrives in this Colony, the Immigration Agent General shall inquire whether any of such immigrants stand in the relation of husband and wife to each other; and if he is satisfied, by the statements of the parties themselves and by such other information as he may be able to procure, that the parties ought to be regarded and dealt with as husband and wife, he shall thereupon cause an entry to be made accordingly in the register mentioned in the last preceding section,

(2) The Immigration Agent General shall at the the same time deliver Schedule: Form No. 27. to each of the parties a certificate of marriage.

(3) The persons so registered as husband and wife shall be deemed to be married, unless it is shown that the parties are so nearly related by blood that a marriage between them was unlawful.

(4) The provisions of this and the last preceding section shall apply with the necessary modifications, to the case of a male immigrant and a female immigrant arriving in this Colony in different ships and alleging that they were married before their arrival.

142. *Exemption from fee for registration.*—No fee shall be payable for the registration of any marriage under the provisions of the last preceding section or for any certificate granted thereunder.

143 (1) *Keeping of Register of Marriages of Immigrants contracted in the Colony.*—The Immigration Agent General shall keep a Register of Marriages of Immigrants contracted in the Colony.

(2) In such register the number of any registration shall be the same for the husband and the wife, and shall be continued in regular sequence.
Schedule: Form No. 28.

144. *Marriage of Christian immigrants.*—With reference to the marriage of Christian immigrants the following provisions shall have effect :—

- (1) An immigrant who, at the time of his or her arrival in this Colony, professes Christianity shall, immediately upon such arrival; and
- (2) An immigrant who, at any time after his or her arrival in this Colony, is converted to Christianity shall, immediately upon such conversion,

as to capacity or incapacity to contract marriage, and the conditions subject to which, and the manner in which, marriage may be contracted, be subject to the general law of the Colony.

145. *Prohibition of certain marriages.*—No marriage shall be contracted under this Ordinance, or, if so contracted and registered, the same shall be null and void *ab initio*, where it is shown that either of the parties has, or had at the time of such contracting and registration, a wife or husband alive, or where either party is directly descended from the other, or where the female is a sister of the male, either by the full or the half-blood, or where the male is a brother of the female, either by the full or the half-blood.

146 (1) *Notification of intended marriage.*—Where a male immigrant, not being under fifteen years of age, and a female immigrant, not being under thirteen years of age, wish to contract a marriage, they may signify such wish to the Magistrate of the District in which they reside.

(2) The Magistrate shall thereupon call upon the parties to produce a certificate, signed by the Immigration Agent General to the effect that there does not appear from the records of the Immigration Department to be any impediment to the intended marriage.

(3) If such certificate is produced, the Magistrate shall call upon the parties to sign a notice, which shall be furnished to them free of charge by the Magistrate, and shall contain a declaration by the parties that, to the best of their belief, there exists no lawful impediment to their marriage, and, if the female is under fifteen years of age, that the consent of her father, if alive and in the Colony, or, if he is dead, of her mother, if alive and in the Colony, or, if her father and mother are both dead or absent from the Colony, of the Immigration Agent General, has been obtained.

(4) The Magistrate shall thereupon give public notice of the intended marriage by posting up the notice for three weeks in a conspicuous place at the Court House nearest to the place of residence of the parties or of one of them, and by publicly reading the same upon each day during the said three weeks upon which he holds a Court at such Court House: Provided that, if such Court is held more than once a week, it shall be sufficient if the notice is read on one day during each of the said three weeks.

(5) If the parties reside in different Judicial Districts the proceedings mentioned in this section shall be taken in each District.

147. *Grounds of objection to proposed marriage.*—No objection shall be admitted to any marriage proposed to be contracted under this Ordinance unless it is shown, to the satisfaction of the Magistrate, that either of the parties thereto has a wife or a husband still living ; or that the parties stand in any of the degrees of relationship within which it is hereinbefore declared to be unlawful for persons to celebrate marriage ; or, in the case of a male, that he is under fifteen years of age, or, in the case of a female, that she is under thirteen years of age, or, if she is under fifteen years of age, that the consent mentioned in the last preceding section has not been obtained.

148 (1). *Making and decision of objection to proposed marriage.*—Any person who desires to make objection to an intended marriage, of which notice has been given as hereinbefore provided, must make such objection to the Magistrate before the expiration of the aforesaid period of three weeks.

(2) If any such objection is made, the Magistrate shall, immediately on the expiration of the said period of three weeks, fix a day for the hearing of such objection, and shall cause notice thereof to be given to the parties who have given the notice of marriage ; and at such hearing the person making the objection shall be bound to prove the existence of the alleged impediment to the marriage.

(3) If either party makes application for a review of the decision on such objection, the Magistrate shall defer the granting of any certificate as hereinafter mentioned until such review has been disposed of in due course of law.

149. (1) *Marriage after publication of notice.*—Within six months after such publication has been made, and not afterwards, and if no valid objection is pending or has been allowed to the intended marriage, the parties may appear before the Magistrate or either of the two Magistrates in whose Districts publication has been made, as the case may be, and the Magistrate shall, on being satisfied of their identity and that publication of notice of their intended marriage has been duly made, declare the parties to be

Schedule : Form No. 30. husband and wife, and shall deliver to each of them a certificate of marriage.

(2) Within twenty-four hours after delivering such certificate, the Magistrate shall transmit a copy thereof to the Immigration Agent General, and, in default of his so doing, he shall be liable, on the complaint of the Immigration Agent General, to a penalty not exceeding forty-eight dollars.

(3) On receipt of the copy of such certificate, the Immigration Agent General shall cause an entry of the marriage to be made in the Register of Marriages of Immigrants contracted in the Colony.

150. (1) *Marriage after publication of banns.*—Where an immigrant desires to be married by a Minister of the Christian Religion after publication of banns, he or she shall cause to be delivered to the Minister a certificate, signed by the Immigration Agent General, to the effect that there does not appear from the records of the Immigration Department to be any impediment to the intended marriage, and the Minister shall not publish the banns until he receives the certificate.

MSSEHL

(2) The Minister shall retain the certificate and shall, within twenty-four hours after the marriage has been solemnized, endorse on the certificate the date and place of marriage, with his signature thereto, and forward the same to the Immigration Agent General.

(3) Every Minister who offends against the provisions of this section shall be liable to a penalty not exceeding forty-eight dollars: provided that no complaint shall be brought for the recovery of any such penalty without the sanction in writing of the Immigration Agent General.

151. (1) *Marriage according to religion and personal law.*—A marriage contracted after the commencement of this Ordinance between a male immigrant, not being under fifteen years of age at the date of the marriage, and a female immigrant, not being under thirteen years of age at the date of the marriage, both of whom, at the date of the marriage, are free from any disability mentioned in section 145, profess the same religion, not being the Christian Religion, and are subject to the same personal law, shall, if contracted according to the religion and personal law of such immigrants and registered under this Ordinance, be deemed to be valid as from the date of such marriage: Provided that, before any such marriage is contracted, the parties thereto shall first obtain a certificate, signed by the Immigration Agent General, to the effect that there does not appear from the records of the Immigration Department to be any impediment to the intended marriage; and no such marriage shall be deemed to have been duly contracted unless such certificate has been first obtained.

(2) If the marriage referred to in any such certificate is not contracted within three months from the date of the certificate, the certificate shall, on the expiration of the said period, become null and void.

152. (1) *Registration of marriage contracted according to religion and personal law.*—Within seven days after the celebration of a marriage contracted according to religion and personal law, the parties to such marriage, or one of them, shall deliver to the Immigration Agent for the District in which they reside a certificate thereof.

(2) If default is made in delivering such certificate within the time aforesaid, each of the parties to the marriage shall be liable to a penalty not exceeding twenty-four dollars.

(3) The Immigration Agent shall forthwith transmit such certificate to the Immigration Agent General.

(4) On receipt of such certificate, whether within the time aforesaid or otherwise, and on satisfying himself—

(a) that the requirements of the last preceding section have been complied with; and

(b) that, in the case of a female under fifteen years of age, the person acting as guardian was entitled so to act,

the Immigration Agent General shall cause an entry of the marriage, with the necessary modifications of the particulars of such entry, to be made in the

Register of Marriages contracted in the Colony, and shall forthwith transmit to each of the parties a certificate of such registration.

Form No. 32.

153. Whenever the Immigration Agent General issues a certificate under section 151 and does not, within three months and seven days thereafter, receive from or on account of the parties mentioned therein, or one of them the certificate mentioned in the last preceding section, it shall be his duty to make inquiry into the matter, and, if necessary, to make a complaint against the parties who have made default in respect of such last-mentioned certificate.

Property of Married Immigrants.

154 (1) *Protection of property of woman deserted by her husband.*—If any female immigrant is deserted by her husband, being an immigrant, the Magistrate of the District in which she resides shall, on application made by her or on her behalf, and on being satisfied of the fact of such desertion, and that the same was without reasonable cause, and that the woman is maintaining herself by her own industry or property, give to the woman an order protecting her earnings and property acquired since the commencement of such desertion from her husband and from all creditors and persons claiming under him, and such earnings and property shall belong to the wife as if she were a single woman.

(2) The Magistrate shall cause a notice of every such order to be posted up for fifteen days in a conspicuous place at the Court House nearest the place in which such woman resides, and the husband or any person claiming under him may, during such fifteen days, apply to the Magistrate to annul the order.

(3) If any such application is made, the Magistrate shall hear the same and shall make such order thereon as may be just.

155 (1) *Protection of property of man deserted by his wife.*—If any female immigrant deserts her husband, being an immigrant, and cohabite with another man, the Magistrate of the District in which the husband resides shall, on application made to him by or on behalf of the husband, summon the woman and the alleged adulterer before him, and, on being satisfied of the fact of such desertion and cohabitation, give to the husband an order protecting his earnings and property acquired since the commencement of such desertion from his wife and from all creditors and persons claiming under her, and such earnings and property shall belong to the husband as if he were a single man.

(2) The woman shall forfeit, from the date of such order, all movable property given to her by her husband, and shall further forfeit all right to the community of property resulting from her marriage, and the husband shall not be liable for any debt which she may contract during such desertion; Provided that, if such desertion is afterwards condoned by the husband, any order made under the provisions of this section shall thereupon *ipso facto*

become annulled, and the community of property shall take effect and subsist anew from the date of such condonation.

156 (1) *Division of property of married immigrants.*—Where a male immigrant and a female immigrant who are married to each other, or who have cohabited together, cease to cohabit, and either of them desires that the property to which they or either of them are or is entitled should be divided, it shall be lawful for the Magistrate of the District in which such immigrants or either of them may reside, on application made to him by or on behalf of either of such immigrants, to summon such immigrants before him and any witnesses they or either of them may desire to be examined, and to make such order for the division of the property as may be just.

(2) Any person, being a party to such proceedings, who refuses or neglects to comply with the terms of such order shall be liable to imprisonment, with or without hard labour, for any term not exceeding one month.

(3) If, after the making of any such order, any such person refuses or neglects to comply with the terms thereof, the refusal or neglect to comply therewith for a period of seven days shall be deemed a fresh offence, and so on *toties quoties*.

(4) When a male and female immigrant have cohabited together, without having been married, and one of them dies intestate during the period of cohabitation, and the estate of the one so dying is administered by the Official Receiver under the provisions of the Immigration Ordinance 1891, Amendment Ordinance 1905, it shall be lawful for the Official Receiver to assign to the survivor for his or her absolute use and benefit such share, not exceeding one half of all the property, movable and immovable, belonging to the estate of the deceased immigrant which has been acquired by their joint earnings, or to the acquisition of which the survivor has contributed, as, after due inquiry and consideration, may appear just.

(5) Every decision under the last preceding sub-section shall be final, and the Immigration Agent General or the Official Receiver, as the case may be, shall have full power and authority to do all things necessary, including the power to transport immovable property, for placing such survivor in possession of the share of such property so assigned.

Protection of Wives of Immigrants, etc.

157 (1) *Apprehension and punishment of male immigrant threatening his wife.*—Where any male immigrant threatens to murder, wound, beat or ill-treat his wife or any woman with whom he may have cohabited or may desire to cohabit, a Magistrate or Justice of the Peace shall on being informed thereof and on being satisfied that there is reason to apprehend that bodily injury may be inflicted on such woman, forthwith issue his warrant for the apprehension of the immigrant alleged to have used such threats.

(2) Any immigrant who uses any such threats may be forthwith arrested by any police or rural constable, and may be detained in custody until a warrant can be obtained for his apprehension.

(3) Every immigrant who uses any such threats shall be liable to imprisonment, with or without hard labour, for any term not exceeding one month, and, on a second or any subsequent conviction to imprisonment, with or without hard labour, for any term not exceeding six months.

158 (1) *Transfer of immigrant in case of danger from jealousy.*—Where it is proved, to the satisfaction of a Magistrate that there is reason to apprehend that an immigrant on a plantation may, from motives of jealousy, inflict bodily injury on any woman, and that it is expedient, on account of such jealousy, to remove from any plantation any immigrant under indenture on such plantation, it shall be lawful for the Magistrate to direct that such last-mentioned immigrant shall be removed to some other plantation, and that the indenture shall be transferred.

(2) Every immigrant so ordered to be removed may be detained in custody until his transfer to some other plantation.

159 (1) *Proceedings where injury to woman is apprehended.*—Where a Magistrate is informed, or where in any proceeding whatever it appears to a Magistrate, that there is reason to apprehend that any immigrant may inflict bodily injury on any woman, the Magistrate may, if he thinks fit, forthwith issue his warrant for the apprehension of such immigrant, and shall, whether he issues such warrant or not, make full investigation as to the circumstances of the case.

(2) The Magistrate may order any such immigrant to be detained in custody until the Immigration Agent General can take such action as may be necessary.

(3) The Immigration Agent General may at any time, for the reason above-mentioned and whether after or without any proceeding taken by a Magistrate, order any indentured immigrant to be removed from a plantation, and any such order shall be deemed to authorize the detention in custody of the immigrant until he can be removed and his removal in custody: Provided that no immigrant shall be detained under this section for more than fourteen days.

160. *Punishment of person enticing away wife of immigrant, etc.*—Every person who entices away or cohabits with the wife of an immigrant or who unlawfully harbours the wife of an immigrant who has left her husband without just cause, shall be liable to a penalty not exceeding twenty-four dollars or to imprisonment, with or without hard labour, for any term not exceeding three months, or to both such penalty and imprisonment, and, on a second or any subsequent offence, shall be deemed guilty of a misdemeanor and be punishable accordingly: Provided that no person shall be convicted under this section for cohabiting with the wife of an immigrant if he establishes, to the satisfaction of the Magistrate or Court before whom he is tried, that the wife was deserted by her husband, or that the husband compelled her to leave his house, or that such cohabitation was with the knowledge and consent of the husband.

161. *Copy of proceedings for the Immigration Agent General.*—In any case arising under either of the last four preceding sections the Magistrate shall, as soon as the proceedings are concluded, or sooner if he thinks fit, transmit a copy thereof to the Immigration Agent General, who shall thereupon take such action as the circumstances of the case may allow and require.

Divorce.

162. (1) *Proceedings for divorce of immigrants.*—Where immigrants are married and one of them is guilty of misconduct entitling the other to a divorce, it shall be lawful for the spouse so entitled to a divorce to apply to a Magistrate for an order dissolving the marriage.

(2) The Magistrate shall, on receiving any such application, summon before him the parties, and such witnesses as they may desire to be examined, and any persons whom the Magistrate may think it expedient to examine, and the Magistrate shall reduce the statements on oath of the parties and the witnesses into writing, and shall transmit such application and statements to the Registrar of British Guiana, in order that they may be laid before the Chief Justice for his decision.

(3) On such application and statements being laid before him, if it appears that the party applying for divorce is entitled thereto, the Chief Justice may deal with the application in a summary way and may make an order dissolving the marriage.

(4) The Chief Justice may require the Magistrate to take further evidence on the application and transmit the same to the Registrar, or may require the parties to appear before him and produce such evidence as may be necessary.

(5) On any such application and statements being laid before him, the Chief Justice shall have the same powers as the Supreme Court in its civil jurisdiction would have in an action in the said Court for the dissolution of the said marriage, and may make any such order, on the same terms and with the same conditions, as the said Court might have made.

(6) Every order dissolving a marriage made under this section shall have the same incidents and the same effect as a judgment of the said Court.

(7) The fee payable in respect of any such proceedings shall be the sum of twenty-four dollars, and such fee shall include all charges in the Office of the Registrar.

(8) The said fee shall be payable on making the application to the Magistrate: Provided that nothing in this section shall affect the right of any person to apply to be allowed to sue *in forma pauperis*.

(9) The provisions of this section shall only apply to marriages contracted or registered under the provisions of Ordinance No. 10 of 1860 or of this Ordinance.

163. *Keeping of Register of Divorces of Immigrants.*—Immediately on the making of an order under the last preceding section, the Registrar shall transmit a copy thereof to

Schedule: Form No. 33.

the Immigration Agent General, who shall cause it to be entered in a Register of Divorces of Immigrants to be kept by him.

Offences.

164. *Punishment of person making false entry in register.*—Every person who knowingly and wilfully inserts, or causes or permits to be inserted, in any register kept under this Part any false entry of any matter relating to any marriage or divorce shall be guilty of a misdemeanor, and, being convicted thereof, shall be liable to imprisonment, with or without hard labour, for any term not exceeding two years.

165. *Punishment of person signing false declaration or certificate.*—Every person who makes, signs, or attests any declaration or certificate by this Part required or authorized to be made or given containing a statement which is false, and which he either knows or believes to be false or does not believe to be true, shall be guilty of a misdemeanor, and, being convicted thereof, shall be liable to imprisonment, with or without hard labour, for any term not exceeding two years.

166. *Punishment of person forging certificate.*—Every person who forges or alters in any material particular, or offers, utters, disposes of, or puts off, knowing the same to be forged or altered in any material particular, any certificate by this Part required or authorized to be given, shall be guilty of a misdemeanor, and, being convicted thereof, shall be liable to imprisonment, with or without hard labour, for any term not exceeding two years.

Supplemental Provisions.

167. *Proof of marriage or divorce.*—An entry, whether purporting to be an original entry or not, in any register kept under this Part shall be conclusive evidence, until the contrary is proved, of the marriage or divorce of the parties to whom the entry relates, and also of the date of such marriage or divorce, if the same is specified in the entry.

168. (1) *Use as evidence of entry in register and of certificate.*—Where any entry is by this Part required to be made in any register, *prima facie* evidence may be given of such entry in any Court of Justice and in any legal proceeding by production of a writing purporting to be certified by the Immigration Agent General to be a true copy of such entry.

(2) Where any certificate is by this Part required or authorized to be given, *prima facie* evidence of such certificate may be given in any Court of Justice and in any legal proceeding by production of a certificate apparently in accordance with this Part, and purporting to be signed as required by this Part.

(3) No proof shall be required of the handwriting or official position of the person signing any such certificate.

(4) Every certificate given under this Part shall be *prima facie* evidence of any fact therein certified.

(5) The provisions of this section shall be deemed to be in addition to and not in derogation of, any powers of proof under any existing law.

169. *Appeal where registration is refused.*—If the Immigration Agent General refuses to register any marriage or divorce under this Part, any person aggrieved by such refusal may apply by petition to the Chief Justice to have such registration made, and on such application, if it appears that the registration ought to be made, the Chief Justice shall order the Immigration Agent General to make such registration, and may make such order as to costs as may seem just.

170. *Cancellation of registration.*—Where registration under this Ordinance has been made of any marriage or divorce, any person aggrieved by such registration may apply to the Chief Justice to have such registration cancelled, and on such application, if it appears that the registration ought not to have been made, the Chief Justice shall order the Immigration Agent General to cancel such registration, and may make such order as to costs as may seem just.

171. (1) *Procedure on application to the Chief Justice.*—Any application to the Chief Justice under this Part and the subsequent proceedings thereupon shall be as prescribed by any general orders made by the Chief Justice under this Part, or, if no such orders are made and subject to such orders, if any, the application shall be by motion, and the subsequent proceedings shall be in accordance with the usual practice of the Supreme Court on motions.

(2) All general orders made by the Chief Justice under this section shall be published in the Gazette.

(3) The production of a copy of the Gazette purporting to contain any such orders shall be *prima facie* evidence of the due making and tenor of such orders.

172. *Right of appeal from Magistrate's order.*—Every order of a Magistrate made under this Part shall be subject to the review provided by the Summary Jurisdiction Ordinances.
See Ordinance No. 13 of 1893.

173. *Furnishing of certified copy of entry in register.*—It shall be lawful for any person, on the production of a receipt for the sum of one dollar from the Receiver General's Office, to have a true copy, certified under the hand of the Immigration Agent General, of any entry made in any register kept under this Part: Provided that a public officer shall not be required to pay for any such certified copy required by him in his capacity as such public officer.

174. *Registration of existing marriages contracted according to religion and personal law.*—During a period of twelve months after the commencement of this Ordinance and subject, so far as they can be made applicable, to the provisions of this Part, the Immigration Agent General may register any marriage contracted in this Colony between immigrants according to their religion and personal law before the commencement of this Ordinance; and the provisions of this Part shall, with any necessary modifications, apply to any such marriage so registered in the same manner as if it had been contracted after the commencement of this Ordinance.

APPENDIX XVII.

Number of repatriates with an estimate of their property.

Year.	Free passage after ten years.				Assisted passage after ten years.				Paupers.				Rejected before allotment.				Total children.		Total				Amount deposited for transmission.	Estimated value of jewellery and coins.	
	M.	F.	B.	G.	M.	F.	B.	G.	M.	F.	B.	G.	M.	F.	B.	G.	B.	G.	M.	F.	B.	G.	Dollars.	Dollars.	
1912	127	49	10	7	150	75	25	35	112	13	1	2	3	..	..	..	36	44	392	137	36	44	29,253.46	4,875.57
1914	151	65	9	10	217	109	41	43	35	12	..	..	..	..	..	..	50	53	403	177	60	53	44,377.00	7,395.00
1915	} <i>Nil.</i>																								
1916																									
1917																									
1918																									
1919	64	50	8	2	329	155	62	76	40	3	..	..	..	..	..	..	70	78	453	208	70	78	76,023.78	12,670.63
1920	242	128	12	5	912	536	181	234	107	4	..	1	..	..	..	..	198	240	1261	669	193	240	2,49,710.00	41,618.33
1921	41	17	2	2	172	109	31	25	56	..	..	..	..	..	..	..	33	27	260	125	33	27	51,120.00	8,520.00

APPENDIX XVIII.

Rates of passage money charged by contractors.

Year.				Where full No. of statute adults is carried.	Where No. is or exceeds 500:	Where No. is or exceeds 400 but not 500.	If No. is less than 400 then in lieu.
				£ s d.	£ s d.	£ s d.	£
1889	..	..	..	10 5 0	11 0 0	13 10 0	..
1894	..	..	..	10 5 0	11 0 0	13 7 6	5,350
1899	..	..	..	10 9 0	10 19 6	12 8 9	4,975
1904	..	..	..	9 16 8	11 7 6	13 13 4	5,500

Year.			Where full No. of statute adults is carried.	If No. is or exceeds 700.	If No. is or exceeds 600 but does not amount to 700.	If No. is or exceeds 500 but does not amount to 600.	If less than 500 embark then in lieu.
			£ s d.	£ s d.	£ s d.	£ s d.	£
1911	..	..	11 12 6	12 17 2	14 10 0	16 16 0	6,350
1916	..	..	16 0 0	17 14 0	19 19 0	20 2 8	11,495
1921	..	..	25 0 0	28 14 3	32 13 4	38 4 0	19,100

APPENDIX XIX.

Repatriation Law and Procedure.

The law governing repatriation is found in Part XIII of the Immigration Ordinance 18 of 1891 copies of which amended to date have been furnished to the Delegation.

Immigrants are registered for return passages at the Immigration Offices in the three Counties of the Colony—Berbice, Demerara, and Essequibo.

The registrations are in respect of passages to be provided during the year in which they are made. If an immigrant registers for return passage and does not present himself at time of despatch of the return ships of the year in which he has registered, such payments as he may have made are refunded to him on application, and he must register again in the subsequent year which he may choose for repatriation.

The registration of immigrants who have become entitled to a return passage to India either wholly or in part at the expense of the Immigration Fund commences on the 2nd January and under ordinary circumstances continues until the 31st March. Each immigrant is informed at the time of registration as to the ship in which he will probably be embarked.

2. The following show the parties who are entitled to a return passage :—

- (a) All immigrants introduced into the Colony at the expense of the Government or of the Immigration Fund previous to the 1st September 1895 are entitled to be registered free of charge if they have completed a continuous residence of ten years.
- (b) All immigrants introduced at the same expense between the 1st September 1895 and the 30th September 1898, are required to pay a portion of the passage money, viz.—
Males $\frac{1}{2}$, and females $\frac{1}{3}$.
- (c) All immigrants introduced at the same expense after the 1st October 1898 are required to pay the men $\frac{1}{2}$ and the women $\frac{1}{3}$.
- (d) All children born in the Colony are allowed free passages to India, provided their parents are entitled and accompany them.
- (e) Illegitimate children born in the Colony are, as a rule, registered with their putative fathers, free of charge, provided their mothers are dead; but if their mothers are alive and do not go with them, then the putative father is made to pay for their passage.

Where the father is married and he and his wife have separated he has no legal claim to a free return passage for any children he may have by another woman, even if such woman be dead; but the case should be reported for the instructions of the Immigration Agent General.

- (f) Orphans are, as a rule, allowed a free passage to India, but all cases should be submitted for the consideration of the Immigra-

tion Agent General. (The term "Orphan" here used means a child who has lost both parents.)

- (g) Grand children (the children of creoles who are accompanying their parents; in fact all children beyond the second generation) are required to pay.
- (h) Creoles and others married to immigrants entitled in their own right to acquire such right through their husbands. This right, however, does not extend to females introduced after the 1st October 1898, who are debarred by the terms of Ordinance 27 of 1900, section 9, sub-section 3 and clause (a). In these cases the husband has married the woman with a full knowledge of the law, and must therefore pay the full cost of the passage.
- (i) In all cases where children are concerned, the Governor has the power, where he thinks it will be for the benefit of the child, to refuse a passage.

3. Registration of passengers, *i.e.*, those who have no rights to return passage, does not commence until the 1st June by which time the clerk in charge should be in a position to say whether there will be accommodation. At the time of registration it must be carefully explained that although the money has been received no passage can be guaranteed. The granting of a passage depends solely on the numbers of those entitled who come up for embarkation.

4. The registration of paupers, *i.e.*, those who are unable to pay their shares of the cost of the return passage and cost of clothing and are pronounced permanently incapable of labour, "*la-char aur gar:b*" according to the wording of their "agreements," as a rule, does not commence until the 1st June. No application should be received from any pauper unless he produces his certificate of exemption from labour, or satisfactorily accounts for its loss. The order for registration in each case, must be made by the Immigration Agent General, or, in his absence, by the Senior Immigration Agent.

5. Each immigrant who applies to be registered for a return passage either in the ordinary way, or as a pauper or otherwise, must be carefully identified by the Registration Clerk before his name is entered in the Back Passage Register. For this purpose a reference must be made to the information contained in the Original Certificate, and the marks and his height determined by means of the measuring screen. Those registered in Essequibo or Berbice must be identified in the same way on the day after the preliminary muster has been held; an extra day in Depot being allowed for the purpose.

6. When the immigrant has been properly identified, his name and description must be entered in the Back Passage Register, and the B. P. serial number noted on his Certificate of Exemption. He is then made to proceed to the Colonial Receiver's Office and deposit the amount required for warm clothing and the proportion of passage due from him.

On his return to the Immigration Office from the Treasury the receipt he received there is taken from him and a fresh one in the form () handed to him in lieu thereof. He is warned that he must place the receipt in a secure

place, as should it get lost, it will cause him much trouble and some expense, as the same procedure required in the case of lost Savings Bank Books will have to be gone through.

An impress of his left thumb is then placed on the original receipt in the manner laid down in my circular letter No. 3661-2153, dated 31st December 1904, and the receipt itself filed. To enable the Immigration Agent General to notify the Crown Agents of the number of ships required for the season, a book in the form marked () must be kept and written up daily while registration is going on.

7. Early in March the classification up to date is handed to the Immigration Agent General with the numbers registered to the same date of the previous year : and the letter to the Government Secretary with reference to the number of ships which will be required is then drafted.

8. Remittances can be made at any time after the 1st May. Deposits in the names of minors are permitted, but not in those of infants. Only three deposits in any one name can be made, and none after the preliminary muster. Fractional parts of a dollar will not as a rule be taken.

The original receipts for these deposits are dealt with in the same way as those for warm clothing and passage money, even to the thumb prints, but the amount is entered on the Immigration Receipt which was issued in lieu of the original one for warm clothing.

A fresh warning is given as to safeguarding the receipt.

9. A list is made for the " Preliminary Muster " about June, preference being given to the immigrants who have deposited amounts for remittance, or who have signified their intention of leaving by the ship. Experience has shown that the others seldom present themselves for the first ship.

10. The preliminary muster in the Depôt, Georgetown, of immigrants registered for return passage under ordinary circumstances, should be held eight days before the date fixed for the sailing of ship. After all the names on the list have been called over and the classification ascertained, steps should be taken for the identification of the immigrants from Essequibo and Berbice, whose names are included in the list.

11. From the list as amended, the clerk must prepare clean lists for the medical muster. Sirdars, topazes, cooks, etc., should be selected from the immigrants who have presented themselves and lists containing their names and wages prepared.

12. The medical muster should be held two days before the date of embarkation. The people should be mustered, early in the morning, in the upper storey of the Depôt, ranged off in lines in the order in which their names appear in the lists. The men should have on their dhoties only, and the women should appear with bare heads and feet. All should be warned that when the name of the head of the family is called each member of that family should at once step up before the medical officers for inspection : and that when they are passed, they must without delay go down the back steps and remain in the yard until the inspection has been completed.

During the inspection the clerk in charge will attend at the table, call over the names and mark opposite those to be placed on the "Invalid List" the nature of the disease from which the immigrant is suffering; or, if rejected, the reason for such rejection.

13. After the muster has been held and those who intend to embark inspected, the clerk will draw a blue pencil line through the names in the list of those who have been absent or have been rejected, and will then prepare the Invalid Lists (five in number).

He will also have the classification made out so that no delay may be incurred on the day of embarkation. The invalid list consists of the names of the feeble and ailing.

14. The requisition for the use of the neighbouring Public Works Department stelling and for the attendance of four constables is made at least two days before the date of embarkation.

On the day of embarkation, the clerk must attend at 6 A.M. at the Public Works gate, and if the constables are at their posts, will at once commence calling off the names on the list. It might save time if the people are arranged in the order of their names on the list, but this is not always possible, and may therefore be left to the discretion of the officer in charge.

As the immigrants answer to their names, the clerk in charge, having satisfied himself that no remark has been placed opposite the man's name as to the issue of a duplicate receipt, will take the office receipt and place it on his file, and will then pass him on to the Interpreter, who must question him from his Certificate of Exemption. Having satisfied themselves, they will place the certificate in a basket and send the immigrant on to the steamer.

After all have passed, the clerk will then make out the final classification for the information of the Immigration Officer on board the ship, and will then take both the receipts and the tickets to office and see that they are placed in one of the safes. Subsequently, he must check these with his list of the people placed on board, and then have them burnt.

Lists containing the names and particulars of the immigrants together with the amounts of their remittances, and Treasury receipts for the same, are despatched with the ship for the information of the Emigration Agent, Calcutta, to enable him to make the payments to the immigrants on arrival in Calcutta.

When all other details have been attended to and the Back Passage Register written up, the Serial ship number must be recorded against the name of the immigrant in the Alphabetical Register, as a record of his departure from the Colony.

The return ship is provided in accordance with the "Indian Emigration Act XXI of 1883" and is furnished with provisions, clothing, fittings, etc., as required thereby.

The cost of return passage from time to time is shown in a statement separately supplied.

The statistics relating to repatriation given as Appendix 12 of the McNeill and Chimmanlall Report, 1913, have been brought to date and attached as requested.

APPENDIX XX.

The Nunan-Luckhoo Scheme.

A.—Extract from the pamphlet "British Guiana and the Empire, 1919."—

(a) (The scheme) "embraced the undertaking of large schemes of irrigation and drainage:—

- (i) For the peasant farmers and small proprietors now living on imperfectly drained and irrigated lands on the foreshore of the three counties of Demerara, Essequibo, and Berbice;
- (ii) For any lands to be provided under any scheme of colonisation from outside sources as an inducement to non-residents to come in to settle;
- (iii) For any lands provided for local workers who have complied with similar conditions and who desire to settle.

This problem was one which the leaders of the movement stated at the outset to be necessary to solve. Its solution was one in which everybody was invited to contribute and the entire body of representative opinion answered the invitation." [*Vide* page 4.]

(b) 1. "No colony funds or Crown lands to be applied to furnish inducements to work, in connection with any industry unless such inducements are open on the same terms to the natives of the colony equally with persons (of whatever race) brought into the colony from other countries."

2. "The undertaking of an organised colonial campaign of sanitation by the united action of all our towns, villages and estates, the recognition of the special engineering difficulties connected with municipal and rural sanitation, and the official invitation of expert assistance (such as that of a sanitary engineer or of the Rockefeller Board in regard to those diseases, like ankylostomiasis and malaria, in which they specialise)."

"The creation by Ordinance of one or more representative Central Committees or Boards (1) to deal with disputes in connection with cane-farming with the assistance of officially appointed test chemists; (2) to advise in each district in any disputes between Capital and Labour when invoked by either party; (3) to advise with authority on wages questions after full investigations of the facts and conditions of employment in each trade or industry; (4) to watch the interests of both locally born and new workers both as regards pay and land benefits."

"The provision of *regular and frequent steamer* communications with the British West Africa, India, and other countries from which a supply of colonists can be obtained, and with which colonial trade may be opened."

Resolutions.

(c) 2. "That the Government be respectfully requested to place before the Combined Court a proposal to set aside a sum of not less than \$500,000, viz., \$100,000 a year for the five years—commencing 1920—for the purpose of

carrying out under Government supervision 'accepted or future scheme of irrigation and drainage of lands throughout the colony, independently of any lands irrigated or drained under any colonisation scheme."

3. "That the Government be respectfully requested to take steps to introduce into the colony in each year for the coming three years *five thousand adults of races* suitable for colonisation under local tropical conditions, such adults to be as far as possible in families, the sexes being approximately equal."

6. "That, in case of any scheme of local colonisation being accepted by the Indian or any Government *which involves any form of land settlement by persons from outside the colony, similar inducement of land settlement on similar terms of service be offered to locally resident workers.*"

9. "That the framers of the final report be requested to provide some suggestions for encouraging settlers of the small capitalist and land-owner type." (*Vide page 5.*)

B.—Summary of British Guiana Scheme prepared by the British Guiana Deputation and placed before the Committee appointed by the Imperial Legislative Assembly of India in 1920.

The Scheme.

1. British Guiana being a country as large as Great Britain with only three residents per square mile has set aside a sum of approximately £600,000 to offer inducements to tropical settlers of the agricultural class basing all settlements on the family. The recent change in Imperial policy as regards preference and the urgent demands for foodstuffs all over the world enable it to incur expenditure and to see a prosperous future for agriculture and pasturage.

2. The Colony has entered into an agreement which, if necessary, can be carried out as from 15th March 1920 with the Nourse Section of the P. and O. line (Offices Calcutta and London) to establish a regular passenger and cargo line of steamers directly between Indian ports and British Guiana, sailing at the outset once in two months, and later monthly. Accommodation will include first and third class and later second class.

3. Suitable agricultural families (and if necessary to complete my list a limited number of male adults equal in amount) on applying to Official Information Bureau to be maintained by the Guianese Government under responsible salaried officers in populous districts will, after medical examination, be given free passages. Not more than five thousand adults per year for three years are contemplated. No recruiters are employed. No contract will be allowed. Settlers will receive temporary hospitality most probably at the hostel now maintained near Calcutta by the Calcutta Municipality for workers going to Burma, or in similar open hostel at Budge Budge or near Bombay or Madras.

4. On arriving in British Guiana they can, if desirous of working land of their own, forthwith obtain land (either agricultural or pastoral) on easy terms in small or large holdings. These terms are those of the Crown Regulations of the Colony. For ten agricultural acres (with a right to a second ten),

these amount to about one hundred rupees spread over five years on condition of beneficial occupation. Grants, Leases and Licences of larger areas are also to be had (*vide* Compendium of General Information published by the Lands and Mines Department). Assistance in selecting land will be given by Government officers and financial assistance will be rendered through the Agricultural Bank and from the Colonisation Fund for the starting of homes and cultivation.

5. If the settler prefers to accept employment to begin with, whether to gain local experience or because he prefers it, the Guianese Government guarantees him employment at the local rates of pay for piece work (*e.g.*, on sugar estates) on seven hours a day amount to about three rupees for males at the present time and for females at lighter work about half of that. He is also provided with a garden plot and with housing accommodation and grazing privilege. Families receive a separate new and improved design of cottages.

Cost of Living.

6. The Deputation's memorandum on the cost of living shows that it is under 40 per cent. of the ordinary wages for piece work and enables a male wage-earner to save at least a rupee a day. This can be supplemented by independent work, by cattle grazing and by the work of the wife and family. A man can comfortably support a wife and family (non-workers) on his pay.

7. Wages are to be controlled by official Arbitration Boards to prevent variation unfair to the wage-earners. These Boards therefore in practice assure a maximum rate.

Reward Grants.

8. Reward grants of five acres of coast or river land specially protected by embankments from flood prepared for irrigation and drainage and for cultivation will be given to families who have completed three years of residence during which they have been engaged either for themselves or for employers in any form of agricultural work in the Colony. The cost to the colony of this part of the Colonisation scheme is estimated to be about one and a half million dollars or nearly five million rupees. This land will become the freehold property of the owner if beneficially occupied, on the same terms and conditions as the other Crown lands. The cost of preparing the land, not less than fifty pounds per plot, will be a free gift to the claimant by the Colony. Further assistance will be given as regards housing accommodation and farming equipment. The necessary lands have been earmarked by the Government or will be acquired under the Lands Acquisition Ordinance.

Supervision.

10. The Indian has been asked to appoint its own official (at the cost of British Guiana) to watch the interest of the settlers.

The deputation has also welcomed the suggestion of Mahatma Gandhi that after a certain period, say six months or a year, an independent report should be made by a nominee of the populace and the deputation offers to pay all his expenses.

The Deputation now suggests that a Committee consisting of three persons, *viz.*, an officer appointed by the Indian Government, a nominee of the unofficial section of the Indian Legislative Council, and Mr. C. F. Andrews, should report on the working of the scheme. Such a Committee could set out in December, *viz.*, about six months from the inauguration of the scheme. Whatever Committee is appointed should not consist of less than three.

Repatriation.

11. Any individual or family will be sent back free of charge at any time if the Indian Government supervising officer so requests. This applies to women or children whose husbands or parents die in the Colony or *en route*. Should such official's request not be made the individual or the family can claim repatriation at half estimated cost to Guiana (such cost to be estimated at beginning of scheme) after three years' residence, one quarter cost after five years and free of charge after seven years. Repatriation will not affect any land or other rights fully acquired. Cheap return tickets will be provided for individuals or families desirous of visiting India for family reasons, business, or pleasure. The object of the scheme is to promote a regular flow and reflow of colonists as well as a regular commercial intercourse between the two countries.

Non-Agricultural Settlers.

As first class accommodation is being provided (eventually also second class), assisted passages or passages at very low rates (about one-third of the present cost of the unassisted journey) will be provided. A limited number of professional men (especially medical men and engineers) and a much larger number of clerks and schoolmasters are required. Applications will be considered on their merits and free passages will be given in some cases, assisted passages in others. One priest or minister of religion for each religious group will be taken free on each voyage with right of repatriation free. Traders and capitalists will also be given cheap passages.

Political, Municipal, Landholding, and Trading rights.—Equality of rights of every kind exists in the Colony. There is an elected majority of 14 to 8 in the Legislature. The Franchise is very low. Settlers can obtain the Parliamentary Vote after six months' residence and holding of the qualifications of the Political Constitution Ordinances of 1891 and 1909 which are easily within the reach of any settler whether working for himself or for an employer. Possession of three acres of cultivated land or the income of the average worker secure a vote.

English law has recently been introduced but Indian marriage law and custom are specially protected.

Guarantees.

12. Guarantees of the continuance of existing privileges (apart from the best assurance of all the existence of liberal institutions dating over a century in a British South American Colony) can be furnished by the Colony or the Colonial Office stating that their definite policy is the continuance of the political and commercial equality of all races.

If necessary, a Declaratory Ordinance could be passed in Guiana recording the actual position, but of course one legislature cannot bind another. An official declaration of policy by the Secretary of State is the effective course. The Colonial Office can refuse to approve of legislation attempting to violate the accepted principle even if the Government of the Colony in view of such a policy would allow such a Bill to pass or even to be introduced. The consent of the Governor is necessary for the introduction or passing of legislation. Alteration of our settled working institutions without the consent of the people of the Colony (already nearly half East Indian) and of the Colonial Office is unthinkable to anybody acquainted with the West Indian possessions.

Health Conditions.

The climate is a good one but unsuitable for manual labour on the coast lands by Northern Europeans. This is not the case for Southern Europeans. Health conditions are better in every respect than in India, Ceylon, the Straits Settlements, Mauritius, and most other tropical colonies. Much improvement, however, can be effected, and this is being done now by means of the united sanitary campaign by towns, villages, and estates which is part of our scheme. Our worst death rate has never come to within $\frac{1}{3}$ ths of the Indian rate. Our ordinary rate is about one-half of the Indian rate.

Enclosure No. 2.

1. Guarantees to be given as follows :—

(a) By a declaration by the Legislative Assembly of British Guiana that the present civic status involves equality of the British subjects in the Colony politically and commercially and an assurance by the Government of the Colony and by the Colonial Office that the maintenance of such status is a settled policy.

2. Guarantees as regards :—

(i) Wages, (ii) Housing, (iii) Sanitation, (iv) Repatriation, (v) Inspection by the Indian Government officers and the representatives deputed by Indian leaders, (vi) Repatriation in the event of any change in the status, (vii) the number of men not to exceed the number of women.

APPENDIX XXI.

*The Grievances of the Immigrants in British Guiana.**(Briefly summarised and enumerated).*

During the months of February and March 1922, as the members of the Deputation toured, together or individually, the East Indian Immigrants travelled long distances to meet them in order to state their grievances orally and in writing. While public addresses, which were presented to the Deputation in towns, dealt with the general problems, the petitions of the immigrant labourers dwelt at length on the hardships which they had to undergo on the estates and outside. The fact that there were Indian Members on the Deputation, who could converse with them in vernaculars, has naturally encouraged the East Indian labourers to confidently seek interviews and tell them their sorrows and difficulties.

The number of petitions in English was 49, in Telugu 12, in Tamil and Malayalam 27 while many were in Hindi and Urdu. Further about 500 statements were briefly recorded by P. Govindaraj Pillai, the President's son and Private Secretary, in a bound book from day to day in the presence of the President, or Mr. Tivary, or of both as stated by individuals or group of labourers. This was besides the evidence given by hatches of labourers before the Deputation in their public sittings.

The petitioners state that their sufferings could not be adequately expressed in words. They have to suffer great hardships in earning their livelihood on the sugar estates, and their earnest desire is, therefore, to return to India, which they could not do, on account of the enormous passage money now demanded. They complained that they had been duped by false hopes and promises. Some stated that they had been told in India their work was to be on paddy fields, but on landing in British Guiana they had been allotted work on sugar estates the nature of which work was so cheerless, hard and continuous that "a well-built strong person becomes weak, and falls an easy victim to diseases." They could not escape, and they have keenly felt as if they were caught in a "steel-trap" or confined in "a cage."

Low wages and high prices.—They all complain of high prices of food-stuffs and other necessaries such as cloth, the hard task-works and low wages. Their wages, they point out, are barely sufficient to get full meals, let alone decent clothing. It is utterly impossible for them under the circumstances to save enough of money to pay for their passage back to India.

Long hours of work.—Almost all petitions mention about the long hours of work they have to do. In the grinding seasons, they are forced to get up at 3 A.M. so that they might cook their food, walk long distances, to be at 6 A.M. on their work which is often more than four or five miles from their ranges. And at the close of their hard labour, which had to be done despite heavy rain or hot sun, it would generally be 10 P.M. before they returned home walking, tired and exhausted, at times soaked to the skin in the rain. Afterwards, they must prepare their simple meal, eat and go to sleep at a late hour. They cannot get more than 3 or 4 hours of rest and sleep, for they have to get up again at 3 A.M. During the midday they have to take food which has become cold,

very often, with ill-effects. It is no wonder, they allege, that many fall sick, and for want of proper medical aid and nourishment, they become unfit for hard work, with the result they become prematurely decrepit to be turned out to drag on in a destitute or disabled condition.

Harsh and Brutal treatment.—Almost all petitions make mention of harsh and inconsiderate treatment of the labourers by men, who are directly in charge of them. Many complained, they say, to the Immigration Officers, who are but “silent listeners” of their grievances, without the power to obtain redress. The Immigration Officer is referred to as “Crosby”, because in the early days, Mr. Crosby, a well-known Immigration Officer, was very sympathetic towards the Indian labourers and did much to mitigate their hard-lot.

The Mistries of the Estate are referred to in a Telugu petition as the servants of the ‘God of Death’ (Yama). If complaints are made to the superior officers, they are asked to ‘pack off’ from the Estates. And if they go away, they cannot get work elsewhere, nor can they find a place for even a temporary shelter.

Fines are constantly imposed for trivial faults. And protests aggravate the situation. *Sick-leave* is more often refused than granted. And when a person stays at home on account of illness, a rent is demanded for living in the range in day-time, stating that the ranges are free only for nights. More often their vessels are thrown out of their dwellings, and they are asked to clear out of the estates for protesting and reporting, and for not attending to work for any length of time, during sickness. If they attempt to get on elsewhere, summons is taken out against them and they are imprisoned for non-payment of some alleged dues, or on some other charge. While under work, they get at times “violent beating, kicking and licking.” The management, they allege, are quite deaf to their complaints and do not make any enquiries. Several petitions allege that some have committed suicide on account of the inhuman treatment and relentless exaction of work for wages arbitrarily fixed.

Bad Housing Accommodation.—Almost all labourers are insistent on returning to India summing up their hardships in one epithet ‘unbearable’; several do not therefore enter into a detailed narrative of their hardships. They complain, however, of bad housing, insufficiency of accommodation and damp and insanitary surroundings. The ground is moist and they have to sleep on planks. They mention that a kind of worm attacks legs even when alive, and the mosquito pests are rampant. Some describe the rooms in the ranges as no better than “pig styas”, “cattle sheds,” or “stables.”

Bad drinking water.—The water provided for drink is neither clean nor good. The water is brought in open canals from the interior of the forests, and these are the waterways for bringing sugar-canes in punts or boats. Mules are driven on the banks to drag the punts. Rotten vegetation float in the water. There is sulphur smell. As a result, a labourer is liable to be in sick-bed for at least a month in every year.

Hospital Treatment.—While the sick-leave arrangements are harsh, the treatment meted out to the Indian labourers in hospitals is bad. Ordinarily

old shawls are given for covering, and at the time of the visitor's coming, new shawls are given. The dieting is not satisfactory. Immediately after their discharge from hospitals, they are sent to hard work, without any respite whatsoever. This, it is alleged, would make them ill again, and a person, who could live for a year, would die in three months. A person, suffering from fever, is given a dose of quinine, and he is asked to proceed to work forthwith. Refusal to obey means ejection from the ranges, and starvation.

Difficulties of women.—Grievances of women are narrated in some petitions. Women have to wade through canals, to pick up sugar cane fallen from the punts. In the canals crocodiles abound, and several were bitten. Even in an advanced stage of pregnancy, they are made to work contrary to the rules. And the Government do not see their way to enforce the rules or punish anybody for the breach of them. One Tamil petition makes mention of the fact that the mistries molest their women when they have gone away to the fields in the early morning, and they despair of getting redress. If women do not work from some inconvenience or weakness, husband's wages are cut down so much per week as house rent.

Differential treatment.—A Telugu petition complains bitterly of the differential treatment meted out to the Indians and the Whites.

In the matter of compensation for injuries received during the course of business, the Whites are paid liberally, while the Indians are not paid single pie and are driven out to lead a 'dog's life.'

Marriage and inheritance.—In the matter of marriage, the Indian form is not recognized. If an Indian dies leaving some property, though there are his wife and children, the property is taken by the Government saying that it would be paid to the relatives in India, while his dearest and nearest in the place are left quite destitute.

Again the Hindus are not allowed to cremate their dead according to their custom.

Midwives.—Indian midwives are not allowed to help at child-birth under penalty of law. Two of them, women that had come from India who had attended at deliveries and helped to see mothers and babies quite safe, through the early stage for moderate remuneration, were sentenced to a month's imprisonment each, because they had not obtained certificates as duly qualified midwives.

Negro women, who had obtained certificates had to be called in. Their charges are exorbitant, and they are lacking in sympathy, in consequence of their ignorance of the habits and the sentiments of the East Indians. The petitioners want that experienced East Indian women should be allowed to help, as in India, at deliveries as midwives.

For want of Dharamsalas the labourers who are turned out of the estates, the broken and the indigent, have no place to rest in. If the poor helpless East Indians are not to be despised by the blacks and spurned and kicked at by the black constables, when they are forced by dire necessity to rest and sleep by the road sides, Dharamsalas should be built.

PART II

REPORT

BY

G. F. Keatinge, C.I.E., I.C.S., (retired).

Introduction.

The terms of our reference as stated in the telegram from the Viceroy to the Secretary of State for India, dated October 23rd, 1921, are as follows :—

- (1) To investigate local conditions in British Guiana.
- (2) To examine on the spot the suitability of the Colonization scheme prepared by the representatives of British Guiana.
- (3) To report whether any further guarantees in respect of status of Indian immigrants are necessary before emigration is re-opened.

The enquiry was made in British Guiana from February 12th to April 7th, 1922, during which time we were able to visit the greater part of the coastal tract and to make several trips to localities at some distance from the coast. We visited many sugar estates, villages and settlements, attended many public meetings, received a number of addresses and written communications on the subject of our delegation, and had ample opportunity to discuss the matter with all classes of the Indian and other communities.

We received every assistance and consideration at the hands of His Excellency the Governor of British Guiana and the officials of the Colony, and in particular from the staff of the Immigration Department and the Agricultural Department. Mr. Stewart, the Agent General from Immigration, made excellent arrangements for us everywhere, and Mr. R. Ward, the Government Botanist, accompanied me on several trips and was most kind in putting his knowledge and experience of the Colony at my disposal. The authorities of the sugar estates gave us every facility to conduct our enquiries, and we were received with kindness and hospitality everywhere.

As regards nomenclature there is a liability to some confusion. In British Guiana and the West Indies everyone is at times called an "Indian," a West Indian, an East Indian, or an aboriginal Indian. In this report the term "Indian" denotes a person whose origin is India, and who would be designated as an East Indian in British Guiana. The term "aboriginal" denotes an aboriginal Indian; negroes are called Africans or blacks, and people of mixed race "coloured" in accordance with the practice of the Colony. The term "creole" is applied to persons of any race who are born in the Colony; so that an Indian born in British Guiana is known as a Creole Indian.

The dollar in British Guiana bears a fixed rate of exchange of *4s. 2d.* Money in larger denominations is expressed in dollars, and in smaller denominations in shillings and pence. I have assumed the Rupee to be worth *1s. 4d.*, and that for rough calculations $\$1 = \text{Rs. } 3.$

The statistical figures quoted are the latest available. At the time of our deputation the figures for 1921 were available in very few cases. Those for 1920 were available in most cases; but in some cases the figures for 1919 were the last ones procurable. The fact that the figures for three separate years are used in different connections may cause apparent discrepancies but such discrepancies do not affect the general argument.

PART I.

TO INVESTIGATE LOCAL CONDITIONS IN BRITISH GUIANA.

CHAPTER I.—PHYSICAL CONDITIONS.

1. Some idea of the physical conditions of the colony may be gathered from the map (Appendix I) which shows only the coastal tract, and from Appendices II and III. The map shows the whole of the area which for present purposes need be considered. Indeed it is only a very small fraction of the area shown in the map which is now occupied or likely to be occupied in the near future. The map is not quite up-to-date, but the occupied areas are shown in the rectangular blocks in the alluvial area marked blue, immediately along the sea coast and up the creeks. It will be seen that even of the narrow alluvial strip only a small part is occupied. The main Government road can be traced by the dotted line running within a mile or two of the coast line from the Courantyne river on the Eastern extremity as far as the Pomeroon river towards the west. This is a good main road connected up with ferries over the Berbice, Demerara and Essequibo rivers. Side roads run for some distance up the main creeks, and there are short lengths of branch roads connecting up villages with the main road. There is also a length of railway between the Berbice and Essequibo rivers. These are the only communications, excepting the facilities for transport offered by the rivers and creeks, which are everywhere good, within their own sphere of influence, and in some localities remarkably good. It must be recognised, however, that in tracts which, in a natural state, are a combination of swamp and very thick forest, all land remote from communications is out of the picture, so far as small settlers are concerned. It is only along the existing roads, the creeks and the rivers that population is to be found.

2. For the purpose in hand British Guiana may be divided up into three parts, viz. :—

(a) The belt of alluvial clay and detrital matter, marked blue in the map, lying along the coast, has a breadth of from 10 to 40 miles. The alluvial clay consists of a rich and fertile bed of deep mud brought down by the Orinoco river, and upon this there has been superimposed in places detrital matter of vegetable origin, brought down by the local rivers, giving a soil of great natural fertility. The whole of this belt is below the level of the sea at high tide. It is protected from the sea by elaborate sea defences constructed and maintained by the colonial government; and to make it fit for cultivation it needs to be effectively drained. In such a situation drainage is naturally a matter of some difficulty; but large blocks have been laid off for cultivation by throwing up earthen dams and introducing a system of drains and sluice gates, so that the surplus water can drain away into the sea or the creeks at low tide. This method of laying off the land is known as empoldering. In some cases drainage can be provided by gravity flow, but in other cases an elaborate pumping system is necessary.

3. (b) Behind this belt of alluvial clay is a belt of sandy and clayey secondary soils, derived from the disintegration of the various country rocks *in situ*, traversed by sand dunes which rise from 50 to 180 feet above sea level. This belt contains naturally drained land and offers a good living place for man and beast. The sandy soils often do well under temporary cultivation, and some of the soils in this belt may offer fair prospects for the growing of particular crops under careful treatment; but, consisting, as they do, of sand reefs, poor laterite soils and intractable laterite clays, they offer little encouragement for the growing of ordinary fields crops, and for crop production compare very unfavourably with the rich alluvial soils. When the sand reefs adjoin the alluvium, the proximity of these two classes of land offers good facilities for settlement, since the sandy ground is healthy and attractive as a dwelling place for man and beast, while the soil suitable for cultivation is close at hand. To some extent advantage has been taken of this combination of circumstances in Essequibo County, near Suddie, where the sand reefs run down to the main road along the sea shore, but over most of the coastal tract the alluvial belt is much deeper, and the population is of necessity concentrated along the main road, running through the wet alluvial soil near the sea, while the line at which the sand reefs adjoin the alluvium is much further back, with no available communications, the rich soil a swamp and the sand reefs a dense forest.

4. (c) The hinterland behind the sand and clay belt, and beyond the distance for which the rivers are navigable, is a vast uninhabited expanse of country which has never been systematically explored from the point of view of agricultural development. In the interests of future development it is much to be desired that a soil survey of this area should be carried out by an agricultural expert. People who have been in the interior are unanimous in declaring that this vast tract includes many stretches of varied and excellent soil. It is mostly under primary forest, but there are large stretches of undulating savannahs (grass lands) suitable for ranching. I have been informed, in particular, that there are excellent stretches of soil on the upper waters of the Berbice and Pomeroon rivers. In the interior there are high mountains, elevated *plateaux* with a healthy and temperate climate, an abundance of good water, and facilities for water power. It would therefore seem to offer good prospects for future development. So far as the present is concerned, however, the point is that the interior is very inaccessible, and in the absence of communications it is not a practicable proposition for small holders without capital to settle there, unless they are prepared to lead a self-contained and savage life. The difficulty could be overcome by opening up the interior with roads and railways, but this would involve a heavy expenditure for which funds are not at present available, and from which any adequate return would be problematical.

5. It is mainly for the reasons indicated above, the swampy nature of the alluvial belt on the coast, the infertility of the sand and clay belt behind the alluvium, and the inaccessibility of the interior, that the efforts to populate the colony have never been successful, and that 99 per cent. of the Colony remains to this day unoccupied. In view of the proposal to colonize British Guiana with Indians, the solution of the problem is of interest, not only to the

Colony, but also to India. I shall therefore suggest in Chapter X the method by which the difficulty can, in my opinion, be most satisfactorily overcome.

6. *Rainfall and Temperature.*—The rainfall is recorded for a number of stations near the coast in the counties of Berbice, Demerara and Essequibo, respectively. The rainfall is lowest in Berbice, on the eastern side of the Colony, and steadily increases as you go west. With a view to giving a general idea of the situation the following figures for Demerara County, the central tract, are shown.

	Inches.
Mean annual rainfall for Demerara County for 75 years, from 1846 to 1921	87·52
Maximum rainfall recorded—year 1892	132·21
Minimum rainfall recorded—year 1868	44·93

To show the variation in the rainfall as between the different parts of the coastal tracts the following figures for the year 1919 are given, *viz.*—

	Inches.
Berbice County (East)	73·52
Demerara County (Central)	85·97
Essequibo County (West)	103·30
Morawhana (N. W. District, extreme West)	157·18

To show the seasonal distribution of the rainfall, the monthly rainfalls at Georgetown (Demerara) are given for the two years 1920 and 1921, of which 1920 was considered a dry year and 1921 a wet year.

Mean rainfall recorded at the various stations in Georgetown (Demerara).

	IN INCHES.											
	Jan.	Feb.	Mar.	April.	May.	June.	July.	Aug.	Sep.	Oct.	Nov.	Dec.
1920	15·74	8·57	1·87	·96	4·65	11·00	7·25	5·12	3·51	1·23	3·06	11·11
1921	4·84	·35	3·62	9·07	1·19	21·55	13·50	3·50	3·61	8·92	20·00	15·00

The total for 1920 is 73·97 and for 1921 106·73, giving a difference of only about 30 per cent. as between a wet and a dry year. It will be seen, however, that as between the same months in the different years, the variation of rainfall is much greater. There is, however, this general uniformity, from year

to year, that the periods February to April and August to October tend to be dry months, and the alternating quarters wet months.

7. *Temperature.*—Considering the latitude of British Guiana, which is 7° and comparable with that of Ceylon, the temperature is extremely mild. For practical purposes the range appears to be from 70° to 90° Fahr., and during the month of April I noticed that the extremes were 72° and 82°. The climate of the coast is not unlike that of the Bombay Konkan, but distinctly cooler and pleasanter by day. At night there is never any sting in the air. Few Europeans find it necessary to wear sun helmets, and most of them wear an ordinary felt hat. On the hills, even at slight elevations of 200 or 300 feet the climate is markedly pleasanter, indeed the climate on the hills in the N. W. district (about 300 feet high) reminded me strongly of that of Mahableshwar in May. The N. E. trade-wind that blows almost throughout the year keeps the climate pleasant, though I understand that there are periods in August when these winds fail and the climate is unpleasantly humid and stuffy. In the far interior I understand that the range of temperature is much greater; but, speaking generally, the climate of British Guiana presents none of the features of extreme heat and a considerable degree of cold which one associates with the plain country of northern and central India.

CHAPTER II.—ECONOMIC CONDITIONS.—GENERAL REMARKS.

8. The economic investigation naturally falls under two heads—

- (a) Agricultural.
- (b) Non-agricultural.

Of which the former is by far the most important, not only from the point of view of the Indian immigrants, but also with reference to the existing circumstances of the Colony. In Appendix IV are given some figures regarding the numbers and occupations of the population, and it is only necessary to state here that out of a total population of the Colony returned as "occupied," 47 per cent. are shown as agriculturists, while as regards the Indian population returned as "occupied," no less than 92 per cent. are shown as agriculturists. From this it will be realised that for the Colony in general and for the Indian population in particular agriculture is by far the most important industry; indeed it is hardly too much to say that it is the only industry with the exception of the collection and marketing of forest products. The non-agricultural part of the population derive their living mainly from handling and dealing in agricultural produce or from trade with the agriculturists in imported goods. Manufactures and handicrafts are conspicuously absent.

9. It is proposed to consider the position of Indian colonists and the prospects for future Indian immigrants both as settlers on their own lands and as agricultural labourers working for hire. In Appendices II and III are shown some details regarding the land, land tenure and agriculture of British Guiana. From this and from Chapter I, which deals with the physical conditions, some idea of the situation can be gathered. It will be realised that under existing circumstances the only land that can be con-

sidered is the alluvial land on the coast, and that this land presents considerable difficulties to the would-be settler. The low-lying situation of the land and the necessity for extensive drainage operations and embankments against flood water mean that considerable capital is necessary. It is for this reason that the tendency has always been for agricultural development to take place in the direction of large estates worked on a plantation basis, rather than in the direction of small peasant holdings. An account of these estates will be given in Chapter IV.

CHAPTER III.—INDIANS AS LANDED PROPRIETORS, LARGE AND SMALL.

10. If a man wishes to settle in British Guiana as an independent cultivator, there is abundance of waste land to be obtained on easy terms (as explained in Appendix II), on freehold tenure up to 10 acres, or in large blocks on a lease from Government which extends to 198 years. So far there is no difficulty. The physical conditions of the country, however, will confine the area for the selection of his land to the alluvial strip on the coast. It is on this strip that Indian colonists have settled freely in the past and have obtained freehold and leasehold land in holdings both large and small. The physical conditions of this tract demand a considerable outlay of capital to make the land fit for habitation and for successful cultivation; and the objects for which this outlay is needed are—

- (1) Empoldering the land by means of embankments and drainage.
- (2) Communications.
- (3) Drinking water supply.
- (4) For successful rice cultivation it is very desirable, if not essential, that some irrigation facilities should exist to provide security against dry seasons. This is a matter which usually involves no great engineering difficulty.
- (5) As population extends a demand soon arises for education, sanitation and medical facilities. It is the function of the Government to provide these, but it is obvious that, unless the population extends in an orderly fashion with some degree of concentration, the supply of these facilities is likely to lag behind the demand.

11. To provide for these purposes it is necessary either that the individual Indian settlers shall have a good deal of capital or that some organisation or co-operative system shall be devised to meet the case. Indian colonists have settled all along the coast from the Courantyne to the Pomeroon rivers. It is proposed to give some account of such settlements.

12. *The Mahaicony Creek Settlement.*—This is a substantial settlement of Indians on the Mahaicony river which runs into the sea about 30 miles east of Georgetown. It is only 20 years since Indians began to settle on this area, and during that period they have converted a strip of land for some 25 miles up the creek from forest and swamp savannah to cultivated land; and their houses are planted along the bank of the river which forms an excellent water-

way. The Indian population in this settlement now amounts to 2,000 and the land held by them to 20,000 acres. This is mainly rice land, but includes 2,000 acres of grazing land and plots of cocoanuts and ground provisions cultivated for domestic use. The largest holding is that of Mr Jagdeo who owns 3,000 acres of rice land which he tills with motor ploughs. He also owns a rice mill, a steam thresher and a motor launch. Another Indian holds 1,500 acres, 10 Indians hold 500 acres apiece, and there are holdings of all sizes between 500 and 25 acres, farms of 50 to 100 acres, being a common size. The soil is a rich alluvial clay, mixed in places with pegass (vegetable matter).

13. Now it is clear that, with farms of the size mentioned above, rice cultivation cannot be carried on by the intensive and labourious methods employed in India. The population does not suffice for this. Transplantation, of necessity, gives way to broadcasting, and the reaping of the crop is often unduly delayed for want of hands to gather it. Mechanical reapers are badly required, and if these are to be used, rice with a stronger straw will probably have to be introduced. These are matters in which the settlers need assistance. The insistent demand, however, put forward by the people in this tract is for some arterial system of drainage and irrigation. The settlers have thrown up embankments and opened up drains on their own account. Indeed without some such operations the tract would not be habitable or cultivable. These works vary in efficiency according to the means and industry of the individual settler; but speaking generally they leave much to be desired. The drains deliver into the creek, and owing to the relative levels of land and water, it is only at low tide that the drains will work. This is the ordinary experience throughout the alluvial area. The peculiar difficulty of this case is that in times of heavy rain the level of the creek rises so greatly that drainage may become impossible, even at low tide, for a week or more on end; so that the possibility of drainage is liable to be cut off when the need is the greatest. To meet an occasional drought also it would be very advantageous to have an intake for irrigation water higher up the creek, an arrangement which would present no great difficulty. The people suggest that a through drain running parallel to the creek and delivering into the sea, with a road on the bank of the drain, would meet the drainage difficulty; and to provide for this and for the amount of irrigation which is necessary they want Government to advance \$400,000, appoint a Board to carry out the scheme, and assess the landholders in such a way as to meet the cost. They claim that 40,000 acres could be drained and irrigated at a cost of \$400,000, and that by this means they could double the average yield of rice per acre. With irrigation and drainage they say that they could get 25 to 30 bags of paddy to the acre (=4,000 lbs. of paddy=2,400 lbs. of clean rice), while now they get only half this amount.

14. Another demand was for medical and educational facilities for which they are now in the main dependent on the township of Mahaicony at the mouth of the creek. Now I can offer no opinion as to the solution of the particular engineering and other problems involved, and only state the position of the Mahaicony settlement as typical of many others. The point, however, which I want to make clear is this. Here is a settlement of 2,000 Indians, say 500 families, owning 20,000 acres of good rice land. A fair number of

these families consist of labourers working for Indian landholders, and it will not be far wrong if we regard the land on the creek as divided up as follows, viz.:—10,000 acres amongst some 12 large landholders, and 10,000 acres amongst some 200 smaller landholding families, giving an average of 50 acres per family for this latter group. These landholders have a valuable property and the potential value of their land is very great. They must have invested considerable capital in the reclamation of this land; and the fact that they have acquired this capital and used it to such good purpose speaks well for their frugality and industry. The presence of such a body of substantial landholders, all of whom came to the Colony as indentured labourers, or are the sons of indentured labourers, speaks well for the opportunities which the Colony offers to men with the right characteristics.

15. It is not proposed to give the details of other settlements of a similar nature; but of the other Indian settlements which I visited, I may mention the characteristic difficulties of a few.

16. (a) *Massiah*, on the Courantyne coast. Here the necessity for a comprehensive scheme of drainage and irrigation was said to be great. There was also a keen demand for good drinking water. A proposal had been formulated to apply to Government to appoint a Board to draw up and carry out such a scheme, to assess the cost upon the various landholders affected, and to recover the capital and interest by instalments spread over a period of years. The primary difficulty which stood in the way of this scheme was that the interests of the Indian settlers in this locality were divergent. The rice growers were in favour of the proposal, but the cattle breeders were not, and the latter class had been able to block the proposal in its initial stages.

17. (b) *Bush Lot*, Berbice West Coast. Here a scheme for drainage and irrigation had been introduced by Government at the request of the settlers, and the people generally recognised the advantages which they had derived from it, and were satisfied with what had been done for them. The scheme introduced had not, however, been equally beneficial to all, and some of poorer cultivators complained of the difficulty in meeting the instalments fixed to pay of the charges connected with the introduction of the scheme.

18. (c) *Essequibo Coast*, east and west of Suddie. This is a great rice growing tract; but the industry is mainly carried on not by substantial landholders, as on the Mahaicony creek, or by small landholders, as on the Courantyne coast, but by tenants of substantial Indian landholders who own rice lands in large blocks amounting in some instances to 1,000 acres and over. These tenants had a good many grievances to the effect that there was no suitable rice land to be acquired from Government in the neighbourhood, as it had all been acquired by landlords who charged \$12 an acre as the annual rent of the land, and often made conditions that the crop must be marketed through them. The contention of the landlords was that they had invested capital in empoldering the land, and that the rents charged by them were current rates.

18. (d) *Charity*, where the main coastal road ends on the Pomeroon river. Some Indians were settled here on 5-acre pilots of very wet land which was obviously in great need of drainage. These settlers were loud in their

complaints that Government had not introduced some system of drainage for their benefit ; and it was difficult to see how they could make a living by cultivation unless effective drainage was undertaken. The attraction of this land was that it abutted on the main road, and was in close proximity to the Pomeroun river, a good waterway. This land had a high potential value on account of its situation, and in some cases, at any rate, it appeared to have been bought as a speculation. The purchaser had done just sufficient cultivation to satisfy the condition of " effective occupation," and was waiting for a rise in land values. In some cases as much as \$50, an acre, had been paid for such land. Apparently several schemes for the drainage of this land had been drawn up by the Department of Lands and Mines, but the cost of the drainage was large and the number of the settlers was few, so that the schemes presented a difficult business proposition.

19. The cases mentioned so far are those of Indians who have acquired either from Government or otherwise holdings, large and small, and have brought their lands under cultivation. Where the settlers were in possession of a considerable amount of capital and the physical difficulties were not too great, a large measure of success has been achieved without the intervention of Government. For the smaller men, however, a comprehensive scheme of drainage has usually been found necessary, and in some cases has been carried out with the help of Government. Another system by which land has been taken up by small holders is exemplified by the following cases :—

20. (a) *Windsor Forest and Jalousie*, Demerara Country, 5 miles from Georgetown. On these two settlements, containing about 3,000 acres of cultivated land, an Indian population of about 1,000 has been settled on holdings of from 1 to 10 acres of land, on which they grow rice and ground provisions. These lands were originally sugar estates taken over by Government to defray arrears of sea-defence dues which were outstanding from the sugar estates. The lands are well empoldered and laid off, and the sea defences, backdam, side channels, drains and roads are kept up by Government agency. A drinking water canal and schools have been provided, and a resident manager looks after the estates. The land is rented out to settlers at \$6 an acre including all maintenance charges, and the tenants have the option of buying the freehold of their land by paying \$850, per acre, for 25 years instead of the rent of \$6. By doing this they would acquire the freehold of their land in 25 years, and would then have to pay no further charges for the land except about \$2 an acre, as maintenance charges. House plots are given out in the village site at a rate of 70 cents a plot, and the houses erected by the Indian settlers vary from wattle and mud huts, costing nothing except the labour of putting them up, to substantial raised wooden houses costing as much as \$500 or \$1,000, apiece. Communications are good, as the high road runs in front of the village and the railway line behind, and there is a railway station just behind the village. Georgetown, which is only 5 miles distant, offers a good market for produce of all kinds, and the people seemed to be distinctly prosperous.

21. (b) Hague is another Indian settlement near the settlements last mentioned. The conditions and control are similar ; but the people live, not in a village site, but on the bank of the canal close to their holdings. The

holdings are smaller, being only 1 or 2 acres, apiece, and most of the people here spent part of their time working on neighbouring sugar estates. They appeared to be comfortably settled.

22. So much for the condition of Indians who have settled as landholders. The question now arises as to what are the immediate prospects for Indians who wish to acquire land in British Guiana. It is regrettable to have to state that as things are at present the prospects are not at all good. A man who has ready money to put down can buy occupied land at the current market rate of about \$50 an acre, though small holdings are not often on the market. It is open to any one to take up waste land on the rich alluvium, on easy terms, and to engage single-handed in a struggle with the undrained swamp and jungle, without communications or the elementary conveniences of civilization; but the struggle is too severe for the small man. Communities of Indians, equipped with a fair amount of capital, have done this in the past with considerable success; but the best spots have already been picked out and occupied, and the back lands present greater difficulties. In many places Indians represented that they wanted to take up more land, and that it was not available. The Agent General for Immigration also informed me that formerly he had opened a register for Indian Immigrants who wanted to take up land suitable for immediate cultivation, and that no less than 5,000 men registered their names for this purpose; but so little suitable land was available that he gave up registering further names. Government might, of course, open up suitable tracts of land in the alluvial area by means of comprehensive drainage and the construction of communications. Many surveys for such a purpose have been made; but the Colonial Government has neither the funds nor the organisation to this on a large scale, and it is objected that it is not business to spend (say) \$80 an acre, on reclaiming land which may be worth \$50 an acre when the operations are completed. It would also be open to Government to purchase sugar estates which come on the market from time to time, and break them up into small holdings, as has been done in the cases of Windsor Forest, Jalousie and Hague, already mentioned. This certainly offers an obvious means for the Colony to retain as permanent settlers many of the Indians who now return to India every year because they cannot get suitable land of their own in British Guiana. I understand that the chief thing which prevents the Government from doing so is the difficulty of finding the funds for the purpose. Thus with millions of acres lying waste there is a large and unsatisfied demand for land. The land is there—land of excellent fertility—the men are there, but the requisite capital is absent.

CHAPTER IV.—INDIANS AS AGRICULTURAL LABOURERS.

23. It was stated in the last Chapter that agricultural development in British Guiana has always tended to take place in the direction of large plantations. Coconuts have been tried on a fairly large scale, rubber, cocoa, limes and coffee on a small scale; but the plantation industry which stands out pre-eminent is sugar. There are 57 sugar estates in the Colony, though some of them are now out of action owing to the severe depression in the

sugar market ; and the tendency now-a-days is towards the amalgamation of estates. The sugar estates hold 156,000 acres of empoldered land, out of which 70,000 acres are cultivated to sugar cane and 18,000 to other crops. This represents nearly half the area cultivated in the colony, and, if the intensity of the cultivation be considered, far more than half of the agricultural activities. The dependence of the Indian population on the sugar estates can be gathered from the fact that in 1920 out of an Indian population of 124,000 no less than 60,000 were actually living on the sugar estates, and of the remaining 64,000 living off the estates, a fair proportion undertake intermittent work on the estates. It is not possible to state what is the total investment of capital in the sugar estates throughout the Colony, and in cases where figures for the capital employed are available it is not clear exactly how they are calculated in each case ; but I have obtained figures for 23 estates showing that the capital employed on them amounts to an aggregate of over \$16 million (say Rs. 5 crores), and the wages paid in 1920 on the same 23 estates amounted to \$8 millions (say Rs. 2½ crores). These incomplete figures indicate the large investment of capital made by the sugar estates and the important part which the wages paid by them play in the economic life of the Colony. No one who visits the estates can fail to be struck by the elaborate work that has been done in empoldering and laying off the land, constructing irrigation and navigation canals, drains and dams, erecting residential and factory buildings, pumping plants, sugar machinery, etc., (*vide* Appendix III).

24. It is now proposed to deal with the position of the agricultural labourer in British Guiana and the wages earned by him. It will be realised that, so far as Indians are concerned, this matter is important chiefly with reference to the sugar estates. To begin with it may be mentioned that it is difficult to give a clearly defined statement of the wages earned on sugar estates because almost the whole of the wages paid are on the form, not of time wages, but of task wages ; and it is only by converting the task wages into their equivalent of time wages that the matter can be made intelligible. The extraordinary vicissitudes in the purchasing value of money and in the state of the sugar market during the last few years complicate the matter still further.

25. Messrs. McNeill and Chimanlal, who were deputed by the Government of India in 1913 to report on conditions of labour in British Guiana, gave in their report published in 1915 a detailed account of the system and remuneration of labour on the sugar estates. Much of what they state is applicable to the present time, though the fact that all indentures were abolished in 1920 makes a considerable difference and renders part of their remarks obsolete. It will be sufficient here to quote their conclusions regarding the amount of savings that the wages paid to Indians at that time permitted. At the end of paragraph 17 of their report they state :—“ If a man does not save upwards of 2 shillings a week, it is because he is below the average standard of industry and physique. Good workers can save from twice to three times that amount”. Since then the war has had a very disturbing effect on money values. By 1915 some of the imported articles, such as dhal and wheat flour had risen considerably in price, but until 1917 there was no marked change in the price of the rice and vegetables which form a large part of the Indian dietary, and it was not until towards the end of 1919 that the cost of living rose with a bound. The actual prices of foodstuffs varied from year to year as shown in the subjoined table :—

Retail Prices in Georgetown of Foodstuffs, etc., used by East Indians.

	1872.	1892.	1902.	1913.	31-3-14	31-12-15	31-12-16	31-12-17	31-12-18	31-3-19.	31-12-19	31-12-20
	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.
Rice per gal.*	24-28	20-22	25-27	23-24	29-30	23	28-30	30-38	40-44	48	56-60	44-48
Dhal or Peas lb.	5-6	5-3½	3-3½	3	3½-4	.6	6	12	10	9	16	16
Flour	6	3-4	3-4	3½	3	4½	5	9	8	9	11	12
English Potatoes .. ..	.6	3-4	3-4	2	2	4	4	6	5	7	7	8
Onions	4-16	4-6	4-6	12	4½-6	12	8	18	20	20	24	20
Garlic per bulb	1	..	..	½-1	½-1	1	1	1	1	1	1	1
Sugar lb.	8	4-5	4-5	3	2-3	5	5	5	6	8	8	8
Biscuits (Crackers)	8-10	6-8	6-8	8	6 for lc.	9	8	8	3 for lc.	18	20	3 for lc.
Ghee	32-40	24-26	25-30	28	28½-30	32	32	56	60	64	1-20	72
Dried Fish	6-8	5-6	5-6	8	about 6	9	10	14	20	20	24	16
Curry Ingredients†	24	..	..	12	12	16	16	32	32	28	28-32	32
Mustard Oil pnt.	20-32	16	16	12	17	14	14	24	32	32	80	48
Coconut Oil	24-32	..	..	12	14	9	9	12	20	24	24	16
Kerosine Oil per qr.	16	9-10	12	8	8	9	8	12	12	14	16	8
Tobacco per lb.	48	40-45	63-65	96	70	92	96	96	96	1-12	1-20	96

* One gallon = 8 lbs. 4 ozs.

† Black pepper, Mustard seed, Coriander seed, Cumin seed and Turmeric, etc.

26. During the same period the fluctuations in wages, per day actually worked, taking the yearly average of each estate separately, were as follows :—

Year	Men.	Women.
1914-15	21 to 31 cents	15 to 20 cents.
1919	38 to 61 cents	23 to 40 cents.
1920	71 to 81 cents	56 cents.

Thus while rice rose between 1914 and 1920 by 50 to 100 per cent., dhal and wheat flour by nearly 400 per cent., and other articles as shown in the list above, wages rose by about 300 per cent.; and the 23 estates for which figures are available paid \$5,894,000 as wages in 1920 as against \$1,982,000 paid in 1913, almost exactly three times as much. No doubt these fluctuations affected different people in different ways, and those, who for any reason were unable to do much work, were hard hit by the high prices; still the years 1919 and 1920 were, speaking generally, a time of great prosperity for the working classes in British Guiana. In 1920 the daily average wage, per day actually worked, for shovelmen on some estates was as high as \$1½, and over, and even women could earn \$1 a day. Speaking of that period, and contrasting it with the period of depression in the early part of 1922, a very intelligent Indian in Essequibo County assured me that during the sugar-boom a shovelman could make anything up to \$10 a week and could easily save \$4 out of this. It was the very high prices realised for sugar which enabled the sugar estates to pay such high wages; and the reason why wages ruled so high was that the labour supply was strictly limited, and the sugar estates were competing with one another for the existing labour, with a view to extend their operations to the utmost and to take advantage of the boom.

27. The year 1921 was a period of transition. During the first half of the year prices and wages ruled high, and during the second half of the year there was a great fall in both. Taking the year as a whole the general average of wages earned per day worked was as follows :—

Shovelmen	52 to 57 cents.
Male weeders	43 to 54 cents.
Female weeders	32 to 43 cents.

showing a considerable fall on the figures of 1920, but a rise of about 100 per cent. on the pre-war figures.

28. To turn now to the conditions of labour and wages which we found to exist in British Guiana in the early part of 1922 when the Colony was suffering from the general trade depression from which all countries were then suffering, and in particular from the fact that sugar prices had suddenly fallen from the very high level of 1919-20 to the pre-war level. As a result of the slump in sugar and the general financial depression, some sugar estates had gone into liquidation and others were on the brink of collapse. Sugar was admittedly selling at less than the cost of production, and the Colonial government had found it necessary to grant the Sugar Companies a subsidy in the form of a loan proportionate to the number of tons of sugar that each Company manufactured, in order to avert the collapse of the industry upon which the economic

life of the Colony depended. It was inevitable that such conditions should be reflected in the state of the labour market and the level of wages; and this was found to be the case.

29. To bring the table of retail prices of food, etc., used by Indians (as shown in paragraph 25) up-to-date, I subjoin the following table.

Retail prices of Foodstuffs, etc., used by Indians.

Article.	March 15th, 1921.	March 15th, 1922.
Rice per gallon*	48 cents.	24 to 32 cents.
Dhal lb.	16 "	10 "
Flour "	12 "	6 "
English Potatoes "	8 "	5 "
Onions "	24 "	20 "
Green vegetables "	4 "	4 "
Bread "	8 "	8 "
Biscuits 3=1 oz. "	1 "	1 "
Sugar (D. C.) per lb.	8 "	4 "
Coffee "	12 "	8 "
Tea "	96 "	72 "
Ghee "	96 "	80 "
Dried Fish "	16 "	10 "
Curry Ingredients "	24 "	16 "
Garlic Bulb	1 "	1 "
Mustard Oil per pint	32 "	28 "
Cocoanut Oil "	24 "	12 "
Kerosine Oil quart	14 "	12 "
Tamarind lb.	24 "	20 "
Salt "	5 "	3 "
Wood 1 piece=2 lbs.	4 "	4 "
Soap Per cake	4 "	3 "
Matches box	2 "	2 "
Tobacco (Black fat)	96 "	1.44 "
Milk Per pint	10 "	8 "

* 1 gallon=8 lbs. 4 ozs.

Comparing the above Georgetown prices with those of Calcutta, Bombay and Madras it may be of interest to note that in March 1922 the price of rice in British Guiana was almost identical with that in India, the price of wheat flour in British Guiana (imported from Canada) about 30 per cent. higher than in India; and the price of dhal (imported from India) about three times the price in India.

30. To make the variations in the cost of living clear it would be desirable to show an index figure for the various years. Such an index figure has not been worked out in the Colony, and it would require a more intimate knowledge of the domestic life of Indians in British Guiana than I have, to work out a complete index figure; but taking the three main articles

of food used by Indians in British Guiana, viz.:—rice, wheat flour and dbal, in the proportion in which they are used, the index figure would work out as follows :—

1913.	31-12-19.	1920.	15-3-21.	15-3-22.
100	307	283	29	177

31. As regards the wages that were actually being paid in the early months of 1922, no annual averages covering this period can be quoted, as has been done for previous years, since the average for 1922 cannot be worked out until the end of the year. This, however, is not a matter of much consequence, since a close inspection of the pay sheets on sugar estates showed that these average figures give no more than a general indication of the facts for the year, though useful for comparison of the standard of one year with that of another. Indeed a study of the pay-sheets revealed the most bewildering differences between the wages earned by various labourers, per day actually worked, differences the meaning of which could be made clear only by inspection of the labourers at work in the fields. In connection with the figures for wages which will now be given two points must be borne in mind,

(a) that the wages are task wages,

(b) that if a man happens to be at work on any day at the time when the roll call of his gang is taken, he is marked as present that day, though he may actually work for only a short part of that day.

Per contra if a man is absent when roll call is taken, he is marked as absent for the day, though actually he may work for part of the day. It makes no practical difference to the labourer whether he is marked present or absent on any day, since he is paid strictly in accordance with the work which he is found to have done by the end of the week.

32. The details of wages which I found to be actually earned on sugar estates in the early months of 1922 are given in Appendix VI. From these figures it will be appreciated that there is a marked difference between this level of wages during the grinding season and during the slack periods. During the grinding season a punt loader or a hardworking shovelman can earn about 3/- a day, while in the slacker seasons he can earn only about 1/8 a day. A bad workman can earn from 1/8 to 2/- during the grinding season and in the slack season only about 1/- a day. Most estates grind for about five months in the year, and taking the wages which were current in January-February 1922 it would probably be about right to say that the average for all seasons was 2/4 for a good workman and 1/4 for a bad one, per day actually worked. As regards women, who are engaged principally as weeders and whose wages are less affected by the grinding season, we may take the average at 1/3 for a good worker and 1/- for a bad worker. Children make from -/8 to 1/- a day

This is the most accurate estimate that I can form after going through the pay sheets on many estates, and it refers to the early months of 1922, which, as already stated, were a period of great depression in the sugar industry. I may mention that during the same period I found that the current rate of daily wages paid to an ordinary agricultural labourer on the Government Farm at Onderneeming was 2/4 a day while the Public Works Department was paying at rate of 3/- a day for temporary jobs. I may also add that I have excluded from consideration all cases of exceptionally high wages that I found in the pay sheets of the estates. I noticed a shovelman credited 28/6 for a week's work, and a good many over 20/-, while in one case a shovelman (a negro) was credited with 38/4 in a week. Women also, in some cases, appeared to earn wages up to 16/8 in a week. Such wages, however, were exceptional, and as I was unable to ascertain the exact circumstances in which they were earned, I exclude them from consideration.

33. The question how does this rate of wages work out with reference to the price of commodities and the standard of living current amongst the labouring classes in the Colony. In Appendix VII I have given a number of estimates of the cost of living as supplied by the Agent General for Immigration and by labourers themselves. It will be seen from the figures in Appendix VII that the Agent General for Immigration places the cost of living to a labourer at between 9/- and 10/- a week, and for a married couple at 13/2½, while the estimates supplied by the labourers themselves range from 9/6½ to 16/2 for a single man, and are about 20/- for a married couple. Now I can well believe that for a labourer who lives mainly on wheat (an imported article), and requires in addition meat, fish and a fairly liberal allowance of tobacco and condiments, the cost of living would amount to 15/- a week (*vide* Appendix VII, Case VI). But a man who is content to make rice his staple diet can have over 2½ lbs. of rice and 1½ lbs. of wheat and dhal a day, and yet keep the cost of his living below 10/- a week (*vide* Appendix VII, Case VII). At current wages a good workman can afford the more liberal scale of diet and comforts; but a man who, for any reason, has little capacity for work, finds it hard to make both ends meet. Even so, however, there should be no real privation at current rates of wages, where a man or a family, taken as a whole has a reasonable capacity for work. Major Alexander of the Salvation Army, who has worked for many years for the Indians in the Colony and who runs a boarding establishment for them in Georgetown, stated that he could board and lodge an adult male Indian well, giving him 3½ good meals a day, for 1/- a day. The wages certainly run to more than this for the men, and proportionately so for the women and children.

34. So far it has been assumed that the labourers on sugar estates are labourers pure and simple, that they spend the whole of their working week working for wages, and that they have no subsidiary means of livelihood. This, however, is not the case. The sugar estates make available 14,000 acres of rice land for 17,000 labourers on their estates, and 2,000 acres for growing ground provisions (yams, sweet potatoes, casava, eddoes, tannias, bananas, maize, etc.). On many sugar estates where rice lands are not available the labourers hire plots of rice land outside the estate. In addition to

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this many of the estates have fenced grazing areas on which their labourers can keep cattle, and many labourers avail themselves of this privilege. In this way the estate labourer becomes partly a small holder. Comparatively few work for hire for more than $4\frac{1}{2}$ days in the week, and at the seasons when the rice is transplanted or reaped most of the labourers are working for themselves for a fortnight or so on end. On many estates also firewood can be cut on the back lands and brought in by boat; and over most of the Colony fish are abundant and fishing a popular occupation. There can be no doubt that a man whose rice field provides him with enough rice for his family consumption and sometimes with rice to sell, whose "ground provision" plot provides him with vegetables, who gets his milk supply from his own cows and can catch fish in his spare moments, is in a much better position than the man who has to purchase all these things. These facilities, however, vary so much in different parts of the Colony that I find it impossible to estimate what may be the average advantage which they represent to the labourer on the sugar estates, and can only record the opinion that this advantage is considerable.

35. To sum up the position as regards wages, the facts appear to be as follows. Prior to the war wages certainly permitted savings, and the best workmen did save on a considerable scale. In the sugar boom that occurred during the war wages were very good, savings were larger, and the standard of comfort went up. The present is a time of great depression. Wages are higher than before the war, but the difference is probably not so great as the difference in the cost of living. Wages now permit a good workman to live well up to his standard of comfort and in some cases to save a little; but the less efficient workers find life hard, and amongst them there is a good deal of distress. There is still a demand for more labour on some estates; but it is not easy for a labourer to take advantage of this, for want of suitable accommodation; so that the labourers on estates which have closed down often find it difficult to obtain work, and many who have savings are reluctant to accept the lower rate of wages now offered. The sudden change from abnormally good times to abnormally bad ones has caused general dissatisfaction.

CHAPTER V.—GENERAL SURVEY OF THE ECONOMIC POSITION OF INDIANS IN BRITISH GUIANA.

36. The position of Indians as land holders and as labourers has been considered, and it is now necessary to consider the economic position of the Indian community as a whole. The Indian community amounts to 124,000 persons, and is classified as follows in the Census returns for 1921.

Professional	..	..	..	..	..	..	350
Commercial	..	..	..	..	..	..	2,270
Industrial	..	..	..	..	..	..	2,481
Domestics	..	..	..	..	..	..	1,450
Agricultural	..	..	..	..	..	..	78,048
Unoccupied*	..	..	..	..	..	..	40,385

(*i.e., women engaged in domestic duties, children, etc.).

37. As regards the commercial activities of Indians the following table shows the trading licenses taken out by Indians in 1920, and gives some idea of the nature of the trade in which they engage.

Trading licenses taken out by Indians in 1920.

Spirit Shops	8
Provision Shops	575
Drug Shops	48
Cook Shops	25
Bread Shops	8
Stores	64
Wine Shops	99
Indian Hemp	23
Tobacco	629
Hucksters	1,189

The following table of other licenses taken out by Indians in 1920 also gives some idea of their material resources.

Carriages and carts (mostly donkey carts)	2,614
Motor cars	9
Motor cycles	3
Cycles	981
Sea and river-craft	7,925
Steam boilers	58
Dogs	903

38. As regards land held by Indians, it is not possible to give any exact figures because the Government records do not classify separately the lands held by the various communities. A list, however, was made out of 52 well-known Indians who each owned land of the estimated value of \$10,000 (= Rs. 30,000) and upwards, and it may be generally stated that Indians hold the bulk of the land under rice cultivation (61,000 acres), a fair proportion of the land under ground provisions and cocoanuts (45,000 acres), and also considerable areas of grazing land. In the matter of houses, leaving out of consideration the substantial bungalows of a few rich Indians, the houses of Indians in the villages varied from substantial wooden structures worth about \$1,000 apiece to primitive mud and wattle houses; but there were a large number of wooden houses worth a few hundred dollars.

Of the live stock in the Colony, Indians are said to be the largest cattle* owners, and to own a fair proportion of the other live stock (58,000, sheep, goats and pigs). They also keep poultry.

The rice-milling industry is in the hands of Indians who own a number of such mills.

* The total head of cattle in the Colony is officially returned as 105,000, but it is probably far larger.

39. The total capital investment of Indians in lands, houses, mills, trading and farming stock must be large. Apart from such capital invested, the following tables show the floating resources of the Indian community in British Guiana during the past six years.

FLOATING RESOURCES OF INDIANS IN BRITISH GUIANA.

(1) *Land purchased by Indians in British Guiana.*

Year.	No. of Purchasers.		Total price paid.	
			\$.	
1915	413		96,898	
1916	557		150,216	
1917	630		204,850	
1918	703		249,723	
1919	807		453,605	
1920	852		379,949	

(2) *Accounts of Indians in Government Savings Bank.*

Year.	No. of Depositors.		Total of Deposits.	
			\$.	
1915	7,756		393,347	
1916	7,336		411,398	
1917	7,507		489,801	
1918	7,824		559,265	
1919	8,220		659,599	
1920	8,716		795,180	

(3) *Amounts deposited by Indians in the Savings Bank Departments of private banks, apart from larger amounts in the ordinary deposit and current accounts.*

Bank.	Date.	Total of Deposits.	
		\$.	
Colonial Bank ..	March, 1922 ..	275,588	
Royal Bank of Canada ..	January 1st, 1921 ..	414,472	
Royal Bank of Canada ..	January 1st, 1922 ..	376,709	

(4) There are 27 Co-operative Credit Societies with a subscribed capital of \$40,420, in which Indians have a large share, and in which they deposit money freely.

(5) *Remittance through Post Office by Indians to India.*

Year.	Amount remitted.	
	\$.	
1915	4,410	
1916	7,460	
1917	10,073	
1918	7,935	
1919	12,241	
1920	7,195	

(6) *Money and Jewelry taken to India by Indian Immigrants repatriated to India.*

Year.	Number of Adult Immigrants.	Money deposited with Immigration Agent for remittance to India.	Jewelry.
1919	814	\$76,023	\$12,670
1920	2,245	\$249,710	\$41,618

If, therefore, we take from the foregoing tables the figures of floating resources of Indians during the year 1920, we find that, apart from all previous investments in lands, houses, stock, etc., the following sum was left over to Indians after maintaining themselves.

Floating Resources of Indians in British Guiana.

	\$.
Money invested in land during 1920	379,949
Deposits in Government Savings Banks 1920	795,180
*Deposits in Savings Bank Department of Colonial Bank 1920.	275,588
Deposits in Savings Bank Department of Royal Bank of Canada 1920	414,472
Remittance by Post Office to India in 1920	7,195
Taken by repatriated immigrants in 1920	249,710
Taken by repatriated immigrants in 1920 (Jewelry).. ..	41,618
Total	2,163,712

40. How far the Indians in British Guiana hoard cash and ornaments, as they do in India, is hard to ascertain. In view of the habit which they have developed of depositing money in Savings Banks, I should imagine that the extent of hoarding is relatively much less than in India; but the custom is certainly prevalent to some extent, and from time to time cases are reported in the newspapers of thefts from Indians of hoarded cash and jewelry to the extent of \$300 or \$400 at a time.

41. The question next arises, how is the wealth distributed amongst the various grades of the Indian community. It is clear to any casual observer that there is a rich class, a very poor class, and a large intermediate class ranging from those enjoying solid prosperity to those just able

* The figure for deposits in the Savings Bank Department of the Colonial Bank on December 31st, 1920, was not available, but the figure given for March 1922 is approximately the same.

to pay their way and live in reasonable comfort; but it is very difficult to give any numerical estimate of the distribution of wealth. I asked many competent persons for opinions on the subject, and the following are the best attempts at estimates which I got.

(a) *Major Alexander of the Salvation Army.*

50 per cent. of Indians successful.

40 per cent. just earning a living.

10 per cent. broken men, living from hand to mouth.

(b) *Mr. J. W. Pirmal.*

25 per cent. of Indians successful.

The rest living from hand to mouth.

(c) *Mr. A. R. F. Webber (editor of a Labour newspaper).*

Somewhere between the estimates of Major Alexander and Mr. Pirmal.

(d) *An intelligent Indian merchant.*

25 per cent. well-to-do.

50 per cent. paying their way in reasonable comfort, and saving money in good times.

25 per cent. living in poverty.

(e) *A missionary of long experience amongst Indians.*

5 per cent. rich.

10 per cent. comfortably off.

15 per cent. submerged and living from hand to mouth.

70 per cent. intermediate, ranging from those whose earnings enable them to live in fair comfort and save a little, to those whose earnings only just support them reasonably well.

In the above estimates there is a large measure of agreement, considering how vague and ill-defined are the limits which anyone may set between classes which can be considered as rich, poor, or comfortably off. So much depends on the standard of comfort in view. When it is remembered that these people were either immigrants themselves, or at the most, one or two generations removed from immigrants, and that the immigrants arrive in the Colony with no appreciable amount of property, the economic position is, I think, remarkable. Of the comparatively small rich class nothing need be said except to note that the Colony offers opportunities to a competent and careful man far greater than he would have in India. As regards the intermediate class of ordinary, hardworking, steady men, it is men of this class who put their money in the Savings Bank. If we assume that one-third of the Indian community (say 40,000 persons, i.e., 10,000 families, have made in deposits of \$½ million (=Rs. 45 lakhs) which were in the Savings Banks at the end of 1920, it would

work out at an average of \$150 (=Rs. 450) a family. This is probably not far from the facts. Below this class come the men who though they may not run to a Savings Bank account, have a little money hoarded, a rice plot, a cow or two, or some other live stock.

42. It is necessary, however, to refer to the poorest class, the broken men described above as submerged and living from hand to mouth. It is not possible to give the exact proportion of these to the whole population, but whether they be put at 10 per cent. or at 25 per cent. of the whole, their case is bad. A sprinkling of them are to be found in all parts of the Colony, but it is in Georgetown that they collect in numbers and are most obvious. They go there to look for odd jobs and to beg; and they live largely in the streets. They are the men who from ill-health, incapacity or misfortune have been broken in the struggle. A large proportion of them are ganja smokers and rum drinkers. It is not surprising that some men should fail to make good. This occurs in any country, and still more so in any colony to which immigrants have been transplanted from their native surroundings. In this case, however, the break in institutions is more violent than is usually the case with emigrants of Western races. The Indian has been accustomed in his own country to the familiar institutions of the joint family, the caste organisation and the village community, to what has been termed "the beneficial co-operative rural life whereon the whole system of the civilisation of the Hindus has been immemorially based." Whatever may be the ultimate effects of such a system, it does, to some extent, secure the object aimed at, and offers several lines of defence to the people in their struggle with nature. The blows of fortune, which under an individualistic system would be borne by the individual, are borne by a group, and except in times of widespread distress it is not necessary for any government in India to organise poor-relief. In British Guiana the system is one of competitive individualism, pure and simple, and even the obligation of private charity is not recognised to the same extent as in India. An Indian working on a sugar estate aptly summed up the situation as follows:—"Who get money keepum; who no gottum go before"; which being interpreted means, "Every man for himself and devil take the hindmost." For the less competent life is hard, and the man who would resort to the seductive expedient of a running account with the village *bania*, as in India, is faced with the sign which stands over many provision shops in the Colony—"In God we trust; all others cash down." Under the competitive system the more competent Indians flourish exceedingly, and a large class reach a degree of comfort and independence which they could not hope to reach in India; but as a natural corollary the incompetent and unfortunate go under badly. It was no new experience to me to see Indians living in extreme poverty, nor did I see amongst the beggars in British Guiana such terrible sights as assail one in any Indian city; but the human wreckage of the Indian community which drifts about the Colony and congregates in Georgetown is a very pathetic sight. A Poor-House is maintained for those hopelessly broken; but I think that the Colony might do more for those one degree less broken, by maintaining a farm colony for them and by being more generous in providing free return passages to India for such as wish for them. Some thing also might be achieved by a more stringent control of the use of ganja and alcohol which frequently causes and generally aggravates the trouble.

CHAPTER VI.—OTHER MATTERS AFFECTING THE WELL-BEING OF THE INDIAN IMMIGRANTS.

43. In this Chapter I propose to consider matters relating to the health and sanitation, medical and educational facilities in the Colony. The matters are technical ones regarding which I cannot claim to be an expert. In Appendices IV and V are given the figures of the Indian population analysed from various points of view, and the vital statistics for some years past. During the six years from 1915 to 1920 the average vital statistics were as follows for the Indian Community in British Guiana, viz:—

	PER MILLE.	
	Births.	Deaths.
Average of 6 years	28.1	35.8
Average of the period omitting the two influenza years 1918 and 1919.	30.5	29.2

During the period the corresponding figures in India were:—

	PER MILLE.	
	Births.	Deaths.
Average of 6 years	35.4	36.8
Average of 6 years omitting the two influenza years 1918 and 1919.	36.8	30.6

It will be seen that the death rate amongst Indians in British Guiana is very similar to that amongst Indians in India; but the birth rate is much lower. This latter fact is due partly to the habits of Indians in British Guiana and partly to the excess of males over females. This excess is now 13,000 and in 1911 was 20,000. In former years it was greater. During the present century out of 33,000 Indian immigrants to British Guiana only 10,000 were females. This marked discrepancy between the number of males and the number of females is steadily becoming less as the proportion of Colony-born Indians rises. At present 68 per cent. of the Indians were born in the Colony. The disproportion of numbers between the males and females, however, inevitably reduces the birth rate, while it does not reduce the death rate; and up to the present the position has been that without the arrival or fresh immigrants the Indian population in the Colony tends to diminish. It may now, perhaps, be taken as about stationary, and granting normal times, an increase may be looked for in the near future. Though the death rate in

British Guiana is comparable with that in India; it, of course, compares very unfavourably with that of the United Kingdom, which has an annual death rate of about 15 *per mille*.

44. The authorities in the Colony are alive to the significance of these figures and attribute the high death rate, directly and indirectly, to impure water supply which conduces to such diseases as enteric fever, dysentery and diarrhoea; to malaria which is prevalent in many places owing to the swampy nature of the soil; to filariasis, a disease spread by the mosquito; and to hook-worm (ankylostomiasis), due to faecal contamination of the soil.

45. As regards water supply it may be noted that, though water abounds in the coastal districts, the swamp water is very impure and bad for drinking purposes. In the past the two best sources of supply have been:—

- (a) Rainwater run off roofs of houses into cisterns by those who have large wooden or iron roofs.
- (b) River water brought in canals from the upper reaches of rivers in the coastal region.

Roof water is apt to be contaminated, and river water is usually of a brownish tinge, due to the colouring of vegetable matter in the forest regions from which it comes. This river water, brought down in open canals, is the general water supply of the Colony. It is not ideal, and is liable to contamination in the open canal, but it is a fairly healthy supply; and when the canal is well guarded and the water is specially treated, it may be regarded as satisfactory. In villages and settlements where there is no drinking water canal the water supply is often very bad, though on the rivers and creeks the water from the middle of the river is reputed to be wholesome. Nine years ago boring for artesian water was started, and such water has been tapped at depths varying from 300 to 1,000 feet in 27 cases. Some excellent artesian wells exist, to the great advantage of the people, and it is proposed to extend such operations as funds permit.

46. In the matter of malaria the problems is similar to that in India, and resolves itself into questions of surface drainage and the use of quinine. The question of drainage has been considered in Chapter I; but I do not see how the eradication of malaria by this means can ever be considered as a practicable proposition for a country with the physical characteristics of the coastal tract of British Guiana. Quinine is supplied free at schools and sold cheap at post offices, and is supplied free of cost by the sugar estates to their labourers. Cholera and yellow fever are absent and small-pox very rare. The devastating effect of the influenza epidemic which went round the world in 1918-19 is shown by a mortality of between 6,000 and 7,000, attributed to this cause, giving an incident of mortality which is, I understand, comparable with that in India at the same time.

47. The medical and sanitary authorities publish reports and elaborate statistics which read very much like similar publications in India, but I am not competent to offer any definite opinions on such matters. In the matter of
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malaria which I imagine to be much the most serious evil in the Colony, I would hazard the opinion that the situation of the coastal tract is very similar to that in the Bombay Konkan. Close to the coast the tract is usually healthy, sometimes remarkably so, but as you get further back malaria increases, and in the regions of swampy jungle at the back of the alluvial belt I understand that it is very bad.

48. There is a Government Medical staff of 36 doctors, and the total number of qualified doctors in the Colony is 53. There is also a staff of dispensers, who, after a period of service in a hospital, often set up drug stores of their own. Of Government medical institutions there are six public hospitals with dispensaries attached, eight dispensaries, a lunatic asylum and a leper asylum. At these hospitals and dispensaries treatment can be obtained on payment of a fee or free, of charge by those who obtain a certificate of poverty. There are also some thirty hospitals under the control of the sugar-estate authorities at which those working on the sugar estates are entitled to free treatment and free diet, as prescribed by the doctor, during the time that they are in hospital. I inspected a number of such hospital and considered them to be satisfactory. Hospital and medical facilities are much more readily available in British Guiana than they are in India.

49. The only other Government activities which need be mentioned here are the Alms House in Georgetown where 788 paupers are maintained, of whom half are Indians, and the grant of out-door relief to the poor. The number of poor persons so relieved in 1919 was 1,809 adults and 1,609 children.

50. In theory education is compulsory in the Colony to all between the ages of 6 and 14 in urban districts, and between the ages of 6 and 12 in the rural districts. Attendance for 12½ days a month in the former districts and for 7½ days a month in the latter, satisfies the law. In practice it is not found possible to enforce this regulation completely, and the percentage of children within the compulsory limits to be found on the school registers is only 80 per cent, for boys and 64 per cent. for girls. Warnings are issued every year in some 3,000 or 4,000 cases to parents who do not send their children to school and in 1919 convictions for this offence were obtained in 2,000 cases; but the fines inflicted are small and amounted, on the average, to less than Re. 1 each. Apparently, however, the children who do attend school are present on far more days than the law requires, since the average attendance is well over half the number of children on the books. If parents wish to keep their children at school between the ages of 12 and 14 the law provides that they should pay the teacher 4 cents (2 annas) a week. It is found that, on reaching the age of 12, 96 per cent of the children are withdrawn from school; and of the fees which are payable for the residue kept at school between the ages of 12 and 14 the proportion which remains unpaid is not less than 95 per cent. The teacher is unwilling to attempt to enforce the payment in any case, since it would mean that the child would be withdrawn from school. There are 224 Government primary schools, besides the schools of the Canadian mission where some 1,000 children are educated. Half the population of the Colony above the age of 5 are said to be literate. Indians appear to be the class which takes least advantage of the education offered. Less than 8,000 Indian children attended the primary schools in 1919 out of a total number of 34,000

pupils. Thus while the Indian community forms more than one third of the population, they send to school less than one quarter of the total number of pupils. Over half of the teachers are women. 30 per cent. of the teachers are certificated. Amongst the teachers are 15 Indians of whom 6 are certificated. The standard of teaching at the schools is not considered to be high, but the general housing and management of the schools appeared to me to be satisfactory. There are 11 secondary schools providing for 900 pupils, an industrial school which provides for 160; and at the Queen's College in Georgetown a high class education can be obtained.

51. There is one institution in the Colony to which reference must be made, which exists for the benefit of immigrants. This is the Immigration Department. It consists of the Agent General for Immigration, who is stationed at Georgetown where he has an Assistant and the headquarter office, and two other Assistants stationed at Berbice and Suddie, respectively. The duties of this Department are to make all arrangements for the arrival from and departure to India of immigrants; and in former days its duty was to watch and control the working of the laws and regulations relating to indentures. Now that indentures have been abolished, a considerable part of its duties and powers have gone; but the Agents of this Department still have a mass of work to do in connection with complaints which are made by Indians regarding their dealings with other Departments of Government, Local Boards, Sugar Estates and other employers. They wind up estates of deceased immigrants, when necessary, take charge of immigrant orphans and interest themselves in destitute immigrants. Number of applications for interventions in purely domestic matters are also made to this Department by immigrants. The powers which it exercises as regards the settlement of disputes are not very extensive; but it does what it can, and its influence brings a considerable advantage to immigrants. Now that indentures have been abolished and wages are settled entirely by the play of economic forces, the operations of this Department must tend largely to become those of a Labour Bureau; and I think that it is desirable that this should be recognized, and the work of the Department deliberately organized on this basis; but the time has certainly not yet come when the Department can afford to give up the activities of a paternal nature which it now performs for immigrant Indians.

PART II.

EXAMINATION OF COLONIZATION SCHEMES.

CHAPTER VII.—COMPARISON OF SCHEMES, AND EXAMINATION OF THE ONLY AUTHORITY ONE.

52. With regard to the second of the terms of reference, we were confronted at the beginning of our enquiry with a difficulty; and to explain this difficulty clearly it is necessary to go into some detail. In 1916, the Government of British Guiana was informed by the Secretary of State for the Colonies that His Majesty's Government had assented to the recommendations of the Government of India that indentured immigration to the Colony of British Guiana should be abolished, but that it would be allowed for another five years.

In 1917, the Government of British Guiana was informed by the Secretary of State for the Colonies that immigration of Indians to British Guiana was to cease immediately, and that no further immigration under the old system would take place. It was also intimated that no further immigration from India to any Colony would be permitted under any new scheme unless the Colony agreed to cancel all existing indentures. In accordance with the orders referred to above all immigration into British Guiana from India in immigrant ships came to an end in April 1917. In January 1919, a General Colonization Committee was formed in British Guiana, consisting of members of the Combined Court and other members co-opted to represent all interests and races, to consider a scheme for future immigration into the Colony. Numerous sub-committees and branches of sub-committees were formed to consider the labour needs of the various industries, to explore all possible sources from which immigrants might be drawn and to mature a scheme to secure future immigration. In February 1919, the Combined Court (*i.e.*, legislature) of British Guiana passed a Resolution "requesting the Governor to make arrangements to send to the United Kingdom a deputation consisting of members of various races in the Colony, with the view of laying before His Majesty's Government a representation of the needs of the Colony both for the maintenance of the present industries and for their extension: and to show the advantage which the Colony affords to immigrants from other countries." The Combined Court also pledged itself to find the funds necessary for sending such a deputation, the work of which was to be based on the lines to be recommended by the General Colonization Committee. The sub-committees appointed submitted reports and on 14th April 1919 the Governor was presented with the report of the General Colonization Committee, which consisted of the Final Report of the "Proposals and Finance Sub-Committee" and he made remarks on it. A report of the whole proceedings referred to above has been published in a compilation entitled "British Guiana—Colonization Scheme". Meantime the Delegates were selected and sailed for England in June 1919. After deliberations in the United Kingdom, five of the Delegates proceeded to India in October 1919. An account of their operations in India is contained in a report by Mr. T. Greenwood published in March, 1920. Apart from this report, another publication entitled "British Guiana Imperial Colonization Scheme" was issued by Dr. Wharton and Mr. Luckhoo, the two Indian Delegates who proceeded to India. A pamphlet entitled "British Guiana and the Empire" signed by Messrs. Greenwood, Murray, Dias and Nunan was also issued. The scheme, however, which the Government of India appears to have regarded as authoritative was the scheme entitled "Summary of British Guiana Colonization Scheme" which was apparently drawn up by Dr. Nunan, the Chairman of the British Guiana Delegation, and is printed as an accompaniment to Resolution No. 1873 of 7th May 1920 of the Government of India, Department of Commerce. It was this scheme which was considered by the Committee of the Imperial Legislative Council early in 1920 when they also interviewed Dr. Nunan and Mr. Luckhoo as the accredited representatives of the deputation from British Guiana.

53. It was to examine this scheme that we were sent out to British Guiana. Upon our arrival in British Guiana we were informed by His Excellency the Governor that the scheme put forward by Dr. Nunan to the Committee of the

Imperial Legislative Council at Delhi in 1920 was not authoritative or official; and he presented to us, in substitution of Dr. Nunan's scheme, another scheme entitled "British Guiana Colonization Scheme. Information for intending Colonists. As forwarded by Colonial Office to India Office." This was supplemented by a Memorandum. The Scheme and Memorandum are given in Appendix VIII. His Excellency further informed us that the terms of this scheme cannot be regarded as a definite offer, but must be regarded in the nature of a proposal for discussion. In this connection, therefore, all that I can do is to note the salient points of these two schemes and the principal points in which they differ, and to consider the scheme of His Excellency the Governor of British Guiana in the light of a tentative offer.

54. I may note in the first place that both the schemes put forward by Dr. Nunan and that now shown to us by His Excellency the Governor were prepared in 1920 when sugar prices were very high, and wages in British Guiana were also much higher than the normal, while the present time is one of very low sugar prices, and wages also have fallen greatly. The figures of wages, therefore, as mentioned in both these schemes, cannot be taken as applicable to the present time or as normal.

55. The following shows in tabular form the main proposals made in these two schemes, and indicates the main differences that exist between the two schemes.

Dr. Nunan's proposals.

His Excellency the Governor's proposal.

(1) Direct Settlement.

Indian settlers to be emigrated in families to British Guiana with the help or free passages, to get land assigned to them on the ordinary, existing, easy terms, to receive assistance in selecting their land, and to receive financial assistance to enable them to set up as small farmers.

Indian settlers to be emigrated in families to British Guiana with the help of free passages. Any immigrant may take up land on the ordinary terms if he is in a position to do so. The Government of British Guiana is prepared "to give grants of Crown Land" to immigrants on arrival in the Colony who have some means of their own and are in a position to settle at once as independent small farmers. The Government may be willing to make money advances to such settlers when the financial situation permits.

If immigrants come to British Guiana at their own expense the Government would be willing to make more liberal grants of land and might be willing to contribute to the cost of preparing such land and erecting buildings.

(2) Immigrants who come to work as hired labourers in the first instance.

If the settler prefers to accept employment to begin with, the Government of British Guiana guarantee him work at local rates together with housing accommodation, garden plot and grazing privileges.

Wages are sufficient to enable immigrants to live comfortably and to save money, and are to be controlled by Arbitration Boards.

Immigrants to receive employment with registered employers, if they desire such employment at the outset, at current rates of wages, free housing, hospital and medical treatment for three years, and certain concessions with regard to rations and milk for women and children.

*Dr. Numan's proposals:**His Excellency the Governor's proposals:**(3) Reward grants of land.*

Reward grants of 5 acres of coast or river land, specially protected by embankments from flood, prepared for irrigation, drainage and cultivation, will be given to families who have completed three years of residence in the Colony, during which they have been engaged either for themselves or for employers in any form of agricultural work in the Colony. To make such lands available the Colony is prepared to spend \$1½ million. Further assistance will be given as regards housing accommodation and farming equipment.

A special Reward Grant of land, protected from or not liable to floods, drained and suitable for cultivation of 5 acres to the head of the colonist family or of two acres to a single colonist (man or woman) where the claimant has engaged in any form of agriculture under a registered employer for three years continuously. The cost of preparing these lands will be borne by the Government of the Colony. The title to such land will be conditional on the fulfilment of the requirements of the British Guiana Crown Lands Regulations in regard to the payment of fees and beneficial occupation. The fees payable will be five annual payments of \$1 per acre, each made in advance at the beginning of each year.

(4) Repatriation.

- (a) Free after 7 years residence.
- (b) At ¼ of the cost of the passage after 5 years residence.
- (c) At ½ the cost of the passage after 3 years residence.
- (d) Free at any time (under certain conditions) if the supervising officer of the Government of India so direct.

- (a) Free after 7 years residence.
- (b) At ¼ of the cost of the passage or £7 10s. whichever is the less, after 5 years residence.
- (c) At ½ the cost of the passage, or £15, whichever is the less, after three years residence. In the case of colonists' children the above amounts are halved.
- (d) Free at any time, if the supervising officer of the Government of India or the Chief Colonization Officer so direct.

N.B.—It is doubtful whether the Legislature would be willing to assume the obligation to give free passages back to India in the case of immigrants who did not serve for a minimum period under registered employers; but it would probably agree to repatriate any immigrants whom the representative of the Indian Government in the Colony might for special cause deem it desirable to repatriate.

(5) Supervising Officer.

The Government of India to appoint its own supervising officer in the Colony, at the cost of the Colony.

The Government of India to have a supervising officer in the Colony. (It is not stated who is to pay for this officer, but the Colony could bear the cost only if the expenditures were sanctioned by the Combined Court of British Guiana).

56. Now comparing these two schemes, the most obvious differences are that while in the first scheme all immigrants who are engaged in agricultural work are to qualify in three years for Reward Grants of land, and all immigrants are to qualify for repatriation, under the second scheme only such

immigrants as work for a registered employer are eligible for these benefits. In the first scheme confidence is expressed as to funds being available for the purposes indicated, while the wording of the second scheme is more guarded in this respect. Apart from this, however, the general suggestion of the first scheme is that the bulk of the immigrants are to be settled directly on the land on arrival in the Colony, while the assumption in the second scheme is that the great bulk of the immigrants will, in the first instance, have to work as labourers for registered employers. It is for this reason that Dr. Nunan's scheme is regarded by many in the Colony as a "Colonization Schemes," while His Excellency the Governor's scheme is regarded as a "labour scheme." Many public bodies and individuals brought this distinction to our notice, and a strong body of opinion declared itself in favour of a colonization scheme, and not in favour of a labour scheme. I consider, however, that this is a distinction which denotes no practical difference, since investigations have made it clear that there is at present no unoccupied land available in British Guiana in such a condition and situation as would offer any prospect of success to Indian immigrants who might attempt to settle upon it immediately on their arrival in the colony as independent peasant farmers. The scheme put forward by Dr. Nunan and his colleagues appears to have been based upon a misapprehension of the physical facts which govern the agricultural situation, and upon a mistaken idea of what the Colony could afford. It therefore remains for me to examine the scheme now put forward by His Excellency the Governor, remembering that this scheme is only a tentative one, and that on matters of policy and finance the Court of Policy and the Combined Court have the last word in British Guiana.

57. Now the scheme which appears to me to be the most attractive, and which I imagine would appeal most to public opinion in India, is a scheme which would provide for the immediate settlement on suitable land, as small holders, of the Indian immigrants. It must, however, be recognised that the circumstances would have to be very unusual in any colony to enable the government to settle immediately on the land, as independent farmers, all immigrants who might choose to come, whether they were possessed of capital and agricultural skill, or not. I know of no colony which attempts to work any such miracle. The circumstances in British Guiana are exceptional; and in Chapter X I suggest a scheme, which appears to me to be both workable and attractive, whereby selected Indian cultivators, without any appreciable capital, but possessed of agricultural skill, might be settled immediately on their arrival on excellent land, with good prospects of success. The scheme put forward by His Excellency the Governor, on the other hand, provides for the immigration of any class of Indian immigrants, as in former times, and assumes that most of the immigrants will, of necessity, work for wages when they first arrive, and it guarantees to them work with selected employers. It assumes that during a period of three years they will learn the conditions of the country, acquire some agricultural skill and save little money; and at the end of three years of such work it offers them grants of suitable land. For such as do not wish to remain in the Colony it offers repatriation on far more generous terms than have existed in the past. I think that the terms offered are as good as the physical and economic facts of the situation at present make it

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PART III.

THE NECESSITY FOR FURTHER GUARANTEES REGARDING THE STATUS OF INDIAN IMMIGRANTS.

CHAPTER VIII.—EXAMINATION OF THE STATUS OF INDIAN IMMIGRANTS.

59. *Political Status.*—The Government of British Guiana consists of a Governor, an Executive Council, a Court of Policy and a Combined Court. The Court of Policy and the Combined Court between them exercise the ordinary functions of a parliament or legislative assembly, the former passing laws, the latter exercising financial control. The Court of Policy consists of the Governor, seven official members and eight elected members. The Combined Court consists of the members of the Court of Policy, together with six elected financial representatives. In practice it usually works out that the official members have a majority in the Court of Policy, and the elected members in the Combined Court. The latter, by holding the power of the purse, can control the colonial policy to a great extent, and can block government action of which it does not approve, by cutting off supplies.

Subject to a property qualification anyone who is eligible as a voter is eligible for election to the Court of Policy or the Combined Court.

60. Any male person is entitled to a vote who—

- (1) Has attained the age of 21 years.
- (2) Is under no legal incapacity.
- (3) Is a British subject by birth or naturalization.
- (4) Possesses the following property qualifications:—
 - (a) ownership of not less than three acres of land;
 - or (b) ownership of a house, or house and land, of the annual rental or value of not less than \$96;
 - or (c) occupation or tenancy of not less than six acres of land;
 - or (d) occupation or tenancy of a house, or a house and land, of an annual rental or value of not less than \$192;
 - or (e) possession of an annual income or salary of not less than \$480;
 - or (f) payment of direct taxes to the extent of \$20, or upwards.

61. Subject to the above, the only disqualification for being a voter, worth recording, is in the case of a man who cannot read and write some language. It will thus be seen that the qualifications for the franchise are literacy and a low property qualification. No distinction of any kind is made between the different races in the Colony; but the various races make use of the franchise to an extent which varies greatly. Out of 38,000 adult males of the black and coloured population 3,400 are registered voters, while out of 41,000 adult male Indians only 500 are registered voters. The Blacks form 68 per cent of the electorate, the Indians, who are the larger community, form only 8 per cent. Why is this? Amongst the immigrant Indians a large proportion is wholly illiterate in any language; but amongst the Indians born in the Colony (68 per cent of the Indian community) the great majority are literate, and large

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numbers of Indians certainly have the property qualification. The reason why there are not more registered Indian voters is that the majority of Indians in British Guiana have up to the present not been interested in politics and have not taken the trouble to get their names registered. Thus while 8 per cent. of the adult males of the Black and Coloured population have registered their names as voters, only 1 per cent. of the Indians have done so. The result is that the Black and Coloured vote controls the political situation, and the weight of the Indian vote is almost negligible.

At the present time, however, the Indian community is waking up to its opportunities in this respect, and various Indian organizations are inducing more Indians to register their names. There is no Indian member of the Court of Policy, and only one Indian member of the Combined Court.

62. It will be realised that Indians in the Colony do not exercise political influence in any degree proportionate to their numbers ; but it is recognised by them generally that the remedy for this lies in their own hands. In this connection it is worth while to quote a paragraph from the address presented to us by "The British Guiana East Indian Association," the most important Indian political association in the Colony, *viz* :—"As members of the community in general, with whom we live in harmony and good fellowship, we are also pleased to state that we enjoy equal political and municipal rights and the other privileges of British citizenship, as well as freedom in the exercise of our religious rites and practices." It was alleged, on one occasion, that in some cases Indians were debarred from registering themselves as voters on the ground that they were not literate in English, although the law provides that literacy in any language is sufficient. During the period of our stay in the Colony the Government of British Guiana had an enquiry made regarding this allegation, with the result that the facts alleged were not substantiated in any case. Various suggestions were made to us for altering the electoral system of the Colony with a view to give Indians greater political preponderance than at present. It was suggested that a system of communal representation or of proportionate representation should be introduced, that the literacy test should be abolished, the property qualification lowered, and that various changes should be made in the details of the electoral system. I think, however, that the Indian community generally appreciated the fact that they had political rights equal to those of any other community, and that the reason why they did not exercise greater political power was that they neglected to use the rights which they possessed. I have no recommendations to make for any change in the electoral system, nor do I know how far the Colonial government would be prepared to agree to any specific proposal put before it ; but I am satisfied that it is the intention of the constitution to give equal rights of representation to all communities ; and if it is found that, in any details, the present arrangements do not secure this object, I believe that the Government would be prepared to make the changes of detail necessary to secure it, if the Indian community were to represent the matter.

63. As regards the social, legal and religious status of Indians in the Colony, all races are on an equality, and it is open to Indians, as to others, to live anywhere and in any way that they can afford, and to carry on any occupation that they may desire. There is some rivalry, and in places perhaps hostility between the Indians and the Blacks ; but on the whole the two communities

get on fairly well together. It is also open to anyone to follow any religion that he may desire. There are 100 Hindu temples and Mahommedan mosques in the colony, and the authorities of the Sugar estates give facilities for the building of such. The only matters in this connection brought to our notice which require mention are the following.

64. *Marriage Laws.*—The position is briefly this. Indians can be married by their own priests and in accordance with their own rites, but such marriages are not legally recognised unless they are notified to a Marriage Registrar. It is claimed that such notification is necessary to enable the authorities to record the marriages, and that if marriages are not officially recorded the authorities are not in a position to recognise them. On the other hand, it is urged by some members of the Indian community that they do not have to notify marriages in India, and should not have to do so in British Guiana. The point in connection with which the matter often assumes importance is this. If an Indian dies intestate and leaves property, but, according to the official marriage register, has no wife in the Colony, enquiries are made regarding his relatives in India, and if these can be traced, the property is consigned to them, though the deceased may have children living in the Colony who are not regarded as legitimate because no marriage has been registered. Cases have occurred where this has happened, and such cases constitute a grievance. If no relatives can be traced in India the property is made over to the children of the deceased, though they have no legal status, as a matter of grace and not as a matter of right. On the one side, it may be argued that it is an easy matter for Indians to notify their marriages if they wish to do so. On the other side, it is regarded as a hardship that the children of a permanent marriage, considered by the Indian community to be binding, should be treated as illegitimate and debarred from inheriting their father's property, simply because the marriage was never registered. The difficulty appears to be this. The marriage customs of Indians in British Guiana are in a state of transition. The older generation adhere to the custom of child-marriage and marry off their children in childhood, with or without notification to the Marriage Registrar; but when the children grow older, they are often not content to abide by the choice of their parents, and seek fresh unions of their own choice. In the freer life of the Colony women have a position of far more independence than they have in India, and it is stated that as many as 75 per cent. of the girls married in childhood seek fresh unions in later life. If the marriage originally conducted by Indian priests was never notified, these later unions can be legalized. If the original marriage was notified the later union cannot be legalized, so long as both the original contracting parties are alive. The matter, therefore, is one of considerable difficulty. His Excellency the Governor invited the opinion of the Indian delegation on the subject, and opinions were expressed by the Indian members of the Delegation. I understand that the view of His Excellency the Governor is that he would be prepared to recognize any marriage which is of a permanent nature, but is not prepared to recognize as marriages unions of a temporary nature. The matter is not one on which I feel competent to make any recommendation.

65. *Law of Inheritance.*—In British Guiana inheritance is governed by English Law. It was suggested by some Indians that for Hindus and Mahom-

medans inheritance should be governed by their own personal laws. I never heard the case fully stated, and the demand appeared to be confined to a few people; indeed I presume that the bulk of the Indians in the Colony have no experience of Hindu or Mahommodan law. How Hindu law would work out in the circumstances of the Colony, where joint families are unknown and caste not observed, I do not know; nor do I suppose that the Civil Courts in British Guiana would be in a position to administer such law. The question was raised, however, so I mention it.

66. *Cremation of the dead.*—A demand was made to us that it should be made lawful for Hindus to cremate their dead, in accordance with Hindu rites; and it was brought to our notice that some years ago a Hindu resident in Georgetown had applied to the Municipal authorities for permission to cremate a corps and had received a reply to the effect that there was no provision of law by which this can be done. There is no law against it; but no provision has been made for burning grounds, while provision has been made for burial grounds; so that burial is the universal custom. The matter was referred to His Excellency the Governor who expressed the opinion that if the Indian community were to represent the matter there would be no difficulty in making the requisite provision.

PART IV.

OPINIONS AND RECOMMENDATIONS.

CHAPTER IX.—OPINIONS AND GRIEVANCES OF INDIANS BROUGHT TO OUR NOTICE.

67. I now propose to consider the principal opinions expressed to us by Indians on the subject of our delegation, and the grievances put forward by them, in the many formal and informal interviews that we had.

68. *Renewed Immigration from India.*—Opinions were freely expressed in favour of a colonization scheme and against a labour scheme. This matter has been fully discussed in Chapter VII. It was also urged that no more Indians should be brought for settlement on the land until extensive drainage and irrigation works had been carried out. The problems of drainage and irrigation have been discussed in Chapters I and III.

69. *The Rice Industry.*—The industries of rice growing, rice milling and rice dealing in British Guiana are almost entirely in Indian hands. The rice industry is a large one, and its rapid extension in recent years is shewn by the figures given in Appendix III. When the world-wide shortage of food supplies occurred in 1919, and the prices of grain went up with a bound, it was considered necessary, with a view to safeguard the food supply of the Colony and to keep down the cost of living, to prohibit the export of rice from British Guiana except under license. This naturally hit the rice grower and the rice dealer, since the overseas market for their produce was cut off, and the price of rice fell. It was also alleged that dealers were left with large stocks of grain on their hands, some of which rotted for want of a ready market. Indians interested in the rice industry are very indignant with the action of Government, and many who agree that some limitation of export was necessary

contend that the restrictions were too drastic and were maintained too long. It certainly was hard on the large rice growers to be faced simultaneously with the very high rate of wages current in the Colony at that time and an artificially lowered price for their produce. The problem is one which India had to face at the same time, and the expedient adopted in both cases was the same. The profits of the rice grower in British Guiana were curtailed, just as the profits of the Burma rice grower and the Punjab wheat grower were in India. But in British Guiana the large rice grower had to face a much larger rise in wages than the employers of labour in India had to face. It is not for me to criticize the rice policy of the Colonial Government, but in view of my experience as Director of Civil Supplies in Bombay, I can well believe that the control of rice in British Guiana gave rise to hardship and abuses. The rice growers in British Guiana regard the action of Government as an attack on a typical Indian Industry. All restrictions on the export of rice have now been removed.

70. *Cattle*.—An analogous grievance exists with regard to cattle. The number of cattle in the Colony is estimated at 105,000, and the cattle returns of recent years appear to show that the number is tending to decline. The figures are admittedly only rough estimates, and many competent observers maintain that the number is far larger than that recorded, and that the alleged decline is purely imaginary. However this may be, the idea became prevalent that something must be done to prevent any diminution in the number of cattle; and the expedient adopted was to stop the export of cattle and to prohibit the slaughter of cows except in such cases as a certificate could be obtained from a veterinary surgeon to the effect that a cow was useless for breeding purposes. The inevitable effect of this legislation was to depress the cattle-breeding industry. Indians are the chief cattle owners in the Colony and speak bitterly of the loss which they have sustained by this legislation. I think that they have a very genuine grievance in this respect. Such legislation certainly has deterred people from taking up the cattle industry and has discouraged those engaged in it; indeed it was bound to produce a result the opposite to that aimed at, and it has done so. In India there are people who clamour for similar legislation; but in British Guiana, where they have tried, the Indian people clamour for its repeal. So far, however, these regulations remain in force, and constitute a standing Indian grievance, and, I think, a valid one.

71. *Appointments in Government service*.—Some of the higher appointments in the Civil Service, the Police and the technical departments of British Guiana are filled by members of the Colonial Services who are liable to be transferred to other British Colonies such as Hongkong, Cyprus, Mauritius, Nigeria, etc. Such appointments are made in England. Apart from these, appointments to Government service in the Colony are made locally, and in theory are open to any qualified man. It is alleged that in practice Indians do not get a fair share of such appointments: and it certainly is a fact that the number of Indians in Government service is not proportionate to their numbers in the Colony. This is, no doubt, due partly to the fact that Indians are the least educated ingredient in the community. Of the immigrant Indians (32 per cent. of the Indian community) the bulk are illiterate in any language, and hardly any know English. Further the Indian community, as a whole, send fewer

children to school than do the Blacks and the coloured people. A fair sprinkling of Indians is to be found in the medical, educational and Police Departments, and in Government offices of various kinds; and I found Indians working in the chemical and botanical branches of the Agricultural Department; but there are few Indians in the superior Government posts in the Colony; and, such as there are, are mainly found in the Medical Department. The number of Indians in the Colony qualified for superior posts is relatively small, and the pay of Government posts in British Guiana is also small. Educated Indians are probably doing much better in trade and in the learned professions than they would do in Government service. It is quite possible, however, that Indians might obtain a greater share in the scramble for Government service if they carried more political weight in the Colony. So far they have neglected their political opportunities, as has been shown in Chapter VIII; and to this extent the remedy is in their own hands. Educated Indians, however, put forward claims to special treatment in this respect, and as an example of such claims I do not think that I can do better than quote the views of Mr. J. H. Luckhoo who gave evidence as President of the British Guiana East Indian National Congress, and who is the only Indian who has a seat in the Combined Court. He claims that:—

- (1) All positions in Government service shall be open to Indians.
- (2) 40 per cent. of the posts in the Civil Service, from Heads of Departments downwards, shall be reserved for Indians.
- (3) All posts in the Immigration Department shall be reserved for Indians.
- (4) Where Indians competent to fill these posts cannot be found in British Guiana, they shall be brought from India for the purpose.

I think it unlikely that the Colonial Government would agree to these proposals, and am unable to make any recommendation in the matter.

72. *Languages Taught in the Schools.*—English is the language of the Colony, and instruction in the schools is imparted in this language. Indians desire that Indian vernaculars also shall be taught. They are said to be six Indian vernaculars used by Indians in the Colony, but almost all the Indians, talk English of some kind, the rising generation are receiving their school instruction in English, and in the towns there are many Indians of all classes who no know other language but English, which they talk freely and correctly. In some schools Hindustani is taught to Indian children as an optional subject, but this instruction does not amount to very much. The Government is anxious to meet this demand of the Indian community so far as they can; but additional instruction involves additional cost; and it is difficult to introduce instruction in the Indian vernaculars without reducing the amount of other education, which is none too much at present. In the real interests of Indians in the Colony I would deprecate any attempt to substitute education in Indian vernaculars for education in English, since it would inevitably operate against their natural aspirations to take their full share in the life of an English-speaking Colony. In the circumstances of British Guiana difference of language is probably the cause, more than any other, which tends towards the feeling of difference of status; and so long as Indians strive to remain a people apart from

the other communities, it is difficult to see how this feeling can be entirely eradicated. Indeed several Indian emigrants complained to me that they wished to join the Police Department, but were not eligible as they did not know English. This was hard on them, but inevitable under the circumstances

73. *Cost of Return Passages.*—The provisions regarding repatriation which now affect the great majority of the Indian immigrants who wish to return to India amount briefly to this. All immigrants introduced into the Colony at the expense of Government or the Immigration Fund after September 1898 are required to pay as follows for their return passages :—

- Men, half the fare ;
- Women, one-third of the fare ;
- Children accompanying their parents, free ;
- Orphans, free generally ;
- Paupers, free (*vide* below).

Payment has also to be made for the warm clothing required on the journey by those returning to India. Immigrants wishing for repatriation have to notify their wish to the Immigration Office and pay in their share of the passage. Provision is then made for them so far as steamers can be secured and accommodation is available. Paupers are apparently provided for last, and repatriated as spare accommodation occurs. During the years 1915-18 no steamers could be secured for repatriating Indians ; but during the years 1919-21 the following Indians have been repatriated, *viz.* :—

Adult males	..	..	..	..	..	..	1,983
Adult females	..	..	..	..	..	..	1,001
Boys	..	..	..	..	..	..	296
Girls	..	..	..	..	..	..	345
<hr/>								
Total							..	3,625

including 221 paupers. Only those who have been for 10 years in the Colony are entitled to assisted return passages. Those who have been in the Colony for less than 10 years can secure repatriation on these ships after the rest have been provided for, on payment of the full fare. Before the war the charge for a passage from British Guiana to India varied from £10 to £16, according to whether the ship was fully filled or not. The charge for a passage now varies between £25 and £38, and the result is that whereas between 1902 and 1910 the price that had to be paid was \$63, of which the returning male immigrant was asked to pay half, *viz.* : \$31½ plus \$5 for clothing, total \$36½, the price that now has to be paid is \$156, of which he is asked to pay half, *viz.* : \$78 plus \$20 for clothing, total \$98, which is nearly three times as much as formerly. The immigration authorities say that they cannot help the enhanced cost of the steamer passages and clothing, and are simply carrying out the terms of the agreements ; but to many Indian immigrants in British

Guiana this constitutes an intolerable grievance. They say that they always understood that after 10 years they could secure repatriation at a cost of \$36½, and now they are asked for \$98. The case is a difficult one. Legally I should imagine that the contention of the Immigration Authorities is correct; but it is quite likely that some of the immigrants did originally ask how much their share of the cost of these return passages would be, and were told \$36½, which was the correct figure at the time that they left India. Their resentment is natural, and I think that the case is one where the Colonial administration should do their best to be as generous as possible.

74. Another question which was raised in this connection was the exact rights of paupers to be repatriated free of cost. In the terms of the agreement the following words occur, *viz.* :—“Such emigrants as are destitute or disabled shall, with children, dependents or wives, be entitled to a free return passage.” The authorities interpret this to apply only to “those who are unable to pay their share of the cost of the return passage, and are pronounced permanently incapable of labour.” As to the exact legal meaning of the term “destitute” I am unable to express an opinion: I do not think that an able-bodied man could ordinarily claim a free return passage on that ground, even if he were possessed of no visible property; but it seems to me that it is straining the interpretation too far to say that, unless a man is pronounced to be permanently incapable of labour, no degree of poverty will entitle him to a free return passage. I think that there must be a considerable class of men, more or less broken in health and *morale*, and possessed of no appreciable amount of property, who may be taken to qualify for a free return passage even though they cannot be pronounced to be permanently incapable of labour. The interpretation of the agreements in this respect appears to me to need careful consideration, and, if desirable, a representation to the Colonial Government.

75. There is one other point which demands mention here, and that is the position of the immigrants who return to India. When these men return to India they find prices much higher than they were 10 or 20 years ago, they often cannot endure the standard of living or the climate of India, they find work difficult to obtain, and they run up against many social difficulties. The result is that soon after their arrival in India a large number of these returned immigrants clamour to be sent back again to British Guiana, and, under existing regulations, are often not able to procure this. I have discussed the matter with some who have been through this ordeal, and others who have experience of it, and it seems to me that the problem is full of difficulties. The only thing that I can say in this respect is that it is quite clear to me that it would be mistaken kindness to repatriate to India many of the class of immigrants to British Guiana who are now asking for repatriation.

76. *Hospital Fees.*—In the hospitals of any sugar estate no fees are charged to people working on the estate; but in the 6 Government Hospitals and 8 Government dispensaries the system of charging fees is that all are asked to pay fees for attendance unless they produce a certificate of poverty from the poor-relief authorities. Many Indians find this a hardship and claim that medical assistance should be given to them free of cost. The matter is not,

perhaps, one on which any expression of opinion is called for by me ; but the matter was brought to my notice so many times, that I mention it. Outside Georgetown the total of fees received by hospitals and dispensaries amounts to only about \$14,000 a year, and the Colonial Government might perhaps find it possible to grant medical relief in hospitals free of charge to all who are not known to be in a position to pay for it. This would obviate delay in giving medical relief, and would provide for the intermediate class of persons concerned, without involving the loss of much revenue.

77. *Drinking Water Supply.*—Many complaints were received regarding the supply and the quality of the drinking water. In the case of some villages and new settlements remote from a river or creek, and equipped with no drinking-water canal, the position is undoubtedly bad, particularly during the dry season. What the people asked for in such cases was the construction of a drinking-water canal from the nearest river. The problem in each case is one of finance. On the various sugar estates water supply is in some cases derived from artesian wells or from some large system of water conservancy, and is good ; but in most cases it is led by an open canal from some river. It is in cases where the water supply of a sugar estate was derived from the last source that complaints were received. The system is not an ideal one, and the difficulties of preventing the pollution of such a source are well-known in India. Still it is on this system that the Colony as a whole depends for its supply of drinking water, and the villages which have no such canal would be only too glad to have one. In course of time the construction of new artesian wells is likely to work great improvement to the water-supply, but in the meantime all that I can suggest is that efforts be made to construct drinking-water canals where they are most needed, and that all possible care be taken to protect such canals from pollution. The Sanitary authorities have such canals under their supervision, and their activities ought to achieve what is possible in this respect.

78. *Housing Accommodation on the Sugar Estates.*—The majority of the labourers working on the sugar estates are housed in the estate ranges, consisting of long lines of buildings divided into separate rooms. The ordinary type of these is shown in the second picture on page 2 of Appendix IX, but there are superior ranges such as those shown in the second and third pictures on page 4 (a) of Appendix IX. These ranges ordinarily consist of rooms 14 feet \times 10 feet, with a verandah in front and a small cook room and store room behind. To secure dryness some of them are built on ridges thrown up for the purpose, and others are raised off the ground on timber supports. Some of them are floored with planks throughout, others are half floored with planks. A single room, with cook room, etc., is allotted to three unmarried males or to a single family ; but where a family is large, two rooms are sometimes allotted. Another type of housing for estate labourers has come into existence in recent years. This consists of separate two-roomed cottages with back premises, built of wood and raised off the ground ; and one of these cottages is assigned to a family. Examples of such cottages are shown on pages 3 and 4 of Appendix IX. They provide good and comfortable accommodation, and are a great improvement on the ordinary type of range. Most estates have a few cottages of this kind, which were mostly put up a few years ago during the period of the

sugar boom, when funds were plentiful. The authorities of sugar estates say that they mean to build more such cottages when they can afford to do so, but that in the present depression they cannot afford to build such cottages costing \$200 or \$300, apiece. Besides the ranges and cottages erected by the Estate authorities for their labourers, there are usually a certain amount of houses built by the labourers themselves on land assigned to them for this purpose. There are usually built of wattle and mud, with timber supports, split palm staves and palm leaf or grass thatch. A good cottage of this description is shown on page 6 of Appendix IX, but there are many huts far less elaborate than this. In these locations the people are allowed to build as they like and to live pretty much as they like. These huts are often dilapidated and untidy, but it is quite possible that (as was sometimes stated) labourers often prefer to live under these conditions rather than in the more substantial ranges where they are subjected to sanitary regulations. To return to the ranges, the buildings appeared to me to be substantial and dry, and the compounds fairly sanitary and adequately supplied with latrine accommodation. These ranges are not very attractive places, and, of course, have not the charm which is secured by a separate cottage with a garden attached; but it is difficult to secure such advantages for a large body of labourers where expense has to be considered. The proximity of canals and water drains also (vide pictures on page 7 of Appendix IX) is somewhat repellant to anyone coming from a dry country, though it would, I imagine, cause no feeling of repulsion to anyone coming from Bengal. The question is whether the accommodation provided is adequate and reasonably comfortable. It has been provided in accordance with regulations and specifications laid down from time to time by Government, and the ranges are regularly inspected by the authorities. I received few complaints regarding the accommodation from labourers working on the estates; but on behalf of the labourers it has been represented that the accommodation is inadequate, and that a separate cottage of the improved type ought to be provided for each family, in the interests of decency and morality. The question, of course, depends on what standard one is going to take. If the standard which some sanitary authorities try to enforce in England of a minimum of four rooms to the cottage for each family is to be taken, the accommodation is of course inadequate; but I think that the accommodation provided in the average range is certainly superior to that which the ordinary Indian villager of the poorer class has in his own home, or to that which in India Government provides for its police sepoy, forest guards, etc. My personal opinion is that the accommodation is adequate under the circumstances, but that the sugar estates should be urged to continue the building of the separate cottages of the improved type, when finances permit them to do so, and that the continuance of such building should be watched and recorded.

79. *General complaint of ill-treatment.*—There now remains only one other matter to deal with in this Chapter. At the time of our visit everybody in the Colony was suffering severely from the depression in the sugar market. There had been a rapid fall in wages for a year or more, and real wages were probably at a lower level than before the war. Many immigrants were sore at the increased cost of return passages to India, some had personal grievances, some were sick and others were home-sick. For the broken men, the

human wreckage that I have already described, life was hard and unattractive. It was natural, therefore, that we should be assailed with many complaints. What added materially to the number and intensity of the grievances presented to us was that the arrival of the Indian Delegation had been awaited with eagerness by the Indian community. The most extravagant ideas of our mission were current amongst the working classes; that we had come with ships to take back to India all who wished to go: that we were come to redress all grievances and supply all deficiencies, and so forth. We were garlanded amidst shouts of "*Mahatma Gandhi Ke Jai*," and some of the suggestions made to us by leading men implied the belief that the Golden Age had returned, and that questions of expense need no longer be considered. Allowing for all this, however, I find it necessary to deal at some length with a general complaint of ill-treatment, because, if I believed that there was any substantial ground for such allegations, I should find it impossible to recommend the continuance of assisted immigration to British Guiana. Wherever we went we were met by a crowd of the least prosperous classes of Indians, collected together from the neighbourhood, who complained that they were beaten and ill-treated, made to work for long hours, underpaid and often turned out of their quarters. These complaints were mainly directed against the authorities of sugar estates, the overseers and the *sardars*; but in localities where sugar estates did not exist analogous complaints were freely made against Indian landlords and employers. Now with regard to the sugar estates it must be admitted that there are features in the situation such as leaders of organised labour in any western country would object to. The sugar estates are by far the largest employers of labour in the Colony, and most of the labourers depend on them not only for their wages, but for their houses, their rice and garden plots, their grazing facilities and their medical attendance. No labourer is now under any legal compulsion to continue to work on any sugar estate, if he wishes to leave it; but economic necessity may often compel him to do so. If he leaves the estate he does not know what employment, housing or means of living he may get elsewhere. When a man has saved \$100, he is economically a free man. Until he has done so he is not a free man. This no doubt is the case in other countries also. Most Indians do reach this state of competence; but many never do so. The principle "no work no pay" does not appeal to them, and they clamour to be sent back to India "where someone will look after them." It must not be thought, however, that in British Guiana capital is supreme and is in a position to treat labour as it likes. On the contrary, the most marked feature in the economic position of the Colony is the great deficiency of labour. It is essential to the success of any estate to keep the labourers contented, and there are a large number of Indians who work for the same estate from father to son, and rise to positions of responsibility and trust. They have identified their interests with those of the estate, and the estate looks after them well. There are others, however, who, for one reason or another, are not considered to be good workmen, and who would not be kept on the estate, if other labour were readily available. There is liable to be friction between the estate authorities and such. If a labourer living on the estate and enjoying the advantages of doing so does not turn out to work a reasonable number of days in the week, the estate authorities bring pressure to bear on him to do so. This constitutes a grievance

The alternative is to dismiss the man, which involves turning him out of his quarters to make room for another man. This constitutes a worse grievance. I cannot, however, regard the labourers, as a whole, as down-trodden by the estate authorities; indeed I have seen them adopt an attitude of truculence to the manager which I do not think any Indian *zamindar* or English farmer would tolerate from his labourers. As regards specific allegations of ill-treatment such cases were naturally difficult to verify. They are bound to occur anywhere in analogous conditions; but I believe that in the Colony they are rare, and that adequate facilities exist for any man who has a grievance to seek redress. Estate managers are available to receive complaints at specified hours. If redress cannot be obtained in this way, the aggrieved party can complain to the Immigration Agents, whose duty it is to investigate such complaints and to take action on them. Failing this, the labourer can seek redress in the ordinary courts, and has legal practitioners of his own community ready to take up his case. I have dealt with the matter at length because some leading men of the Indian community laid stress on the fact that in general labourers on the sugar estates received bad treatment. The statement had been made in India that in the Colonies Indian labourers were treated like cattle, and that nothing was done for their material or moral advancement. Mr. J. A. Luckhoo, whose opinions have already been quoted in paragraph 72, asserted in his formal evidence that this statement was applicable to British Guiana, though he afterwards modified his remarks to the effect that it did not apply to all estate managers. I think that such an allegation is a gross libel on some of the managers whose estates I visited, who take a great interest in the welfare of their labourers and have established most cordial relations with them. All managers do not reach this standard, and amongst the many managers appointed to estates there must be some who are apt to be harsh; but I do not believe that anything like brutality or systematic ill-treatment could go on without an enquiry being made and redress obtained. In this connection, I would quote the formal evidence given by Mr. J. W. Permaul, an Indian, well acquainted with the condition of Indians on the sugar estates. He was a keen partizan of Indian rights and aspirations but he gave his evidence carefully in a way which impressed me that he wished to be fair. His statement, as reported in the Press, is subjoined below:—

“ Mr. J. W. Permaul, of Rose Hall, Corentyne, said that he had travelled to India about sixteen times during ten years as a compounder. He was acquainted with labourers on sugar estates. He thought that the wages paid to them were inadequate. The treatment mentioned as meted out to labourers was somewhat exaggerated. He would not say that the treatment was bad, but there was a certain amount of hardship connected with it. A labourer was compelled to work in some instances when he was not fit to do so. If the estate was in operation and he was needed he was compelled to work and unless he showed distinct signs of sickness no notice was taken of him. The country was not fit for habitation outside the estates; the lands were not irrigated and drained for a man to live comfortably on them. The drinking water supply wanted looking after and on

most estates it was bad. He mentioned Plantation Albion where the water practically passed through the burial ground which was behind the hospital. Another point to which he desired to direct attention was the deduction of men's wages on complaints made by drivers for offences which might be personal. Housing accommodation was not proper and did not lead to the moral upliftment of the people. He did not agree that they should introduce immigrants at the present time. They had no room for additional labour for the existing industries but they would need them if there was going to be any development. With regard to the Civil Service he thought that a certain number of positions should be reserved for East Indians. They wanted a certain amount of controlling power so that when the country became prosperous no legislation would be introduced to oust them. He drew attention to the question of child labour. Under the law no children should be employed under 12 years of age, but that was not observed."

CHAPTER X.—SCHEME SUGGESTED AS THE BEST MEANS OF DEVELOPING THE COLONY THROUGH THE AGENCY OF INDIAN IMMIGRANTS.

80. In Chapter I the physical features of the Colony have been described, and the difficulties in the way of development stated, which briefly consist of the cost of draining and laying off the land in the rich alluvial strip, the infertility of the sandy strip behind the alluvium, and the remoteness of the hinterland, in the absence of adequate communications. My tours in the coastal tract only served to impress upon me these difficulties, and it was not until I visited the North West District that I saw country which offered opportunities vastly superior to those of the other parts, which indeed presented facilities for small holders superior to anything that I have ever seen, though I have studied the question of small holdings for some years past in many parts of Europe, Asia, and America.

81. The North West District consists of the vast tract of undeveloped country to the west of the Colony, between the Pomeroon river and the Venezuelan boundary, a territory nearly 10,000 square miles in extent, occupied by a population of 11,000 persons, half of whom are aboriginals (Caribs, Arawaks and Warraus). In this vast tract the total area under cultivation is only 3,000 to 4,000 acres, of which 885 acres are cultivated by the Indian community of some 400 persons who live almost entirely in Morawhana, the head-quarters of the District, and in the adjacent tracts on the banks of the Barima and Aruka rivers. The tract of country which I was able to inspect in some detail is the country south of Morawhana, surrounded by the Barima, Aruka, Koriabo, Itabo, Arawaw and Amakura rivers, as far as the Portage on the South (*vide* map, Appendix I). It includes some 120 square miles at present almost entirely under fine primary forest, and consists of ranges of hills running to a height about 500 feet in places, and dipping sharply in some spots, gently in others,

into the rivers, with a strip of swamp land between the foot of the hill and the river. A large area of these hills consists of red and yellow laterite soils derived from epidiorite and hornblende-schist. They contain fine loamy soils and good clays, some black soils which appear to be fertile, some gravels, and at places an outcrop of laterite rock. Towards the south are some soils consisting of black sands and cream-coloured textureless clays, presumably derived from granite-gneiss, which are very unattractive and would probably not be worth cultivating. Speaking generally, these hills contain a good proportion of very fine loams, upon which various kinds of citrus (Seville and tangerine oranges, limes, grape fruit, etc.), bread fruit, cocoa, coconuts, coffee, pineapples, bananas, vegetables and maize can now be seen growing luxuriantly and fruiting profusely. There are good plateaux, approximately flat, on which I have no doubt that good crops of millets, pulses, ground nuts, etc., could be grown by ordinary field methods. I also feel confident that onions and garlic of which the Colony now imports \$140,000 worth a year, largely from Holland, could be grown successfully here, and probably also potatoes. These hills offer good facilities for butter making and an unusually good opportunity for pig-keeping. They provide a charming place to live in, are healthy and have a good supply of excellent drinking water. The climate and general appearance reminds me strongly of Mahabeshwar in the month of May, with this difference that the trees are 150 feet high instead of being 15 feet. I wish, however, to make it clear that it is in the clay and "pegass" soils at the foot of these hills that the great wealth lies. These hills were, presumably, originally islands in the sea, and the clay soils at their foot is Orinoco mud, similar to that of the alluvial belt which stretches along the coast of British Guiana, already referred to. The "Pegass" soils consist of a deposit of vegetable matter, from a few inches to several feet deep, brought down by the local rivers and superimposed on the alluvial clay. In the clay lands rice and possibly jute could be produced to very good advantage, while the "pegass" soils produce maize, coffee and many kinds of ground provisions (tannias, sweet potatoes, yams, eddoes, cassava, plantains, bananas, pineapples and black-eyed peas) in great profusion and with a minimum of effort. They are cultivated, year after year, with a mixture of these crops without the use of any manure, and with no tillage of any kind or the use of any implement except a cutlass to cut back the weeds. It is the combination of these dry hills, healthy for man and beast, having soils good for ordinary field crops and many kinds of fruit and vegetables, having good natural drainage and supply of drinking water, with the very rich soils at the foot of the hills and an excellent system of natural waterways, through and round the area, with sufficient draft for large ships and connected with the only river in the Colony which presents no difficulty to the entry of an ocean-going steamer, which makes the proposition attractive to a degree which, in my experience, is unique.

§2. To revert to the "pegass" soils on the creeks at the foot of the hills these lands are at present covered with dense forest, but the clearing of the forest presents no difficulty to the ordinary settler, and drainage is easier to effect than in other parts of the Colony. The aboriginals of this tract are experts at the work and are ready to undertake it. The cost of preparing 10

acres of such land for cultivation, using nothing but hired labour, is estimated as follows :—

Cost of cutting and draining 10 acres of pegass land on the creek.

Cutting	\$60
Clearing trench path	\$78
Digging trench, stumping and making dams	\$197
Digging Koker trench	\$8
One rung-wood Koker 15 feet long	\$20
Burning	\$2
Total ..	<u>\$365</u>

giving an average of $\$36\frac{1}{2}$ per acre.

In practice, however, much of this work would be done by the settler by degrees.

83. When the land has been cleared the ordinary practice is to take three crops of maize in the first two years ; and afterwards to plant mixed crops of ground provisions. I attach some estimates of the cost of producing and the value of such crops, as supplied to me by the Agricultural Department. Such estimates are apt to be optimistic, but from what I saw of the produce of such lands I am satisfied that the crops are exceptionally luxuriant.

Cost of growing 10 acres of maize.

Selected cob corn for sowing 10 acres	\$7
Planting	\$9
Harvesting and transporting to store	\$16
Husking 100 bags	\$8
Hire of corn sheller	\$2
Shelling and bagging 100 bags	\$20
Cost of 100 bags	\$20
	<u>\$82</u>
Transport of 100 bags from farm to steamer	\$7
Freight from Morawhana to Georgetown and market fees in Georgetown	\$26
Agency	\$32
Total ..	<u>\$147</u>

Value of 100 bags of maize, at \$4 per bag, (1 bag—200 lbs.)= \$400.

The farmer would therefore get \$253, per crop.

84. The ground provisions are planted as a mixture, so all that I can do is to give the estimate of produce for each of the principal ingredients in the mixture, on the assumption that it is grown pure.

Estimate for crops planted pure.

Name of crop.	Out-turn per 10 acres.	Rate per unit.*	Total Value.	Period of growth.
Tannia (<i>Xanthosoma peregrina</i>) ..	4500 bags ..	\$3	\$13,500	9 months.
Sweet potatoes (<i>Ipomea batatas</i>) ..	4200 bags ..	\$2.40	\$10,000	5 months.
†Yams (<i>Dioscorea alata</i>) ..	3500 barrels	\$3	\$10,500	9 months.
Eddoes (<i>Colocasia esculenta</i>) ..	3600 bags ..	1	\$3,600	5 months.
†Cassava (<i>Manihot utilisima</i>) ..	1500 barrels	\$1.40	\$2,000	6 months.

*Georgetown prices.

†Several varieties.

The cost of marketing, agency, etc., for a bag of tannia is estimated at 84 cents.

Building material abounds, including 10 varieties of trees which provide good timber, and 6 varieties of palms which provide staves, flooring, roofing, etc. The settlers have built themselves remarkably comfortable houses.

From what has been said it will be imagined that all that a settler has to do is to go to this tract, take up land and be happy. For a resolute man of resource this is largely true. I met many Indian settlers there, including *chamars* and *bhangis*, who had excellent farms and were living in comfortable houses, with large families, well fed and well clothed; and they were evidently proud of their achievement, as well they might be. Most of them have farms of 10 or 20 acres, some as much as 100 acres, and one Indian whom I visited had 45 acres under good cultivation. There are two great difficulties, however. The first is want of labour. These landholders all clamoured for more labour to be brought, and some men said that they were ready to take on 10 or 15 men. There certainly is a great lack of labour. Not only are many thousands of acres of this wonderful land lying waste for want of men to use it, but, on the land that is cultivated, crops can be seen rotting for want of sufficient men to harvest them. Coffee also has been largely planted and bears profusely, but probably not more than one-tenth of the crop is gathered. The rest rots in the ground for want of labour.

85. What these landholders do, in their efforts to get labour, is to go to Georgetown and bring back with them some of the odd-job Indians who hang about the Georgetown streets. They give them \$5 or 6 a month, a ration of rice, fish and oil, and as much ground provisions as they can eat. But these men are mostly broken in physique or morale, and almost all of them smoke ganja to excess. The landholders can get no work out of them, and the labourers complain bitterly of the treatment which they receive from

their employers. A largely signed petition from the landholders of the North West District was presented to me, praying that this import of ganja might be prohibited. I passed this on to the Colonial Secretary.

86. The other difficulty is that this tract is very remote from the markets. The difficulty and cost of sending produce to Georgetown is great, and the price of all articles brought from outside is unduly high. The Indians settled in this tract expressed the difficulty by saying "the land is good, the climate is good, the water is good; but there is no *bundobust*." This sums up the matter.

87. Here then is this remarkable land waiting for occupation by good cultivators; and when I remember the number of cultivators in India, in the congested parts of the Satara and Ratnagiri Districts, right good fellows engaged in the heart-breaking task of trying to support a family on two or three acres of indifferent land, I cannot but contrast their present condition with the opportunity which awaits them in this tract to lead their traditional life as peasant proprietors and to win through to comfort and affluence. At present, however, conditions are not such as to make it possible to bring cultivators from India and to leave them to settle down as peasant farmers by their own unaided efforts, since the land is covered by primary forest from the tops of the hills right down into the water. Even if a limited amount of assistance were given by Government to such settlers the only result that could be expected would be a slow and disorderly development, unsatisfactory to the Colony, and attended with much pain and grief to the settlers. Before a satisfactory settlement scheme can be launched, capital must be made available and a suitable organisation called into existence to start the clearing of the selected lands and its division into suitable holdings, to provide the sawn timber necessary for house construction, to provide wharves and roads, to arrange for water supply, sanitation, educational and medical facilities, to advance the money needed by settlers for maintenance and preliminary operations, to fence off grazing areas, to provide live stock, to arrange for the provision of the necessary supplies and the profitable marketing of the produce, to advise and guide the new settlers to the best advantage.

If the Colonial Government is in a position to finance any scheme of this kind, it might well do so; but I understand that they would find it difficult to provide the requisite funds. It was for this reason that I ventured to put up a scheme to the Colonial Government for the development of some 300 square miles of selected country by a company to be formed for the purpose of settling 5,000 families on 50,000 acres, the Company to take the steps necessary for the successful development of the scheme, and to be recouped for its expenditure by a concession of land in the selected area. I believe that such a scheme could be successfully launched and worked at a profit, not only on account of the remarkable physical advantages which the territory offers, not only on account of the Indian settlers that it might hope to attract from India, but because there is a considerable demand for suitable peasant holdings both in British Guiana and in neighbouring West Indian islands, a demand which has largely remained unsatisfied owing to the fact that the development of these areas has always proceeded on a plantation basis. The essence of this scheme is that the development should take place on the basis of peasant farmers. In this way the Colony would receive the nucleus of the population that it so

badly needs, a population which would spread up the existing water ways and would connect up the coastal lands with the interior. An outlet for surplus population would be provided for congested countries, and excellent facilities would be afforded to the settlers themselves. I believe that the existence of such a company would be the best guarantee for the adequate development of natural resources and a steady prosecution of the policy laid down; for if conditions were not made sufficiently attractive to settlers the company would lose the money that it had invested; whereas if it carried out its policy of development adequately it would soon create land values from which it could recoup itself, under the terms of its agreement. Apart from the introduction of fresh settlers from India, the scheme referred to above would incidentally provide the land suitable for the reward grants contemplated in the immigration scheme submitted to us by His Excellency the Governor, would satisfy the demand for small holdings which now exists amongst Indians and other communities in British Guiana, and would attract settlers from Barbadoes, Trinidad and other neighbouring islands and countries where there is a demand for land suitable for settlers of small means. I am unable to go into further detail here; but I may mention that I have collected much information about this tract which is available, if required.

CHAPTER XI.—SUMMARY OF RECOMMENDATIONS AND CONCLUSIONS.

88. I consider that the climate and natural characteristics of British Guiana are such as to offer splendid opportunities for Indian immigration, and that there are likely to be great possibilities in the future for Indian settlers to obtain fertile land and become substantial peasant farmers.

89. At present, however, though unoccupied land is available to an almost unlimited extent, the physical and economic conditions which govern the agricultural situation are such that it is hardly possible for ordinary Indian immigrants to take up land and cultivate it with success immediately on arrival in the Colony.

90. I believe that it would be quite possible to make available large areas of land for the purpose of settlement by Indian agriculturists, and to call into existence the organisation necessary in order to secure this result and to give the settlers the assistance which they would need to tide them over their initial difficulties. The inauguration of such a scheme would be very beneficial both to India and to British Guiana.

91. Though I recognise that any scheme which contemplates that immigrants will have to work as labourers on arrival is less attractive than a scheme to settle them directly on the land, I would recommend that a regulated immigration of free labourers in families be permitted from India to British Guiana on terms of the nature outlined in the scheme presented to us by His Excellency the Governor of British Guiana, for the purpose of engaging in paid labour in the first instance and of receiving reward grants of land after three years' service. The matter is one for negotiation.

92. The number of labourers emigrating from India to British Guiana in any period needs to be carefully regulated, with reference to the demand for labour and the level of real wages which exist in British Guiana at the time or are anticipated in the near future. To effect the necessary adjustment and control I would recommend that the Immigration Department of British Guiana be strengthened so that it can undertake the duties of a labour bureau more effectively, collect and publish the requisite statistical information, act as a labour exchange, and undertake arbitration in labour disputes.

93. I would recommend that an officer of the Government of India be stationed in British Guiana, whose duty it should be to watch over the interests of Indian immigrants and to keep the Government of India informed of the pertinent facts concerning their condition and status.

94. As regards political status, Indians are on an equality with other races in the Colony, and the Colonial Government is prepared to pass an Ordinance binding their successors, so far as that may be possible, not to make any change in the Constitution of the Colony which will operate in such a way as to place the Indian community in a worse position than the rest of the population. I would not, however, recommend that any communal privileges be granted to Indians in the Colony, or any regulations passed calculated to preserve them as a people apart from the rest of the inhabitants, since that would be likely to defeat the natural aspirations of the Indian community. Under the existing arrangements there is nothing to prevent the Indian community from controlling the political activities of the Colony if they wish to do so.

95. The reason why I am in favour of the reopening of Indian immigration to British Guiana under conditions of the nature specified, is that I am convinced that the normal conditions of the Colony offer to Indians, of many classes and occupations, opportunities for a far higher standard of living than India is able to offer them, and opportunities to win through to competence and wealth such as they have not got in their own home. In this process a fairly large number of men have been broken in the past; but the terms of the offer made by His Excellency the Governor with regard to reward grants of land for such as wish to settle in the Colony and for easier terms of repatriation for such as wish to return to India, will do much to obviate this. As an additional safeguard I would recommend that the Colony should maintain a subsidized farm colony for unsuccessful men who have not gone under sufficiently to qualify for the Poor-House.

96. If Indian immigration is stopped altogether the effect on the labour supply of the Colony will be very serious for a time, and it is probable that many sugar estates will have to close down, which will react very unfavourably on all in the Colony and on the Indian community more than any. In course of time the Colony would no doubt find other sources of labour, but the connection with India would gradually cease and the existing Indian community would in time become merged in the general population. If Indian immigration is again permitted, and adequate development can be secured of such a nature

as to attract the right class of settlers, Indians will in a short time predominate in the Colony, and a prosperous Indian Colony will be created, offering varied careers to Indians and profitable trade to India. Indeed it is not possible to foresee how far such development might not be pushed ; for it is not only in British Guiana, but in the surrounding countries, to a far greater extent, that vast areas lie waste and clamour for a population to take possession of the rich lands and to subdue them to agriculture by methods which none can display with greater effect than the skilful and industrious Indian cultivator.

9-10-22.

G. KEATINGE.

APPENDIX II.

LAND AND LAND TENURES.

A. *Land*.—The total area of the colony is over 90,000 square miles =57 million acres), of which the area cultivated is less than 200,000 acres; but, apart from land actually cultivated there are considerable areas held on various tenures for grazing, wood cutting, mining or speculative purposes. There are other lands on which existing landholders have an option. The total area of land over which private rights of every kind exist does not appear to have been calculated, and is constantly changing; but the general statement that 99 per cent. of the total area of the Colony is totally undeveloped and only one per cent. developed, may be taken as representing approximately the percentage of the total area with regard to which private rights of a permanent nature exist, and with regard to which no such rights exist. Of the unoccupied lands, the great bulk is covered by dense forest, and it is only in the far hinterland that there are any extensive areas of open grass lands.

B. *Tenures*.—The unoccupied land, comprising 99 per cent. of the whole area, is known as Crown Land, with the exception of quite small areas which have come into the hands of the Government of the Colony by purchase, by acquisition, or by levy in satisfaction of a debt. These latter are known as Colony Lands. Until 1914 extensive grants of land were made on a large scale to individuals and to companies, conveying proprietary rights in the soil similar to freehold rights; and the bulk of the occupied land on the coastal strip is now held on such tenure, including an area of 167,000 acres held by the Sugar Companies, many village lands along the coast, inhabited by East Indians and Africans, and some rice lands along the coast and up the creeks mainly held by East Indians. The land held on these terms is the subject of many sales and leases, and changes hands freely. The present policy is not to make such grants of lands, but to give out land on lease only; but an exception has been made with regard to grants of land not exceeding 10 acres, made to small cultivators. This provision was made because it was represented that the East Indian farmer preferred to own his land rather than to lease it.

The regulations at present in force under which property in Crown Lands may be acquired are the *Crown Lands Regulations of 1919*. The most important provisions of these regulations may be briefly summarised as follows:—

- (1) Application must be made in writing to the Commissioner of Lands and Mines for a grant, lease, license or permission relating to Crown Lands.

Fees—

Filing fee.....	\$5
Survey fee for land up to 10 acres.....	\$7.50 (For larger areas the survey fee is proportionally less.)

Grants to small holders—

- (2) The area disposed of to one person at one time shall not ordinarily exceed 10 acres.

- (3) The price of land is now \$2.40 per acre, one-fifth of the purchase money to be paid at once, and the residue payable in four annual instalments.
- (4) The grant is made subject to the condition of cultivation or beneficial occupation of one-fifth of the grant within two years and $\frac{1}{2}$ of the grant within five years.
- (5) At the end of five years the grant is made absolute, provided that the purchase money has been paid, and the conditions of beneficial occupation complied with.
- (6) For five years from the date of the grant the grantee has preferent claim to purchase the second depth of the grant.
- (7) Grants may be transferred, leased, or mortgaged as soon as they become absolute.

Leases to small holders—

- (8) The area of land leased to any one person at any one time shall not ordinarily exceed 10 acres.
- (9) The length of the lease may extend, at the option of the lessee, to 99 years; and the lessee is entitled to one renewal for a similar period, subject to a revision of the rental, which shall be based on the value of the land, apart from any improvements effected by the lessee.
- (10) The present rent is 20 cents, per acre, per annum.
- (11) Land taken on lease must be cultivated or beneficially occupied as follows:—
 - $\frac{1}{3}$ th of the area within two years.
 - $\frac{1}{4}$ th of the area within three years.
- (12) Cultivation to be maintained in good order and in husband-like manner at all times during the lease, to the reasonable satisfaction of the Commissioner.
- (13) Leases may be transferred or mortgaged; but in the case of a lease of land not exceeding 10 acres, mortgage can be effected only with the sanction of the Commissioner; and, if the holder so desire, the mortgage may be effected in the presence of the Commissioner, a Magistrate, Commissary or Police Inspector.

N. B.—In the case of both grants and leases to small holders, made under these regulations the rights to minerals, metals, precious stones, coal and oil are reserved to Government.

- (14) Grazing leases are granted for a period up to 99 years, up to the limit of 5,000 acres, at a rent of 10 cents per acre, per annum, subject to the condition that a minimum head of stock of 2 heads of cattle to 5 acres is kept and that the land is fenced within five years.
- (15) If land given out on grazing lease is required for cultivation or for other purposes, Government may resume it after paying for actual improvements.

Other concessions—

- (16) Special terms are offered for large scale cultivation, timber, cutting, mining, etc.

APPENDIX III.**AGRICULTURE.**

The following table shows the progress of agricultural development during recent years—

Year.		Total area cultivated.	Sugarcane.	Rice.	Other Products.
			Acres.	Acres.	Acres.
1903	.. ..	118,000	78,000	17,000	21,000
1908	.. ..	147,000	74,000	39,000	33,000
1913	.. ..	152,000	72,000	35,000	43,000
1918	.. ..	197,000	73,000	60,000	63,000
1919	.. ..	190,000	70,000	61,000	58,000

indicating a slight but steady decrease in the area under sugarcane, and a marked increase in the area under rice and other crops. The total area cultivated shows a steady increase amounting to 61 per cent. in 16 years. Apart from rice cultivation, the crops showing the most progress are cocoanuts which advanced from 4,000 to 27,000 acres, and coffee which advanced from 1,000 to 5,000 acres during the same period. The area under cocoa and ground provisions is about stationary.

Area under various crops in 1919.

					<i>Acres.</i>
Sugarcane	.. ..	.. ..	.. ..	.. ..	70,000
Rice (including 13,000 acres cropped twice)	.. ..	.. ..	.. ..	.. ..	74,000
Cocoanuts	.. ..	.. ..	.. ..	.. ..	27,000
Para rubber	.. ..	.. ..	.. ..	.. ..	4,000
Cocoa	.. ..	.. ..	.. ..	.. ..	2,000
Limes	.. ..	.. ..	.. ..	.. ..	1,000
					<hr/> 178,000 <hr/>

		<i>Acres.</i>
	Brought forward,	.. 178,000
Ground provisions,	.. .. .	.. 18,000
	TOTAL	.. 196,000

Of the above totals the sugar estates were responsible for the following:—

		<i>Acres.</i>
Sugarcane	.. .. .	70,000
Rice	.. .. .	9,000
Cocoanuts	.. .. .	2,000
Ground provisions	.. .. .	2,000
Rubber, limes, coffee and cocon.	.. .. .	1,000
	TOTAL	.. 88,000

The live stock were returned in 1919 as follows:—

Cattle	.. .. .	.. 105,000
Other live stock	.. .. .	.. 58,000

Sugar.

In 1919, 86,971 tons of sugar were produced from 70,876 acres of cane, giving an average of 1.22 tons of sugar per acre of cane. This is a very low average, comparable with that of India taken as a whole but far below that of countries such as Java and Hawaii. It is partly due to poor extraction, and partly to poor cane outturns on some of the estates. This latter result, however, is largely due to the fact that on most estates physical conditions are such that all the tillage has to be done by hand, and the labour supply is not adequate for the purpose. This results in more ratoon crops being taken than would be the case if labour were more plentiful and cheaper. The best estates, however, get 2½ tons of sugar to the acre, and in individual fields the crop is sometimes very good. So far as the soil is concerned the richness of the alluvial belt is all that can be desired for sugarcane. The great difficulty is to provide adequate drainage for this crop. The sugar estates have been admirably laid off. The land is naturally level, and they are protected on all sides by high earthen embankments, in the front substantial sea-defences, at the back a solid dam for protection from flood water in times of heavy rain, and side dams of a less substantial nature for the same purpose. Wherever the lie of the land permits drainage by gravity flow, arrangements for this are made, and the drains discharge into the sea or creeks at low tide through a "koker," or sluice gate, which opens and shuts automatically with the tide. Where conditions do not submit of this system large pumping plants have been erected, and some estates have the admirable system of a large engine erected on the back dam which can work a pump on either side, so that in time of heavy rain one pump can lift water at the rate of 200 tons a minute, over

the dam and discharge it into a creek, while in times of drought the other pump can introduce water at a similar rate from the creek into the estate canals. The estates themselves are divided up into suitable blocks, each equipped with its own drains and roads, and the whole is intersected by canals which serve as navigation canals and carry the cane to the mill, which act as irrigation canals when filled up with outside water during periods of drought, and which can even be used for drainage if pumped dry, though, of course they do not suffice for all the drainage required. Drainage is indeed the great difficulty, and is provided for by drainage cuts in the fields at frequent intervals. In most cases the drainage arrangements are fairly adequate; but the necessity for these frequent drainage cuts makes mechanical cultivation almost impossible. All tillage operations have to be done by hand, and this is very costly. They cannot employ steam cultivation, as is done in such countries as Hawaii and Formosa, and they have not got cheap labour in the sense that countries like India and Java enjoy this advantage. The problem that they are up against is the necessity for a large labour supply, coupled with a much higher rate of wages than is paid in other countries which use labour freely. Another difficulty which the high cost of tillage by hand presents is that it prevents any system of green-manuring. On an intractable clay soil the mechanical effect of green-manuring can hardly fail to be beneficial for sugar-cane; and the Agricultural Department has demonstrated the value of incorporating rice straw in the soil. It would seem to be almost certain that a heavy green-manuring with *crotalaria juncea* would produce a striking result; but the shortage and high cost of labour prevents the trial of such experiments.

The criterion of success in cane growing is the cost of producing a ton of cane, of fair average quality. If we take the year 1913 as a year which gives normal figures, comparable as between one sugar producing country and another, the cost works out roughly as follows:—

Cost of a ton of stripped cane delivered at the factory in 1913

Hawaii	£1 : 1 : 4
Formosa	£0 : 13 : 4
Java	£0 : 9 : 4
India (Deccan)	£0 : 13 : 4
Cuba	£0 : 10 : 1
British Guiana	£0 : 14 : 9

(The figures for the first four countries were collected by myself on the spot in 1913. The figure for Cuba is taken from Geerlig's "The World's Cane Sugar Industry," p. 179. The figure for British Guiana was supplied to me by the Secretary, Sugar Planter's Association, British Guiana).

In the matter of sugar making machinery, some of the Sugar Estates are well equipped with modern machinery, and improvement in this respect has been made in recent years but on some estates the machinery is antiquated; and it was estimated only a few years ago that the outturn of sugar in the Colony might be increased by 15 per cent. merely by the improvement of crushing plant in the factories.

It has been estimated that the alluvial area in the Colony is capable of producing $2\frac{1}{2}$ million tons of sugar, and that, in addition, a large amount of sugar might be produced in other tracts where sugar has not yet been tried. However this may be, there seems to be little prospect of any marked extension in the near future; indeed the area under cane is slowly receding. During the last century the production of sugar was more than doubled, and the figure now varies between 100,000 and 120,000 tons a year. In the present state of the sugar market it is quite likely that some of the weaker estates will go out of sugar cultivation, and the production of sugar in the Colony may even fall to half the present figure; but the stronger estates appear to be on a sound footing, and the physical conditions are too good to permit the industry to go under permanently. It seems probable that on some estates blocks of land could be found on which mechanical cultivation could be introduced without interfering unduly with drainage. If this is so the cost of production might be reduced in those areas.

Before leaving the subject of sugar I may mention one fact of agricultural interest. It is found by experience that the fertility of worn-out sugar lands can be renovated by putting this land under water and keeping it under water for a period of from one to three years. This is remarkable; and what is stranger still is that the benefit desired appears to come from an improvement in the texture of the soil, brought about by the continued flooding.

Rice.—As might be expected the rich soil of the alluvial tract, coupled with the possibility of regulating the water supply, makes the country very suitable for rice. Between 1903 and 1919 the area under rice cultivation has extended from 17,000 to 61,000 acres; and whereas prior to 1893 the average annual import of rice into the Colony was 18,000 tons, this import had by 1917 been converted into an export of 14,000 tons. During the past 20 years the outturn of paddy per acre, estimated for the whole colony has varied between 2,100 and 2,900 lbs. per acre, or an equivalent of between 1,300 and 1,750 lbs. of clean rice per acre, if we take rice at $\frac{3}{5}$ ths of its equivalent in paddy. This compares well with the estimated general averages for Bengal and Burma which are placed at 1,200 and 1,500 lbs. of clean rice, respectively, to the acre. As a matter of fact, however, the facilities for rice growing in British Guiana are far better than these comparative figures would appear to show, because (1) a large part of the rice in British Guiana is grown on lands on which the water is not under control, and (2) the area sown to rice is far greater than the rice growers can manage; which involves long delays in sowing and reaping, poor tillage, and broadcast instead of transplanting. Probably about half the rice in the Colony is broadcasted. For the above reasons the general average outturn is much lower than the facilities warrant. Where the water is under control 3,500 lbs. of paddy per acre (= 2,100 lbs. of clean rice) are commonly obtained, and by careful methods the Agricultural Department get yields up to 5,600 lbs. of paddy per acre (= 3,360 lbs. clean rice). Looking at the alluvial tract as a whole I think that there can be no doubt that it has very fine possibilities for rice growing. The facilities for getting the water under control are far greater than in most rice growing countries, and the cost is relatively small. I think that there is a great future for British Guiana as a rice growing and rice exporting country.

Cocoanuts.—Cocoanuts have been extensively planted in recent years, largely on unsuitable land. No doubt there are tracts in the Colony suitable for cocoanuts, but most of the present plantations are suffering from defective drainage, as their unthrifty appearance indicates.

Rubber and Limes.—Suffer from diseases, and their successful cultivation presents difficulties.

Cocoa.—Appears to do well, but has only been planted on a small scale.

Coffee.—Appears to do remarkably well in some tracts; but for want of labour to pick it a large part of the crop rots in the ground.

Ground Provisions.—The miscellaneous mixed crops of fruits, vegetables, etc., so designated, will grow freely on drained land anywhere in the alluvial area. In Chapter X an estimate of the produce of such cultivation on "pegass" soils has already been given. There is no doubt that this class of cultivation does better on the soils where there is an admixture of vegetable matter or sand, than it does on the pure clay; but wherever the alluvial soil has been drained it will grow wonderful crops of maize, tannias, eddoes, cassava, yams, sweet potatoes, black-eyed peas, plantains, bananas, etc. At Onderneeming, where I had an opportunity of studying this kind of cultivation, it reminded me strongly of the very fine cultivation on the garden lands of the Surat District round Amalsad, land which commands enormous prices. Land of the kind mentioned above is freely available in British Guiana at nominal prices, and has this advantage over the land at Amalsad, that whereas at the latter place frequent irrigation and heavy manuring are necessary, in British Guiana crops can be taken all the year round without any irrigation and for years together without any manure. One difficulty in the way of growing such crops, however, is that they are easy to pilfer, and thefts of this kind are common.

Potential Crops.—It seems to me to be almost certain that on some of the varied, rich, alluvial soils, where abundant water is under command, jute could be cultivated with success; but I cannot claim any knowledge of jute cultivation.

Good cattle are bred in the Colony and might be greatly improved by more attention to systematic breeding and feeding; but the wetter parts of the coastal tract are not very suitable for cattle. I believe that buffaloes would do better here. There are a few imported buffaloes in the Colony, but they appear to be of an inferior draught breed. I think that it would be profitable to introduce some good Delhi buffaloes, which are a good milk breed, and would provide an industry in butter making. The butter used in the Colony is now imported, and commands a high price. The male stock would be useful to small holders for ploughing their rice fields, and could probably also be used in some places for ploughing sugar-cane fields, as is now done in Trinidad.

Figs are profitable animals in the Colony, and in forest tracts there is usually an abundance of food for them in the fruit of various palm trees growing wild. It is a common thing to hear people say that the reason why they do not grow more ground provisions is that there is no market for them. This is a fact in many localities, but ground provisions might be fed with advantage

to pigs; and if a bacon-curing industry were started, it is likely that a profitable export trade might be built up.

Areca nut (supari) trees grow freely and with little attention, but there is hardly any market for the produce in British Guiana. The possibility of export of areca nuts to India is worth considering.

The most obvious agricultural development, however, is the growing of millets and pulses as field crops on the hills mentioned in Chapter X and any other places found to be suitable. Many Indians told me that they would be glad to obtain jowari, bajra, nachani, etc., but were unable to do so. At present wheat, dhal, and split peas form a large part of the staple food of the Colony. All are imported, and their cost is relatively high. I believe that there is no reason why home-grown millets, tur (arhar) and other pulses should not largely take their place, with the result that the cost of living would be lowered to the advantage of all other industries and of the population in general.

APPENDIX IV.

ANALYSIS OF POPULATION, INDUSTRIES, ETC.

Total Population of the Colony.

1911	..	..	..	..	..	296,041
1921	..	..	..	..	..	297,691

showing an increase of only 1,650 in 10 years. The smallness of the increase is accounted for by the influenza epidemic of 1918-19, which is estimated to have caused 12,000 deaths, and by the fact that indentured emigration from India ceased in 1917, while 3,357 indentured emigrants were repatriated to India during the years 1919 and 1920, under the terms of the indentured agreements.

Distribution of the Population.

In towns	..	..	..	..	..	67,000
On Sugar estates	..	..	..	..	..	66,000
In Villages	..	..	..	..	..	112,000
On farms and settlements	..	..	..	..	..	42,000
In forest districts	..	..	..	..	..	8,000

Racial Analysis.

Europeans	..	..	..	..	..	3,000
Portuguese	..	..	..	..	..	9,000
East Indians	..	..	..	..	..	124,000
Chinese	..	..	..	..	..	2,000
Blacks	..	..	..	..	..	117,000
Mixed races	..	..	..	..	..	30,000
Aborigines	..	..	..	..	..	9,000

East Indians.—The total number of East Indians returned at the 1921 census was 124,938, 1,529 less than 1911. Of the present East Indian population 68 per cent. were born in the Colony.

Classification of East Indians according to Religion.

Hindus	95,000
Mahommedans	18,000
Christian	11,000
Parsi	244

Classification of East Indians according to occupation.

Professional	350
Domestics	1,430
Commercial	2,270
Agricultural	78,048
Industrial	2,481
*Unoccupied	40,385

*(*i.e.*, women engaged in domestic duties, children, etc).

Excess of Males over Females amongst East Indians.

1911 ..	20,000, <i>i.e.</i> , giving 73 females to 100 males.
1921 ..	13,000, <i>i.e.</i> , giving 80 females to 100 males.

Prior to 1911 the disproportion between males and females amongst the East Indians must have been much greater; since amongst the indentured labourers brought to British Guiana the ratio of males to females was more than 2 to 1, and the fact that the number of females is now approaching the number of males is due to the fact that 68 per cent. of the present East Indian population are colony-born, and amongst them the numbers of males and females are approximately equal.

Table showing changes in the East Indian population during the last six years, and the causes of the same.

Year.	Previous number.	Introduced.	Other arrivals.	Births.	Totals additions.	Repatriated.	Other departures.	Deaths.	Total losses.	Total at end of year.
1915	134,849	1,165	828	3,224	140,066	..	597	2,941	3,538	136,528
1916	136,528	1,220	1,384	3,630	142,762	..	1,013	3,805	4,818	137,944
1917 - ..	137,944	692	1,480	3,950	144,066	..	1,316	4,610	5,926	138,140
1918 - ..	138,140	..	1,630	3,213	142,983	..	1,407	6,792	8,198	134,785
1919 - ..	134,785	..	1,423	3,283	139,491	889	1,326	6,412	8,758	130,854
1920	130,854	..	1,782	4,430	137,066	2,468	1,485	3,421	7,374	129,692

APPENDIX V.

VITAL STATISTICS.

During the years 1911 to 1921 the total births recorded in the Colony amounted to 92,000 and the deaths also amounted to 92,000. Amongst the East Indians the births amounted to 40,000 and the deaths to 42,000 during the same period of 10 years, so that there was a net loss of 2,000 East Indians due to this cause:

Messrs. McNeill and Chimmanlal reported in 1914 that the vital statistics for the quinquennium prior to their visit averaged out as follows for the Indian population in British Guiana, viz:—

Average Indian birth rate per mille	26.7
Average Indian death rate per mille	34

the low birth rate being due to the fact that the number of women was far short of the number of men.

The figures of vital statistics for the East Indian population, during the last six years available are as follows:—

Per mille.

	INDIANS ON SUGAR ESTATES ONLY.		WHOLE INDIAN POPULATION.	
	Births.	Deaths.	Births.	Deaths.
1915	30	24	32	29
1916	25	24	26	28
1917	26	29	29	33
1918	21	46	23	50
1919	23	48	24	48
1920	30	23	35	27
Average	25.9	32.3	28.1	35.8
Average omitting the two years of influenza, viz., 1918-19.	27.7	25	30.5	29.2

APPENDIX VI.

WAGES.

The heaviest work on the estates is punt-loading, i.e., loading punts with cut cane. For this work the strongest and steadiest workers are selected. On some estates this work is paid for by a daily wage, which in the early part of 1922 was 3/4 a day. On other estates this work is given out on task wages, and the earnings are about the same. It is a work which involves long hours.

As examples of the wages earned by ordinary labourers, male and female, the following figures for wages are given, which were being paid on one of the largest sugar estates in Berbice.

Table showing weekly and daily wages. Shovel Gang. (Male).

Week ending	6-1-22	13-1-22	20-1-22	27-1-22	3-2-22	10-2-22	17-2-22	24-2-22
No. at work ..	133	126	82	107	106	109	105	115
No. of working days lost.	124	238	284	133	154	189	141	225
Per cent of working days lost.	15.5	31.4	57.7	21.7	24.2	31.5	22.3	32.6
Amount earned in dollars and cents.	387.76	254.44	57.1	125.64	141.44	130	195	223.16
Average per day worked in cents	57.5	49.1	27.4	26.1	29.3	31.6	39.8	47.0
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Average per day worked in shillings and pence.	2 4½	2 0½	1 1½	1 1	1 2½	1 3½	1 8	2 0

(N.B.—Of the period shown above grinding was in progress during the whole of the first week and during a few days of the second. Grinding re-started on February 22nd, and this affected work for some days previously.)

Details regarding the wages of 4 men in the above gang are shown in the table below. Two of these men were selected as earning high wages, and two as earning low wages:—

Week ending.	Mohan.	Sanichar.	Ramlagan.	Ramlal.
6th January 1922 ..	17 0 in 6 days	15 8 in 5 days	12 0 in 6 days	8 4 in 5 days.
13th January 1922 ..	6 4 in 3 days	8 4 in 4 days	3 0 in 1 day	5 2 in 4 days.
20th January 1922 ..	4 6 in 2 days	Absent	4 6 in 3 days	Absent.
27th January 1922 ..	7 2 in 4 days	Absent	6 6 in 0 days	4 8 in 4 days.
3rd February 1922 ..	8 2 in 5 days	6 0 in 5 days	5 4 in 5 days	4 8 in 5 days.
10th February 1922 ..	4 6 in 3 days	5 0 in 5 days	7 6 in 5 days.	5 2 in 4 days.
17th February 1922 ..	10 10 in 5 days	13 4 in 6 days	7 0 in 5 days	5 10 in 5 days.
24th February 1922 ..	11 4 in 5 days	12 0 in 5 days	6 8 in 5 days.	3 4 in 3 days.
	s. d.	s. d.	s. d.	s. d.
Average per day worked:—	2 1½	2 0	2 5½	1 2½

Turning now to women workers, the following are the figures for a female weeding gang on the same estate and for the same period :—

Week ending ..	6-1-22	13-1-22	20-1-22	27-1-22	3-2-22	10-2-22	17-2-22	24-2-22
No. at work ..	61	73	50	83	96	85	94	92
No. of working days lost.	78	61	176	129	144	173	111	82
Per cent. of working days lost.	21·3	13·9	58·6	25·9	25·0	33·9	19·0	14·8
Amount earned in dollars and cents.	83·62	102·10	25·64	91·78	99·60	100·7	105·3	134·14
Average per day worked in cents.	29	30	20·6	24·8	23	30·1	23·2	28·5
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Average per day worked in shillings and pence.	1 2½	1 3	0 10½	1 ½	0 11½	1 3	0 11½	1 2½

Details of the wages of two workers in the above gang during the same period, one selected as earning high wages, and one selected as earning low wages.

Week ending,	Lakrajia.	Someria.
6th January 1922	5 6 in 5 days.	6 0 in 5 days.
13th January 1922	6 0 in 6 days.	3 10 in 2 days.
20th January 1922	2 4 in 3 days.	1 6 in 2 days.
27th January 1922	8 4 in 6 days.	3 4 in 5 days.
3rd February 1922	Absent.	4 6 in 6 days.
10th February 1922	9 0 in 5 days.	0 8 in 1 day.
17th February 1922	5 4 in 6 days.	4 0 in 4 days.
24th February 1922	10 2 in 6 days.	4 2 in 4 days.
Average per day worked	1s. 3d.	0s. 11½d.

Appendix VII.
STANDARD OF LIVING.

I.

Standard of living and cost on 15th March 1922 for one male labourer as estimated by the Agent General for Immigration.

Standard prescribed by the Immigration Ordinance 18 of 1891, Section 71, with additional morning ration, and other articles used by Indians in British Guiana.

Commodity.				Quantity per week.	Price March 1922.
Morning ration	..	Bread	.. ..	2 lb. 3 oz.	17 cents.
		Sugar	.. ..	3½ oz.	1 cent.
		Milk	.. ..	3½ pints.	28 cents.
Rice	..	..	.. ..	3½ lbs.	11 "
Dhal	..	..	.. ..	1 lb. 5 oz.	13 "
Cocoanut oil	..	..	.. ..	7 oz.	6 "
Masala	..	..	.. ..	5½ oz.	7 "
Sugar	..	..	.. ..	14 oz.	4 "
Salt	..	..	.. ..	3½ oz.	1 "
Wheat flour	..	..	.. ..	7 lbs.	42 "
Total food				....	\$1.30

Additional articles used by Indians.

Onions	..	..	..	..	..	..	4
Tea	..	..	..	..	..	..	4
Kerosine oil	..	..	..	..	..	..	6
Matches	..	..	..	..	..	..	2
Tobacco	..	..	..	..	..	..	12
Fuel	..	..	..	..	..	..	24
Soap	..	..	..	..	..	..	3
							\$ 1.85	
Clothes for 1 week	..	..	..	..	..	..	31
Implements for 1 week	..	..	..	..	..	..	10
Total							..	\$ 2.26
								Oa. 5½

II.

Standard and cost of living for one male labourer for one week in British Guiana on 15th March 1922 as estimated by Agent General for Immigration.

Article.	Standard for one week.	Price in cents.
Rice	1 gallon= 8 lbs. 4 oz.	28
1 Lal	2 lb	16
Wheat flour	4 lb	28
English potatoes	2 lb	14
Onions	$\frac{1}{2}$ lb	7
Sugar	4 lb	16
Coffee	1 lb.	14
Dried fish	$1\frac{1}{2}$ lb	18
Cocconut oil	1 pint	22
Kerosine oil	$\frac{1}{2}$ pint.	6
Salt	1 lb	3
Matches	3 boxes.	3
Tobacco	2 oz.	16
Total cost of food		\$1.91
Clothes estimate for one week .. .. .	..	31
Implements estimate for one week .. .. .	..	10
		\$2.32
		=9s. 8d.

III.

Standard of living and cost on 15th March 1922 for one labourer as estimated by the Agent General for Immigration.

Article.	Standard for one week.	Price in cents.
Rice	$1\frac{1}{2}$ gallons= 12 lb. 6 oz.	36
Dhal	1 lb.	12
Wheat flour	4 lb.	24
English potatoes	4 lb.	24
Onions .. .. .	..	4
Masala .. .. .	..	8
Sugar	2 lbs.	8
Tea .. .. .	..	4
Garlic .. .. .	..	4
Cocconut oil	$\frac{1}{2}$ pint.	8
Kerosine oil	$\frac{1}{2}$ pint.	6
Salt .. .. .	..	2
Matches .. .. .	..	2
Tobacco	2 oz.	12
Milk .. .. .	..	14
Fuel .. .. .	..	24
Soap .. .. .	..	3
Total food, etc. .. .. .	..	\$1.95 [c.o.]

Article.	Standard for one week.	Price in cents.
Brought forward	\$ 1.95
Clothes	31
Implements	10
Total	2 36 =9s. 10d.

IV.

Standard of living and cost on 15th March 1922 for Hindu male and wife for one week as estimated by Agent General for Immigration.

	\$.
Food, etc.	2.46
Clothes	51
Implements	20
Total ..	3.17 =13s. 2½d.

V.

Standard of living and cost on 15th March 1922 for Hindu male, wife and two children for one week as estimated by Agent General for Immigration.

	\$.
Food etc.	3.50
Clothes	95
Implements	20
Total ..	4.65 =19s. 4½d.

VI.

Standard of living and cost in March 1922 for one Hindu male labourer as estimated by the labourer himself.

Article.	Standard for for one week.	Cost in March 1922.
Wheat flour	12 lb	72 cents.
Dhal	2 lb	22 "
Potatoes	4 lb	20 "
Salt .. .. .	..	3 "
Masala	½ lb	6 "
Garlic and onion .. .. .	..	8 "
Cocoonut oil	1 pint.	5 "
Kerosine oil .. .. .	..	6 "
Peppa .. .. .	..	4 "

Article.	Standard for one week.	Cost in March 1922.
Tobacco .. .. .	.. .. .	48 cents.
Matches .. .. .	.. .. .	3 "
Sugar	2 lb	6 "
Milk .. .. .	.. .. .	12 "
Tea .. .. .	.. .. .	6 "
Green vegetable .. .. .	.. .. .	4 "
Meat .. .. .	.. .. .	48 "
Fish .. .. .	.. .. .	12 "
Soap .. .. .	.. .. .	4 "
Fuel .. .. .	.. .. .	24 "
		<hr/>
		\$3.13
<i>Add for clothes and implements as in No. III...</i>	..	41
		<hr/>
		\$3.54
		<hr/>
		=14s. 9d.

VII.

Standard of living and cost in March 1922 for one Hindu male labourer as estimated by the labourer himself.

Article.	Standard for one week.	Cost in March 1922.
Rice	2 gallons = 16lb 8 oz.	40 cents.
Wheat flour	8 lb	56 "
Dhal	1 "mug"	22 "
Salt .. .. .	.. .. .	2 "
Cocanut oil .. .. .	.. .. .	20 "
Kerosine oil .. .. .	.. .. .	7 "
Masala .. .. .	.. .. .	2 "
Potatoes .. .. .	.. .. .	6 "
Sugar .. .. .	.. .. .	5 "
Tobacco and matches .. .. .	.. .. .	28 "
		<hr/>
		\$1.88
<i>Add for clothes and implements as in No. III</i>	..	41
		<hr/>
		\$2.29
		<hr/>
		=9s. 6½d.

Other estimates for the cost of living for a single man for a week in March 1922 as given by labourers were—

	No. VIII.	No. IX.	No. X.	No. XI.
Food, etc.	\$ 2·93	\$2·96	\$2·54	\$3·47
Add for clothing and implements	41	41	41	41
	\$3 34 —13s.11d.	\$3·37 14s. 0½d.	\$2·95 12s. 3½d.	\$3·88 16s. 2d.

Standard of living and cost in March 1922 for Hindu labourer and wife for one week, as estimated by the labourer himself.

	XII.	XIII.
Food, etc.	\$3·96	\$4·44
Add for clothing and implements as in No. IV	71	71
	\$4·67 =19s. 5½d.	\$5·15 = 21s. 5d.

APPENDIX VIII.

SCHEME AND MEMORANDUM PRESENTED TO US BY HIS EXCEL- LENCY THE GOVERNOR OF BRITISH GUIANA.

C.S.O.-6262-1920.

BRITISH GUIANA COLONIZATION SCHEME.

Information for intending colonists. As forwarded by Colonial Office to India Office

This memorandum is issued under the authority of the Commissioner of the Government of British Guiana, and sets out the terms that that Government undertakes to observe in respect of persons who are accepted as colonists and emigrate to British Guiana under that Colony's Colonization Scheme.

An adult man or woman accepted as a colonist will receive—

- (1) A free passage to British Guiana, for himself or herself, wife, children and such dependents as may be permitted to accompany them.

- (2) Employment with registered employers, if they desire such employment at the outset, at the current rates of wages which are such that :—

An ordinary able-bodied man can earn 4s. 2d., at piece-work in the field, in seven hours.

An ordinary able-bodied woman can earn 2s. 1d., at piece-work in the field, in seven hours.

No prospect of a fall in these rates can be foreseen.

- (3) Free housing for three years, if employed with a registered employer; for married persons separate married quarters or cottages. A number of separate cottages are now being built.

- (4) Free hospital and Medical treatment for three years, if employed with a registered employer.

- (5) Free rations for children under eleven years of age, for 12 months after arrival.

Free milk rations for children under five years, during the whole time their parents remain in the employment of a registered employer.

Free rations will be issued for a period of six months to pregnant and nursing women working with a registered employer.

- (6) A free return passage to India after seven years' residence in the Colony for adult colonists and their dependents. An assisted passage after five years' residence in the Colony, towards which each adult emigrant will contribute £7 10s. 0d. or one quarter of the cost whichever is less. An assisted passage after three years' residence, towards which an adult emigrant will contribute £15 or one-half of the cost, whichever is less.

In the case of colonists' children under 10 years of age, the above amounts are halved.

Any individual or family will be sent back free of charge at any time if the Government of India's supervising officer or the Chief Colonisation Officer so directs.

- (7) A special Reward Grant of Land, protected from, or not liable to floods, drained and suitable for cultivation, of five acres to the head of a colonist family, or of two acres to a single colonist (man or woman), where the claimant has engaged in any form of agriculture under a registered employer for three years continuously.

The title to such land will be conditional on the fulfilment of the requirements of the British Guiana Crown Lands Regulations in regard to the payment of fees and beneficial occupation. The fees payable for the Reward Grants of Land will be five annual payments of 4s. 2d., an acre each, made in advance at the beginning of each year.

The cost of preparing these Reward Grants of Land, as stated above, will be borne by the Government of the Colony.

- (8) No colonist who has applied for, or received, a free or assisted return passage to India will receive a Reward Grant of Land. No colonist who has received a Reward Grant will receive a free or assisted passage unless he has fulfilled all the requirements of the Crown Lands Regulations in regard to the payment of fees and beneficial occupation.
- (9) Immigrants who are eligible for return passage may commute or defer such right in exchange for a free grant of land, subject to carrying out the conditions as to beneficial occupation.

Memorandum attached to His Excellency the Governor's scheme.

Hitherto the only terms proposed with regard to Indian immigrants have been those which it has been suggested should be given to immigrants whose passage to the Colony is paid by the Colony and who have no means by which they can start agricultural operations immediately on their own account. Up to the present moment, nearly every indentured immigrant has had to start work as the employe of some other person, and the immigrants who have made such remarkable progress in the acquisition of property began their career in the Colony in this manner.

2. Under the new system, the immigrant, if he works for anybody else, can choose, his own employer. If he is able to support himself for a little while, and has some small means of his own, he can almost at once become a small farmer on his own account.

3. The financial aspect of the introduction of immigrants, most of whom will during the first three years work under registered employers, is different from that of immigrants who immediately on arrival start work on their own account.

Registered employers will probably have to contribute a small sum for each day on which labour is done by a recently introduced immigrant. These small contributions will in time go some considerable way to paying the cost of return passages of those immigrants who desire to return.

4. It is within the power of the Government, without reference to the Legislature, to give grants of Crown land to any persons who are likely to make a good use of them, and it is part of the policy of the Government to make such grants to immigrants who are their own masters, so as to induce them to settle permanently in the Colony.

5. Similar grants would be made to immigrants on their first arrival, if they were in a position to occupy the land immediately; but it is possible that available Crown land within reach of the market may require some expenditure before an income can be derived from it. When the immigrant has a certain amount of money himself, the Government would be willing to help by advances repayable over a term of years, but it cannot make such advances without the previous consent of the Legislature. Such consent

would probably be freely given in times of prosperity, but would be withheld whenever there is any financial stress. In times of financial difficulty, it would no doubt be advisable to suspend temporarily the introduction of immigrants.

6. There may be immigrants who would arrive in the Colony at their own expense either by immigrant ship or by ordinary means of conveyance. To such immigrants the free grants of land that would be made would be more liberal than in the case of immigrants whose passage to the Colony was paid from the Government funds. Possibly, if it were known that a certain number of families were coming at their own expense, the Government could prepare for their reception plots of land with dwellings thereon, the Government bearing the cost of preparation of the land and erection of buildings to an amount equal to the ordinary cost of introduction of the immigrant. Any scheme of this kind would in each case have to be previously approved by the local Legislature.

7. It is impossible to say how many acres of land would be given, as the value of the land differs so much in different localities. Most of the sugar lands on the coast are even at this time of depression worth some £20 an acre, and have cost much more than that to put into their present condition with drainage and sea defence. On the other hand, there are lands which can be utilised at a comparatively low cost, and for each the only permanent requirement would be the actual cultivation of half of it within a term of years to be fixed. In all these cases it is necessary for an agreement to be come to between the immigrant and the Government.

8. It is doubtful whether the Legislature would be willing to assume the obligation to give free passages back to India in the case of immigrants who did not serve for a minimum period under registered employers, but it would probably agree to repatriate any immigrants whom the representative of the Indian Government in the Colony might for special cause deem it desirable to repatriate.

9. The Government will not feel bound to make grants to any immigrants not previously approved by its own agent.

THE DEBATES
OF THE
LEGISLATIVE COUNCIL OF BRITISH GUIANA.
OFFICIAL REPORT
OF
*PROCEEDINGS AT THE FIRST SESSION OF THE THIRD
LEGISLATIVE COUNCIL.*

LEGISLATIVE COUNCIL.

TUESDAY, 15TH OCTOBER, 1935.

The First Session of the Third Legislative Council of British Guiana was opened in the Council Chamber, Guiana Public Buildings, on Tuesday, 15th October, 1935, with the customary formalities and ceremonials.

PRESENT :

The President, His Excellency the Governor, **SIR GEOFFRY A. S. NORHCOTE, K.C.M.G**

The Honourable The Colonial Secretary, **Mr. E. J. WADDINGTON, C.M.G., O.B.E.**

- „ The Attorney-General, **Mr. HECTOR JOSEPHS, K.C.**
- „ **T. T. SMELLIE, O.B.E. (Nominated Unofficial Member).**
- Major „ **W. BAIN GRAY, C.B.E., Director of Education.**
- „ **J. S. DASH, Director of Agriculture.**
- „ **E. A. LUCKHOE, (Eastern Berbice).**
- „ **E. G. WOOLFORD, K.C. (New Amsterdam).**
- „ **E. F. McDAVID, M.B.E., Colonial Treasurer.**
- „ **J. MULLIN, O.B.E., Commissioner of Lands and Mines.**
- „ **W. A. D'ANDRADE, Comptroller of Customs.**
- Major „ **J. C. CRAIG, D.S.O., Director of Public Works.**
- „ **Q. B. DE FREITAS, Surgeon-General (Acting).**
- „ **PERCY C. WIGHT, O.B.E. (Georgetown Central).**
- „ **J. ELMAER, (Berbice River).**
- „ **J. GONCALVES, (Georgetown South).**
- „ **J. I. DE AGUIAR, (Central Demerara).**
- „ **JUNG BAHADUR SINGH, (Demerara-Essequibo).**
- „ **M. B. G. AUSTIN, (Nominated Unofficial Member).**

- The Honourable **PEER BACCHUS**, (Western Berbice).
 „ **E. M. WALCOTT**, (Nominated Unofficial Member).
 „ **H. C. HUMPHREYS**, (Eastern Demerara).
 „ **A. R. CRUM EWING**, (Essequebo River).
 3 „ **C. R. JACOB**, (North Western District).
 „ **A. G. KING**, (Demerara River).
 „ **S. H. SEYMOUR**, (Western Essequebo).
 „ **J. W. JACKSON**, (Nominated Unofficial Member).

The Archdeacon of Demerara (Ven. W. L. Kissack, M.A., O.B.E.), in the absence of His Lordship the Bishop of Guiana, read prayers.

MEMBERS SWORN.

The President and Members of the Council in their order of seniority took and subscribed to the Oath.

THE PRESIDENT'S SPEECH.

THE PRESIDENT addressed the Council as follows:—

HONOURABLE MEMBERS,

The pleasant duty falls to me to-day in opening the first session of a new Council of bidding all Members a hearty welcome and congratulating those who have achieved victory in their electoral contests. It is my earnest desire that we may work together successfully in British Guiana's interests and that the life of this new Council may witness the Colony's emergence in a great measure from its financial difficulties: so stubborn and so great are the latter that I dare not venture the hope that in the short space of five years we shall be clear of them. In particular I extend a warm welcome to Mr. Waddington, the new Colonial Secretary, and at the same time I express my high appreciation of the great assistance rendered to me by Major Bain Gray during the past four months while acting as Colonial Secretary.

In Resolution No. 15 of the Fifth Session of 1934, the Legislative Council passed a Resolution condoling with Mrs. Millard and her sons on the death of her husband. Mrs. Millard has asked that her and her sons' thanks be conveyed to the Council and an expression of their high appreciation of the Council's message of sympathy.

A visit by the Permanent Under Secretary of State for the Colonies to the Colonies in the West Indian area has already been announced in the newspapers. Sir John Maffey's itinerary has not yet been worked out in detail but this will be made known as soon as possible. Honourable Members will, I feel sure, endorse the warm invitation which I have sent to him and Lady Maffey, who will accompany him. While the limited time at Sir John Maffey's disposal will not allow him to visit every Colony in the area and in other cases only a brief call will be practicable, I am hoping that it will allow him an adequate opportunity to form a personal view of the principal problems of British Guiana.

The principal business that will come before the Council during the next few weeks will be consideration of the draft estimates for the forthcoming year: I shall have something to say on that subject in this address but I think it advisable to preface those comments with a short statement of the current financial position and outlook of the Colony.

CURRENT FINANCIAL POSITION FOR 1935.

The revenue returns to the 30th September indicate that 72 per cent. of the estimate for the year has been collected—a percentage of collection exactly equal to that yielded at the same date in 1934. The receipts are, however, less than those of the previous year by some \$50,000, but this fact need give rise to no concern, as the reduction is due principally to the withdrawal of the levy on civil servants' salaries and to fortuitously high collections in 1934 under estate duty: minor shortfalls are shown by customs duties and income tax. On the other hand interest

has gained through prompter payment by the Georgetown Town Council of an instalment of its annual charge and receipts from licence duties and lands and mines revenues are well up on last year. Generally the revenue collections have been better than was anticipated and Honourable Members will observe that in the draft estimates the revenue has been revised upwards to \$5,050,057. This is an improvement of \$80,728 over the estimate made last year, but actually the situation is better still from an economic point of view, for the revised estimate of extraordinary general revenue has been marked down by \$10,400, the amount by which the windfall from the sinking fund has shrunk, so that the real improvement in the Colony's estimate of ordinary revenue over last year's estimate is \$91,128. Improvement is also shown in the revised estimates of gross receipts by the Transport and Harbours Department, where an increase of \$10,874 is to be found in the estimated gross receipts as compared with the original estimate for this year. On the side of expenditure savings nearly balance with excesses over approved estimates as printed.

The outcome of the revised estimates is a deficit of \$486,236 and at that figure the appropriation from Imperial loan-grants-in-aid that will be required to balance the year's transactions, after setting off the surplus brought forward from 1934, will amount to \$79,639. When the original estimates for this year were drawn and before the actual surplus at 31st December, 1934, was known, that appropriation was put at \$276,152; the improvement, therefore, in the Colony's immediate prospects, as viewed when estimates were before the Legislative Council last year, is in the neighbourhood of \$200,000.

ESTIMATES 1936.

REVENUE.

I will turn now to the estimates for the forthcoming year. First comparisons show that the total Colony revenue for 1936 is lower than that for 1935 by \$77,764: actually, however, the true revenue prospect is better and not worse than it was twelve months ago. The true relative position is seen if the totals of revenue from heads I. to XIII. are compared, that is to say if the windfall of \$200,000 from the sinking funds is omitted from calculation: for it is by the amounts

described in the revenue summary as 'Total ordinary revenue' that the variations in the Colony's income can rightly be gauged. If the real Colonial revenue is studied it will be seen that 1936 promises to yield \$122,236 more than 1935 undertook to give, and, what is also encouraging, \$31,108 more than the revised estimate for the current year.

The outstanding features in the revenue estimates are, firstly, an increase of \$75,000 under Customs: as will be observed from the details of the revenue estimates every sub-head under this head has been put up and stands for next year at the figure in the revised estimates for the current year. Secondly, Internal Revenue shows an improvement of \$20,720, due almost entirely to income tax. Thirdly, the head Forests, Lands and Mines, promises an increase of \$19,740, due chiefly to greater expectations from timber royalties, exclusive mining permissions and royalties on bauxite, but nearly all the sub-heads under this developmental revenue show small increases, only one—licences for rubber, balata, etc., a small decrease. In this connection I am happy to be able to quote the Colonial Treasurer who wrote to me that "there are distinct indications of a steady increase in the receipts under lands and mines revenues and it can confidently be expected that this increase will continue at an accelerated rate in future." Interest also is higher by \$15,670. The decreases in the revenue estimates are negligible. Head IV. drops by \$5,134, but \$3,684 of that amount is accounted for under the Boundary Commission sub-head.

Although in one sense it is out of place it will, I think, be pertinent to speak here of the revenue estimated for the Harbour and Transport services for next year. The figures are to be found on page 10 of Appendix A. of the estimates volume. The Transport and Harbours Board estimate that in 1936 the department will take in gross receipts \$53,825 more than they anticipated a year ago for the current year. This increase is expected from

Steamer and launch receipts	...	\$ 10,700
Harbour and Pilotage dues, and	...	21,850
Bartica Triangle road transport receipts	... ..	43,975
		<hr/>
Total	...	\$ 76,525

On the other hand smaller revenues are expected from the two railways as follows:—

East Coast Railway ...	\$ 20,200	
West Coast Railway ...	2,500	22,700
Net increase ...	\$ 53,825	

It will thus be seen that the Colony expects next year a revenue on recurrent accounts higher than that expected for this year by \$122,236 while the Transport and Harbours services hope to raise their earnings by \$53,825, a total gain of \$176,061.

These improvements in revenue are very welcome, not so much on account of their volume, which is not very great, as because they indicate that British Guiana's earning power is moving in the right direction. That it should continue to do so at only a slowly accelerating pace is, I fear, the limit that we should put upon our optimism. Though there is, I hold, good reason to cherish hopes of a steady increase in revenue from gold and timber, I can see no ground for believing that any spectacular change can be brought about in the Colony's revenue. Unfortunately, as I have now to disclose, the Colony's expenditure is doomed to rise in the near future far more rapidly than can be expected of the revenue.

EXPENDITURE ESTIMATES.

For reasons which, I hope, will be clear and convincing when I come to speak of the estimated deficit for the next year and of the financial outlook of the Colony, the expenditure estimates have been drafted with stringent economy. Certain heads, notably Education, compel increases to be made and these reduce the effect of the endeavour after economy to a net saving of \$163,273: extraordinary expenditure shows a reduction of \$41,804.

With one or two minor exceptions the draft estimates follow the lines of those approved for the current year: the various changes in detail are set out in the notes in the volume itself and the explanatory memorandum which is furnished with it; they will also be one of the principal subjects of the Colonial Secretary's remarks when submitting the estimates to this Council. I will, therefore, detain Honourable Members for as short a time

as possible by my own comments on them. Certain points, however, call for mention.

There is only one proposal which may be described as innovatory and that will be found under the Prisons head, where provision is made for the establishment of a prison camp on the Bartica-Issano road. The real purpose of this scheme is to help discharged prisoners of a suitable type to make an honest living in gold or diamond digging. The difficulty in finding employment which confronts men recently released from prison needs no explanation on my part and Honourable Members will, I believe, be equally ready to believe that such men are deterred from seeking a living in the bush partly because of the overrated strangeness and hardness of life there and partly because they lack both the means to get there and the little capital which an outfit requires. The Inspector of Prisons' proposal is to erect a camp at a site along the road where laterite is available and to send thither convicts nearing expiry of their sentences who are physically fit and likely to turn to mining for a living. As convicts they will be employed digging laterite for road repairs, which should effect a considerable reduction in the cost of maintenance of the roads in the Bartica triangle. Their period in camp will inure such men to bush life and will disabuse their minds of exaggerated ideas as to the hardships of existence there. When their sentences have expired they will be given an outfit of food, clothes and tools and such help as is possible to get to the gold or diamond fields.

Honourable Members will observe that the estimates contain five proposals for personal or duty allowances, which appeared in last year's draft estimates but were withdrawn in Committee. Government has given careful thought to each of these proposed allowances and is convinced of their propriety; I trust that in fairness to the officers concerned Honourable Members will vote in favour of them.

It will be observed that the vote for education has increased by \$15,996 of which some \$12,500 goes to grants to schools. This additional expenditure is imposed on Government automatically by the re-action of existing legislation, which makes education compulsory, upon the

natural increase of population. It is gratifying to know that that increase is taking place but the fact must be faced that it tends to enlarge the difficulties of an already strained situation. Even now most of the schools are crammed and overflowing and in many cases they have no room to expand their accommodation. This is one of the inevitable liabilities which the Colony must meet as best it can. The education estimates for 1936 also exceed those for the current year in the provision for scholarships by \$2,000. The explanation of this will be found in the notes and memorandum on the estimates.

Growth in the number of in-patients and out-patients at the Georgetown hospital calls for an increase in the nursing staff which is now suffering seriously from overwork and shortage of leave.

The X-Ray equipment at the Georgetown hospital is now so antiquated as to be dangerous to the radiographer using it. This, of course, cannot be permitted and new equipment has to be bought. Head XX. is enlarged thereby.

The increase in provision for the poor is regrettable on every account; it is, I fear, inevitable in our present circumstances. Heavy though the cost of this service is, it would be far heavier but for the many admirable privately conducted institutions which are supported by the charity of individuals and firms in this Colony.

It is a relief to find a net reduction of \$15,680 in public debt charges but unfortunately, as I shall explain later, it will not be long before these rise again to a greater height than ever. Under the Public Works votes the Pure Water Supply branch is being reduced by one driller who has been operating the plant used on private estates. The contracts in sight for such work are nearly at an end: should others be offered before this unit is closed down I shall consider coming back to the Council for further funds.

Maintenance of roads requires another \$5,000 owing to their extended length and an increase of \$4,000 is sought on extraordinary expenditure on buildings: on the other hand that form of expenditure on roads and bridges is smaller by \$44,000. The principal works to be undertaken are the

gradual re-erection of police headquarters on Brickdam which are in a shocking state, a badly needed enlargement of the mental hospital at New Amsterdam and new premises for X-Ray work at the Georgetown hospital. The present premises are reported to be dangerous to both patients and operators, especially in wet weather, owing to the low level of the floor which is of concrete.

There is welcome reduction in the cost of maintenance of sea defences, due to the beneficial effect of the permanent works which the Colony has been steadily building.

The principal factor in the reduction of the estimates for current expenditure is a diminution of the amount required to balance the expenditure and revenue of the Transport and Harbours Department, the estimate being less by \$150,717 than it was for the current year. \$100,000 of this year's vote was, of course, for a new steamer and some part of the remainder of the decrease is accounted for by smaller provision for extraordinary works; but the greater portion is due to a higher estimate of earnings, a very satisfactory reflection.

There are two items of interest in the estimates of the Transport and Harbours Department as approved by the Executive Council. The first is the proposed creation of the post of Training Officer and Pilot. It is the opinion of the Transport and Harbours Board that the training given to young officers and crews on the Colony's steamers has been gradually deteriorating for some years and that in view of the amount of capital invested in these vessels it is necessary to bring in a senior officer with a Master Mariner's Certificate and deep sea experience in order to raise the standard of seamanship. This officer will not only train pilot apprentices and ship's officers and crews, he will also be available for pilot's work when required.

The second item is the provision for the extension of the stelling at New Amsterdam by some 450 feet, at a cost of \$25,000. The mud bank on the eastern bank of the Berbice River is steadily growing and the department's steamers are finding it more and more difficult to reach

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the stelling head at low water: before long it will be impossible. For the same reason the bill for repairs to the steamers is rising. The alternative of choosing another site up-river was considered and rejected, and the decision of Government to extend the present stelling has full approval of the local community. A despatch recommending this project is now under preparation.

There is a great drop in the estimated expenditure on schemes financed from the Colonial Development Fund, but I hope before long to be in a position to ask this Council's acceptance of grants or loans for certain purposes including a four year programme of mineralogical survey and for extensions of the pure water distribution system.

It may be of interest to Honourable Members to learn that the cost of increments to salaries in the draft estimates is \$24,084 and that the total of new services asked for amounts to \$16,506, of which \$6,206 represent personal emoluments.

The estimates have been drafted on lines so similar to those approved last year that I feel emboldened to hope that their passage through Committee will be short, thus facilitating their transmission in reasonable time to the Secretary of State. The Council will, I feel sure, appreciate the embarrassment that is caused to Government when as was the case this year, approval was received only in the sixth month of the financial year: moreover, the dignity of this Council demands that the Colony shall be administered throughout the full relevant period along the lines which the provision made by it permits and directs. For these reasons the estimates have been introduced a good deal earlier than was the case in 1934; it is hoped that in 1936 it will be possible to hold the estimates session a month earlier still.

THE DEFICIT.

The estimated expenditure for 1936 other than for Colonial Development Fund schemes being \$5,322,674 and the estimated revenue on the same basis being \$4,891,565, the expected deficit for next year amounts to \$431,109. Revised estimates indicate that the deficit at December 31st next will be \$79,639 to

cover which the Imperial Treasury has issued a loan-grant-in-aid of \$96,000. The balance in hand on January 1st, 1936, in these circumstances will be \$16,361 and it is therefore necessary to ask for a loan-grant-in-aid of \$414,748.

Honourable Members will agree with me that this is a very grave consideration. In the face of it I have had to abstain from including in the expenditure estimates many items of which this Colony is in great need. It is not through oversight that they do not contain provision for a second Puisne Judge or that a greater amount has not been allocated to the maintenance of roads, and these are but two examples of the many necessities without which we must try to carry on. Many such requests have received my anxious consideration before I came to the conclusion that to accede to them would be to act without a right sense of responsibility.

PUBLIC DEBT.

In my address to the last Council in July I spoke at some length on the subject of the Public Debt and I have already touched upon it in this address: I will therefore not dilate at length upon it now. At the end of next year the Debt is expected to stand at about \$22,300,000 inclusive of the Colonial Development Fund loans and the new loan which must be raised before long in order to pay off borrowings from the Crown Agents against sea defence works and to finance other such works that are in contemplation and certain anti-flood measures. At my request the Colonial Treasurer has made an analysis of the loan expenditure, classifying the objects for which loans have been raised. That analysis is reproduced in part I. of the appendix to this address: as will be seen, expenditure on sea defences represents about one-third of this total—expenditure on sea defence, drainage and water supply more than 70 per cent. of the whole.

A serious consideration in this matter is the rapidly growing extent to which Public Debt charges will be increased during the next seven years on account of recent borrowings from the Colonial Development Fund. The equated annuities falling due in discharge of these loans

during the period will amount to the following:—

1936	...	...	\$ 5,182
1937	...	...	10,517
1938	...	...	21,168
1939	...	...	31,144
1940	...	...	49,330
1941	...	...	75,940
1942	...	...	79,391

Honourable Members will, no doubt, bear this impending liability in mind when projects involving expenditure are under discussion.

While on the subject of the Debt I will take the opportunity to inform the Council of the reply made by the Secretary of State to a petition which was presented to the last Legislative Council urging him to give effect to a motion which had been passed by that Council in January last. That motion was in effect a request to the Secretary of State to allow a large loan to be raised for the purpose of a comprehensive drainage and irrigation scheme. The Secretary of State has requested me to reply that he has received and considered the petition and motion. The desirability of the economic development of British Guiana is fully appreciated by him, as will be recognised by the consideration which he gave to the question of raising a loan to meet the cost of certain of the recommendations of the Floods Relief Committee in respect of drainage and irrigation. But the financial position of the Colony and its existing burden of public debt, as well as the economic position of the sugar and rice industries, preclude favourable consideration being given at the present time to a further loan being raised for comprehensive schemes of the nature envisaged in the resolution. The Secretary of State further desired me to add that he endorsed the

statement of the general principles which should govern local development which I made in my address to this Council on July 2nd last. I do not intend to burden Honourable Members to-day with a lengthy repetition of those principles, though I take the opportunity to reaffirm them. They amount to this that all projects for development must be considered from three points of view; firstly whether they are likely to be adequately remunerative; secondly whether they are within the limited scope of the Colony's capital and credit; and thirdly what their reaction upon already established industries will be.

Before leaving this subject I would invite the attention of Honourable Members to the schedule of loan expenditure which will be laid on the Table this morning, copies of which will be circulated to Members. Its object is to show how expenditure on current loans and advances to Government from all sources stand and what further expenditure is anticipated. The intention is to distribute revised copies of this schedule to Members from time to time in future in the hope that it will enable them to watch that form of expenditure more easily.

OUTLOOK.

I have obtained from the Colonial Treasurer returns, covering the last thirteen years, on the one hand of the grants and loan-grants, exclusive of Colonial Development Fund or Empire Marketing Board schemes, which have been received from the Imperial Government and, on the other, of capital taken into revenue such, for example, as the balances of our reserve funds in 1934 and the windfall from sinking fund in 1935. Those returns have been joined in a table with the following result:—

Year.	Received from Imperial Government.	Capital transferred to Revenue.	Total.	Credit or Deficit at end of period.	Working Loss during period.
	\$	\$	\$	\$	\$
1929	...	...	...	Cr. 108,960	...
1929-1930	...	1,949,227	1,949,227	527,789	2,585,976
1931	1,800,000	12,569	1,812,569	187,199	1,471,979
1932	580,298	266,592	846,890	...	659,691
1933	212,661	163,887	381,548	Cr. 87,038	294,510
1934	343,876	428,638	772,564	Cr. 406,597	463,005
1935 Rev. Estimate..	79,639	189,600	269,239	...	673,836
Total 13 years	3,016,474	3,015,563	6,032,037	...	6,140,997
1936 Draft Estimate	431,109	...	431,109	...	431,109
Total	3,447,583 (1)	3,015,563	6,463,146	...	6,572,106

(1) Free grants \$1,236,978; Loans in aid \$2,190,605.

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cover which the Imperial Treasury has issued a loan-grant-in-aid of \$96,000. The balance in hand on January 1st, 1936, in these circumstances will be \$16,361 and it is therefore necessary to ask for a loan-grant-in-aid of \$414,748.

Honourable Members will agree with me that this is a very grave consideration. In the face of it I have had to abstain from including in the expenditure estimates many items of which this Colony is in great need. It is not through oversight that they do not contain provision for a second Puisne Judge or that a greater amount has not been allocated to the maintenance of roads, and these are but two examples of the many necessities without which we must try to carry on. Many such requests have received my anxious consideration before I came to the conclusion that to accede to them would be to act without a right sense of responsibility.

PUBLIC DEBT.

In my address to the last Council in July I spoke at some length on the subject of the Public Debt and I have already touched upon it in this address: I will therefore not dilate at length upon it now. At the end of next year the Debt is expected to stand at about \$22,300,000 inclusive of the Colonial Development Fund loans and the new loan which must be raised before long in order to pay off borrowings from the Crown Agents against sea defence works and to finance other such works that are in contemplation and certain anti-flood measures. At my request the Colonial Treasurer has made an analysis of the loan expenditure, classifying the objects for which loans have been raised. That analysis is reproduced in part I. of the appendix to this address: as will be seen, expenditure on sea defences represents about one-third of this total—expenditure on sea defence, drainage and water supply more than 70 per cent. of the whole.

A serious consideration in this matter is the rapidly growing extent to which Public Debt charges will be increased during the next seven years on account of recent borrowings from the Colonial Development Fund. The equated annuities falling due in discharge of these loans

during the period will amount to the following:—

1936	...	...	\$ 5,182
1937	...	...	10,517
1938	...	...	21,168
1939	...	...	31,144
1940	...	...	49,330
1941	...	...	75,940
1942	...	...	79,391

Honourable Members will, no doubt, bear this impending liability in mind when projects involving expenditure are under discussion.

While on the subject of the Debt I will take the opportunity to inform the Council of the reply made by the Secretary of State to a petition which was presented to the last Legislative Council urging him to give effect to a motion which had been passed by that Council in January last. That motion was in effect a request to the Secretary of State to allow a large loan to be raised for the purpose of a comprehensive drainage and irrigation scheme. The Secretary of State has requested me to reply that he has received and considered the petition and motion. The desirability of the economic development of British Guiana is fully appreciated by him, as will be recognised by the consideration which he gave to the question of raising a loan to meet the cost of certain of the recommendations of the Floods Relief Committee in respect of drainage and irrigation. But the financial position of the Colony and its existing burden of public debt, as well as the economic position of the sugar and rice industries, preclude favourable consideration being given at the present time to a further loan being raised for comprehensive schemes of the nature envisaged in the resolution. The Secretary of State further desired me to add that he endorsed the

statement of the general principles which should govern local development which I made in my address to this Council on July 2nd last. I do not intend to burden Honourable Members to-day with a lengthy repetition of those principles, though I take the opportunity to reaffirm them. They amount to this that all projects for development must be considered from three points of view; firstly whether they are likely to be adequately remunerative; secondly whether they are within the limited scope of the Colony's capital and credit; and thirdly what their reaction upon already established industries will be.

Before leaving this subject I would invite the attention of Honourable Members to the schedule of loan expenditure which will be laid on the Table this morning, copies of which will be circulated to Members. Its object is to show how expenditure on current loans and advances to Government from all sources stand and what further expenditure is anticipated. The intention is to distribute revised copies of this schedule to Members from time to time in future in the hope that it will enable them to watch that form of expenditure more easily.

OUTLOOK.

I have obtained from the Colonial Treasurer returns, covering the last thirteen years, on the one hand of the grants and loan-grants, exclusive of Colonial Development Fund or Empire Marketing Board schemes, which have been received from the Imperial Government and, on the other, of capital taken into revenue such, for example, as the balances of our reserve funds in 1934 and the windfall from sinking fund in 1935. Those returns have been joined in a table with the following result:—

Year.	Received from Imperial Government.	Capital transferred to Revenue.	Total.	Credit or Deficit at end of period.	Working Loan during period.
	\$	\$	\$	\$	\$
1922	...	...	...	Cr. 108 960	...
1923-1930	...	1,949,237	1,949,237	537,789	2,636,976
1931	1,800,000	12,569	1,812,569	187,199	1,471,979
1932	680,288	266,692	846,890	...	659,691
1933	212,661	163,887	381,548	Cr. 87,038	294,510
1934	343,876	428,688	772,564	Cr. 406 597	453,006
1935 Rev. Estimate..	79 639	189,600	269,239	...	675,836
Total 13 years	3,016,474	3,015,563	6,032,037	...	6,140,997
1:35 Draft Estimate	431,109	...	431,109	...	431,109
Total	3,447,583 (1)	3,015,563	6,463,146	...	6 572,106

(1) Free grants \$1,236,973; Loans in aid \$2,190,606.

It will be seen that in order to pay its way the Colony has been steadily consuming its capital for the last thirteen years until now that capital has gone. The amount thus consumed is \$3,015,563. The aggregate working loss of the Colony during the thirteen year period has been \$6,140,997 and the average annual loss \$472,000, a figure which corresponds almost exactly to the average annual loss during the period 1933 to 1935 and is of the same order as the estimated deficit for 1936.

I have no doubt that if they study these figures Honourable Members will readily perceive the various implications disclosed in the table and my comments thereon: in conjunction with unavoidable expenditure to which the Colony is committed in the near future they create an outlook which is far from comforting. To take the worst first—apart from what may be described as the normal deficit in the Colony's finances on the present basis of revenue and expenditure, a deficit which may for the sake of argument be put at \$400,000, the Colony has to face, first, the balance of the Colonial Development Fund's bill of which I have just spoken, rising to \$74,000 per annum by 1942, secondly, the sinking fund charges on account of the impending loan which may be taken at \$16,000 per annum, and, thirdly, replacement costs of new railway vehicles and steamers, which have in future to be met from revenue. According to a report which I have seen, steamer replacements will be necessary every second year for the next ten years: a spread cost, therefore, of \$50,000 per annum on this account will not be criticised as pessimistic. These three additional liabilities, totalled, come to \$140,000, making with an average deficit of \$400,000 a gross yearly shortfall of \$540,000. When we come to look for considerations to set off this very formidable loss on working, the first reflection that is permissible is that there are indications that the normal revenue tends to increase as the following figures show:—

Year.	Recurrent Revenue.
1931 ...	... \$ 4,377,378
1932 ...	... 4,573,454
1933 ...	... 4,879,497
1934 ..	... 5,019,876

I leave out of consideration the estimated figures for 1935 and 1936: in such a cal-

ulation they would be misleading. As I shall state later in this address—and I have already quoted the Honourable the Colonial Treasurer to the same effect—I see reasons to hope that the proper development of the Colony's assets will lead to much handsomer returns from gold and timber, to say nothing of agriculture. A steadily, if slowly, expanding revenue, then, is the first ameliorating consideration in the Colony's financial outlook.

The second set-off worthy of mention is to be discovered in part II. of the appendix. The Honourable the Colonial Treasurer there has shown the savings in Public Debt Charges that would accrue between now and 1950 if, in addition to final redemptions, all possible conversions were to be made of debts maturing during that period, the conversion rate of interest being 3 per cent. As Honourable Members will observe, the relief so gained by 1943 would amount to nearly \$177,000 per annum and in 1949 would be about \$457,000 per annum. It is not without significance that this latter figure is of the same order as what I have called the Colony's normal deficit at the present moment.

These latter calculations are, of course, based on such assumptions as that the Imperial Government will continue to give loan-grants-in-aid on the implied basis—an assumption for which I have no authority—and that money will remain cheap. I admit that for that reason they have not an 'absolute' value; on the other hand they will, I hope, be of utility in so far as they may help in the realization of what, in fact, confronts this Colony financially speaking. They will convey little comfort to those who believe that one or more strokes of genius on the part of Government will free this Colony from the shackles of debt. They will do much good if they succeed in impressing upon the legislators of the Colony firstly the incomparable necessity of bringing down and keeping down the villain of the piece, the Public Debt, with its 'fantastic' incidence of \$70 on every man, woman and child in the Colony, and, secondly, the fact that economic sanity requires them to abstain from any expenditure which cannot prove its claim to be either indispensable or remunerative. To me personally these calculations justify a hopeful attitude

although, admittedly, only on a long-range economy plan. I believe that that view will have the concurrence of all thoughtful men whose respect for British Guiana leads them to desire above all that she should regain her financial independence.

TRADE 1935.

I am glad to be able to inform the Council that the trade of the Colony, both export and import, at the end of August this year showed an improvement over that of the corresponding period in 1934; exports of that date were better by \$306,980 and imports by \$67,563.

The products principally responsible for the increase in the value of our export trade are bauxite and gold, the former accounting for an increase of \$232,753 and the latter of \$191,866. The total quantity of bauxite exported to 31st August last was 71,704 tons, as compared with 31,652 tons to the same date in 1934. It is estimated that not less than 100,000 tons will be exported by the end of the year and the prospect for 1936 is even more favourable.

Although 7,400 tons more sugar were exported during these eight months in 1935 than was shipped during the same period in 1934, unfortunately the prices obtained were much lower, with the result that when values are compared an actual decrease is perceived.

The Colony's next most important agricultural product, rice, which suffered a severe set back in 1934, shows no improvement in a comparison of the export figures for the first 8 months in each of the years 1935 and 1934. It is possible, however, that local consumption of this food is increasing which would also account to some extent for the smallness of the quantity exported. Other products, the exports of which showed appreciable increases, are diamonds and copra. The commodities which have contributed to the improvement of our import trade are cotton manufactures and artificial silk goods, but the increase is due largely to the fact that there were abnormally large stocks on hand at the commencement of 1934, with the result that imports for that year were much below the average in recent years. On the other hand there has been a considerable falling off in the imports of motor cars and other vehicles.

I trust that Honourable Members will be interested by a Sessional Paper entitled "A general review of the economic position and prospects of the Colonial Empire at June 30th, 1935," a copy of which will be laid on the Table this morning. The paper is derived from a circular despatch from the Secretary of State for the Colonies. The main evidence upon which the conclusions reached in the review are based is the trend of prices of the principal Colonial export products and a table is appended showing the highest and lowest prices for those commodities for the first half of this year. The review records that in the United Kingdom economic progress is maintaining the momentum of last year and that it is satisfactorily steady in the Dominions and India; a general economic improvement in the Colonies is inferred from the increase of imports into the United Kingdom of the chief Colonial products. Consideration then turns to the condition in which each of those products finds itself in relation to world demand and to the generally satisfactory results of various regulation schemes, such as those governing the production of tin, tea and rubber. The conclusion reached regarding the principal Colonial staples is that, while with certain exceptions such as vegetable oils the present level of prices is likely to be maintained, there is nothing to indicate the probability of a widespread rise, even of modest dimensions, in the general level of Colonial commodity prices, at any rate unless and until there is some radical change in world economic conditions.

Some very important deductions are made from this not very encouraging diagnosis. The first is that the interests of the Colonial Empire do not lie in further large development of the main staples of Colonial trade, except gold. On the other hand there are a very large number of minor industries which can be further exploited, though their markets are, of course, limited. None of these are of great importance individually but in the aggregate they represent a considerable volume of trade.

Another deduction of great significance which the review states is that the so-called depression which started six years ago is no more temporary phenomenon but must be regarded as the normal condition

of the times in which we now find ourselves. That hypothesis rules out any likelihood of a return to the high prices that prevailed ten years ago and, therefore, calls for genuine and complete adjustment to the new standards of earning and living. Finally, the review mentions certain other economic forces which are very powerful to-day and are strongly repugnant to any great advance in prices.

This document is one which all who seek a rational and feasible solution of British Guiana's financial problems will do well to study.

PRODUCTION AND DEVELOPMENT.

In the course of the following comments upon the productive activities of the Colony I will try to indicate the various steps which have been taken since the last meeting of the Legislative Council to promote local industries.

AGRICULTURE.

As is widely known, the sugar crop for this year is expected to reach a relatively high figure; the latest estimate which I have had puts it at 170,000 tons. The most striking fact about this is that nearly the whole increase is due to an improved yield per acre, a process which has been taking place in recent years and has made a big stride in 1935. Exceptional weather conditions have, no doubt, contributed to this result but much of the credit is, I understand, due to improved methods of production. Most regrettably the price has continued to fall from last year's low mark, thus depriving the producer of most of the reward of his industry and zeal for improvement. There appears to be no reason to think that it will improve in the near future.

The year's rice crop is expected to be a large one although the early sowings for the autumn crop suffered from too scanty rains. While low grades of rice have fetched slightly higher prices than they did last year, those for the higher grade rices have again dropped. The Director of Agriculture informs me that his Department has instituted a number of variety trials of rices especially suitable for the unirrigated areas of the Colony. These, if successful, should be of considerable value to the local industry.

Copra prices had a good rise in May

last which has been maintained: the British Guiana crop, unfortunately, is rather lower than it was last year. I hope during the coming session that the Council will agree to amend the Copra Products Ordinance so as to make it watertight. The effects of the Ordinance so far have been that the farmer has obtained a much better price for his nuts or copra, but the leading oil-expressing firm, which has kept the law in spirit as well as in letter, has suffered heavily owing to evasions of the provisions of the Ordinance on the part of smaller producers, while Government has lost a very substantial revenue. Obviously this state of affairs cannot be allowed to continue.

Coffee exports have, as is natural, reacted to the excessively low world price: I regret to state that the review of trade conditions of which I have already made mention speaks in depressing terms of the prospects of low grade coffee.

FRUIT.

A small trial shipment of bananas was sent to England in August. On Saturday last I received a telegram from the Secretary of State which states that Messrs. Poupart, the consignee, has reported that the bananas arrived in a chilled condition and suffering considerably from damage by bruising. Out of 145 bunches only 54 were fit for sale and all these were of third grade quality: the Gros Michel had suffered worse than the Cavendish. Messrs. Poupart go on to say that though this consignment was not encouraging they are of opinion that if fruit could be carried in correct condition and handled carefully a favourable market could be found in the United Kingdom: they would be glad to handle some further experimental consignments. The Secretary of State adds that his agricultural adviser, Mr. Stockdale, inspected the consignment on arrival. While he concurs generally with the report he states that the consignment did not show as much indication of bruising as did another of Cavendish bananas received a few days earlier from Jamaica.

I read much into this report which should encourage the hopes of banana growers though not so much as would justify an immediate large extension of planting. A fuller report is expected by

mail and I have requested the Honourable the Director of Agriculture on its receipt to confer with the Banana Growers Association as to future steps. I take the opportunity of extending a warm welcome to the Association: such bodies are of the greatest assistance in the promotion of agricultural and other industries.

The Director of Agriculture has under consideration a scheme for a model banana block which will serve not only as an example to would-be banana planters but also as a test of the ability of this fruit-plant, especially of the Gros Michel type, to survive in this Colony under optimum conditions. The Colony has had a second visit from Mr. Dunlap of the United Fruit Company. His impressions of the prospects of a British Guiana banana industry were published in the local Press and Honourable Members will remember that while he advised continuance of experiments with Gros Michel bananas he enjoined caution in the extension of plantations.

Following on the encouraging reports received last year on a small shipment of mangoes, sent to Montreal, a further consignment of Buxton Spice were despatched recently by the C.N.S. "Lady Drake." Unfortunately, the crop on the East Coast, the principal mango district, was a poor one, and the best fruit obtainable was not up to the standard sent last year, but as this variation in crop is a factor which would be present if regular shipments were undertaken, the fruit was sent notwithstanding. The mangoes were packed in wood shavings, individual fruits being wrapped in paper, in light crates, each holding rather less than four dozen fruits. A check crate was sent to Messrs. Wieting and Richter's cold storage, where it is to be held at the same temperature as that under which the other fruit was shipped.

Interest in citrus growing continues to be exhibited locally and the Agricultural Department has been able to supply much budded material to growers.

One of the minor industries, on the encouragement of which public opinion is rightly set, which promises well is the manufacture of guava products; there appears to be an increasing demand in the United Kingdom and Canada for these

goods. But an industry of this nature must be able to rely on punctual delivery of raw fruit, up to standard in both quantity and quality, and it is a regrettable fact that at the present time no such reliance can be put on fruit growers. Local firms, London firms and Colonial Departments have all found themselves unable to give firm contracts for locally made preserves because no dependence can be placed upon the supply being forthcoming regularly. It is quite obviously within the power of farmers to abolish this stumbling block which is so inimical to their own interests and I trust that Honourable Members will drive that lesson home to their constituents when opportunity offers itself.

LIVE STOCK.

Government's activities in the cattle industry have, hitherto, been directed principally towards milk production. The success of that policy is usually admitted and it is felt that a stage has been reached when breeders of dairy cattle can carry on with less assistance from Government in so far as importation of bulls is concerned. In this former connection, I may say, the difficulties associated with milk distribution and sale in the more remote country districts are recognised and inquiries have been re-started—they were begun by Sir Edward Denham—into the possibilities of prospects of ghee manufacture; if this industry could be established it would be of particular value to dairy cattle owners in areas distant from milk-consuming centres. A fact to be borne in mind in this connection is that pig rearing and ghee production are complementary, as the pigs thrive on the skim milk which otherwise may go to waste.

BEEF CATTLE.

In the view of Government the time has arrived to turn more attention to the improvement of beef cattle. One project which is under consideration is the establishment of a beef bull centre near La Belle Alliance on the Essequibo Coast: it will be necessary if the scheme when worked out appears to be feasible to try to obtain funds in the form of grant or loan from the Imperial Government. Attention, rightly, is often drawn by the local newspaper Press to the quantity of food-stuffs imported into this Colony which could well be produced within it

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Among these imports are some \$200,000 worth of beef and pork products, most if not all of which could be produced here. I am aware that an effort is being made by a local company to supply these goods, so farmers cannot complain that there is no market for their product, so long as it is of the requisite grade. I hope that the time will arrive before long when not only will British Guiana be self-supporting in this regard but also will be an exporter of meat products; there is a big market in the West Indies for them, a market supplied at present almost entirely from non-British sources. In this connection it is of great importance to remember that this Colony is essentially a grass producing country of very wide extent and by virtue of that fact has a great advantage over its British neighbours. Obviously that advantage should be seized and I mean to investigate its opportunities in the near future. But two conditions must be fulfilled before a footing can be secured in that outside market. In the first place farmers must organise their supplies and correlate their activities with those of the manufacturers: in the second they must study and adjust their output to the demands of their customers abroad. This is principally a matter of quality, and quality in local meat products has still a long way to go, I am told. Proper feeding and management of slaughter stock is neglected with resultant bad prices and restricted markets. In this connection I may say that the consuming public would help towards this good end if a greater number of customers would insist on good quality instead of seeking the cheapest articles irrespective of quality.

THE PEASANT FARMER.

Meat products, furthermore, appear to offer a chance to the small agriculturist, the difficulties in whose path form one of the most baffling problems of this Colony. The ground provision market is saturated and has no export prospects: staples such as cocoa and coffee have, as I have just said, a very discouraging outlook: the lower-priced crops such as coconuts and rice, like cattle breeding, require more land than the peasant farmer has at his disposal: and cane farming is limited by considerations of demand and locality. Small stock, however, such as pigs and poultry can, if hand fed, be subsisted on relatively small acreages and should there-

fore be an attractive proposition to the farmer who in ordinary course grows ground provisions for his and his family's subsistence. I repeat that proper feeding and management are conditions of success in this industry: these, however, are within the peasant farmer's power to supply.

CATTLE-GROWERS' ORGANISATION.

The organisation of a Cattle-growers' Association, which would co-operate with the Board and Department of Agriculture, has already been suggested by the Director of Agriculture, but for some unknown reason has hung fire. I hope that before long the leading representatives of this branch of agriculture will move in the matter: nothing that they could do would better promote their own interests, especially in the direction which I have just been discussing, that is to say, the capture of the local meat products market and the entry into the same market in the West Indies. It is of immense assistance to Government when big industries organise themselves and so enable its considered views upon Government policy to be known. For instance, there is at the moment an important Bill, aiming at the improvement of livestock conditions, which has long been prepared and awaiting the comments of those best able to criticise it. I hope to see it pass during this session: I hope also that it will have had prior consideration by cattle-raisers. If it has not and if the resulting Ordinance is not to their liking they will not be devoid of blame.

MINING.

GOLD.

As I have already stated, gold production by local enterprise is still on the increase; at the 31st August it was 4,165 ozs. greater than for the corresponding period last year, which means that about \$31,000 more money had been put into circulation. The old "Eldorado" gold mine in the Kaburi district (about two miles off the main Bartica-Issano road) has been re-opened by private enterprise. Machinery for crushing the quartz and extracting the gold has arrived and will shortly be installed.

This is an encouraging development and should give early results, which it is hoped will be of a permanent nature. The exploration work undertaken by outside

capital enterprise—English and Canadian—is still in progress. Part of the mining equipment ordered by the Canadian Company, of which I made mention in my last address, has arrived in the Colony and is being conveyed to the site of operations over a road twenty-one miles long, constructed by the Company from a point 14 miles along the old Kartabu-Puruui road to the Oko river. This road, which has been skilfully located, has indicated the possibility of re-opening, by means of a natural surface road from Kartabo Point, the gold bearing areas in the Oko, Aremu and Quartzstone sections of the Cuyuni river basin, full exploitation of which has been hampered in the past by the difficulty, danger and expense of negotiating the falls in the lower Cuyuni river. If the geological surveys now in progress in that region indicate that such road construction would be economically justified the question of road location surveys will be taken up. English interests are about to float a public company with adequate capital for development of the areas they have selected in the Potaro, Essequibo, Kaburi and Issano districts, it is believed that by the end of the year modern gold dredgers and other equipment will be on their way to the Colony if they have not already arrived. It will be seen that the prospects of a very considerable expansion of the gold mining industry in the near future are decidedly good.

Geophysical surveys by specialists using electrical methods are being carried out in the North Western District to determine the presence and extent of gold bearing reefs on claims in the Barama area in which a large and reliable Swedish capital concern has become interested. This is the first time that these methods have been tried in British Guiana and if the experiment is successful it will no doubt lead to the location of gold-bearing reefs in other parts of the Colony which have become obscured by the superficial deposits of sands, clays and gravels which blanket the country. The experiment is a courageous one of great interest to Government and is deserving of success, which, I am sure, we all hope it will achieve to the fullest measure.

DIAMONDS.

The production of alluvial diamonds has fallen off somewhat, being 1,414 carats

below that for the first eight months of last year. This is attributed to the continued low market prices, the exhaustion of the shallower and more readily accessible diamond bearing gravels and the slackening in prospecting for new ground: it is, of course, the case that some firms previously interested in the diamond diggings have diverted their energies and resources to the working of gold alluvials. It is hoped that the opening of the new branch road to Issano, which cuts out the dangerous rapids in the Mazaruni river, will lead to an influx of men to the diamond fields and so increase the production of precious stones without adversely affecting the production of gold.

BAUXITE.

I have already mentioned the welcome increase in the shipments of bauxite. This has not only provided additional revenue both direct and indirect, but has also given additional employment at a time when this was sorely needed.

Activity in the bauxite industry is dependent on world conditions of supply and demand; so far as can be gauged at present, the prospects of continued expansion are favourable.

GEOLOGICAL SURVEY.

The geological survey which a loan by the Colonial Development Advisory Committee has financed has proved beyond doubt its value to the Colony and from information given to me by Dr. Grantham I am convinced that the advisability of examining many other large areas of this Colony is indisputable. It is reckoned that, on the basis of the existing survey party, the proposed explorations would take four years. I have, therefore, sent an application forward to the Committee urging that a further loan, or preferably a grant, should be made to enable a geological survey of this dimension to be carried out. The current loan will be exhausted early next year. Should the application be successful I trust that the members of this Council will support my action.

TIMBER.

Two occurrences of interest to the Council have happened during the last three months. In the first place I have received a memorandum from the Conservator of Forests in which he deals with

the disabilities which affect the timber export trade of this Colony and suggests certain remedies. This memorandum I have sent to the Secretary of State's expert advisers on timber matters but there has not been time for a reply. Mr. Wood's suggestions relate in the first place to marketing methods, especially with respect to greenheart, and secondly to kiln-drying of local hardwoods, so as to extract the few extra degrees of moisture from our timbers which the humid atmosphere of British Guiana does not allow to escape under an air drying process. I hope that practical results of value to the Colony will emerge from this correspondence. The potential value of British Guiana's timber forests is colossal: the Colony's financial situation makes it imperative that potential values should be transformed into actual profits. Money spent reasonably by Government on this form of development needs no further justification. Honourable Members will be glad to hear that the utilisation of local timbers for local purposes is still growing.

The other event is an experimental shipment on a considerable scale to England of British Guiana timbers, consisting of cedar, crabwood and deterna boards and of various fancy types of greenheart: smaller shipments of other local timbers have also been made to various destinations on trial.

CALCINED MUD.

An interesting and valuable suggestion that was recently made to me by Mr. G. O. Case was that the mud which is being dredged from the Demerara river might be converted by air-drying and kiln-burning processes into a useful substitute for granite in the manufacture of concrete and is a much more efficient road surfacing material than is the roughly burned earth now used for that purpose. Mr. Case has been good enough to have samples of this mud put to scientific tests in London, with encouraging results. I have, therefore, appointed a small expert Committee to examine the proposition and, if they are convinced of its practical advantage, to suggest how it can best be carried out. If a cheap strong material of this nature can be made of a waste product not only will much better roads be obtainable for the same expenditure but building costs will drop very considerably,

with the result, we may hope, of great activity in construction of all kinds.

SEA DEFENCES.

The latest report by the Government's technical adviser on Sea Defences, Mr. G. O. Case, will be laid on the Table this morning. The report shows that no excessive erosion is in process at the present time and speaks well of the maintenance of existing defences. Honourable Members will be glad to learn that Mr. Case has been able to recommend the Sea Defence Board to make savings amounting to \$79,088 on the projected programme for this year. Loan construction for 1935 will therefore amount to \$326,093. For next year the estimated cost is \$155,700. I have already referred to the lesser expenditure for the maintenance of sea defences in 1936.

ROADS.

In my last message to the Legislative Council I reported that a further application had been made to the Colonial Development Advisory Committee for a loan to complete the Bartica-Issano road. The Committee have been good enough to lend a further \$114,000 on the same terms as previously and with this sum it should be possible to finish the road and to provide the necessary terminal facilities: these will include a house for the Transport Officer and additional garages at Bartica and a bond, rest house, garage and stelling at Issano. The Transport and Harbours Department's estimates for next year include a vote of \$15,000 for new vehicles; the General Manager was requested to take the opportunity of his leave in England to seek information as to the best type of vehicle for the road services branch in Bartica. It is hoped that the new service will be open the whole way to Issano by Easter next year. As Honourable Members doubtless are aware, invitations for tenders for a contract to conduct a boat service up river from Issano connecting with this road-service have been issued.

EDUCATION.

I have already spoken of the inevitably rising cost of Education. I am unable at present to see any method of escape from the increasingly encroaching demand which this fundamental State activity will, indeed

must, continue to make on the revenue. Not only, as I have already said, are most of the existing school buildings seriously overcrowded, but there is the further point that the numbers in each class frequently exceed the high maximum which local regulations prescribe. In these circumstances high credit is due to the teachers for the dogged way in which they manage to carry on.

The most unfortunate effect, however, of the Colony's inability properly to foot the bill for primary education is that it leaves a negligible amount for specialisation or vocational training and primary education has of course little scope for such teaching. The only way in which I can see that need being met at all is to give what has already been described as an 'agricultural bias' to primary education. The Honourable Members, the Directors of Education and Agriculture, are at the present time in consultation on this important point and will, I hope, be able to strengthen this aspect of the curriculum.

NEGRO PROGRESS CONVENTION ACTIVITIES.

A recent occurrence of great interest has been the return to British Guiana of the two students, Miss Vesta Lowe and Mr. James Kidney, sent by the Negro Progress Convention to Tuskegee in 1931. They have lost no time in getting to work: Miss Lowe, who gained the Bachelor of Science degree in Home Economics, has for the time being set up a school in Georgetown where she is teaching housewifery subjects such as marketing, the preparation and preservation of foods, home nursing and home crafts. At Land of Canaan the Convention have bought 500 acres of land on which they intend to found an Agricultural and Industrial School along the lines of the Tuskegee Institute; the School of Home Economics will also be located here eventually. Mr. Kidney, who took his degree in the Science of Agriculture, taking as his subjects the marketing and preservation of meat and milk products, animal husbandry and poultry rearing, has already started work with six pupils. There is a good house on the land and a usefully large area has already been cleared and planted.

This admirably practical instance of self-help deserves high praise and will

certainly have all the sympathy and co-operation which Government can give it.

TRANSPORT AND HARBOURS BOARD.

GOVERNMENT STEAMERS.

The report on the Colony's steamers which I mentioned in July has now been received. Mr. W. A. Walker, to whose capable hands the task of survey was committed, has advised that replacement should proceed at the rate of one steamer every two years and the Transport and Harbours Board have endorsed Mr. Walker's recommendations. This means that in 1937 it will be necessary to have the cost of another new steamer in the Estimates. The report will be sent to the Crown Agents for the Colonies for review by their technical advisers.

WEST COAST RAILWAY.

I have asked the Board to consider the advisability of spending any further money on replacements and renewals of the West Coast Railway. Should the report be adverse to such expenditure the only course would be to allow this railway to run itself to death and to permit the further development of road traffic facilities to Parika.

ROAD SERVICES.

I propose to bring a Bill before this Council next year empowering the Transport and Harbours services to conduct and manage a road service. The Board has for a considerable time been so obliging as to perform this function without legally granted powers or protection. For that the Colony owes the members a debt of gratitude: common sense and justice, however, demand that the Board should not be kept any longer than can be helped in this equivocal position. Another question which is engaging Government's attention in this connection is concerned with the maintenance of the roads in the Bartica triangle. This is at present carried out by the Transport and Harbours Department but it is really outside their proper functions.

TOURIST TRAFFIC.

It is frequently stated that one great impediment to the expansion of tourist traffic here is the shortage of hotel accommodation in Georgetown. The Council will, therefore, be glad to learn that nego-

tiations are on foot for a site for a large first-class hotel in this town which will aim particularly at a clientele of that nature: it is greatly to be hoped that they will result in the erection of another good hotel here before long.

My visit to Kaieteur confirmed me in the belief, which I had already formed on the basis of experience elsewhere, that if that loveliest of waterfalls is to play its full part in drawing travellers to British Guiana a comfortable country hotel on the spot is a prior necessity. I have, accordingly, directed the Commissioner of Lands and Mines to select the most suitable site: it goes without saying that any building development at Kaieteur must be so carried out that from no viewpoint of the Falls, except the air, should the buildings be visible and this aspect of the matter is, I know, one which the Commissioner himself has very definitely in mind: there need, therefore, be no apprehension that the surpassing beauty of Kaieteur will be violated by development. I do not believe that there will be much difficulty in attracting the necessary capital for such an hotel, provided that the terms of the lease are reasonable: if it is comfortable, clean and reasonably roomy and if it provides plain but wholesome provender it will meet the case fully: expensive luxuries would not, in my opinion, add to its attractiveness.

I would add one word about tourist traffic generally. There is a hardworking Committee of public-spirited citizens who have succeeded in increasing that traffic very considerably. The Committee is financed by a contribution of \$2,880 from Government, which is conditional upon a further \$960 being found from public subscription. Recently Government was approached with a request for the removal of this condition but was unable to concede it. The greater part of the profit from the tourist trade goes into the pockets of those who cater for them in various ways and only a small share finds its way into the Colony's exchequer. I can therefore hold out no hope that the whole of this subsidy will be allowed to become a liability of the general taxpayer. If those who chiefly benefit by the tourist traffic will not subscribe their small share of this subvention I fear that the Government's share may disappear from the Esti-

mates in 1937, an event which I, for one, would much regret.

HOUSING IN GEORGETOWN.

The report of the Housing Committee and the Annual Report of the Municipal Medical Officer of Health for Georgetown leave no room for doubt that the problem of slum clearance in this town is insistent and I have given much consideration during the last few months to how it can best be tackled. Obviously it resolves itself largely into a question of money and land, land itself being only a question of money. Equally obviously neither the Colony nor the Municipality are in a financial position to find a capital for extensive improvements which are necessary in this regard and if anything is to be done on an adequate scale it will be necessary to approach the Imperial Authorities for a grant or a loan-grant-in-aid. But before that step can be taken more facts regarding the actual situation must be ascertained: information is required as to the extent of new accommodation which would enable the overcrowded lots to be relieved adequately and as to the measures which should be taken to prevent such conditions recurring by reason of the inevitable increase of population in the future. The next consideration will be where that new accommodation can best be located, and when these issues have been determined there will come the questions of cost and how any housing relief scheme can be financed.

The Mayor of Georgetown and the Municipal Medical Officer of Health have been in consultation with me and I have recently caused a letter to be addressed to the Town Clerk asking for further information regarding the facts.

Rapid progress in this matter cannot be anticipated but I would ask Honourable Councillors not to believe that no action is being taken in the matter because no proposition is put before them in the near future. I can assure them that such is not and will not be the case.

SHOP HOURS.

The rectification of the hours within which it is permissible to keep shop assistants at work is another matter which has been under consideration since this Council last met. I regret to say that owing

to the pressure of other business, including the drafting of the Estimates, it has not been possible to make much progress with it, but I hope that it will be possible to put a Bill before the Council early in the next year to deal with this subject and kindred abuses such as huckstering conducted on a motor-car scale.

ESSEQUEBO COAST COMMISSION'S REPORT.

The report of the Essequibo Coast Commission will be laid on the Table this morning. The report states that there are three alternatives before Government in the situation which is arising in that district owing to the closing down of Hampton Court sugar estate. The first is to allow matters to drift; the second to provide facilities for migration elsewhere in the Colony: the third to resuscitate the sugar industry. The total cost to the Colony of the second alternative is put at just over \$600,000, this calculation being based firstly on the hypothesis of the taxpayer finding the sum of \$465,000 for the transportation of 1,500 families from Essequibo to sugar estates elsewhere in the Colony and for the erection of housing for them there, and, secondly, on an estimated loss in respect of drainage and sea defence rates and loans of \$136,000. This alternative quite rightly is discarded: I could not recommend to this Council or the Secretary of State the provision of any grant for such a purpose. The third alternative resolves itself into the purchase of Hampton Court *cum annexis* and replanting and re-equipping it as a sugar estate. The total cost together with loss over the initial three years is put at \$598,000 and the subsequent annual loss at \$17,420, sugar being credited to revenue at \$15 per ton for the purpose of this calculation. At the present time sugar is at approximately \$40 per ton and on the basis of an output of 4,000 tons a further loss of \$20,000 must therefore be added. This alternative the Commission recommended on the assumption that some major step would be taken by Government, but, in order to ensure a sufficient labour supply for the estate, they attached to this recommendation the condition that rice cultivation in Essequibo should be limited, if necessary by legislation, to one crop per year. The report expresses the view that such a restriction would entail, ultimately, no loss of crop to the rice farmer, because his land as a result of the

enforced rest would regain fertility to an extent that the one crop would permit to bring in as much as two crops do to-day.

This recommendation Government has been obliged to reject, primarily and principally because the Colony cannot afford such a measure, partly because the attached condition regarding rice cultivation is regarded as offering great difficulties in practice, and partly because in the long run such artificial remedies are, from the point of view of political economy, measures of doubtful wisdom. Hard, even harsh, as it may sound, the population of the Essequibo Coast must discover means whereby it can adjust itself to the disappearance from its midst of the last of many sugar estates. Labour elsewhere in the world goes out to seek its market and there is nothing exceptional in the circumstances of British Guiana to constitute this Colony an exception to that rule. Such help as Government can give will be given but essentially the matter is one in which they must help themselves. At certain seasons of the year there are plentiful opportunities of wage-earning on the other sugar estates of the Colony for those who are willing to go out to seek such work: with this in view I have given instructions for arrangements to be made with the sugar estates and the District Commissioner, Essequibo, whereby applicants at the latter's office can be put in touch with the former.

As I have already stated, plans are in preparation for promotion of the beef-cattle industry in the area: this is in conformity with a recommendation made by the Commission. Consideration is being given to the possibility of establishing a ghee industry there and will be extended sympathetically toward any other measures for the assistance of agriculture or industry that may be suggested.

LABOUR UNREST.

During the last two months there has been a regrettable recurrence of strikes by labourers on sugar plantations both in East and West Coast, Demerara. It is universally recognised by thinking people that striking, as a method of obtaining redress of grievances, is the reverse of ideal. It is a method which injures all parties, including the country in which it occurs: it is extremely cumbrous and it

not infrequently misses its mark. Moreover, a strike is apt to leave ill-feeling behind it, more particularly in cases where the real root of the trouble has not been discovered and eradicated. In the older countries of Europe both capital and labour have realised the inefficiency and wastefulness of the strike method and for many years both parties have been trying to devise machinery for the prevention and settlement of the disputes which, in the nature of things, must from time to time arise between employer and employed. Their efforts have been largely successful there and I can see no reason why it should not be equally possible here for some simple machinery to be set up on sugar estates, which would enable management and labourers to discuss likely causes of friction frankly with each other and by mutual co-operation to obviate those causes taking effect. I suggest that in this Colony there is too wide a gap between management and labour and that if a bridge could be built across it fewer disputes would arise, because much of the misunderstanding which allows labour disputes to reach the length of striking would fade away in the fuller light of an exchange of views. Misapprehension of facts and ignorance of what is in the other side's mind are fruitful factors of quarrels, whether between employer and employed or any other two parties: clearly, therefore, if those factors are present in this country—and my observation of recent labour troubles leads me to believe that they are—a determined effort should be made to abolish such obstacles to the peace of industry.

I wish to make it clear that I have not in mind any conciliation Board such as have been set up in many European countries: the circumstances in which such an institution can work successfully do not exist in this Colony at the present time. Nor do I visualise or see the necessity for discussions between any others than the management and selected representatives of the labourers. The proposal which I venture to put forward is that on each estate there should be a standing body of labourers, say three to five in number, men of good standing among their own folk, who should be chosen by the work people of the estate as their representatives and accepted as such by the manager. It would be the duty and privilege of these

representatives, who themselves should be labourers, to keep the manager informed of all matters of any moment which might be troubling one or more of the labour gangs. There would, of course, have to be a fundamental mutual understanding that these representatives could and, indeed, must speak frankly without any fear of subsequent reprisal; I am given to believe that that fear has stood and still stands in the way of free discussions or grievances, as spokesmen are afraid to come forward lest they be regarded as ring-leaders and be treated accordingly. I can see nothing to be lost and much to be gained by establishing such a *liaison* between management and labourers: in so far as these strikes are due to grievances of which the manager is unaware until the strike occurs and which are appeased when they are known, it is incontrovertible that frank discussion between the parties would help to prevent them. There may be other and better suggestions than this: if so, I hope that they will be made. The important thing is to find means by which these wasteful and disturbing strikes may be prevented in future: that consummation would, I feel sure, be as welcome to the labourers as to managers, owners and all honest friends of British Guiana.

TERMS OF SERVICE.

I find that there are several important issues relating to the terms of service of the Civil Service and I have detailed the Honourable Member, Major Bain Gray, to draft recommendations for their solution. Among these issues are the revision of the list of pensionable posts, the reclassification of salaries and certain questions concerning gratuities and leave conditions. The Honourable Member's wide knowledge and deep interest in these questions will, I feel sure, commend him to the Council as a most suitable appointee for these purposes.

THE AGENDA.

As I began by saying, the principal task of Council at this session is the consideration and passing of the Estimates of Expenditure. The list of Bills coming before the Council is short and contains no first-class measure, though one or two of them, such as the Plant Diseases and Pests Bill, are important and the East Demerara Water Conservancy Bill is urgent. I hope that none will be found to be contentious.

CONCLUSION.

On the first occasion when I had the honour to address the Council as President I ended by saying that I could see no reason why British Guiana should not look forward to the future with conscious optimism. I see no reason three months later to unsay those words. In the course of this address I have tried to indicate in terms of time, albeit indefinite terms, how emergence from our difficulties can be foreseen. The process, as I have described it, is regrettably, Honourable Members perhaps will think disappointingly, slow: but that is no disproof of its reasonableness. The matter is one of courage, courage to endure and courage to 'march breastforemost never doubting clouds will break.' It is for us, Honourable Members, to lead the Colony in that march.

I commend the interest of the Colony to your devoted and sincere consideration under the guidance of Almighty God.

APPENDIX.

PART I.

Classification of the Public Debt and Loan Expenditure accounts (exclusive of Railway Permanent Annuities, etc., and Loan Grants-in-aid).

Public Loans—balance outstanding ...	...\$ 20,148,325
Colonial Development Fund Loans ...	... 935,225
	<hr/>
	\$ 21,083,550
New Loan to be raised ...	... 1,209,053
	<hr/>
Public Debt—balance as above ...	...\$ 22,292,603
For the purpose of classification of the expenditure under Loan Ordinances still	

current it is necessary to add to this balance the total of such individual issues thereunder as have in the meantime been repaid.

Add

Loans repaid ...	\$ 4,851,376
Colonial Development Fund repaid ...	3,600 \$ 4,854,976
	<hr/>
	\$ 27,147,579

CLASSIFICATION OF EXPENDITURE.

Sea Defences ...	\$ 7,312,600
Main Drainage Sewerage, Georgetown ...	4,784,241
Drainage Rural Areas ...	1,726,189
Water Supply, Georgetown ...	815,103
Pure Water Supply Rural Areas	948,915
Railway and Steamer Services ...	2,359,126
Lands and Public Buildings, etc.	896,217
Roads, Bridges and Tralls ...	787,852
Loans to Local Authorities ...	1,760,663
Church Endowments ...	639,410
Revenue Deficits	299,418
Cost of raising Loans ...	953,990
Unallocated ...	220,018
Repayment of Loans ...	2,705,012
Colonial Development Fund Loans ...	938,825 \$27,147,579

PART II.

SAVINGS THAT WOULD ACCRUE BY CONVERSIONS AT 3% INTEREST AND REDEMPTIONS OF MATURING LOANS DURING THE NEXT 13 YEARS.

	1937	1938	1939	1940	1941	1942	1943	1945	1946	1949	Maximum accumulated saving.
BY CONVERSIONS.		\$	\$	\$		\$	\$	\$	\$	\$	\$
Local Loans—											
Ord. No. 19 of 1896	...	11,654	...	...	...	...	...	...	...	...	11,654
Ord. No. 6 of 1916	...	8,539	18,679	6,702	...	...	...	8,939	...	...	38,269
United Kingdom Loans—											
Ord. No. 6 of 1916	120,000	...	...	...	...	120,000
Ord. No. 11 of 1929	200,640	200,640
Total savings, Conversions	...	20,593	18,679	6,702	...	120,000	...	8,939	...	200,640	370,553
BY FINAL REDEMPTIONS*											
Local Loans—											
Ord. No. 33 of 1920	47,368	...	47,368
United Kingdom Loans—											
Ord. No. 22 of 1933	15,784	...	...	...	15,784
Ord. No. 8 of 1924	23,209	...	...	23,209
Total savings, Redemption	15,784	23,209	47,368	...	86,361
Grand Total	...	20,593	18,679	6,702	...	120,000	15,784	32,148	47,368	200,640	456,914

* Savings include Sinking Fund contribution.

Note.—Figures under conversion of local loans are deductions for full year. Saving to extent of one-half will accrue in previous year in each case.

MINUTES.

The minutes of the meeting of the Council held on the 24th July, as printed and circulated, were confirmed.

ANNOUNCEMENTS.

TONNAGE AND LIGHT DUES.

THE COLONIAL SECRETARY (Mr. E. J. Waddington): I am the bearer of the following Message from His Excellency the Governor to the Council:—

MESSAGE No. 5.

Honourable Members of the Legislative Council,

I have the honour to invite the Council to approve of a surtax of fifteen per centum being levied, during the year 1936, on the amount of Tonnage and Light Dues which shall be collected under section eighteen of the Transport & Harbours Ordinance, 1931. This surtax will not be levied in respect of any vessel which lands and takes away cargo not exceeding in the aggregate five hundred tons, or in respect of any sailing vessel of not more than three hundred tons net register.

2. Honourable Members will recall the passing of Resolution No. 1. of the Legislative Council on the 6th of December, 1934, which provided for the collection of a temporary surtax of fifteen per centum on Tonnage and Light Dues during the current year.

3. The reason for the re-imposition of this surtax is that the Colony still requires the additional revenue to meet the estimated expenditure in 1936. The financial position has not sufficiently improved to allow of any taxation imposed during 1935 being reduced, and I accordingly invite the Council to approve of the collection of this surtax during 1936, after which the position can again be reviewed.

G. A. S. NORTHCOTE,

Governor.

11th October, 1935.

AN EX-GRATIA AWARD.

Major BAIN GRAY (Director of Education): I am the bearer of the following Message from His Excellency the Governor to the Council:—

MESSAGE No. 2.

Honourable Members of the Legislative Council

I have the honour to invite the Council to approve, as an exceptional case, an *ex gratia* award of £100 to Mr. P. G. Barrow, Guiana Scholar, 1925.

2. Mr. Barrow won a British Guiana Scholarship in 1925 and went to Edinburgh to study medicine. In 1930 he failed to qualify and so forfeited the balance of his scholarship (*viz.*, £180). He renewed his studies at the expense of his parents with eventual success in 1934 when he graduated as Bachelor of Medicine and Bachelor of Surgery.

3. There are reasons for believing that his previous failure was due to some extent to causes beyond his control and on that account

and on account of the financial circumstances of his widowed mother, the Executive Council have advised me unanimously that the grant above-mentioned should be made. I have concurred with this advice and now invite the Council to approve the concessioner.

4. A deduction will be made from the proposed *ex-gratia* award, if it is approved, to cover advances amounting £46 13s. 6d. made to him for his passage back to British Guiana and in repayment of a portion of the fees incurred in the course of his studies. The remainder, £53 6s. 6d., will serve to reimburse him for part of his expenditure on University and Examination fees.

G. A. S. NORTHCOTE,
Governor.

14th September, 1935.

ESSEQUEBO SEA DEFENCES.

Major CRAIG (Director of Public Works): I am the bearer of the following Message from His Excellency the Governor to the Council:—

MESSAGE No. 1.

Honourable Members of the Legislative Council,

I have the honour to address the Council on the subject of expenditure incurred by the Sea Defence Board on works in the former Sea Defence District No. 2 Essequibo River.

2. Mr. G. O. Case, Consulting Engineer to the Sea Defence Board, recommended early in 1934 that this district be abandoned as a sea defence district, and acting on this advice the Governor in Council by an order dated 14th November, 1934, removed the name of this district from the First Schedule to the Sea Defence Ordinance, 1933.

3. The Sea Defence Board expended a total of \$4,577.61 on works in the district in 1933 and 1934, over and above the revenue received. Government has advanced from the loan raised under Ordinance No. 22 of 1933 for Sea Defence works a sum of \$3,000 to defray the cost of construction works of a permanent character and the balance of \$1,577.61 against unpaid rates in respect of maintenance.

4. In view of the abandonment of the district as a Sea Defence District there is no possibility of the amount expended by the Board being recovered from proprietors in rates. With the approval of the Secretary of State, I accordingly invite this Council to approve of the writing off of the sum of \$3,000 advanced from loan funds to the Sea Defence Board and of provision being made in the Estimates to cover the advance of \$1,577.61 to the Board against unpaid rates.

G. A. S. NORTHCOTE,
Governor.

9th September, 1935.

AN EX-GRATIA AWARD.

Mr. MULLIN (Commissioner of Lands and Mines): I am the bearer of the following Message from His Excellency the Governor to the Council:—

MESSAGE No. 3.

Honourable Members of the Legislative Council,
I have the honour to invite the Council to

approve of the payment of an *ex-gratia* award of \$768 to the legal personal representative of the estate of the late Mr. A. J. Cheong, Deputy Commissioner of the British Section of the British Guiana-Brazil Boundary Commission, who died on the 4th October, 1934, at Kassi-kaityu, Kupununi District.

2. Mr. Cheong who was 46½ years of age at the time of his death had a meritorious record of service to his credit of which 26 years and 5 months were on the Pensionable Establishment. He performed valuable pioneer work in the Colony in the way of road and railway location surveys, and it was on his preliminary surveys that the later location surveys of the Bartica-Potaro and Bartica-Tiboko roads were based. These surveys were undertaken by him when he was Warden of No. 2 Mining District, without any extra staff, thus saving the Colony much time and money. Whilst performing arduous duties in the delimitation of the British Guiana-Brazil Boundary, Mr. Cheong contracted a disease which ultimately caused his death. He left a widow with four children between the ages of 10 and 14 years.

3. The award which the Council is invited to approve represents the difference between the amount which has been paid to the legal personal representative of the estate under the provisions of the Pensions Ordinance, Chapter 204, and that which would have been payable had Mr. Cheong served the maximum pensionable period of 80 years on the Fixed Establishment.

G. A. S. NORTHCOTE,
Governor.

24th September, 1935.

AN EX-GRATIA AWARD.

Major CRAIG: I am the bearer of the following Message from His Excellency the Governor to the Council:—

MESSAGE No. 4.

Honourable Members of the Legislative Council,

I have the honour to invite the Council to approve the grant to Burton Rodney, a labourer who was injured as a result of an accident which occurred during excavation work on the Bartica-Potaro Road on 20th May, 1933, of an *ex-gratia* award of \$302.40 less the sum of \$250, being full pay issued during detention in hospital.

2. On the day in question a boulder slipped down the face of a hill which was being excavated and injured two men. The wounds of one man were of a minor nature, but the other, Rodney, suffered a complete fracture of his right leg just above the ankle and was admitted to the Public Hospital, Georgetown, where he remained up to the 11th of June, 1934—a period of practically 13 months. The injury to the leg developed septic complications shortly after his admission to the hospital, and at one time the possibility of the limb having to be amputated was considered. I am glad to say that after treatment this was found to be unnecessary.

3. As a result of this accident Rodney has sustained permanent partial incapacity, and it is considered that his earning capacity has been reduced by 33½% as he is now capable only of watchman's work or similar light duty.

4. The Workmen's Compensation Ordinance, 1934, (No. 7), which had not come into operation when the accident occurred, provides under section 5 (1) (c) (ii) and 2 for the computation of compensation in such a case, and on this basis the appropriate figure is \$302.40, being the equivalent of 83¼% of 42 months wages of the injured man. The actual amount to be paid to him, after deduction of the pay issued to him while in hospital, is \$52.40.

5. The Secretary of State has sanctioned the award and I have no doubt that the Council will approve.

G. A. S. NORTHCOTE,
Governor.

2nd October, 1935.

PAPERS LAID.

The following documents were laid on the table:—

Draft Estimates of Revenue and Expenditure for the year 1936.

Explanatory Memorandum for use when considering the Estimates for 1936.

Comparative Statement of Revenue for the ten years 1925-1934.

Reports by Mr. Gerald O. Case, F.S.E., on the Sea Defences of the Colony, with Minute by Major the Hon. John C. Craig, D.S.O. M. Inst. C.E., Director of Public Works, and Chairman, Sea Defence Board.

Report on the Deeds Registry for the year 1934.

Comparative Statement of Expenditure under the separate Heads of the Colonial Estimates for the ten years 1925 to 1934.

Report of the Lands and Mines Department for the year 1934.

Report of the Directors of the Public Officers Guarantee Fund for the year 1934.

Report of the Chairman, Poor Law Commissioners, on the Alms House and outdoor poor for the year 1934.

Report of the Auditor for the year 1934.

Administration Report of the Director of Agriculture for the year 1934.

Schedule of Loan Works to be met from Loan Funds.

Report of the Essequibo Coast Commission.

Report of the Immigration Agent General for the year 1934.

Report of the Registrar General for the year 1934.

Report of the Committee of the Trotman Trust Fund for the year 1934.

Returns of the British Guiana Building Society, Limited, for the year ended 31st December 1934.

Despatch and enclosure from the Secretary of State regarding the settlement of Assyrians of Iraq.

Special statement on timber supply, consumption and marketing in British Guiana prepared for presentation to the Fourth British Empire Forestry Conference (South Africa) 1935.

General Review by the Secretary of State of the Economic position and prospects of the Colonial Empire at June 30th, 1935.

Schedule of Petitions addressed to the Legislative Council which have been dealt with by the Executive Council showing the decisions reached in each case.

List of articles not exempt from duty which have been specially exempted by the Governor in Council under Article 2 of the Fourth Schedule to the Customs Duties Ordinance, Chapter 34, during 1934-1935.

Schedule of applications for gratuities from the dependents of deceased teachers,

Teachers Pensions Regulations, 1935.

Regulations made by the Governor in Executive Council under the British Guiana (Constitution) Orders in Council, 1928 and 1935, amending the Election Petitions Regulations, 1930.

Regulations made by the Governor in Executive Council under the British Guiana (Constitution), Orders in Council 1928 and 1935, amending the Election (Legislative Council) Regulations, 1930.

Regulations made by the Governor in Executive Council under the British Guiana (Constitution) Orders in Council 1928, and 1935, amending the Election (Legislative Council) Expenses Regulations, 1930.

Regulations relating to the Export Trade in Rice.

Regulations made in pursuance of the importation of Textiles (Quotas) Ordinance, 1934.

Rules to amend the Rules made on the 26th of May, 1934, relating to admission to the Clerical Service of the Government of British Guiana. (*The Colonial Secretary*).

GOVERNMENT NOTICES.

Notice was given that at the next or a subsequent meeting of the Council the following Bills would be introduced and read a first time:—

A Bill to continue certain expiring laws.

A Bill to amend the Boorasirie Creek Ordinance, Chapter 135, by empowering the Governor in Council by Order to combine plantations and vary the acreage of any plantation (*The Colonial Secretary*).

A Bill to amend the Evidence Ordinance, Chapter 25, with respect to the reception of a medical report in the Magistrate's Court (*The Attorney General*).

A Bill to regulate the importation and exportation of plants and to make provision for the prevention and eradication of diseases and pests affecting plants (*Professor Dash*).

A Bill to repeal the Pensions (Voluntary Retirement) Ordinance, 1932 (*Mr. Mc David*).

A Bill to amend the Bill of Entry Tax Ordinance (No. 2), 1932, by exempting certain articles from the Bill of Entry tax (*Mr. D' Andrade*).

ANNUAL ESTIMATES.

THE COLONIAL SECRETARY gave notice of the following motion:—

That this Council approves the Estimates of Expenditure to be defrayed from Revenue during the year ending 31st December, 1936, which have been laid on the Table.

The Council adjourned until Tuesday, 22nd October, at 11 o'clock.



in assent.
C. DOUGLAS-JONES,
Officer Administering the
Government.

31st December, 1929.

BRITISH GULANA.

[THE LEGISLATIVE COUNCIL.]

ORDINANCE NO. 42 OF 1929.

AN ORDINANCE to amend the Immigration Ordinance, 1891, with respect to the minimum age at which female immigrants may marry and the registration of marriages contracted by immigrants according to their religion and personal law. A.D. 1929.

[4th January, 1930.]

BE it enacted by the Governor of British Guiana, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Immigration Ordinance, 1929, and shall be construed with the Immigration Ordinance, 1891, hereinafter referred to as the Principal Ordinance, and any Ordinance amending the same. Short Title.
No. 18 of
1891.

PRICE 1/. To be purchased from "The Argoey" Company, Ltd., Water Street, Georgetown, British Guiana, and from the Crown Agents for the Colonies, 4, Millbank London S.W.1.]

Amendment to secs. 146, 147 & 151 of Ord. 18 of 1891. 2. In sections one hundred and forty-six, one hundred and forty-seven and one hundred and fifty-one of the Principal Ordinance the word "fourteen" is substituted for the word "thirteen" wherever the latter occurs.

Amendment to sec. 152 of Ord. 18 of 1891. 3. Section one hundred and fifty-two of the Principal Ordinance is hereby amended—

(a) by substituting the word "notification" for the word "certificate" wherever the latter occurs save in the last line thereof;

(b) by adding the words "which may be in English, Nagri or Urdu" at the end of sub-section (1) thereof.

Amendment to sec. 153 of Ord. 18 of 1891. 4. Section one hundred and fifty-three of the Principal Ordinance is hereby amended by substituting the word "notification" for the word "certificate" in the fourth and eighth lines thereof.

Amendment to secs. 165, 166 & 168 of Ord. 18 of 1891. 5. Sections one hundred and sixty-five, one hundred and sixty-six and one hundred and sixty-eight of the Principal Ordinance are hereby amended by inserting the words "or notification" after the word "certificate" wherever the latter occurs.

New Form for Form No. 31. 6. The Form No. 1 in the Schedule to this Ordinance is hereby substituted for Form No. 31 in the Schedule to the Principal Ordinance.

Special provision for registration of marriages according to religion and personal law. 7.—(1) Notwithstanding anything contained in Part X. of the Principal Ordinance relating to the registration of marriages contracted according to religion and personal law, the Immigration Agent General shall during a period of twelve months from the commencement of this Ordinance cause an entry to be made in the Register of Marriages contracted in the Colony of any marriage of immigrants contracted according to their religion and personal law prior to the commencement of this Ordinance, provided the parties to such marriage are presently living together as husband and wife and appear together before the Immigration Agent General and sign a declaration in the Form No. 2 in the Schedule to this Ordinance (a copy whereof shall be furnished them free of charge by the Immigration Agent General), and the Immigration Agent General is satisfied by the statements of the parties themselves and by such other information as he may be able to procure that the parties ought to be regarded as husband and wife.

(2) The Immigration Agent General shall on the registration of any such marriage deliver forthwith to each of the parties a certificate of such registration in the Form No. 32 in the Schedule to the Principal Ordinance.

(3) A marriage so registered shall be deemed to be valid as from the date of registration.

(4) No fee shall be payable for the registration of any such marriage or for any certificate of such registration.

FORM NO. 1.

Section 9.

NOTIFICATION OF MARRIAGE ACCORDING TO RELIGION AND PERSONAL LAW.

We (name of bridegroom) , and (name of bride) severally declare as follows:—

1. We are both of the Hindu Religion and are subject to the same personal law; and
Mohammedan

2. We were duly married on the (date) day of (month) 19 at (name of place) by Pandit and we severally say that such marriage was well and truly effected according to the said religion and to the personal law to which we are subject.
Moulvi

(Signature of 2 witnesses if Bride or Bridegroom cannot write.

Signature (or mark) of Bridegroom.....

1.....

Signature (or mark) of Bride.....

2.....

(Name of witness).

We, (... ..) and (... ..) severally declare that we are of the same religion and subject to the same personal law as (name of Bridegroom) and (name of Bride) that we were present at the ceremony of marriage between them and that the statements contained in this certificate are true.

Dated this (date) day of (month) 19 .

(Signature of 2 witnesses if either witness cannot write).

(Signature (or marks) of witnesses).

1.....

1.....

2.....

2.. ..

If the Bride is under fifteen years of age, the following declaration must be added :

I (name) Father of (name of bride) do hereby declare that I consent to the said marriage of the said (name of bride) to (name of bridegroom)

Dated this (date) day of (month) 19 .

(Signature of witnesses if Father cannot write),

(Signature (or mark) of Father of Bride),

1.....

.....

2.....

This marriage was solemnised by me on the (date) day of (month) , at (name of place)

Signature of Pandit
Moulvi

FORM No. 2.

Section 7 (1).

DECLARATION OF MARRIAGE.

We, A.B. and C.D. severally declare as follows :

- 1. We are both of the... religion and subject to the same personal law.
- 2. We were duly married according to the said religion and personal law at (place) on (date).
- 3. We are living together at the present time as husband and wife.

Dated this day of 19 .

(Signed)

A. B.

C. D.

Signatures of 2 witnesses if either declarant cannot write:—

- 1.
- 2.

Passed by the Legislative Council on the 10th day of December, 1929.

(M.P. 3944/29). M. B. LAING, Clerk of the Council.

LEGISLATIVE COUNCIL.

TUESDAY, 3RD DECEMBER, 1929.

The Council met pursuant to adjournment, *His Excellency the Officer Administering the Government*, HON. C. DOUGLAS-JONES, C.M.G., President, in the Chair.

PRESENT:

The Hon. the Colonial Secretary, Mr. G. D. Owen (Acting).

The Hon. the Attorney General, Mr. B. F. King, Ph. B. (Louv.) (Acting).

Hon. T. T. Smellie. (Nominated Unofficial Member).

Hon. P. J. Kelly, M.B., Ch. B., Surgeon-General.

Hon. F. Dias. (Nominated Unofficial Member).

Hon. T. Millard, Colonial Treasurer.

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

Hon. R. E. Brassington. (Elected Unofficial Member).

Hon. R. V. Evan Wong, B.Sc. (Elected Unofficial Member).

Colonel the Hon. W. E. H. Bradburn, Inspector-General of Police.

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

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

Hon. S. H. Bayley, Managing Director, Colonial Transport Department.

Captain the Hon. R. G. Wright-Nooth, M.C., A.M.I.C.E., Director of Public Works (Acting).

Hon. O. W. Webber, Postmaster General (Acting).

Hon. E. G. Woolford, K.C., (Elected Unofficial Member).

Hon. N. Cannon. (Elected Unofficial Member).

Hon. A. V. Crane, LL.B. (Lond.) (Elected Unofficial Member).

Hon. E. A. Luckhoo, (Elected Unofficial Member).

Hon Percy C. Wight. (Elected Unofficial Member).

Hon. J. Eleazar (Elected Unofficial Member).

Hon. A. R. F. Webber, (Elected Unofficial Member).

Hon. J. Gonsalves. (Elected Unofficial Member).

Hon. A. E. Seeram, (Elected Unofficial Member).

Hon. S. McD. de Freitas, M.A., (Elected Unofficial Member).

Hon. J. Smith (Nominated Unofficial Member).

Hon. S. H. Seymour (Nominated Unofficial Member).

MINUTES.

The minutes of the meeting of the 15th November, as printed and circulated, were taken as read and confirmed.

MEMBER SWORN.

The following Member took and subscribed to the oath:

Mr. O. W. Webber, Postmaster-General (Acting).

ANNOUNCEMENT.**MESSAGES.**

Dr. KELLY (Surgeon General): I am the bearer of the following Messages from His Excellency the Officer Administering the Government:—

MESSAGE No. 6 OF 1929.

Honourable Members of the Legislative Council.

I have the honour to invite the Council to approve of an amount of \$37.50 due by Mrs. Norman Smith as part of the cost of the treatment of C. Johnson, decd., in the Pub-

lic Hospital, Georgetown, being reduced to \$12.50. This is the case of a sick youth in poor circumstances, the cost of whose treatment at the Public Hospital Mrs. Norman Smith personally guaranteed. On 5th December, 1928, this Council adopted a recommendation in the report of the Petitions Committee that an amount due (\$158) for treatment of Johnson from 6th May, 1927, to 15th August, 1927, be reduced to \$58. The amount due represented maintenance for 102 days at \$1.50 per diem plus an operation fee of \$5 and the reduction of the bill was effected by reducing the per diem rate from \$1.50 to 50 cents. The patient did not, however, leave the hospital until 10th September, 1927, and as the bill referred to in the petition did not include the cost of this latter part of his treatment, the Council is now asked to approve of a similar reduction of the per diem rate in respect thereof.

C. DOUGLAS JONES,
Officer Administering the Government.
Government House,
British Guiana,
11th November, 1929.

MESSAGE No. 7 OF 1929.

Honourable Members of the Legislative Council.

I have the honour to invite the Council to adopt the attached motion, the effect of which is to alter the fees payable in connexion with *post mortem* examinations.

"Section 47 of the Coroners Ordinance, 1887, reads:—

"47. There shall be paid from and out of the vote for the contingent expenses of justice, in respect of coroners' inquests and other matters and things connected therewith, such fees as may from time to time be determined by resolution of the Governor and Court of Policy; and, until otherwise ordered by the Governor and Court of Policy, the fees prescribed in the first schedule to this Ordinance shall be the fees payable in respect of the several matters therein mentioned.

"I am advised that it is expedient to substitute the fees set forth in the schedule to the motion for those prescribed in the first schedule of the Ordinance, a copy of which is appended hereto."

C. DOUGLAS JONES,
Officer Administering the Government.
Government House,
British Guiana,
29th November, 1929.

Section 47.

THE CORONERS ORDINANCE, 1887.

THE FIRST SCHEDULE.

TABLES OF FEES.

1. To every Coroner (not being in the receipt of any public pay or emolument) holding or completing any inquest or inquiry and thereafter duly transmitting the record of the proceedings in terms of the Ordinance \$ 5 00
 2. To every qualified Medical Practitioner who is in the receipt of any salary or remuneration from the Public Revenues, for making an examination of the dead body of the deceased person, where it is not necessary to make any dissection of the body, making the report required by the Ordinance, and certifying the cause of death 2 00
 - 2a. To every such Practitioner, where it is necessary in any such case to attend to give evidence, an additional sum of 3 00
 3. To every qualified Medical Practitioner who is in the receipt of any salary or remuneration from the Public Revenues, for making a complete *post mortem* examination of the dead body of the deceased person including the dissection of the body, either with or without an analysis of the contents of the stomach and intestines or preparing them for transmission to the Government Analytical Chemist, making the report required by the Ordinance, and certifying the cause of death and, if necessary, attending to give evidence 10 00
- Where the Medical Practitioner is not in the receipt of any salary or remuneration from the Public Revenues, for such complete *post mortem* examination, including all matters mentioned in the preceding item 15 00

N.B.—No mileage or travelling expenses to be allowed, but in special cases it shall be lawful for the Governor to order the payment of such extra remuneration for travelling expenses, or otherwise as he may deem just and reasonable.

Mr. MILLARD (Colonial Treasurer): I am the bearer of the following Message from His Excellency the Officer Administering the Government:—

MESSAGE No. 8 OF 1929.

Honourable Members of the Legislative Council.

I have the honour to invite the Council to approve of the following terms for the repayment of the amalgamated loan of \$208,638.64, made to the Canals Polder Authority in pursuance of Combined Court Resolution No. XLV. of the 31st August, 1922:

(a.) The Authority to be responsible for 60% of the cost of the works, i.e., \$125,183;

(b.) Interest to be at the reduced rate of 5% per annum from 1st January, 1929.

(c.) Sinking Fund to be at the rate of 1% per annum. The first contribution payable in 1928 and the final in 1967 after which year the loan to be considered fully repaid;

(d.) The amount now at credit of the Sinking Fund Deposit Account (\$1,554) to be applied to meet the first Sinking Fund contribution of \$1,252, and the balance of \$302 to be carried forward towards the current year's contribution.

Combined Court Resolution No. LXXIX. of 16th December, 1924, authorises that the same basis of repayment as is applicable to the advances made by the Colony to the various local authorities for the general drainage of the Coastlands shall be adopted in respect of the Loan to the Canals Polder. The basis of repayment with respect to such advances has been fixed by the Drainage and Irrigation Ordinance, 1927, at 60% of the cost of the works—to be reimbursed on the same terms as the Colony Loan raised for the purpose. As the terms of this loan were unknown until recently, only a tentative arrangement with the Polder Authority had hitherto been possible.

The advance to the Authority has been made out of the proceeds of 50 year loans raised under Ordinance 6 of 1916 in respect of which Colony Revenue bears an average annual charge of 5½% of interest and 1/31% for sinking fund respectively. The Polder Authority has accordingly been charged from 1926 equivalent rates, subject, however, to similar relief as is afforded to Drainage Authorities by Section 13 of the Drainage and Irrigation Ordinance by which payments are limited to 1/3 the full rates in the first year, and 2/3 in

the second year. The sum collected for sinking fund contribution on this basis amounts to \$1,554, which has been placed at credit of a deposit account pending a final determination of the period of repayment.

The recent report of the Drainage Committee, which is being printed and will in due course be laid on the table, may possibly render necessary some variation in the basis of repayment of advances made under the Drainage and Irrigation Ordinance. The advance of the Canals Polder was not, however, made under this Ordinance, and the Colonial Treasurer is of opinion, and I concur, that the original intention should be maintained in regard to this separate and distinct loan and the terms of repayment fixed in accordance therewith.

I recommend, therefore, that the above terms, which have been proposed by the Colonial Treasurer, be authorised.

It will be observed that these rates synchronize with those which the Colony will pay on the new loan. The interest rate of 5 per cent. is also suitable in view of the conversion, actual and pending, of the various issues under Loan Ordinance 6 of 1916 from 6 per cent. to 5 per cent.

Under the existing temporary arrangement the Canals Polder Authority will pay in a full year \$7,675. Under the arrangement now suggested the annual payment will amount to \$7,511, while repayment will be fully effected some 12 years earlier. The proposal will, no doubt, prove acceptable to the Authority, and I hereby invite legislative sanction in amplification of Resolution No. LXXIX. of 16th December, 1924.

C. DOUGLAS JONES,
Officer Administering the Government.
Government House,
British Guiana,
14th November, 1929.

Professor DASH (Director of Agriculture): I am the bearer of the following Message from His Excellency, the Officer Administering the Government:—

MESSAGE No. 9 OF 1929.

Honourable Members of the Legislative Council.

I have the honour to invite the Council to approve of this Colony contributing \$480 a year for five years, (commencing with the current year) towards the maintenance of the Imperial Agricultural Bureau. It will be remembered that in 1927 an Imperial

Agricultural Research Conference was held in London, and that British Guiana participated. The proposal to hold the conference had met with the cordial approval of the Imperial Conference, 1926; and on the 11th February, 1927, the Combined Court had approved by Resolution (No. X) of this Colony being represented. The Colony's delegates were the Assistant Botanist and Mycologist, Department of Science and Agriculture, and the Superintendent of the British Guiana Sugar Planters' Experiment Stations, and the Combined Court provided funds to defray their expenses.

The Conference recommended the establishment of further Imperial Bureaux and a Financial Supervisory Body was appointed to prepare a detailed scheme for their organisation. The report of that body, together with a memorandum embodying the conclusions which were reached regarding the work, administration, and finance of the Bureaux has already been laid on the table and this Council has voted a sum of \$480 on the first supplementary estimate as the Colony's contribution for the first year. It may be observed from the memorandum that the estimated cost of the new Bureaux is £20,000 per annum and that the contribution which is required from the Colonial Empire is £3,750.

In view of the facilities which the new Bureaux will afford by the interchange of information on subjects of practical interest, I have no doubt that the Council will be prepared to approve of this Colony making an annual contribution which cannot be considered excessive.

C. DOUGLAS-JONES,
Officer Administering the Government,
Government House,
British Guiana,
27th November, 1929.

Mr. BAYLEY (Managing Director, Colonial Transport Department): I am the bearer of the following Message from His Excellency the Officer Administering the Government:—

MESSAGE No. 10 OF 1929.

Honourable Members of the Legislative Council

I have the honour to invite the Council to approve of the payment of a gratuity of \$240 to Mrs. Marion Wellington, widow of Donald Wellington, late boatswain, of the Colonial Transport Department's Steamer "Lukanani."

Boatswain Wellington fell overboard while performing his duties on the "Lukanani" and was drowned, and though there is

no legal liability on the Department, I recommend that the abovementioned *ex gratia* payment be made.

C. DOUGLAS-JONES,
Officer Administering the Government,
Government House,
British Guiana,
19th October, 1929.

PAPERS LAID.

The COLONIAL SECRETARY: (Mr. G. D. Owen): I beg to lay on the table the following documents:—

Draft Estimates of Revenue and Expenditure for the year 1930.

Report submitted by the Empire Marketing Board and the West India Committee to the Secretary of State in regard to the formation of a Trade Commissioner Service in London for the Colonies represented at the First West Indies Conference, 1929.

With Your Excellency's permission I should like to explain to the Council that owing to exceptional circumstances this year it was not found possible to have the Budget Statement ready at the same time with the Draft Estimates. It was thought that hon. Members would prefer to have the Draft Estimates at the earliest possible date rather than that it should be held over until the Budget Statement is ready.

GOVERNMENT NOTICES.

INTRODUCTION OF A BILL.

Notice was given that at the next meeting of the Council the following Government Bill would be introduced and read the first time:—

A Bill to amend the Magistrates' Courts Ordinance, 1893, with respect to Justices of the Peace.—(*The Attorney-General*).

MOTIONS.

Notice was given that the following Government Motions would be moved at the next meeting of the Council:—

1930 ESTIMATES.

That the Council do resolve itself into Committee of Supply upon the Estimates of Expenditure to be defrayed from revenue during the year ending the 31st December, 1930.—(Colonial Secretary).

HOSPITAL FEES.

That, with reference to the Governor's Message No. 6 of 1929, this Council approves of the amount of \$37.50 due by Mrs. Norman Smith as part of the cost of the treatment of C. Johnson, decd., in the Public Hospital, Georgetown, being reduced to \$12.50.

CORONER'S FEES.

That this Council hereby determines that from and after the first day of January, 1930, the fees set forth in the Schedule hereto shall be submitted for the fees prescribed in the First Schedule to the Coroners Ordinance, 1887.

SCHEDULE

TABLE OF FEES.

- 1. To every Coroner (not being in receipt of any public pay or emolument) holding and completing any inquest or inquiry and thereafter duly transmitting the record of the proceedings in in terms of the Ordinance...\$5 00
- 2. To every qualified Medical Practitioner who is in receipt of any salary or remuneration from the Public Revenues, for making an examination of the dead body of the deceased person, where it is not necessary to make any dissection of the body, making the report required by the Ordinance, and certifying the cause of death 2 00
- 3. To every such Practitioner, where it is necessary in any such case to attend to give evidence, an additional sum of..... 3 00
- 4. To every qualified Medical Practitioner who is in receipt of any salary or remuneration from the Public Revenues, for making a complete post mortem examination of the dead body of the deceased person, including the dissection of the body, either with or without an analysis of the contents of the stomach and intestines or preparing them for transmission to the Government Analyst, making the report required by the Ordinance, and certifying the cause of death.... 6 00
- 5. To every such Practitioner, where it is necessary in any such case to attend to give evidence, an additional sum of..... 4 00
- 6. To every qualified Medical Practitioner who is not in the receipt of any salary or remuneration from the Public Revenues, for making an examination of the dead body of the deceased person, where it is not necessary to make any dissection of the body, making the report required by the Ordinance, and certifying the cause of death..... 3 00
- 7. To every such Practitioner, where it is necessary in any such case to attend to give evidence an additional sum of..... 4 00
- 8. To every qualified Medical Practitioner who is not in the receipt of any salary or remuneration from the Public Revenues, for making a complete post mortem examination of the dead body of the deceased person including the dissection of the body either with or without an analysis of the contents of the stomach and intestines or preparing them for transmission to the Government Analyst making the report required by the Ordinance and certifying the cause of death..... 8 00
- 9. To every such Practitioner, where it is necessary in any such case to attend to give evidence an additional sum of..... 7 00

N.B.—No mileage or travelling expenses to be allowed, but in special cases it shall be lawful for the Governor to order the payment of such extra remuneration for travelling expenses, or otherwise, as he may deem just and reasonable.

CANALS POLDER AUTHORITY LOAN.

That with reference to the Governor's Message No. 8 of 1929, this Council approves of the following terms for the repayment of the amalgamated loan of

\$208,638.64 made to the Canals Polder Authority in pursuance of Combined Court Resolution No. XLV. of the 31st August, 1922:—

- (a.) The Authority to be responsible for 60 per cent. of the cost of the works, i.e., \$125,183;
- (b.) Interest to be at the reduced rate of 5 per cent. per annum from 1st January, 1929;
- (c.) Sinking Fund to be at the rate of 1 per cent. per annum. The first contribution payable in 1928 and the final in 1967 after which year the loan to be considered full repaid;
- (d.) The amount now at credit of the Sinking Fund deposit account (\$1,554) to be applied to meet the first sinking fund contribution of \$1,252, and the balance of \$302 to be carried forward towards the current year's contribution.

That Combined Court Resolution No. LXXIX. of the 16th December, 1924, is hereby rescinded—(*Mr Millard*).

AGRICULTURAL BUREAU.

That, with reference to Governor's Message No. 9 of 1929, this Council approves of the Colony contributing \$480 a year for five years (commencing with the current year) towards the maintenance of the Agricultural Bureau—(*Professor Dash*).

GRATUITY.

That, with reference to Governor's Message No. 10 of 1929, this Council approves of the payment of a gratuity of \$240 to Mrs. Marion Wellington, widow of Donald Wellington, late Boatswain in the Colonial Transport Department—(*Mr. Bayley*).

UNOFFICIAL NOTICE.

MAHAICA AND MAHAICONY FLOODS

Mr. SEERAM: I beg to give notice that at a subsequent meeting of the Council I shall ask the following questions:—

When was the Committee to enquire into the flooding of the Mahaica and Mahaicony Creeks appointed?

When did the Committee send in its report to Government?

Will Government make a pronouncement as to the acceptance or otherwise of the Committee's report?

Will Government release the report of the Committee to this House and to the Press?

Is the Government aware of the fact that the Mahaica and Mahaicony Creeks are amongst the largest rice-growing areas in the Colony?

Will the Government therefore say what assistance—if any—can be given to assist the rice farmers in those districts?

ORDER OF THE DAY.

SUNDAY CINEMA SHOWS.

The PRESIDENT: When the Council adjourned on the 26th November the Council was considering a motion moved by the hon. Junior Member for Berbice (*Mr. Webber*) and seconded by *Mr. Fredericks* praying that the Cinematograph Ordinance, 1912, be amended to permit of cinema entertainments on Sundays. The hon. Junior Member for New Amsterdam was then speaking.

Mr. ELEAZAR: Before resuming my address I am asking permission to read to this Council a covering letter which I received from the Ministerial Fraternity in New Amsterdam. I think that includes all the clergymen in the town except the Roman Catholics and accompanying that is a letter supposed to have been addressed to Government since 14th May this year on this particular subject. It reads as follows:—

New Amsterdam, Berbice,
29th November, 1929.

Dear Sir,—I beg to send you herewith for your information a copy of a letter sent to the Colonial Secretary with reference to the proposal to permit cinema entertainments on Sundays. The original letter was signed by the clergy and ministers of New Amsterdam representing the Church of England, the Congregational Body, the Presbyterian, Lutheran and Wesleyan Methodist. We shall be glad if you give consideration to the points therein.

Following is the text of the letter addressed to the Colonial Secretary:—

New Amsterdam,
Berbice.
May 14th, 1929.

Sir,—Our attention having been drawn to a petition which has been circulated praying Government to permit regular

Sunday Cinema Shows, we beg to submit the following:—

1. That we are strongly of the opinion that regular Sunday shows would be against the wish of the best elements in the community, and that there is really no desire for same.

2. That the majority of town people feel that nine, and sometimes more opportunities a week are ample.

3. That the consensus of opinion is that the economic conditions at present do not warrant encouraging persons to spend money in this direction.

4. Further, that the Cinema authorities show no disposition to avail themselves of the present opportunity to have one Sunday show a month for charity. In the absence of present Sunday shows, it is difficult to see how any real demand could have arisen from them.

We would particularly like to stress the point that to our best knowledge the majority of the community would not welcome such permission and consequently feel that it is our duty to call Government's attention to this.—We have etc..

The Hon. the Colonial Secretary.

Your Excellency when I was addressing the Council on the last occasion I asked Government to reject this motion, but I was not then aware that the religious bodies in the Colony had taken up the attitude of writing a letter to Government asking Government not to entertain the prayer of the petition which was then in circulation. It stands to reason, therefore, that Government will think twice before acceding to the request of evidently interested persons in these cinema shows as against the request of the representatives of the churches in the Colony. Sir, I was then endeavouring to point out that it is no argument to say that people go to worse places if there are no cinema shows on Sundays. That remains to be seen. It is no argument to say the shows will do no harm. The question is: will they do any good? It is unquestionable that in a community such as ours they must do harm to the morals of the people of the Colony. Our people cannot boast of the highest morals at the

present time, but even if they can why should temptations be put in their way, and Government be asked to aid and abet in it. Sir, our people generally are very apt to take notice of these invasions on their rights and privileges, and when you trespass or are about to trespass on privileges which they have at the present moment, then of course you begin to hear them protesting in their own way and in the only way they can. Few of us realise what it is to value a thing we have until we are face to face with the possibility of losing that thing. The ordinary man in the street puts it in this way: "Cow never knows the use of its tail until cow-fly season." If you allow this thing to desecrate the Sunday, then you would see what a boon and blessing Sunday is to man. Allow them to have cinema shows on Sundays, to play games on Sundays and to do whatever they wish on Sundays, and then they will begin to realise what the sacredness of the Sunday meant for all these years.

But Your Excellency where is the necessity for Sunday shows? According to the Ministerial Fraternity's letter to Government, they have the right to one cinema show per month for charity? Have they ever availed themselves of that show? If they have what portion of the takings went to charity? I say emphatically that in New Amsterdam they do not have the one Sunday show every month, and that shows there is no necessity for it. How has charity been benefited by it? Charity has had only the dog's share from these shows. The expenses for these Sunday Shows are six times what they are for other shows, and that is why charity gets so little out of them. Either they have not been giving charity its due which is an indictment against them or it has not been worth while to take advantage of the one Sunday every month.

The motion was more or less sprung upon this Council and nobody seemed to have expected it and no one address-

ed their mind to it. Since leaving this Council every person of respectability that I met says that we have too many shows now, and Government should only allow them to have shows three times a week. Six days in a week people are given an opportunity to spend money in cinema shows and now the seventh day is wanted too. There is an old saying: "If rain fall and jug no full dew cannot fill it." It is contrary to nature. This is an attempt on the part of the Cinema-proprietors to put money in their pockets. I would like to know what is the reason for a man at Victoria Village where the petition was sent to be signed to ask people to agree to cinema shows being held on Sundays. The people would do anything if you ask them. They never thought of the thing at all but just those who stood to make money out of it. 17,000 persons, it is said, signed the petition for Sunday cinema shows. If you are going to grant a petition because 17,000 people signed it what about the other 300,000 people? So it is not argument to say that 17,000 out of 300,000 people signed.

The PRESIDENT: May I remind the hon. Member that he has spoken for over half-an-hour on this question and I would ask him to curtail his remarks.

Mr. ELEAZAR: I found it necessary to elaborate my points by reason of the fact that I received this letter for one thing and in order to remind some of the members who were present and to enlighten those who were not present on that phase of the question. I would assure you that I am not going on very much longer now because I think I have said enough. I desire to wind up my remarks to this Council, with your permission, by referring to a cartoon which came into my hands when I left the Council. It is from an English paper, and is entitled "The Sunday Tree." It portrays a gigantic tree with a tremendous trunk standing in a country. The trunk is marked "Sunday." The top-mast part of it is

marked "Lord's Day." On the left side of the lower branch is marked "Toiler's rest day" and on the opposite side "Empire's Greatest Day," and a little higher you have "Health-giving Day," "Gospel-preaching Day," "Bible (Class Day)" and "Worship Day" on one side and on the next "Sick-visiting Day," "Character-building Day," "Sunday School Day," and "Home Day." Standing by this tree there is a woodman with an axe. Around his waist is a belt marked "Sunday Destroyer." Then there are the National Secular Society, Fellowship of the Reform National Sunday League and just below that are these words: "Woodman spare that tree. Touch not a single bough. I see it shelters me, I shall protect it now." Your Excellency the sacredness of Sunday is the greatness of the British Empire. What sort of pictures you get? Lewd, suggestive sensuous pictures, and that is the kind of thing Government is asked to allow for six days of the week and Sunday as well.

Mr. SEYMOUR: I am also opposing the motion. I can hardly reconcile the statements made by hon. Members when they refer to the "poor struggling and starving people," and also to what very high morals they have. Who however brought it about but the Ministers of Religion. Those are the men we have to thank for the good people and high morals they have which I must bear out. Here we have a petition to this Council. That this petition is signed by 17,000 people more or less carries absolutely no weight at all as the signatures can be easily obtained. The petition is followed by a very subtle and ingenious telegram which appeared in the local papers last week to try and convince people that all we have to do is to follow Trinidad. How often have we not been told don't do what they do in Trinidad, but what they do in England. The cinemas are now asking to compete with the churches, and the little bit the people give as offering to the churches which are in dire circumstances and need, and whose buildings are falling down, it is

now sought to tempt them to give it to the cinema shows. I strongly protest against it and will vote against this motion because there is no honesty of purpose in the petition. It is intended to fill the pockets of the cinema-proprietors.

Mr. WEBBER: I did not burden the Council with any remarks—

Mr. DIAS (interposing): Is the hon. Member replying?

Mr. WEBBER: No, I am asking a question. I have the right to reply but perhaps Your Excellency will permit me to anticipate my reply.

The PRESIDENT: Stick to the rules of the Council. If you want to make any explanation you may do so.

Mr. WEBBER: No, sir, I only just want to assist hon. Members because I did not address the Council when I introduced the motion. I abandoned my right at the time but I would prefer to anticipate my reply.

The PRESIDENT: It would be better if the hon. Member winds up at the end.

Mr. WEBBER: I have nothing to say, but I did not want hon. Members to waste the time of the Council.

Mr. AUSTIN: Perhaps I may contribute to this debate as I have the good fortune or misfortune to be living opposite to the cinema in Georgetown. I can assure hon. Members that the cinema so far has affected myself and family very little except on the occasion of big shows when the situation outside is very trying. I have however taken the trouble to enquire from men of repute in Water Street as to the existing conditions, and they say they are pretty foul at the moment. The young men and young girls get credit in Water Street, which is the fault of the people who give them credit, and as soon as the credit is stopped they move from one store to the other. As I

live opposite to the theatre I see people going there three times a week in the afternoons, and perhaps six times in the evenings. These people are well-dressed and look happy, but at the back of their mind is a heavy debt, and these hon. Members who wish can read between the lines and understand that the debt has to be paid and it may be paid with their bodies although I hope not.

Mr. SMITH: I would just like to say that this petition will not have my support. I will certainly vote against any desecration of the Sabbath whatever.

Mr. DIAS: Some years ago I took part in a debate which had for its object the opening of the cinemas on Sundays. I then supported the project although it met with defeat. My attitude to-day is precisely the same. I shall support this motion, but for some reason which I propose to advance the one matter which certainly had me feeling doubtful to some extent was whether the cinema performances on Sundays would cause additional bother or worry or inconvenience of any kind to the residents immediately adjacent to the picture-house, but the hon. Mr. Austin has just cleared that ground for me by saying that the shows do not worry him very much. That being eliminated there does not seem to me to remain anything which can be seriously urged as an objection to cinema shows on Sundays. I was rather interested when the hon. Junior Member for New Amsterdam (Mr. Eleazar) was reading from the paper and it occurred to me that he was reading from some Christian magazine. It has been passed up and I find it so. It is the "Christian Herald." To approach the matter from this standpoint one knows that opposition would naturally come from religious quarters, and the opposition really emanated from that particular quarter. Therefore in approaching this subject, I do submit, it is hardly fair to regard that opposition in the serious light it is intended to have because of the little feelings of jealousy which always enter into discussions of this nature. It would be very

much better if one approach the matter from the broadest standpoint. These little personal feelings result in bickerings.

In the first place it does seem exceptional that we are all endeavouring to claim for our people a worst condition of affairs than obtains in the West Indian Islands. We are always told that our people are very bad, that their morals are low, and that they are dissipating themselves day by day. I do not subscribe to that. I was born here, but I have travelled as much as any member of this Council around the West Indies and further than that, and certainly if I am to draw a comparison between the people here and those in the West Indian Islands I would say that we are equal to if not superior to them. It is unfair to suggest that the morals of the people of this Colony are so low that a Sunday show would demoralise them even more. I do not think it is fair to the community to regard the matter from that standpoint. On the other hand one hon. Member says we hear about Trinidad but we should not do as they do in Trinidad, we ought to do what they do in England. Well this is exactly what they do in England.

Mr. SEYMOUR (interposing): To a point of correction; that is not so; not in the provincial towns.

Mr. DIAS: The hon. Member limits his statement to provincial towns? I have attended cinema shows on Sunday in London and also outside of London. After all the idea is that the cinema is in itself an education—a form of education for the youngster—provided, of course, the necessary safeguards are taken to see that only proper pictures are provided for the view of those who visit the Picture House. When one takes his mind back and sees what a strong representative body is on the Censor Board—leading men and ladies in the community—one would never countenance the suggestion that anything vulgar would be permitted to be shown

in these places. I cannot see how with any degree of confidence one can oppose a measure of this kind, founded on that ground. If I take my mind back to what occurred when the Council last sat, it was suggested that the petition contained a lot of signatures that were forgeries. That of course put me on the alert and I examined the petition. I cannot conceive that persons in Water Street like Mr. Martin-Sperry and others whose signatures I am well acquainted with and have seen on the petition would lend themselves to anything like forgeries. I do not claim to know all the signatures—

Mr. ELEAZAR (interrupting): We never at any time suggested that all the signatures were forgeries.

Mr. DIAS: There is still no justification for what the hon. Member suggested. When a document of that kind finds its way into the Council with the signatures of those gentlemen whom we all know, we should pay some regard to them. As a matter of fact if I were taking objection on that same ground I would show that the signature of A or B or somebody else was wrong, but I would not make a general statement that the petition contains forged names.

Mr. ELEAZAR: I never said that. If nice oranges are at the top of the barrel it does not say that the whole barrel is sound.

Mr. DIAS: I apologise to my friend, if I am wrong.

Mr. ELEAZAR: You are very wrong.

Mr. DIAS: I apologise for so construing his remarks. The document that the hon. Member read as having been received from the Wesleyan Body—I also received one of those letters and what struck me as being very odd was that it claimed to represent the views of the best people in Berbice or in New Amsterdam. There again one is left to conclude who the best people are in

the opinion of the people who wrote the letter. Nothing was said as to who are the best people and how were they consulted, whether they made house to house visits and so got in touch with the various members of the community. All these things are left for one to infer, and to say that these persons opposing this measure took all necessary care to consult the various sections of the community in order to arrive at a definite conclusion. The matter should be approached from the broadest standpoint possible. I am not interested at all. I may go to the cinema if there is a Sunday show, or I may not go. The matter reminds me of a similar outbreak of opposition which occurred many years ago when it was sought to introduce for the first time the playing of the Militia Band on the Sea Wall on Sundays. I think the hon. Senior Member for North-West Essequibo was a member of the Legislature at that time. There was opposition from every quarter headed, of course, by the various religious denominations in the Colony. It was, however, carried after a division and with what result? Today it is the most popular of entertainments in Georgetown, so much so that if the Colony could have afforded it would have had the Band travelling all over the country to entertain the people. Now-a-days you see the very ministers listening to the Band on Sunday afternoons. I have seen them myself. I question how the cinema shows would interfere with the Church. They are starting at 8.30 o'clock and every one knows that every church is dismissed by then. The service is over and the people go away to their homes. I do not think they are likely to do any harm to the people of this place if they have not done harm to the people of other places. I do submit that those members of the Council who are in opposition to this proposal are not discharging their duty to the people of the Colony.

Mr. CANNON: I am one of those depraved members of this community

who signed that document. I do not think any one claims my signature is a forgery, therefore I am going to stick to it and support the petition today. I wish to say that I, too, like the last Member who spoke, was a member of the late Combined Court when the Cinema Ordinance was passed, and I personally can see no reason for not allowing the people of this Colony to derive any benefit that they may think can be derived from these cinema shows. I may say that I personally do not attend the cinema in this Colony or even in the larger cities where perhaps they are better than they are here, because I do not care for that form of amusement. I personally find my eyesight more precious to me than a cinema show, but why should I stand in the way of other persons of the community who wish to attend these shows. I do not understand why the hon. Member across the table (Mr. Eleazar) should refer to the peculiar type of individuals who had signed that document and who were 17,000 in number. Possibly he is referring to a remark which fell from a distinguished visitor who has just left these shores that a very large number of them belong to that type of individual with the big head, presumably meaning the donkey crowd, and possibly, sir, I may be one of them. I certainly cannot understand and do not understand the opposition coming from my friend at the bottom of the table, Mr. James Smith.

Mr. BRASSINGTON: When this petition was first handed round I was not in favour of the idea. I did not give it very much consideration but after considering the matter and understanding what goes on in this City I made up my mind that I would support the opening of the theatre for cinema shows on Sundays. I am against prohibition of any sort. Prohibition has not made the American nation moral from the point of view of drink, and prohibition of the sort as is suggested

by the opponents of this petition is not going to make the people moral. On Sundays what do you see in this City, cricket being played the whole day, and a lot of the young girls of the City playing hockey. I believe that very conservative club of which I am a member—the Georgetown Cricket Club—plays tennis on Sundays now. Throughout the Colony Sunday is now being looked at from the right point of view and that is the point of view of the liberty of the subject. I have a great respect for the Wesleyan body. It is a very fine body and the clergy that we get here connected therewith are certainly a fine type of men, but I do not see why they should seek to claim that the people who are against this Bill are what you may call the best and most Christian people in this Colony. I do not know—

Mr. ELEAZAR (interrupting): To a point of order and correction. I regret having to speak so often. The Wesleyans are not the only persons who signed the letter, the Anglicans, Lutherans, Presbyterians and Congregationalists as well.

Mr. BRASSINGTON: Reference, I think, was made by the hon. Mr. Dias to the Wesleyan body and it is simply an omission. I am perfectly aware of that because it was said that the only religious body not in this Ministerial Fraternity is the Catholics.

Mr. DIAS (sotto voce): Roman Catholics.

Mr. BRASSINGTON: I always speak of Catholics and Protestants. I always differ from my own church in that respect. I claim there are two bodies, Catholics and Protestants, and I am a Protestant. I think this opposition interferes with the liberty of the subject. If people wish to go to the cinema on Sundays let them go. You have the safeguard of the Censor Board and I think it is the duty of the Government to see that on that Board

are persons who are independent and would permit nothing to be shown that would tend in any way to demoralise the rising generation. I agree with the hon. Mr. Dias' remarks when he took up the cudgels for this Colony in regard to the people's behaviour. I have been to every West Indian Island and I certainly think that the behaviour of people in this Colony on Sundays and week-days bears very favourable comparison with that in any Island in the West Indies. I am never ashamed when I go there and am comparing what is done in those Islands with what is done here. I am going to support this Bill. Like the hon. Senior Member for Georgetown I do not go to the cinema and the reason is that it affects my eyes, and like him I set a greater value on my eyesight than on the cinema. I am going to support this Bill no matter what wrath it might bring down on my head in so far as the members of the Church are concerned. There is an old saying: "Nearer the Church, further from God."

Mr. De FREITAS: I was not in my place when this motion was first debated. I was very interested in the remarks of the hon. Junior Member for New Amsterdam (Mr. Eleazar). His arguments, to my mind, seem to be against the document. An anti-tobacconist, teetotaller and vegetarian, he is a Puritan, we know him too well, and he now tries to make this grumble.

Mr. ELEAZAR: I never claim to be a Puritan.

Mr. De FREITAS: My view about the matter is that the really religious people would not be affected by the cinema shows on Sundays. If people are really religious they would find themselves in church on Sunday evenings, cinema or no cinema. Secondly, I feel that the religious bodies that are so perturbed by the cinema being permitted on Sunday could only be those bodies who feel insecure about the

morals of their flock. That speaks rather against the shepherd than against the advisability of having cinema shows on Sundays. I think it is always wise to allow the subject to develop his own character away from legislative limits or restrictions. Those people who would find bad influences in the cinema would find them anywhere, and to legislate against their going to the cinema they would find other atmosphere where they would have bad influences. Let those who can derive amusement from the cinema have the opportunity of going there. Those who will derive harm from it will also derive harm elsewhere. I will give my vote whole-heartedly for it because on the face of it Sunday cinema is neither immoral nor harmful in theory. It is only those perverted people, the religious bodies, who are trying to protect themselves. I think it is their duty to be more convincing in their doctrine than it is the duty of this Legislature to introduce legislation on morality to safeguard these few people, who find bad influences by going to the cinema. I am supporting the motion whole-heartedly.

Mr. CONSALVES: When the original Ordinance was sought to be passed there were two principal objections from two quarters in regard to it. Those objections also existed when applications were made for licences. One is from the residents in the immediate vicinity and also from members of the Ministry. Licences have been granted since that Ordinance has been passed and the Ministry relaxed in their objections to these licences because of the fact that the Legislature of the day when the legislation was passed promised and made a provision that cinema shows would only be permitted on Sundays if they are given in aid of charity. There have been many such shows in the cause of charity from which many denominational bodies have benefited.

One hon. Member stated that the petition was handed round. I have not

seen it, and really I am at a loss to know what are the reasons given by the petitioners to make the request which has brought about this motion. Nothing has been said by the mover except that he brought the motion and hoped it would claim our sympathetic consideration. I wish to touch on one point. If the Legislature of the day when they granted the licence allowed shows on Sundays in the cause of charity they thereby agreed that there was no harm to a show being held on Sundays. Following on that the question that strikes me at the moment is as to whether they should be permitted to have shows every Sunday or whether instead of making it an optional matter it should not be made a permanent fixture at least one or two Sundays in every month. I would suggest that rather than you have in the Ordinance provision for these Sunday shows to be only held in the cause of charity, as I understood from one speaker that charity got very little out of it, it seems to me to be far better to have that section amended and cut out charity. It would still be left to cinema-proprietors, however, to give some contribution to a charitable cause regardless of what we do. I hope the mover of the motion, if he feels the motion is going to be lost, might consider whether he should not proceed on the lines indicated.

Mr. WONG: I also signed the petition that is now before the Council in the form of a motion by the hon. Junior Member for Berbice (Mr. Webber). I must confess that I am not sure I could gather from his remarks whether the last speaker was supporting this Bill or not, but I would like now just to emphasize one point he made. I am supporting the Bill and I am going to use it by way of emphasis.

The PRESIDENT: I wish to point out that I have noticed several hon. Members refer to a Bill. There is no Bill before the Council; it is a petition. I just want it to be quite clear. The

hon. Member may think that a Bill is being passed.

Mr. WONG: I am sorry. The only point that, I think, has been made with any sincerity by the opponents of this motion is this statement that Sunday cinema shows would constitute a desecration of the Sabbath. Well, sir, I claim that argument is absolutely illogical for the reason that we have already Sunday cinema shows. If the Sunday cinema shows are a desecration of the Sabbath then I maintain that the fact that the proceeds or part of the proceeds go to charity cannot wipe out that inherent objection to Sunday cinema shows. It cannot be suggested that because a thing is being done in the name of charity you can make a wicked thing a good thing. I hope that this is not another of those cases where a sin in the past has been perpetuated and permitted in the name of charity. I maintain and repeat it cannot be logically maintained that the Sunday cinema show is an inherent desecration of the Sabbath, otherwise it is not sincere in having permitted it in the past, and moreover accepted part of the proceeds from these shows. I understand and would like to have it clear from Government in connection with this motion that there is to be an open vote by officials and other members. If that is so, sir, I feel sure that—I see here the Inspector General of Police—he would be voting in favour of this motion. I am perfectly sure that permission to hold cinema shows on Sundays would go a long way in helping to maintain order and peace in this city. The amount of harm that is done as the result of the youths of the city not having some legitimate occupation or interest on Sunday evenings would probably be incredible to anyone who has not taken the trouble to study the question.

Mr. MILLARD (Colonial Treasurer): I have listened to hon. Members with very much interest. There is much sophistry expressed and the last

Member who spoke, the hon. Senior Member for South-East Essequibo, has said that the opposition to the motion is not represented by any substantial point. The motion which is now being considered by the Council is based on a petition signed by 17,000 inhabitants of the Colony. I assume that this Council is concerned with the make-up of this motion as to whether this is a substantial request from the community, and I would also be interested to know whether it has been a spontaneous one. The debate on this motion has been continued to-day and since it has started I had a request made to me by an individual who is very much interested financially in the cinema business in this Colony. His phrasing was "I hope we can count on your supporting us in this petition." Since then it has come to my knowledge that another individual in Trinidad who is also interested in cinema business in this Colony has been enquiring as to the fate of this motion as he has certain extension of business in mind should it be successful. Well, I am not giving my vote on that one ground alone. It appears to me, as a new arrival here or to use a term I heard before as a sojourner in this Colony, that the motion is not based on a substantial and certainly not on a spontaneous wish by the inhabitants of this Colony. I have had considerable experience of the European Continental observance of Sunday. I experienced it in France. Every form of amusement or any form of supposed amusement is centred in that one day of the week and made a definite impression on me, and as for the population generally, that is the most hectic day of the week. I am referring to race meetings, general gambling and general forms of amusement, and far from being a day of rest it really requires a day of rest following it.

The ATTORNEY-GENERAL (Mr. B. F. King): As I understand this is to be an open vote I will venture to make some remarks and I wish to say

that certainly I shall vote in favour of this motion. It does not seem to me to matter very much whether the petition is spontaneous or otherwise. As far as I am concerned I shall entirely disregard the petition and simply vote on the motion: "That this Council recommend that the Cinematograph Ordinance, 1912, Amendment Ordinance 1916, be amended to permit any cinematograph entertainments being held on Sundays." That, I take it, is the motion before the Council and the motion on which remarks should be addressed. I do not personally hold the views of the hon. Senior Member for North-West Essequibo (Mr. Brassington) or the view he expressed that he is against prohibition generally. I do not admit that view. I think it is entirely wrong. We have the decalogue or ten commandments, and the vast majority of these ten commandments are prohibitions. We have in all countries an extensive criminal law and the whole of that criminal law consists of prohibition. A man is told not to do so and so and he is punished if he does so and so. I do not agree that this Council is not concerned as to whether people do this or that, or whether it should legalise this or that, or whether it should prohibit people from doing what is wrong. This Council being a body of men is as much bound by the moral law and to see that no measure should be passed which would lead to immorality as any individual man. Just as there is a moral law to each individual man, so there is the same moral law governing a collection of men, the State and Government. It is the duty of this Council to take into consideration whether any measure which it cares to pass has a moral or immoral effect on the population, and if this Council can in any reasonable way prevent individuals from giving themselves to anything that is immoral it is their duty so to do.

But, sir, to my mind this is not a case where the Government is asked

to approve of gambling houses being opened on Sundays. It is not a case where Government is asked to legalise horse-racing on Sundays. This is one definite motion. Government is asked to legalise the opening of the cinema on Sundays, and to my mind the whole guiding factor is deciding this matter one way or the other, should be whether the cinema show on Sunday is a desecration of the Sabbath. It must be admitted generally that cinema shows are not in themselves inherently immoral. If, sir, cinema shows are not inherently immoral the only argument that can be used against them that they should not be allowed on Sundays, even though they are allowed on other days of the week in the same building, is that it would be a desecration of the Sabbath. To my mind the cinema entertainments are forms of quite innocent amusement. I do not know what opportunities the hon. Junior Member for New Amsterdam (Mr. Eleazar) has had of judging cinema shows in this Colony particularly, but he has described them in very strong terms as being lewd, suggestive and sensuous. I protest against that description of cinema shows as the implication is that those whose business it is to see that lewd, suggestive and sensuous shows are not shown in this Colony have failed in their duty. There is the further implication that those who attend these shows are themselves given to lewd, suggestive and sensuous thoughts and desires. I attend fairly frequently the cinema shows in Georgetown, and at one time I went for a fairly long period regularly, two or three times per week, and I must say I have never seen any show in Georgetown which I can describe as being lewd, sensuous or in any way extraordinarily suggestive.

Mr. ELEAZAR: I did not say all the shows are such. I say some of the pictures.

The ATTORNEY-GENERAL: I have been going to the cinema shows very

frequently. During one period of six months I went two or three times per week and if that is not going frequently I do not know what is. The programmes in Georgetown change twice and at the most three times per week and what are they but novels in action. Most of them, I think 90 per cent. of the pictures that are shown, are novels dramatised. We simply see at the cinema stories which, read in books, brings before us those stories in a more vivid form. There are love stories without that sex appeal, adventurous stories whether on land or sea, and comic pictures, and occasionally there are definitely educational pictures. I venture to think from what I have seen at the cinema that the love pictures are not desecrating but if anything they are rather elevating. To my mind, sir, they show love scenes, the general standard of which is as high if not higher and more refined than perhaps the ordinary love-making of the average individual in this Colony. (Laughter). They teach the refined and cultured way of making love. (Laughter). As regards adventurous pictures, there is no evil about them. I can understand the person who considers a boxing exhibition as being a brute show may object to these pictures. Those who recently had the pleasure of attending the matches of the Intercolonial Rugby tournament must have been struck, I submit, by the thought of what a manly game it is. Then, sir, as regard comedy, surely there is nothing demoralising in a comic picture. Charlie Chaplin hits are not ridiculous shows but pure, innocent amusement.

I, as one who has to do a rather large amount of heavy brain-work, find the cinema very recreative and amusing, and I submit that is what all people go to the cinema for—simply for recreation and amusement. One further point is that it is said that the cinema tends to extravagance, judging by the people who go there well dressed. These people, I submit, do not buy dresses

for the cinema. One only has to go on the Sea Wall and see the attire of the people who go there. Whether they go to the cinema or the Sea Wall they are going to be attired in exactly the same kind of clothes. Those who go to the cinema know that that show takes place in darkness, and these wonderful dresses and toilet are made for the party and exhibition on the Sea Wall.

The point has not been made out to my mind that the opening of the cinema on Sunday would be a desecration of the Sabbath. I personally can see no reason why this form of entertainment should not take place on Sunday. There is always the safeguard that before a show can be held on Sunday its Licensing Board will have to give the authority. The Licensing Board in Berbice consists of two Magistrates and the Mayor of New Amsterdam. If two Magistrates and the Mayor of one of our big towns cannot safeguard by their licence in refusing the licence when it is proved to them in any way that these shows desecrate the Sabbath, then I say we can have no trust at all in any authority in this Colony.

Mr. LUCKHOO: I had no intention of taking part in this interesting debate. At one time I was inclined to agree with my hon. friend on my left (Mr. Eleazar) but I find from the discussion which has taken place that there is good ground for supporting this motion. I think that as far as the people of New Amsterdam are concerned, they would welcome a change of this sort. I do not know where my friend got the authority from that the people of New Amsterdam would not welcome the change, but I know a good many of them who said they had no objection to this recommendation being adopted by Government. I have no desire to keep people in enforced idleness when they could go to the cinema and enjoy themselves in innocent recreation. As far as the cinema is concerned, "lewd" is a very inappropriate term to be applied to the shows

here. The Licensing Board would be wanting in their duty to this Colony if they allowed any licentious pictures to be passed and circulated in the presence of all members of the community. I have attended the cinema shows and I see no reason to object to them. A good many of us carry out religious observances on Sunday but a good many of us who are supporting the opposite view do not go to church on Sunday evenings. It is left to a man's inclination to do what he likes on Sunday, and people should be given an opportunity to attend these shows on Sunday evenings. That is the broad view I take of it.

I have not seen the petition, but from the names on it which have been called out, I say that men of such respectability would not lend themselves to anything that tends to the moral disability of the community. In a good many of these places young men congregate at night discussing politics, probably the merits and demerits of members of the Council. This would give them considerable opportunity at least of attending the cinema which I hope would be regulated so as not to clash with the Church. These shows are of educational value and you cannot lightly brush them aside because there is a little love story here and there. Evil to him who evil thinks. To come forward and say the people of this Colony are lewd and sensuous, I do not know whether that individual would get any support from the well-thinking people of this Colony. Your Excellency there is too much talk in this matter. This matter should have been gone through in fifteen minutes. I take it that proper safeguard would be made by the hon. Attorney-General in having proper regulations drafted and a good Licensing Board of Censors. If such a Bill is to come into effect I would ask that the personnel of the Board be extended to two other persons. I see no serious harm in allowing this motion to go through. I was thinking that some of these advocates of Sunday would have tried to introduce some society having for its

object the giving of lectures, scientifically, socially or morally, so as to give the community a better insight of what they should do and what they should not do. I have urged on some other occasion that as far as Sunday is concerned medical men should go into the country districts and lecture on health matters. I hope the Surgeon General would see to it that the medical men make it a part of their duty to go about on Sundays trying to enlighten the people and to give them some help in respect to health topics. The Baby Saving League holds just one annual show, and that is not enough. We may extend it a little further with Sunday lectures. If that is carried out to the fullest it would be a Sunday well spent by those who regard it as a day set apart for man's good.

Dr. KELLY: The aspect from which I regard this matter is not a question of the desecration of the Sabbath. Comparisons have been made with the playing of cricket, football and games generally. From my standpoint the desecration of the Sabbath does not concern me in the slightest. I think it is a fallacy to compare the cinema with the outdoor games. It cannot be said that a stuffy, noisy hall is designed to be of any benefit to the health of the people in it or those living nearby. I personally intend to vote against this motion, but I am voting against it for two very specific reasons. One is that I regard six days of cinema as adequate for the ordinary requirements of the community, and the other is that unlike the hon. Mr. Austin I have a great sympathy for the people who live in the vicinity of the cinema. Perhaps it can be recalled when one of these cinemas was burnt down, to show the mentality of those living in that vicinity, influential people sent and bought out that ground so that there should not be any more cinema there. Why they did so? It was because of the noise. So I am in sympathy with the people living near

the cinema. If the principle of cinema shows on Sundays is to be allowed we have to look into the future and consider that should more cinemas come into the country the more people would suffer discomfort. You cannot compare the cinemas in England with those here. Those here are wooden and nothing but sounding boards, while those in England do not interfere with the personal convenience of the people around.

The COLONIAL SECRETARY: I endorse the views expressed by the last speaker. I do not propose to take up the time of the Council in making any speech but I propose to vote against the motion.

Mr. WEBBER: I did not anticipate a debate of this length or importance on a subject that seems to me so palpably fair on the face of it and for once I have been caught napping in deciding that there was no necessity for advocacy on a proposition that was self-evident. But apparently some Members have discovered all sorts of things against the proposal. Most of the remarks of the hon. Junior Member for New Amsterdam and certainly the remarks of the Surgeon General are applicable to all cinemas. If they are immoral, if they are lewd, if the halls are stuff, if the buildings are sounding-boards, whatever those objections are, they do not suddenly spring up like mushrooms on Sunday and wither away on Monday. I am not here to defend the cinemas, I am not here to say that the cinemas are good, I believe they are good. That is not the proposition before this Council. The Council and the community have decided that they want cinemas in this country and that disposes of all the arguments in general against the cinemas and the evils they wrought in the community. What concerns the Council is, should the people who want to go to the cinemas on Sundays be allowed to go or not?

So far as the spontaneity of the petition is concerned I would say this. I

see one name on it that appeals to me, I see it is signed by the Rev. E. C. Josa, I think Mr. Josa is particularly fitted to sign that petition first and paramount because he is a Censor. He sits on the Censor Board; he knows what is provided on the Sunday evenings. If he could then as a Christian Minister and a godlike man, whose name for more than a quarter-century—both his and his father's—has been a household word, sign the petition I am prepared to take his word and support the petition. Ladies of standing in the community and of undoubted respectability are on the Board of Censors. I do not want to worry you by calling their names, but there is the wife of one of the hon. Members of this Council who is sitting not far from me and I am sure that lady is not going to permit any improper shows. There are also the wife of another Member who has just vacated his seat a few days ago, a maiden lady who is the head of a seminary of young ladies and not to mention the galaxy of clergy of all religions who sit there. I do believe it is a gratuitous insult to them to say that they permit this community to be demoralised by lewd and lascivious pictures. We know there are some men who are strict Sabbath observers. The hon. Junior Member for New Amsterdam (Mr. Eleazar) moved me away with a Puritan wave when I invited him to go on Sunday evening to a public meeting and said "Get behind me Satan; I go to a political meeting on a Sunday? never, never." I can quite understand that of the man who would not be inclined to allow anybody to go to a cinema entertainment on Sunday. Of course, sir, there are some people that embrace the Sabbath formally on one day of the week but on the other six days they embrace something far more substantial and perhaps not as harmful.

We talk about encouraging tourists to come to this country and that we must make here attractive for tourists. Whilst they have got steamship lines

to bring them down practically the only day they have in Georgetown is a Sunday. These persons are accustomed in all civilized communities to go to the cinema on Sundays, but when they come here they are to be told "You cannot do such a thing; you must remain on board and let the mosquitoes bite you." That is to show how up-to-date Georgetown is. Is that how we intend to attract tourists to come here? I have nothing to be ashamed of in my advocacy of this motion. I have received a letter from a prominent gentleman outside of this community, thanking me for having introduced the motion and telling me that a deal depends on it. He has just spent \$50,000 in introducing talking-pictures in Port-of-Spain, Trinidad, and will be only too delighted to expend in this Colony \$20,000 in building a house for this modern and attractive form of entertainment. I think every member of this Council would welcome it and be delighted, but at the present moment the game does not worth the candle. If they can show on Sundays he certainly would come down.

An amendment has been pointed out to me and I think it is wise. If Your Excellency permits me I would suggest a slight amendment in the pen-ultimate paragraph. Delete the word "any" after the word "permit" in the second line and insert the words "after 8.30 p.m." at the end of the third line. I know that no proprietor would think of having cinema shows before 8.30 p.m., but lest it should form a stumbling-block to any Member who may think that an early start would obstruct the Church services and to those who wish to go and worship, I would make it that these entertainments would only be permitted after 8.30 p.m. on Sundays. There is one crowd of people I do plead for and that is those who cannot go to the cinema now. I can tell Your Excellency and this Council that there are hundreds, and possibly thousands, of people throughout the Colony who cannot go to the cinema on week-days

because their duties do not permit them to do so. Their form of employment is such that they are not free and the only days when they are free to go to these entertainments are Sundays. It not only applies to the men who are working but to their wives, as not everybody likes their womenfolk to go alone whether it is to the cinema or church, and consequently the members of their families are prevented from going to the cinema on week-days because the head cannot go except on Sundays.

Since the last debate I went into the question of the signatures on the petition and I understand there are 5,000 regular cinema-goers, and about 5,000 casuals. We found that the other 7,000 are those who have not been able to go, despite the hon. member's accusation against us or me for trying to perpetuate a fraud.

Mr. ELEAZAR (interposing): I never accused him of fraud. I never knew he had to do with the petition, I thought it was only got up and given to him.

Mr. WEBBER: I do think that these 7,000 persons should be considered. The hon. Attorney General rightly stated what is the cinema. If I sit down with a picture-book—Arabian Nights—and entertain myself that is different to seeing the same pictures on the screen. I know that I had some Puritan family and when a little boy I was not allowed to look at a picture-book on Sundays. The only book you had to read was the Bible. That is why I know the Scriptures so well (laughter), but I do not know whether it made me much better. Some people would find lewdness anywhere. Some people go to the Old Testament only to find that, but that is no reason why the reading of the Old Testament should be forbidden. I do submit that I have great respect for any person's religious beliefs and formalities, and would be the last man to try to persuade him to transgress, and any reli-

gious body who feel we should not have the cinema on Sundays, I do submit, should also respect our liberty. We who want to exercise our liberty should be treated with the same respect as we try to respect their formalities. Somebody says the Wesleyans are not there in the protest but I say the Ministerial Fraternal is only Wesleyans in another name, just one set of non-Conformist ministers whose religious views we know very well and we are not surprised at them. The Wesleyan Church prohibit dancing. The member of that Church who goes to a dance is forbidden to approach the Communion. If they have that as their code of faith I certainly do not intend to quarrel with them, but I protest against them or any other religion telling me I should not dance.

Mr. ELEAZAR (sotto voce): On Sundays.

Mr. WEBBER: The Wesleyan religion forbids dancing on Sunday or any day. What I would like to tell the Wesleyans is that it would be far better to have their members attending cinema shows on Sundays between 8.30 p.m. and 10.30 p.m. When there is a roaming lion about seeking whom he may devour it is better to have them where they can be watched because as you know Satan finds work for idle hands to do. I find no argument in the desecration of the Sabbath because it is no desecration whatever. It is an elevating form of entertainment and I do hope that these men who perhaps were brought up with the old time idea of the Sabbath would remember that they have left that long ago North of the Tweed and that we are really not as bad as we are thought to be. I appeal to Your Excellency to give us our liberty as it now stands.

The PRESIDENT: Before proceeding to put the question it is well that I make one or two remarks. It has been stated that this is purely a personal matter. I propose that the vote

should be an open one so that each hon. Member of the Council can vote according to his conviction. That may place me in a difficult position because in case of an equality of votes I would have to exercise my casting vote and I propose to do so against the motion for several reasons. Firstly, my personal convictions are against the opening of the cinema-theatres on Sunday evenings; secondly, having had experience of the opening of the cinema on Sundays in another Colony where they have introduced the Sunday shows and are very sorry for having done so; and thirdly, it is the duty of an officer in my position to maintain the *status quo*.

The motion as amended was put to the open vote.

The Council divided.

Ayes:—Messrs. de Freitas, Gonçalves, A. R. F. Webber, Wight, Luckhoo, Crane, Cannon, Bayley, Wood, O. Webber, Capt. Wright-Nooth, Colonel Bradburn, Wong, Brassington, Dias, Smellie, the Attorney General—17.

Noes:—Messrs. Seymour, Smith, Eleazar, Austin, Professor Dash, Millard, Dr. Kelly and the Colonial Secretary—8.

Did not vote:—Mr. Woolford—1.

Motion carried.

The PRESIDENT: Instructions will therefore be given for a Bill to be prepared and presented to this Council for consideration.

ARTESIAN WELLS IN BERBICE.

Mr. ELEAZAR: I beg to ask the following questions standing in my name:—

1. (a.) How many wells have been sunk in the County of Berbice?
- (b.) How many of those wells have ceased to flow?

- (c.) How many have been re-conditioned?
- (d.) When was the well at Sheet Anchor completed?
- (e.) What was the cost of sinking this well?
- (f.) When was the work of re-conditioning this well commenced?
- (g.) What is the total cost (under all heads—labour, supervision, etc.) to date of re-conditioning this well?

2. Is Government aware that nearly every well sunk in Berbice has either ceased to flow, or the flow considerably diminished?

The COLONIAL SECRETARY: I beg to lay over the following replies:—

1. (a.) Twenty.
- (b.) Nine—Nos. 1, 8, 10a, 13, 14, 15, 16, 18 & 19.
- (c.) None—Three under re-conditioning operations.
- (d.) 14th April, 1928.
- (e.) \$8,807.83.
- (f.) *Commenced.* *Shut Down.*
29th Jan., 1929 1st Mar. 1929.
14th Mar., 1929 April 4th to May
24th, 1929.
25th May, 1929
- (g.) To 31st October, 1929—\$11,857.95.

2. Yes, and the necessary steps are being taken to bring wells back into production.

NOMINATION OF STUDENTS TO IMPERIAL COLLEGE.

Professor DASH (Director of Agriculture): I beg to move that the following Order be discharged from the Order Paper:—

III.—Adjourned debate on—

Regulations relating to the nomination of students to the Imperial College of Tropical Agriculture, Trinidad, by the Government of British Guiana, 1929. (Professor Dash, the Director of Agriculture.)

The PRESIDENT: The effect of it will be that consideration of these Regulations will not be proceeded with at this present Session.

Question put, and agreed to.

The Council adjourned to 2.30 p.m. for luncheon.

TAX BILL.

Mr. WEBBER not being in his place, Order IV., a motion with regard to the Tax Bill which had recently been passed by the Council, standing in his name, was deferred.

COMMISSIONERS OF OATHS TO AFFIDAVITS.

The ATTORNEY-GENERAL: I move that the Council resolve itself into Committee to consider "A Bill to amend the Evidence Ordinance, 1893, with respect to the appointment of Commissioners to administer Oaths to Affidavits" clause by clause.

Motion agreed to.

Bill passed without amendment.

The Council resumed.

The ATTORNEY-GENERAL: I give notice that at the next meeting of the Council I shall move the third reading of the Bill.

INSOLVENCY AND PROPERTY IN EXECUTION.

On a motion by the Attorney-General the Council resolved itself into Committee and proceeded to consider "A Bill further to amend the Insolvency Ordinance, 1900, with respect to the effect of insolvency on property taken in execution" clause by clause.

Bill passed without amendment.

The Council resumed.

The ATTORNEY-GENERAL: I give notice that at the next meeting of the Council I shall move the third reading of the Bill.

KAIETEUR NATIONAL PARK.

Mr. WOOD (Conservator of Forests): I beg to move that consideration of "A Bill to constitute a certain area of land in the vicinity of the Kaieteur Fall on the Potaro River in

the County of Essequibo a National Park and to provide for the control of the said Park and for the preservation of the natural scenery, fauna and flora of the said Park" be deferred. The Bill was under the charge of Mr. Mullin who has gone on leave and I have just taken charge of it at short notice.

Agreed to.

BUSH LOT DRAINAGE.

On a motion by Capt. WRIGHT-NOOTH (Acting Director of Public Works) the Council resolved itself into Committee and proceeded to consider "A Bill to apply the provisions of the Drainage and Irrigation Ordinance, 1927, to the Drainage and Irrigation of Bush Lot, West Coast, Berbice" clause by clause.

Clause 2—Application of Principal Ordinance.

Mr. CRANE: I notice in the preamble a sum is mentioned as a loan and in this clause provisions are made for the repayment of the costs of the works. I am wondering whether it has been ascertained what these works are to cost and whether Government has taken any action on the report of the Committee which sat on the question of drainage. As you are aware, sir, a Committee sat to consider the matter of what proportion of these charges should be made against the proprietors. I am wondering whether effect has been given to the recommendations of that Committee. I have served on that Committee and made certain recommendations as to what proportion of the cost of the works should be charged against the proprietors. I know that the report has been laid on the table during the earlier part of the Session.

The CHAIRMAN: That is the report of the Drainage Committee.

Mr. CRANE: The Committee recommended certain scales of charges. I

am wondering if we are going to fix the prices stated therein. I want to know exactly what we are doing.

Capt. WRIGHT-NOOTH: I am quite sure that the hon. Member understands that the amount of \$28,000 is for work done before 1918. The Committee later sat and by Combined Court Resolution LXIV of the 24th December, 1919, an appropriation from Colonial Funds of \$7,722 was granted, which sum it was decided should not be charged towards the Bush Lot scheme. There seemed to be some doubt, I gather from a perusal of the papers, as to the grant of the sum of \$11,347 which was recommended by the Executive Council on the 30th November, 1925, as relief, and it was then decided to include the difference between that amount and the \$7,722 giving \$3,625. That then reduced the amount due by Bush Lot to \$16,843 instead of \$28,190. In 1928 it was decided to do some more work at Bush Lot as it was not considered a satisfactory scheme. An amount of \$14,508.56 under the present loan was spent and that added to the balance of \$16,843.40 gave the amount of \$31,351.96 as the amount due by Bush Lot by bringing in the previous works done before the loan was founded, and under the present conditions Bush Lot will only pay 60 per cent.

The CHAIRMAN: I do not think this particular scheme comes in the category of those investigated by the Drainage Committee. This is prior to then and stood by itself in a separate category.

Mr. CRANE: That is so, but the principle nevertheless applies that Government would bear 40 per cent. and the people 60 per cent. I was only enquiring whether that principle was being observed in this matter. As a matter of fact the last statement by the Director of Public Works is the very answer to the question I asked.

Mr. MILLARD: A recent communication suggests that not a single dollar would be paid by Bush Lot this year and possibly not next year.

Capt. WRIGHT-NOOTH: To a point of correction, according to my figures, if Bush Lot is brought under the present Drainage Scheme to pay 60 per cent. of the cost of the scheme, they would pay in 1929 nothing, the next year \$431.91, which I imagine they can pay, and the following year it would increase by \$2,000.

The CHAIRMAN: The hon. Member can go into the matter with the hon. Colonial Secretary.

Bill passed without amendment.

The Council resumed.

Capt. WRIGHT-NOOTH: I give notice that at next meeting of the Council I shall move that the Bill be read the third time.

REGISTRATION OF CLUBS.

Colonel BRADBURN (Inspector General of Police): I beg to move that this Council resolve itself into Committee to consider "A Bill to amend the Registration of Clubs Ordinance, 1907, with respect to the grant and renewal of Certificates of Registration" clause by clause.

The ATTORNEY-GENERAL seconded.

Question put, and agreed to.

Clause 2—Application for Registration.

Colonel BRADBURN: I beg to move that the following be added as sub-clause 2. to clause 2 of the Bill, the part of the clause as printed being numbered sub-clause (1):—

(2) Sub-section 3 of section four of the Principal Ordinance is hereby amended by adding the following at the end thereof:—

Provided that the application for renewal shall not be accompanied by two copies of the rules of the Club, but by two copies of any amendment to such rules made since the original certificate of the last renewal of the certificate was obtained.

Mr. WEBBER: I am not opposing this clause. I am really appealing to the Council in this matter. When this Bill was last before this Council, sir, certain things arose in respect to the immediate cause. I have since made enquiry of the Police and otherwise and I find that the Government is rather justified in taking some sort of action in this respect, and I am entirely in sympathy both with the Government and the Police in this matter. But I am wondering if an entirely consistent course of action has been taken. A certain Justice of the Peace has lost the confidence of the people. I am justified in saying that I think in that case the commission of that Justice of the Peace should be cancelled. When a case like that happens, Government should make no bones about it, and the commission, sir, should be cancelled. The whole body of Justices of the Peace should not be reflected upon because one Justice of the Peace has not lived up to the terms of his commission. I wish Government would see its way to revoke the commission of such a Justice of the Peace who has lost the confidence of Government, and to try and amend this clause to make it "and, or." Government fully appreciates the fact, and I also now appreciate the standpoint of Government. From investigation and also from representation made to the Government I understand it is a duty which some Justices of the Peace would rather not have imposed upon them. It is an invidious thing to refuse to give certificates and on the whole, taking everything into consideration, it seems best that the power to issue these certificates should be in the hands of the Police. Government has been advised to the effect, and that is the effect of this Bill. I think, generally speaking, it is a wise proviso.

The CHAIRMAN: I think the hon. Member would be wise to leave it as it stands.

Mr. WEBBER: I do not intend to press it, but I think Government should cancel that man's commission.

The CHAIRMAN: I am quite in agreement with that.

Mr. CRANE: I made it quite clear in this matter before any statement was made from Government side of the House that I considered the facility with which these clubs are allowed to come into existence is too great, and some restriction should be exercised as regards the registration of mushroom clubs in Georgetown, which only add to the number of drinking-places and to booth free of liquor licences. I am of the firm and considered opinion that it is wrong both juristically and legislatively to put the Inspector General of Police as the deciding factor in this matter. It is wrong because the Inspector General of Police has the power of supervising these clubs in their actual operation during the twelve months they are running, and he should not be the factor to determine whether the application should be made to the Magistrate. This is the position in which we find ourselves. The Inspector General of Police is being set up here as the deciding factor as to whether an application should go before the Magistrate. The Magistrate should be that functionary and not the Inspector General of Police. If the Inspector General of Police says "I will not give you a certificate," then it seems that the person or association or club is effectively blocked unless they go to the Governor-in-Council by way of appeal. As regards this appeal I am going to make an appeal to be allowed to refer this Council to a criticism made in England as to the tendency of modern legislation to make Departments judges in matters between Government and His Majesty's subjects. That is to say the Head of a Department is set up as deciding factor, and His Majesty's Courts are being kept out of the situation. The remark is made by no less an eminent person than the present Lord Chief Justice of England who has just written a very strong denouncement of the tendency of legislation in that respect. There is too much tendency in this

Colony to have Government Officers made the persons responsible for matters which ought to go before the Court. Here, in the matter of an application for the registration of clubs, the matter comes on before a Magistrate, a responsible judicial officer, who goes into the "pros" and "cons." He hears the grounds for it and the reasons against it, and he exercises his judicial discretion—

The CHAIRMAN: I must really remind the hon. Member that we are in Committee.

Mr. CRANE: I know we are in Committee.

The CHAIRMAN: The hon. Member has not moved any amendment. The hon. Member is obviously making a "Second Reading" speech.

Mr. CRANE: You are perfectly right in saying I should move an amendment before speaking in that way. I am formally moving as an amendment that the clause should read "three" for "two" Justices of the Peace in the twelfth line thereof.

The CHAIRMAN: There should be three Justices of the Peace.

Mr. CRANE: That would be the effect of the amendment. Sir, I am quite in sympathy with the endeavours of Government to stop this laxity both in the method by which clubs are granted licences and in the way in which they are run, and I certainly think it is inherently wrong to put an officer, whose duty it is to supervise the proper running of these clubs to decide whether the body of persons should apply to the Magistrate for registration. There seems then to be no need for the Magistrate and the whole proceedings before him is a farce. The only proper thing to do is to tighten up the procedure by which the application is made. Allow three Justices of the Peace to decide that and keep the Inspector General of Police as the

opposing party. It is his duty to oppose, to look over them during the course of the year, but it is not his duty to say "You cannot go to the Magistrate unless I sign your permit." I think on the last occasion, when discussing the matter generally, I pointed out that there were two positions which could be taken up—one by the Justices of the Peace and the other by the Police. The Justices of the Peace are the recommending body, which is a strong point in favour of my argument. I submit that these Justices of the Peace live all over the country and come more into touch with bodies and combinations of people than would the Inspector General of Police. I am not saying, however, that only certain types of persons are known to the Police; I believe that the Police know most of the people in the town. You are putting the Police in a false position. They may reasonably have to make opposition against any set of persons getting a licence to the Magistrate because they consider the club is not properly run. If you put the Inspector General of Police in the position of the recommending party you would therefore make him judge in his own cause. This is why the matter is so inherently wrong.

Is not this a farce? Suppose a man appeals from the Inspector-General of Police, he goes before the Governor-in-Council. There is a trial before the Governor-in-Council because I believe they would have to hear him and the Inspector-General of Police. All of that would have to happen before he can go to the Magistrate. I have never seen a machinery more ill-adapted for what it is intended. If the Governor-in-Council overrule the Inspector General of Police, then the man would go to the Magistrate. If this is not a "Philadelphia" procedure I do not know what is? When that is done the application goes before the Magistrate and then members of the public can go and object. Instead of having an appeal from the Magistrate you have an appeal from the Inspector-General

of Police before going to the Magistrate, and I am not surprised if there be an appeal from the Magistrate under the principal Ordinance.

I am worrying with this matter because I feel the whole thing is wrong. You see, sir, application is made under section 4. Under section 5 subsection 2 the Police are an opposing party. The Police can appear along with other members of the public before the Magistrate and say "I do not consider this applicant sufficiently competent, sufficiently responsible to have a licence to run a club." Now, it is proposed to remove the Police from here, although it is their business to pay attention during the whole year to how the club is being run. You make them Judges when the renewal comes up as to whether the licence should be granted or not. That is not the way things should be run in this Colony. If the Courts of the Land are to be set aside, and you are not going to take the opinion of the Magistrate, an impartial person, in relation to the running of clubs, then you are making the procedure a farce, as the Police to lessen their work could simply cut down all these clubs licences and nobody would be able to get them with any reasonable facility at all. I cannot see how Government can be advised that this course is the correct one—to remove the Police from being an opposing party to a recommending party.

The object of the amendment is very laudable. If you have bad Justices of the Peace get rid of them. I say cancel all commissions if they are unworthy of trust. That seems to be the remedy in this matter. I suggest that three Justices of the Peace would make it a little difficult and Justices of the Peace knowing that Government is keeping an eye on them would be more chary in giving certificates to these vagrant clubs which have certainly risen up with a degree of alarm to respectable citizens. But this is not a way of remedying it. This is buffoonery, with the greatest deference to the person suggesting it. This can only

be done in British Guiana; nowhere else.

Mr. SEYMOUR: I must say that I agree with the remarks of the last speaker. They are certainly sound. You would have a difficult mode of procedure to what has been done in the past in the matter. I quite agree that if a Justice of the Peace misconducts himself it should be brought to daylight. It would serve a useful purpose.

Mr. ELEAZAR: I would like to support the hon. Member for West Demerara, but I do not know that Justices of the Peace are very unworthy men in this—

Mr. CRANE (interposing): I rise to a point of correction. I could not make that statement.

Mr. ELEAZAR: When the hon. Member hears me he would agree with what I am saying. I did not know that Justices of the Peace were so unworthy, sir, that one of those gentlemen when he sent a recommendation for a club was sent for by the Magistrate who did not seem to be willing to grant it, and asked him on what grounds he recommended the club. He said in reply "I am living only forty yards from the club. I pass there twice daily. I sleep at my home and I have never heard anything against the club. I have never heard of anything untoward going on at the club. I know the chief man in the club and I see no reason for refusing to recommend it." That gentleman was said to have signed the certificate without any thought, and the club should not have been granted. If that is not insolence I do not know what is. That is the kind of thing that comes to Government. Who is the person in a better position to say whether a club in Berbice should be allowed, the gentleman who resides forty yards from the club's premises and who sleeps but forty yards away from the club, or the Inspector-General of Police who lives in George-

town, or the Magistrate who lives 500 yards away from the club? When Government are making laws in this Colony they think of Georgetown and Georgetown only. They do not think of the other parts of the Colony at all. I want to know how the Inspector General of Police is going to recommend a club which is out of Georgetown? He is going to enquire from the Police in the district. The Police have the right to object to a licence being granted when the matter comes before the Magistrate. Why ask the Police in the district to say at first that the thing is good and then the Inspector General of Police to recommend it. The whole thing is, as my hon. friend says, unsound. I cannot tell what has moved Government to draft this amendment, and Government cannot justify it. Government cannot maintain their position, and the only reason for bringing this Bill before the Council is the knowledge on the part of Government that they are able to carry anything, whether it is sense or nonsense. I am going to ask Government when the thing is exposed—it has been exposed by the hon. Member for West Demerara—to receive the views of Members. The situation is bad, but it would be made worse in the future if the Inspector General of Police is to be the deciding factor. I am wondering what is going to happen to section 5 of the Principal Ordinance which gives the Police and other persons the right to oppose such applications. It would have to be amended. I must say the ingenuity of Government at this moment has failed.

Mr. GONSALVES: What I find difficult to understand is this: The Ordinance, as it stands now, gives the Police the right to oppose any application for a club-licence. Complaint has been made about the number of clubs which have recently sprung up all over the City, but it is interesting to know how many objections have been made by the Police in respect to those applications and how many of those applications had been considered by the Court and the decisions given

on them against the Police. If I am told that objections had been urged by the Police in respect to a number of those licences being granted and the decisions by the Court competent to hear the application were against the objections of the Police, then I would say the necessity would arise for having better control in regard to the licensing of clubs. But I am somewhat convinced by what has been said. It would be peculiarly strange to have an application for a licence supported by a person who is authorised at the same time to oppose it. That is the effect of the Bill. That impresses me as being so, because it says the application must be certified by the Inspector General of Police and the Ordinance provides that any person can oppose such licence. I take it, unless I am told a Police Officer is not a person, the application cannot be opposed by a Police Officer. It seems to me a matter of appealing from Caesar to Caesar. Caesar permits the licence and Caesar opposes it. As regards the question of taking away the commission of a Justice of the Peace who has been at fault, from what has happened in another Colony is a matter of some difficulty and I would advise that we hesitate in doing that in this Colony. We have our own little difficulties, do not let us be mixed up with the Justices of the Peace.

I am not prepared to go off from the section we are dealing with now, but I would like to point out to the hon. Attorney General that it seems if the proposed amendment is adopted it would be necessary before we deal with clause 4 we consider clause 3, because reference is made there to the rules of the club being in conformity with the provisions of the Ordinance. You should provide for an amendment of the rules as contemplated by this sub-section that is intended to be put in, otherwise it seems inspection will be only open to the rules and not to the amendment of the rules. I would appeal to Government to leave the section (4) as it is, to let the certificate

be signed by two Justices of the Peace. I do not think to add one, two, three, four or five would make the position any better. If you have sufficient confidence in three you ought to have the same in two. If one man did something wrong he might be in error, but it does not say he would do it again. I appeal to leave the section as it is, and when we come to the proposed amendment in sub-clause 2 it should be competent for any Police Officer or any person resident in the district to oppose an application for a club-licence in order to make it clear and without doubt. The Police have ample opportunity to urge their objection. I think the difficulty with regard to those licences is due to the fact that the Police are either too busy to pay sufficient attention to the applications or that they did not think at the moment that their objections were sufficiently serious to provide the Magistrate with grounds to justify a refusal. They see, perhaps, the mistake now and are trying to make provision for it later on. If the Police Officers were to be more alert in respect to these applications and the Magistrates given more opportunity of hearing these matters I think there would be better control in respect of granting licences.

The ATTORNEY GENERAL: I have listened to the remarks which have been made. I may assure hon. Members that the matter has been very carefully considered and the proposed amendments seem the only way by which the difficulties can be met. As to the Justices of the Peace, it is true, probably, that some of them may not be worthy, but on the other hand it is quite possible that a lot of these applications are signed by them not through their unworthiness, but they have not the time to enquire into such applications as carefully as they should. In some cases they sign perhaps because they do not like to hurt the person making it or they have not the time to enquire into it and so they sign it. Therefore I say that unless we appoint some one,—in the nature of a Public Officer—and it seems that the

Inspector General of Police is the proper one because he has better means of enquiring into these clubs than any other person—some one who can be made to make proper enquiries as to the status of these clubs as part of his official duties, there would be difficulties. When the Police Officer under the present Ordinance has to go and object to the application, he can get no information about the club from the person who is actually running the club, whereas if a person has to apply to the Inspector General of Police for a certificate it is far easier for the Police to obtain information to satisfy the Inspector General of Police that it is a *bona fide* application and the club is going on satisfactorily. I suggest that the Justices of the Peace would do if they had the time and interest. As far as I know that is the only reason it is suggested that the Ordinance should be amended in this way, and that the Inspector General of Police should be the only person who should give the certificate. The Inspector General of Police, it is said, would be doing what the Magistrate should do and it would be—for the residents to go and object, if they are opposed to the view of the Police when it is a matter for the Magistrate to determine. I cannot see that point at all. There can be an objection if even the Inspector General of Police give his certificate and the Magistrate will have his function to perform. I personally think, and it is the opinion of the Government, that there is no other way out of it. I have not heard anything suggested here as a means out of the difficulty which at present exists. It is very easy for persons desirous of forming clubs to camouflage things and it is quite difficult to enquire from the persons themselves. If the persons know the Police would be one of the persons who can go and object it would be very difficult for the Police to get information, but if persons have to go and get the certificate of the Police the onus is put on them to satisfy the Police as to their *bona fides*.

Mr. CRANE: Would not Government be satisfied if the legislation were to take this course—"Every person desiring a licence should notify the Inspector-General of Police who should state his position to the Magistrate"? My opposition to the amendment is that the Inspector-General of Police is put in a position to prevent the matter going to the Magistrate. The Inspector-General of Police should place in front of the Magistrate a statement of his recommendation, approval or otherwise. What I am complaining about is this: There ought to be no means of preventing a person making his application before the Magistrate. If you are going to have the Inspector-General of Police in a position to deny his certificate in such case, an appeal to the Governor-in-Council would be necessary before the matter can reach the Magistrate.

Mr. WEBBER: Perhaps I might suggest that instead of the word "certificate" the word "report" be substituted in the section. It can be adverse or favourable. As it is at present it must be "favourable" otherwise the Magistrate cannot consider it. If it is obligatory to get a report from the Inspector-General of Police, then I would support the Government.

Mr. De FREITAS: I think such a compromise Government should accept. The learned Attorney-General has said that no one had put forward anything to meet the case. In any case if the Inspector-General of Police refuses or grants the certificate he is bound to state a case, and it is then for the Magistrate to decide whether he is in favour or not. As the matter stands at present if the Inspector-General of Police is not in favour of the application the applicant is debarred from going to the Magistrate.

The CHAIRMAN: The suggestion which has just been made by the hon. Member for West Demerara is one I had in mind myself. I am going to suggest that further consideration of

this clause be postponed. I think the hon. Member rather over-stated his case. I am prepared to withdraw it and consider that a report be made by the Inspector-General of Police.

Further consideration of the Bill was then deferred.

The Council resumed.

LEGAL PRACTITIONERS.

The ATTORNEY-GENERAL: I beg to move that "A Bill further to amend the Legal Practitioners' Regulation Ordinance, 1897, Amendment Ordinance, 1918" be read the second time.

This Bill is one to amend the Legal Practitioners' Regulation Ordinance by repealing and re-enacting section 9 of the Principal Ordinance. At present, sir, under the 1918 Ordinance any person who has been appointed a Sworn Clerk and Notary Public and who shall have held an appointment as a Sworn Clerk and Notary Public in the Deeds Registry for five years or partly as a Sworn Clerk and Notary Public and partly as an Assistant Sworn Clerk in the Attorney-General's chambers can, provided he has also obtained his certificate of competency as a Notary Public, for five years' service, if he has the necessary academic qualification, sit the examination as a Solicitor and be qualified as such. The object of repealing and re-enacting this section is to remove after a certain limited period that qualification for sitting the examination as a Solicitor, and the result will be that this limited period of qualification to sit an examination for a Solicitor will be restricted to persons who have served their articles in the office of a legal practitioner as is at present the case in England and, I think, in practically every Colony. It has been stated that a person who just goes through the Deeds Registry undoubtedly gets a certain amount of knowledge, but he does not really go through the training which a person who desires to be a

Solicitor should have. That, sir, is shortly the object of this Bill which will, I say, put us in line with England and most of the Colonies where the only way of qualifying as a Solicitor is by serving articles in a Solicitor's office.

By this limitation we are giving an opportunity for the persons who at present may have some claim to sit the examination to get the Notary Public certificate by the end of 1930, and thereafter to serve for five years. A person who is not competent by then would not have the right of qualifying to be a Solicitor simply by being a Sworn Clerk or Assistant Sworn Clerk in the Deeds Registry.

Dr. KELLY seconded.

Mr. CRANE: Can the Government inform this Council what number of persons are likely to be benefited from this provision? Government does not suffer from a lack of knowledge on it and I would like to hear before I speak on it.

The ATTORNEY-GENERAL: At present anyone who passes the Notary Public examination and is certified in the Deeds Registry can begin to qualify for sitting the examination as Solicitor. As soon as he gets the Notary Public certificate he can begin his five years' service to qualify as a Solicitor.

Mr. CRANE: What I meant is that there is a definite number of Sworn Clerks and also a definite number of Assistant Sworn Clerks. That number is known to Government. That is what I mean, the number of persons who are likely to be affected by this legislation.

The PRESIDENT: I take it the hon. Member is not opposed to the amendment suggested but only wants information?

Mr. CRANE: Yes; I just want to know the number.

The ATTORNEY-GENERAL: There are only about eight at present who

are either Sworn Clerks and Notaries Public or Assistant Sworn Clerks, but there are only three at present who have their certificate of competency as a Notary Public and are actually serving in the Deeds Registry who may be qualifying, if they choose, to sit the examination for a Solicitor.

Mr. CRANE: I happen to know that the legal profession is not in favour of any amendment which is calculated to do the very same thing which the hon. Attorney-General says is possible—that persons can become qualified as Solicitors who have not had the necessary and requisite training for that profession. No person who knows what he is talking about can contend that mere service as a Sworn Clerk in the Deeds Registry gives the training necessary for the profession of a Solicitor. It does seem to me that in these days when the tendency is to raise the standard of qualification in all professions in the British world as high as possible we should be putting something which is calculated to lower it. Undoubtedly the learned mover has got to admit that a clerk in the Deeds Registry by merely serving five years does not qualify him to be a Solicitor.

The Ordinance of 1918 is an Ordinance with which I had the honour to be closely associated, in fact while an articled clerk I drafted that Bill. Section 9 seems to refer only to Sworn Clerks and Notaries' Public. I see here an amendment whereby Assistant Sworn Clerks are to be put in, and I do not understand the object. This is an extension of the privilege. I understand from the learned Attorney-General the idea was that after December, 1935, this very irregular system would cease, but then you have an addition to the Ordinance. Section 9 of the Principal Ordinance speaks only of a Sworn Clerk and Notary Public; this Bill speaks of an Assistant Sworn Clerk in the Deeds Registry. I happen to know, sir, that sixth class clerks are appointed Assistant Sworn Clerks for the purpose of signing formal documents which are applied for in the

course of legal business in that office. Is it suggested that these very junior clerks should also be entitled to this privilege? I do not want to stand in the way of any persons but I do think you have extended it very far when Assistant Sworn Clerks are to be added as is sought to be done. I am not going to oppose it. I only desire that it should not go through without my stating that I think it is wrong although it is only limited to 1930 to add Assistant Sworn Clerks and thus bring them in the orbit of the privilege.

Mr. ELEAZAR: I desire to support the hon. Member for West Demerara, but I do not know if you are going to take out Assistant Sworn Clerks and Clerks in the Attorney-General's chambers. I do not know that is training for a Solicitor. The Assistant Sworn Clerk is in a much better position because he is in an office where he can see what work Solicitors do, and in a negative sense may acquire some knowledge of the business, but I cannot see how the Attorney-General's clerk can be a Solicitor merely by being in that office. If the intention is to limit it to persons who are Sworn Clerks and Notaries Public let it be limited, but do not extend it to persons not contemplated in the Principal Ordinance. I think the hon. Attorney-General would accept that. To ask us to amend the Ordinance so as to limit a certain state of affairs is not the same thing as including in the list persons who are at present not entitled. It is really extending the thing instead of limiting it.

Mr. GONSALVES: To a point of explanation: may I enquire of the hon. Attorney-General what is meant by these words in the clause: "partly as one and partly as another." Partly as an Assistant Sworn Clerk and partly as a Sworn Clerk would mean that during the period of five years an Assistant Sworn Clerk to be qualified for this privilege would have to be some part of the time a Notary Public.

The ATTORNEY-GENERAL: The effect of the Ordinance is the five years are to be either wholly as a Sworn Clerk and Notary Public or partly as a Sworn Clerk and Notary Public and partly as an Assistant Sworn Clerk in the Deeds Registry. That is in the Principal Ordinance. These words are taken from the Principal Ordinance. The limitation is to give persons only one year to get a certificate as a Notary Public, and after that it is five years, so that anyone who fails to get a certificate as a Sworn Clerk and Notary Public before the 31st December next year would not have an opportunity of qualifying. Up to the 31st December, 1930, one would be able to say definitely these persons would be able to qualify as a Solicitor.

Mr. CONSALVES: That does not say you have to be part of the time a Notary Public.

The PRESIDENT: The principle of the Bill is not objected to. It is a question of detail. I suggest we reserve that for the Committee stage.

Mr. CRANE: What I suggest in view of the fact that it is desired not to have too many amending Bills that all such matters may be dealt with at once. There is other legislation affecting this same Ordinance and we should try and not pass two Ordinances amending the same Ordinance.

The PRESIDENT: In the interval the hon. Member can discuss it with the hon. Attorney-General.

Motion agreed to.

Bill read the second time.

EAST INDIAN MARRIAGES.

The ATTORNEY-GENERAL: I beg to move that "A Bill to amend the Immigration Ordinance, 1891, with respect to the minimum age at which female immigrants may marry and the registration of marriages contracted

by immigrants according to their religion and personal law" be read the second time. The object of the Bill is very fully set out in the long title of it. It is to raise the age at which female East Indians may marry. The present ages are 13 years for females and 15 years for males, but it is considered that the age for a female East Indian is rather low and the object of the present Bill is to raise it to 14 years. The other matters dealt with in the Bill are to give persons who are married according to their religion and personal law without having complied with the requirements of the Immigration Ordinance an opportunity to have such marriages registered. There are certain requirements of the Immigration Ordinance which have to be complied with before a marriage according to their religion and personal law can be registered, that is before such marriage can have validity in the eye of the law. It is provided in this Bill that persons who may have married without having complied with these legal requirements would now have an opportunity of registering those marriages which would thereupon become legal and valid in the eyes of the law. Those persons whose marriages were contracted according to their religion and personal law would then have the advantage of the deductions under the Income Tax Ordinance. Hon. Members will remember that question was raised at the time the Income Tax Bill was being considered.

Dr. KELLY seconded.

Mr. LUCKHOO: I think the Government should be congratulated for introducing a Bill of this sort. Legislation in this matter has been very long overdue and I have very great pleasure in supporting the Government. I think East Indians had quite a legitimate grievance against the Government in this matter as they are always looked upon as "bastards" in the eyes of the law. I am glad that consideration is given them by having the marriages contracted before this

law registered as the result of which they would then get the full benefit under the Income Tax Ordinance. I think it is a very desirable and right step on the part of the Government to take.

Mr. SEERAM: There is still another difficulty to be cured by further legislation. This Bill would only be the means of directing a good many persons who have been already married according to their personal law and religion to have their marriages registered in order to be exempted from Income Tax. But, on the other hand, Your Excellency, one of the reasons why East Indians did not avail themselves of this piece of legislation is that by registering their marriages they placed themselves under the present English law of divorce. Take, for instance, the Muslims. They have special forms of divorce in accordance with their religion which are not consistent with the requirements of the English law as we have it to-day. Under the present Ordinance we have only one ground for divorce—misconduct—but under the Mohamedan law there are several grounds. I do know that Government has given much attention to the matter. A Committee was appointed some time ago. The Immigration Agent General, who is now on leave, devoted much time to this question. But I do appeal to the Government to consider the question of divorce in this matter. With regard to age I do not know whether it is possible to further increase it from 14 to a higher number. Perhaps the hon. Attorney General may do well to express an opinion on it.

The PRESIDENT: I might say that Government at the present time is not prepared to alter the figure as that figure was arrived at after consultation with the people concerned.

Mr. SEERAM: Perhaps an expression of opinion by the Surgeon General as to the question of puberty, having due regard to climatic condi-

tions, would go far in helping us as to what should be the age.

The PRESIDENT: I hope that very soon with the consent of the Indian people in this Colony the age will be raised. I do not propose to do more at the present time than is suggested in the Bill.

Question put, and agreed to.

Bill read the second time.

INTOXICATING LIQUOR LICENCE.

Colonel BRADBURN: I move that consideration of "A Bill to amend the Intoxicating Liquor Licensing Ordinance, 1929" be deferred. The representations which have been made in the matter are still under consideration.

Agreed to.

HOTEL AND SPIRIT SHOPS' HOURS.

Colonel BRADBURN: I beg to move the first reading of "A Bill further to amend the Shops Regulation Ordinance, 1925, with respect to the hours of opening of hotels and spirit shops."

The ATTORNEY-GENERAL seconded.

Question put, and agreed to.

Bill read the first time.

Colonel BRADBURN: I beg to give notice that at the next meeting of the Council I shall move that the Bill be read the second time.

SUMMARY CONVICTION OFFENCES.

Colonel BRADBURN: I beg to move that "A Bill further to amend the Summary Conviction Offences Ordinance, 1893," be read the second time. The object of the Bill is to make provision that a bicycle or similar machine

must give warning of approach by a recognised warning. It is customary in other countries to use a bicycle bell but in this Colony you may use a whistle or a bell, or you may shout. This causes considerable annoyance to the inhabitants of the town. It is not customary but it is also almost necessary for bicycles to give proper warning of approach so that accidents may be avoided. I may say that the other day fourteen bicycles passed me and not a single one had a bell. It is absolutely necessary that every rider should be provided with an efficient means of giving warning of his approach. Every clause of the Bill is to suppress unnecessary noises in the city at the present time. Auctioneers when they desire to advertise an auction sale do so with a bell and ring it to the annoyance of citizens. It is a hardship to the newspapers as it does away with one of their legitimate means of revenue. The proper way to advertise a sale is by means of the newspapers, and I know that at least one of them finds its way into every home in the Colony. I hope this Bill will be passed without any trouble.

Captain WRIGHT-NOOTH seconded.

Mr. CANNON : I would like to hear the whole matter is being considered. It may be advisable, following what the last speaker said, to reserve the main roads along which motor traffic may proceed without any interference.

The PRESIDENT : It is under consideration.

Colonel BRADBURN : It is under consideration at the present time.

Question put, and agreed to.

Bill read the second time.

TRANSFER OF LICENCES.

The COLONIAL SECRETARY : I beg to move that the Council resume consideration in Committee of "A Bill further to amend the Miscellaneous

Licences Ordinance, 1861, with respect to the transfer of Licences."

Agreed to.

The ATTORNEY-GENERAL : I think we have got to clause 2 of this Bill, and I am moving an amendment. I beg to move that the following proviso be added to clause 2, forming the second proviso to the clause:—

Provided further that where the holder of any licence in respect of any premises ceases to use those premises for the purpose for which they are licensed before a remaining instalment or remaining instalments becomes or become due and another licence of not less value than the original licence has been taken out by any other person in respect of the same provision the holder of the original licence shall not be liable for the remaining instalment or instalments.

The object of this amendment is to give effect to representations made by the hon. Member for West Demerara (Mr. Crane). I have consulted with him and I understand that the wording meets with his approval. His objection is to Government getting two licences for any half year in respect to the same premises, and this is met by relieving the person who originally took out the licence if the premises is occupied for the second half of the year by any person paying licence of the same value as the licence originally taken out.

Question put, and agreed to.

The Council resumed.

The COLONIAL SECRETARY : I give notice that at the next meeting of the Council I shall move that the Bill be read the third time and passed.

AGRICULTURAL INSTRUCTORS AND SUPERINTENDENTS.

In the absence of Mr. Seeram, Mr. Gonsalves asked the undermentioned

questions standing in the name of Mr. Seeram, to which Professor Dash (Director of Agriculture) replied:

Q—How many Agricultural Instructors are there in the Agricultural Department?

(a.) How many of these are resident or whole-time Officers?

(b.) How many are part-time Officers?

A—1. Eight.

(a.) Three whole-time.

(b.) Five part-time.

Q—2. What are the salaries, qualifications and duties of:

(a.) Resident of whole-time Agricultural Instructors?

(b.) Part-time Agricultural Instructors?

A—2. Salaries—

(a.) Resident Instructor, Berbice, \$1,248 to \$1,488 by \$72.

Resident Instructor, Henrietta, Essequibo, \$936 to \$1,176 by \$48.

Resident Instructor, Golden Grove, East Coast, \$936 to \$1,176 by \$48.

(b.) One at \$936 per annum.

" 8840 "

" 720 "

Two at \$600 "

Qualifications and duties—

(a.) The Agricultural Instructors were trained as Agricultural Apprentices and have gradually worked their way up to their present posts. They are responsible to the Agricultural Superintendents of their Districts and through them to the Director of Agriculture, for the proper carrying out of their duties which consist of assisting and instructing in all matters appertaining to the agricultural welfare of the farmers.

(b.) The system of appointing part-time Agricultural Instructors, which has proved unsatisfactory, was started in the year 1919 and the person appointed was required to live in his District and to be a skilled and experienced farmer or planter of such products as cacao, coffee, citrus and other fruits, rubber, rice and provision crops generally. These Instructors are required to do 8 days' work per month, and are expected to give general assistance to

farmers where possible and to report on conditions in their districts. The subsidy paid to them includes travelling expenses.

Q—3. How many Agricultural Superintendents are to be employed?

What will be their salaries, qualifications and duties?

A—3. It is proposed to have five Agricultural Superintendents on the strength of the Department

Salaries—\$2,400 to \$2,880 by \$120.

Qualification and Duties—To take charge of all experimental or demonstration work in the districts to which they are appointed and to supervise agricultural activities generally, including extension, co-operation and instruction work. Candidates to be young and University graduates with special training in Agriculture.

Q. 4. Is it true that some of the present Agricultural Instructors have been given notice to leave presumably to make room for these Superintendents?

A. 4. Three part-time Instructors have been given notice of termination of appointment at 31st December, 1929, not to make room for Superintendents, but in accordance with the policy previously accepted of dispensing with this class of officer, the system having proved unsatisfactory.

Q. 5. How many persons are there in the Colony who have been trained at the Imperial College of Tropical Agriculture?

(a.) How many of those are now employed as Agricultural Instructors?

(b.) Are any of the Superintendents to be appointed to be recruited from among those trained men?

A. 5. Not accurately known.

(a.) One; this officer, however, only took a short course of training.

(b.) It is not known whether any such trained men are available or whether their qualifications are adequate. If, however, applications for such appointments are received from any persons holding the necessary qualifications they will be considered with others on vacancies occurring in future.

Q. 6. Would it not be to the advantage of the Department to have all Agricultural Instructors as whole-time officers, seeing that their practical experience and knowledge of local conditions will be of much importance in the Agricultural awakening of the Colony?

A. 6. The policy at present is to establish the permanent type of Instructor whenever the occasion arises.

PRISONERS FOR INQUIRY.

The ATTORNEY-GENERAL: I beg to move that the following Order be deferred:—

XVII.—The Council to resume consideration of "A Bill to amend the Prison Ordinance, 1892, by making provision to bring up prisoners before the Court for inquiry or trial."

Agreed to.

EXEMPTION AS JURORS.

The ATTORNEY-GENERAL: I beg to move that the Council resolve itself into Committee to resume consideration of "A Bill further to amend the Indictable Offences (Procedure) Ordinance, 1893, with respect to persons exempt from service as Jurors."

Agreed to.

The ATTORNEY-GENERAL: This Bill was deferred to get the proper title of two officers now employed by the Georgetown Sewerage and Water Commissioners. I have been informed that the proper titles are Chief Engineer (Mr. Aitken), and Mechanical Engineer (Mr. Briggs). I am moving that clause 2 of the Bill as printed be amended by deleting the word "and" between "20" and "21" in the fourth line, and inserting the words "and 22" between the figure "21" and the word "thereof" in the same line, and adding the following as item 22:—

22. The following officers of the Georgetown Sewerage and Water Commissioners:

The Chief Engineer.

The Mechanical Engineer.

Mr. CRANE: An amendment was suggested and carried to item 20 that in the place of "The Managing Engineer of the Water Works" there be substituted "The Clerk of Markets."

The ATTORNEY-GENERAL: That has already been done.

Question put, and agreed to.

The Council resumed.

The ATTORNEY-GENERAL: I give notice that at the next meeting of the Council I shall move that the Bill be read the third time and passed.

EXPULSION OF UNDESIRABLE PERSONS.

The ATTORNEY-GENERAL: I move that Order XIX.—Consideration in Committee of "A Bill to make provision for preventing the entry of undesirable persons into the Colony and for the expulsion of undesirable persons from the Colony"—be deferred. Consideration of the Bill had been previously deferred to enable the hon. Member of West Demerara (Mr. Crane) to confer with me, but we have not found an opportunity to do so as yet.

Question put, and agreed to.

DEPUTY REGISTRAR OF DEEDS.

The ATTORNEY-GENERAL: I beg to move that Order XX.—Consideration in Committee of "A Bill to amend the Deeds Registry Ordinance, 1919, to provide for the appointment of a Deputy Registrar of Deeds"—be deferred. Consideration of this Bill had been previously deferred to enable further amendments to be made.

Question put, and agreed to.

CLOSING OF PRIMARY SCHOOLS.

Mr. CRANE asked the questions standing in his name, which, with the replies of the Colonial Secretary, are as follow:

Q. 1. From what Primary Schools is it proposed to withdraw the grant-in-aid, giving in each case the number of children on the register of each such school and the average daily attendance thereat?

A. 1. List of schools from which it is proposed to withdraw the grants-in-aid after 31st December, 1929:—

Name of School.	No. on Register.	No. in Average Attendance.
Church of England—		
De Kinderen.....	62	49
Good Hope.....	68	54
Sheet Anchor.....	163	107
Church of Scotland—		
Albuoystown.....	458	326
L'Heureuse Adventure..	69	52
De Willem.....	115	67
Roman Catholic—		
Regent Street.....	335	227
Bachelor's Adventure...	201	150
Meadow Bank.....	85	44
Congregational—		
Clarkson.....	474	333
Canal II.....	116	77
Plaisance.....	131	69
Liverpool.....	100	60
Lonsdale.....	24	19
Ratray Memorial.....	86	69
Wesleyan—		
Victoria.....	125	72
Goed Fortuin.....	89	60
Moravian—		
Beterverwagting.....	154	125

Q. 2. What number of teachers will be affected by the proposed withdrawal of grants-in-aid from certain elementary schools at the end of the present year, enumerating them under the following heads:

- (a.) Head teachers holding certificates of Class I, Class II, and Class III
- (b.) First Assistants.
- (c.) Uncertificated assistants with 10 years' service and upwards, and giving the length of service in each case?

A. 2. Number of teachers affected by the proposed withdrawal of grants-in-aid:

(a.) Head Teachers—	
1st class certificates.....	4
2nd class certificates.....	4
3rd class certificates.....	7
Total.....	15
(b.) First assistants..... 12	
(c.) Uncertificated assistants with 10 years' service and upwards 15	

Name.	Length of Service. Years.
Phillis Benjamin.....	13
Catherine Douglas.....	14
Dorothy Bourne.....	20
Shirley Sylvester.....	10
S. Hamlet.....	29
Candace Hart.....	13
Rebecca Wilson.....	16
Elvira Anderson.....	21
Georgiana Battersfield.....	14
Victoria Crawford.....	24
Florence Octave.....	23
May Clarke.....	12
Georgiana Chisholm.....	14
Mary El Thomas.....	28
Annie Bonnett.....	15

Q. 3. What number of school teachers classified under the above-named denominations will be retained in primary schools in the new scheme of Government retrenchment in primary education?

A. 3. The number of teachers who will be retained in fully-aided primary schools after 31st December, 1929, is as follows:

Head Teachers—	
1st class certificate.....	49
2nd class certificate.....	62
3rd class certificate.....	68
Provisional certificate.....	1
Total.....	180
First Assistants.....	88
Uncertificated assistants with 10 years' service and upwards.....	179

Q. 4. How many of those head teachers whose services will be retained have been assigned places as assistant teachers in primary schools, and what is the length of service in each case?

A. 4. The following head teachers are being transferred to other schools as first assistants:

Name.	Length of Total Service.	Length of Service as Head Teacher.
Mr. R. A. Charles....	3½ yrs.	1½ yrs.
Mr. J. M. Simon.....	6½ yrs.	6½ yrs.
Miss Mary Brusch....	5½ yrs.	3½ yrs.
Mr. J. D. Ainsworth..	25 yrs.	25 yrs.
Mr. F. A. St. Hill....	15½ yrs.	5½ yrs.
(Regulation 80 School)		5½ yrs.
Mr. R. C. Rodney....	7½ yrs.	5½ yrs.
Mr. C. R. Hoyte.....	9 yrs.	6 yrs.
Mr. S. Nelson.....	12½ yrs.	10½ yrs.

Q. 5. In what cases will head teachers who are to be transferred to other schools in consequence of the closing down of their

schools suffer a reduction of salary and what is the reduction in each case?

A. 5.	Name.	Amount of Monthly Reduction.
	Mr. R. A. Charles.....	\$12.00
	Mr. L. R. Chase.....	15.00
	Mr. J. M. Simon.....	17.00
	Miss M. Brusch.....	13.00
	Mr. J. D. Ainsworth.....	10.00
	Mr. F. A. St. Hill.....	21.00
	Mr. R. C. Rodney.....	26.50
	Mr. S. Nelson.....	17.50
	Mr. C. R. Hoyte.....	34.50

Q. 6. What is the number of (a) head teachers, (b) first assistants, (c) uncertificated assistants with 10 years' experience and over for whom no provision has yet been made for employment, (d) the length of service of each, and (e) their present salary?

A. 6. All the head teachers, first assistants and uncertificated assistants with 10 years' experience and upwards, who are now employed in schools about to be closed have been offered appointments in other schools.

LIFE ASSURANCE COMPANIES.

The ATTORNEY-GENERAL: I beg to move the first reading of "A Bill to provide for the regulation of Life Assurance Companies."

Dr. KELLY seconded.

Question put, and agreed to.

Bill read the first time.

The ATTORNEY-GENERAL: I beg to give notice that at the next meeting of the Council I shall move the second reading of the Bill.

PAYMENT OF GRATUITIES.

Colonel BRADBURN: I beg to move:—

That, with reference to the Governor's Message No. 5 of 1929, this Council authorises the payment of gratuities of \$150 and

\$135 (equal to six months' salary) respectively to C. Cozier and B. Gishard in respect of their services as members of the crew of the Police Sloop "Mora."

Professor DASH seconded.

Motion put, and agreed to.

On account of the late hour and with the consent of the Council, Orders XXIV. and XXV.—motions standing in the names of Mr. A. R. F. Webber and Mr. Crane, respectively—were deferred.

PUPIL TEACHERS.

Mr. WEBBER asked the questions standing in my name, which, with the replies of the Colonial Secretary, are as follow:

Q. 1. How many pupil teachers are to be struck off at the end of 1929? End of 1st year, 2nd year, 3rd year and 4th year separately.

A. 1 The number of pupil teachers who will be struck off at the end of 1929 is as follows:—

Pupil teachers who have not passed any pupil teachers' examination	13
Pupil teachers who have passed the end of 1st year examination	19
Pupil teachers who have passed the end of 2nd year examination	15
Pupil teachers who have passed the end of 3rd year examination	4
(One on account of failure, three on account of age). Pupil teachers who have passed the end of 4th year examination	27
(One on account of age).	
Total	76

Q. 2. Were not these pupil teachers employed as assistants?

A. 2. Pupil teachers are expected to render a certain amount of assistance but are not expected to be in charge of a

class or to be employed in teaching during the full number of school hours. In many schools the custom has been to treat them as assistants.

Q. 3 & 4. Are substitutes employed to replace them? If not, will many schools not go understaffed consequently? What provision has been made to meet this shortage?

A. 3 & 4. One certificated teacher may be appointed in lieu of two pupil teachers under Regulation 51 (3) of the Education Code. This has been done in a number of cases, and advantage will be taken of this regulation during 1930, to enable certificated teachers to obtain posts. There will be no shortage of teachers during 1930 and the schools will be more efficiently staffed than they have been for a number of years.

Q. 5. Was it not the general rule for pupil teachers to be struck off only when they have failed twice consecutively?

A. 5. Yes, previous to 1st March, 1929, on which date an amendment of Regulation 49 to the effect that pupil teachers would be struck off after one failure, came into operation.

Q. 6. Is it equitable to strike off pupil teachers now after only one failure, when they were originally employed with the understanding that they would be struck off only after two consecutive failures?

A. 6. In this connexion it should be noted that the grant for primary education was in the 1929 Estimates reduced by \$15,000, and a reduction in the number of pupil teachers was considered to be the most equitable way of carrying on the work of the schools on a reduced grant. The standard required for a pass in the pupil teachers examinations is so low,* that any pupil teacher who fails to pass, cannot have even a rudimentary knowledge of the subjects set in the examination. Indeed, as a general rule, pupil teachers who have failed to pass in this examination on the first attempt have failed on the second attempt. Out of the last 200 pupil teachers enrolled, only 16 have failed once and succeeded in passing at a later stage.

*1st and 2nd year candidates must obtain 30 per cent. in each subject. 3rd year candidates are required to obtain 35 per cent. in English and Arithmetic and 33 per cent. in other subjects. All candidates must obtain 40 per cent. of the possible aggregate number of marks.

Q. 7. Are not the end of 3rd year and 4th year pupil teachers as competent or more competent than the majority of uncertificated teachers, in virtue of their three or four years' special training as students and as teachers?

A. 7. This is true, but during 1930, it will be necessary to dispense with the services of the majority of the young uncertificated assistants who have had less experience than 4th year pupil teachers?

Q. 8. Is it fair to the students and to the taxpayers to turn them out after receiving a fair amount of training?

A. 8. Yes. Pupil teachers who fail to pass in their annual examinations are unlikely ever to be able to obtain certificates and their prospects as uncertificated teachers are so poor that it is considered advisable that they should seek other forms of employment, while they are young. Further it is considered to be sounder economy to aim at having only certificated teachers in the schools than to have a large proportion of uncertificated teachers with practically no qualifications.

Q. 9. Would it not be of benefit to all concerned to retain the services of three pupil teachers as additional assistants until they have had the opportunity of sitting at the entrance examination of the Teachers' Training Class?

A. 9. The number of pupil teachers who will be employed during 1930 is as many as it will be possible to pass through the Teachers' Training Centre during the next five or six years.

Q. 10. How many times has the Education Committee met for the past four months?

A. 10. One meeting was held on 5th September, and one on 28th November. It was found possible to conduct all the business which it was necessary to bring before the Committee during the intervening period by the circulation of papers.

Q. 11. It is a fact that many of these pupil teachers who fell short of a few marks or so in a subject, and who have got the minimum aggregate number of marks required for a pass, have been unceremoniously turned away without so much as the matter being considered by the Education Committee?

A. 11. The results of the last pupil teachers' examination were considered both by the Education Committee and by the Board of Examiners. Several pupil

eachers who failed in Arithmetic by a few marks were not allowed a pass. Arithmetic is scheduled as a compulsory subject. In this connexion, it should again be noted that the standard required for a pass is very low.

Q. 12. How long is this state of affairs in Education to continue?

A. 12. If this question refers to all the other matters dealt with above, it is hoped that this state of affairs will continue for some time, as it will lead to a larger proportion of qualified teachers being employed in the schools.

The Council adjourned to 11 a.m. on the following day.



FINANCIAL SITUATION OF BRITISH GUIANA

REPORT OF A COMMISSION
APPOINTED BY THE SECRETARY OF
STATE FOR THE COLONIES

June, 1931

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The expenses incurred in connexion with the Commission amounted to £1,245 16s. 4½d. (including the salaries of the Secretariat and incidental expenses), and were borne on British Guiana funds. The cost of printing and publishing this Report is estimated by H.M. Stationery Office at £33 12s. 6d.

LONDON,

1st June, 1931.

MY LORD,

With reference to Colonial Office letter of 9th December, 1930, appointing us a Commission to visit British Guiana and report on its financial and economic condition we have the honour to inform Your Lordships that we left London on 30th January, 1931, and landed in Georgetown, Demerara, British Guiana, on 17th February. We left Georgetown on 16th May and landed in England (Avonmouth) on 31st May. During our stay in the Colony we visited every Government Department and interviewed the officers-in-charge. We also had over 30 interviews with representative citizens and societies, including the Elected Members of the Legislative Council, the Municipal Council of Georgetown, the Chamber of Commerce, the Sugar Producers' Association, the British Guiana Labour Union, the British Guiana Workers' League, and others. We visited New Amsterdam, on the Berbice River; Mackenzie, 65 miles up the Demerara River; Bartica, 40 miles up the Essequibo River: we went to the Penal Settlement on the Mazaruni and travelled 20 miles up the new Bartica-Potaro road. Also we visited a considerable number of villages within a 20-mile radius of Georgetown. Our work was expected to last two months but we spent three months in the Colony and even that time was barely sufficient for the purpose.

Our Report is submitted herewith.

We have, etc.,

W. GASKELL,

D. S. MACGREGOR.

Financial Commissioners.

The Rt. Honble. LORD PASSFIELD,

COLONIAL OFFICE,

DOWNING STREET.

COMMISSION TO ENQUIRE INTO THE FINANCIAL
SITUATION OF BRITISH GUIANA.

Terms of Reference.

“ To investigate the financial position of British Guiana in the light of the Colony's present stage of development, its indebtedness, its population, its cultivated and culturable area, and its economic resources generally : to report thereon : and to advise as to the specific measures to be adopted to reduce expenditure and/or increase local revenue in order to secure and maintain a balanced budget without loss of administrative efficiency, or with the minimum loss of such efficiency, and without undue risk of prejudicing future development and future revenue prospects.

“ If a balanced budget cannot be secured without serious loss of administrative efficiency, or serious risk of prejudicing future development and future revenue prospects, to advise which of the specific measures referred to above would have to be omitted to avoid these results.”

REPORT ON FINANCIAL AND ECONOMIC CONDITIONS IN BRITISH GUIANA.

CHAPTER I.

DESCRIPTION OF THE COLONY.

Natural Conditions.

1. A brief official description of the geography and history of the Colony is contained in Appendix A, but as our conception of the natural conditions of the Colony has an important bearing on the recommendations made in various parts of this Report we think it desirable to deal with the matter from a somewhat different standpoint.

2. "Nature," wrote Sir John Harrison, for many years Director of Science and Agriculture in the Colony, "has divided the country of British Guiana into three belts:—

"(i) An agricultural belt of exceptional fertility—the coastlands of the Colony;

"(ii) a forest belt, having great potential resources in mineral and forest products, but as a rule of very low agricultural value;

"(iii) a veldt, savannah or pastoral belt"

There are a few hilly or mountainous areas of comparatively small extent along the south-west border of the Colony. The country is divided by a network of rivers, the most important being the Berbice, Demerara, and Essequibo, which flow into the sea, and the Cuyuni and Mazaruni, which join the Essequibo 40 miles from its mouth.

3. The savannah areas occur in the extreme south in the Rupununi district and along the Berbice in the north-east. The former is the larger and more important. The soil generally is said to be unfit for cultivation, but very large tracts suitable for cattle-ranching exist.

4. The forests, occupying an area of more than 66,000 square miles, are the most striking physical feature of the country. They have never been worked systematically to any extent and large tracts are still unexplored. They are virgin tropical rain forests, covering for the most part, and particularly in the more accessible regions, a huge belt of sand, thought by some to have been at one time sea. This sand, white or brown in colour, has received a deposit of humus from the decaying vegetation, and on this a

luxuriant forest growth has established itself. As a general statement the land is incapable of sustained cultivation, although pockets of firmer soil of comparatively small areas capable of intensive cultivation may here and there be found, particularly along the foothills or in the valleys of the broken mountain country. The forests contain a large amount of timber of a valuable type, a few species predominating to a far greater extent than is usual in tropical rain forest. Chief amongst these are Greenheart, famed as a marine piling, dock and shipbuilding timber, and Wallaba and Mora, each growing on its own type of soil, brown sand, white sand, or near creeks subject to periodic inundation, as the case may be. Bullet trees also exist in numbers and yield annually a large amount of balata.

5. In this area occur the mineral deposits of the Colony, bauxite which runs in a belt south-eastward from the Pomeroon river and passes into Dutch Guiana, and gold and diamonds in alluvial lands near the inland rivers. Specimens of other minerals have been found but they are not known at present to exist in quantities sufficient to repay the expense of exploitation.

6. Below the forests is the coastal belt, a strip of land about 270 miles in length and varying in width from five to fifteen miles or more, formed by the mud brought down by the River Amazon. Originally swamp, and liable both to flood by drainage from the higher lands to the south and to inundations from the sea, the cultivated areas have been reclaimed by the erection of dams and dykes, after the fashion of Holland from which country the original settlers came. The soil is usually a stiff clay, suitable for the cultivation of sugar and rice and of wonderful fertility, while narrow belts of clayey loam, known locally as sand reefs, admit of the cultivation of coconuts, plantains, sweet potatoes, and other tropical foodstuffs. In this tract are situated the important towns of Georgetown, the capital, and New Amsterdam, at the mouths of the rivers Demerara and Berbice respectively, the sugar plantations and the rice farms which have succeeded them. Here also most of the population resides and the wealth of the Colony has been won.

Communications.

7. Communications in the coastlands are easy. Except in the sparsely-populated district in the extreme north-west a road runs close to the coast-line throughout the Colony with small extensions up the rivers wherever there are villages; indeed it may be said that there is scarcely a village which is not on the road, or a plantation settlement which is not connected with it. An efficient ferry service has been provided across the great rivers. Two railways have also been constructed, the one between the Essequibo and

the Demerara, the other between the Demerara and the Berbice, while several steamer services ply from Georgetown to various parts of the Colony.

8. Communications in the hinterland, on the other hand, are difficult. A cattle trail has been constructed through the forest which links the savannahs in the south with those in the north, and an unmetalled road is at present being constructed to the south from Bartica which lies at the junction of the Essequibo and Mazaruni rivers. Otherwise, the only method of travel is by water. The great rivers permit of navigation, even for ocean-going vessels of limited draught, up to distances of 40 to 60 miles. Beyond these points, however, occur numerous rapids and falls which can only be passed by boats when piloted with great skill, although in the higher reaches there are long stretches of smooth water.

Population.

9. The Colony was originally populated by Indians but only a few of these are now to be found in the western part of the Colony and in the forests. Their exact number cannot be stated as an accurate census of them is impossible. Cultivation was carried on in the early days of European settlement by slave labour, but when the emancipation of the slaves took place recourse was had to the recruitment of Portuguese, Chinese, and, in more recent years, East Indians. Despite the importation of large numbers of people from other lands, the population of the Colony has only risen from 98,000 in 1831 to 315,000 at the present day: that is to say, the population is less than the number of people who have been brought into the country, even when allowance is made for those who have been repatriated on the expiry of the agreements under which they came. The cause of this phenomenon is not clear and has been the subject of anxious consideration.

10. The distribution of the people according to the recent census is not yet known, but its analysis will be important as it may furnish clues to economic developments of importance which are being only vaguely perceived at present. At the last census (1921) the population was 297,691, of whom 117,169 were blacks and Africans, 124,938 were East Indians, 9,175 were Portuguese, and 30,587 were of mixed race, the others comprising Europeans, Chinese, and aborigines. Of the total population, 119,340 were juveniles and persons of no employment. The remainder were classified as earning their own living, but for present purposes it is proposed to consider only the males, who numbered 101,538. Of these, the most important groups were those whose occupation was industrial (wood-cutters, gold and diamond seekers, balata labourers, mechanics, artisans, etc.), viz., 35,997, and agriculturists, subdivided into (a) landed proprietors, cattle farmers, etc., 5,646, and (b) labourers 46,573, total 52,219. So far as the figures permit of

detailed analysis, East Indians appear to have constituted 5 per cent. of the industrial group and 74 per cent. of agricultural labourers. They are still employed in large numbers on sugar estates, but there is abundant evidence that they are more and more farming land on their own account: indeed it is they who are responsible for the large increase in the cultivation of rice in recent years. They are also becoming proprietors, in some cases even invading certain villages which have hitherto been owned entirely by people of African descent. Statistics are not available to show the extent of this movement which may be fraught with important consequences to the economic distribution of the people.

11. As regulated immigration has ceased, the future of the Colony depends on its own people, and from this point of view it is interesting to note that among those enumerated as of African descent who were over the age of five years there was a great preponderance of females and among East Indians over the age of 25 years a striking excess of males, the latter due undoubtedly to the system of indentured immigration which only came to an end in 1917. There was no marked disproportion of the sexes among East Indians under 25 years of age, and a vital problem is whether the conditions of the Colony are such as to permit of the large increase of population which might be expected from the phenomena prevailing in India.

Area and Crops.

12. The total area of the Colony is 89,480 square miles or 57,267,200 acres.

13. The cultivated area in 1930 was 155,852 acres. The largest area recorded as under cultivation was 194,325 acres in 1918. The other culturable area cannot be stated with precision but would appear to exceed 100,000 acres, although much would, we understand, need to be reconditioned and drained. In addition, several hundred thousand, possibly over a million, acres can be made culturable by the expenditure of capital on drainage, empoldering, and irrigation.

14. The most important crops in the Colony are sugar and rice, the areas of which were 57,244 and 49,702 acres, respectively, in 1930. The area under sugar, which was 73,565 acres in 1918, has shown a steady decrease in recent years although the out-turn (127,764 tons in 1930) has been maintained by improved methods. Sugar has always occupied the dominant place in the history of the Colony and the diminishing area is the source of great concern, not only because of the valuable nature of the product but also on account of the contraction of a most important source of employment. Rice is cultivated almost entirely by East Indians and

the area under the crop is increasing steadily. Already the commodity is becoming an important article of export (22,480 tons in 1930) and is adding to the wealth of the Colony although it can never be a complete substitute for sugar: unfortunately prices at the present time are unfavourable to the cultivator. The other crops of importance are coconuts (26,665 acres), ground provisions (13,604 acres), and coffee (5,096 acres).

Trade.

15. Imports into and exports from the Colony (not including transshipment goods) during the last quinquennium have been:—

	<i>Imports.</i>	<i>Exports.</i>
	\$	\$
1926	12,474,852	13,123,703
1927	11,859,929	16,026,349
1928	11,860,446	14,925,113
1929	10,635,431	12,271,540
1930	9,465,442	10,667,505

Details of the principal classes of imported goods and of the chief items of export are contained in Appendix B. The figures given above speak for themselves and show the extent to which the Colony has been affected by the present period of depression.

CHAPTER II.

INDEBTEDNESS.

Funded Debt.

16. The funded debt of the Colony at 31st December, 1930, amounted to \$22,403,846 (£4,667,468) less sinking funds totalling \$2,747,210 (£572,335). Part of this funded debt was incurred for the benefit of certain Local Authorities who, on the basis of existing arrangements, are expected to repay \$5,824,850 (£1,213,510).

The funded debt (less accumulated sinking funds) spread over a population estimated at 315,000 amounts to £13 per head in British Guiana as compared with about £5 13s. in Trinidad, £1 18s. in Barbados, £2 15s. in Jamaica, £4 14s. in Fiji, and £2 3s. in Mauritius.

A full statement of the funded debt will be found in Appendix C.

Floating Debt.

17. The floating debt recorded in the Treasurer's ledger amounted to \$527,789 (£109,956) at 31st December last, but since

then the Imperial Treasury has paid in £50,000 as a free loan towards the reduction of this deficit, and has also contributed £95,000 as a free gift towards the expenditure incurred on unemployment both before and after 31st December and included in the item "Advances Unemployment Relief Works"—£30,400 before 31st December and most of the balance since. A copy of the Colony's balance sheet will be found in Appendix D.

Contingent Debt.

18. In addition to the floating debt mentioned above, there is an unrecorded liability, estimated at \$2,445,800 (£509,542) at this date, for the repatriation of East Indian immigrants and their families, but this liability is gradually decreasing and it is quite impossible to say what sum is likely to be paid ultimately on this account.

There is also a sum of \$28,800 (£6,000) due to the Colonial Development Fund: it is part of the sum of \$58,080 (£12,100) promised for the construction of the Bartica-Potaro road. We think that this and all similar loans received or to be received in future should be recorded in the Treasurer's ledger and accounts under the head "Public Debt."

Ways and Means.

19. With reference to the financial position of the Colony as shown by the Treasurer's balance sheet (Appendix D), it must be borne in mind that even if the whole of the accumulated deficit of \$527,789 (£109,956) were made good from outside sources the financial situation would still be difficult. In this Colony, as in others, the Treasurer has to make advances, and although he also receives deposits the latter are not always large enough to balance the advances: money is also required for the purchase of stores for the unallocated stores account and a considerable sum is needed to meet current expenditure both in the Colony and in London. In a Colony which has a surplus, such surplus, or part of it, is represented by these three items. In British Guiana there is a deficit instead of a surplus, and to put the Treasurer in funds a sum equal to the following amounts would have to be provided:—

		\$
Deficits at 31st December, 1930	... ..	527,789
Advances (in excess of deposits)	... ..	234,484
Unallocated stores purchased	... ..	158,812
Cash balances, remittances in transit, and imprests	... ..	680,616
		\$1,601,701
		(£333,688)

Of this amount the Crown Agents had advanced \$1,540,800 (£321,000) at 31st December, 1930, and, naturally, were anxious to have that sum paid off or very greatly reduced.

CHAPTER III.

REVENUE.

20. We have examined every item of revenue and made several recommendations, but a steady decrease in the receipts continues. Below we show the original estimate for the year 1931, a revised estimate based on increased duties, and a further revised estimate based on the actual receipts for the first three months of the year. All these have been prepared by the Treasurer.

<i>Heads of Revenue Estimates—1931.</i>	<i>Original Estimate.</i>	<i>1st Revision.</i>	<i>2nd Revision.</i>
	<i>\$</i>	<i>\$</i>	<i>\$</i>
I. Customs	2,417,000	2,457,400	2,140,000
II. Excise and Licences ...	776,960	836,960	744,616
III. Internal Revenue (not otherwise classified).	270,950	270,950	280,950
IV. Specific Services and Reim- bursements-in-aid.	167,838	167,838	172,438
V. Post Office — Telephones and Telegraphs.	192,192	192,192	186,026
V(a). Wireless	10,712	10,712	10,712
VI. Rents	49,460	49,460	49,460
VII. Forests, Lands and Mines	170,875	170,875	142,680
VIII. Interest	393,556	393,556	384,400
IX. Refunds of Loans made by the Colony.	8,360	8,360	8,360
X. Miscellaneous	62,579	62,579	65,579
TOTAL ORDINARY REVENUE	4,520,482	4,620,882	4,185,221
XI. Sale of Crown Lands ...	5,900	5,900	5,900
XII. Sale of Colony Lands ...	100	100	100
XIII. Premiums on Grants, Leases, etc.	30	30	30
XIV. Revenue Defence Fund ...	5	5	5
TOTAL REVENUE	4,526,517	4,626,917	4,191,256
Extraordinary General Revenue Receipts.	20,000	20,000	20,000
TOTAL	\$4,546,517	4,646,917	4,211,256

I.—*Customs* and II.—*Excise and Licences.*

21. The bulk of the revenue under head I is derived from Customs duties (*ad valorem* and specific—including alcohol), only a comparatively small portion (under 6 per cent.) being collected on exports. The present tariff is the result of innumerable alterations in, and additions to, a more or less original tariff made many years ago, the latest important changes being necessitated by the Canadian Trade Agreement of 1925. The duties are prescribed in three schedules attached to the Customs Duties Ordinance No. 19 of 1929. The first schedule comprises 53 articles or groups of articles liable to specific duties, and the second and third consist of 26 articles or groups of articles on which the duties are *ad valorem*. Schedule I also carries a surcharge of 25 or 30 per cent., chiefly the latter. On the c.i.f. prices for 1930 the preferential specific duties range from 2.9 per cent. (on pickled or salted beef and pork) to 208 per cent. (on cigarettes), and the general specific duties from 5.7 per cent. (on lime) to 581 per cent. (on leaf tobacco). The *ad valorem* rates in the second schedule range from 5 per cent. to 20 per cent. preferential, and, for the corresponding articles, from 12 per cent. to 40 per cent. general, and in the third schedule are 2 per cent. preferential and 5 per cent. general: the latter duties were imposed in 1929 on articles previously free. The revenue derived from import duties in 1930 was \$2,360,836 (£491,840). Its incidence was \$7.50 per head of population against \$8.31 in Trinidad, \$5.77 in Jamaica, and \$5.00 in Barbados in 1929, the latest year for which the figures are available. If the preferential rates stood alone, the duties as a whole might be considered not to be high. The general duties, on the other hand, are undoubtedly high as a rule, and the combined result is the subject of complaint.

22. The burden of the tariff is in effect the result of the terms of the Canadian Trade Agreement, 1925, combined with the necessity for realizing as large a revenue as possible under this head. That Agreement provides that in return for various concessions by Canada, the most important of which in the case of British Guiana is a preference of one dollar per 100 lb. on sugar (with lower rates also on rum, a by-product of sugar), the Colony shall charge (a) generally on Canadian goods duty of not more than one-half the general rate and (b) on certain specified articles, including spirits, ale and beer, kerosine and gasolene, flour, salted beef and pork, cheese, etc., duties less than the general duties by definite sums and in the case of several of these items not more than one-third of the general rate. The chief source of revenue in the

Colony has always been Customs, and we understand that when the Agreement came into force the preferential and general rates were framed so as to bring in, as nearly as possible, the same amount of revenue as before. The preferential rates so determined apply to articles and produce received not only from Canada, but from all parts of the Empire.

23. The concessions granted by British Guiana have been, and are, the subject of severe criticism in the Colony. It is urged that owing to the general standard of the preferential rates which must be imposed for revenue purposes the margin between the preferential and the general rates is so great as to admit of the exploitation of the Colony since the price charged by the exporter from a country in the Empire will be such as will just enable him to undersell the exporter from a foreign country. The case of flour was cited in particular. We endeavoured to verify this statement on the basis of actual figures, but were unsuccessful because the material available in the Colony was not sufficient for the purpose. The charge, therefore, is "not proven." The matter is in essence one of competition, and if the latter is not forthcoming it would obviously be strange if an exporter did not avail himself of the opportunity offered to him. And it is interesting to note, according to a statement made to us, that a similar charge is made by a section of Canadian opinion against the preferential terms granted by Canada, although this may not be applicable to British Guiana because all the sugar of the Colony goes either to the United Kingdom or Canada. Be this as it may, the most vehement assailants of the Agreement in British Guiana are emphatic that the maintenance of the provisions relating to sugar and its by-products is vital to the interests of the Colony and, when those who advocate the entire abolition of the preferences granted by the Colony are asked what view Canada and Great Britain would be likely to take if such abrogation were suggested, they can only fall back on a virtual plea "*ad misericordiam*."

24. The conditions set forth above have rendered the tariff inelastic. It would be easy to suggest the enhancement of certain preferential rates, but the concurrent rise in the general rates would impose an unduly heavy burden on goods which in practice are not received wholly from Empire sources. It is for this reason that we have been unable to undertake a general revision of the tariff, although we have examined it on more than one occasion for this purpose. The Agreement is in force for 12 years, and thereafter until terminated by 12 months' notice given by one of the contracting Governments. If at any time the Trade Agreement is reviewed, we would advise that the representatives of British Guiana should analyse the items in the Tariff Schedules

one by one and should negotiate rates which, while giving a sufficient preference, would leave the Colony a wider scope for varying its taxation than is possessed at present. Action, however, is possible in a limited direction. In a certain number of cases, e.g., flour, petrol, kerosene, oil, etc., the existing tariff gives a greater preference to Empire goods than the Trade Agreement requires. We recommend that the matter be rectified as early as possible by increasing the preferential rate in some cases and reducing the general rate in others. The result should be a moderate increase in the revenue without any appreciable cost to the consumer, but the exact figure of the increase in revenue is difficult to estimate.

25. *Export Duty*.—An export duty of $1\frac{1}{2}$ per cent. is levied on all articles grown or produced in the Colony except on precious stones which pay 6 per cent. *ad valorem*, but owing to the extremely distressed condition of the sugar industry the export duty on sugar and its by-products was suspended from 15th September, 1930, for an indefinite period: in addition, the export duty on all other agricultural produce has been suspended from 16th December, 1930, and this of course will cause a serious reduction in the 1931 collections. In 1929 the export tax produced \$210,732, and in 1930 \$142,625, but in 1931 only \$46,000 is expected. To counteract this the import duty on certain articles has been increased, the principal items being malt liquor, brandy, whisky, gin, manufactured tobacco, and salt. The surcharge also in the first schedule of the Ordinance was raised in certain cases from 25 to 30 per cent. It is very unlikely that these increases will produce the sum required.

26. *Excise*.—The excise duty on rum was reduced from \$4 to \$3 per gallon in 1929 but in spite of this the consumption fell. The duty was raised to \$4 on 17th December, 1930; the consumption continues to fall. Compared with the cost of imported spirits the price of rum is low and we think that the duty should be raised by 50 cents per gallon to \$4.50, a change which may bring in an additional revenue of \$25,000 this year.

27. *Licences*.—Numerous licence fees of a varied description are levied under Ordinance 8 of 1929. The several provisions of the Ordinance need revision and co-ordination, and a committee appointed by the Government of the Colony is at present engaged on this task. The revision will probably result in a slight increase of revenue. As a result of our own examination we propose that motor-bus licences prescribed by section 31 (21) (a) (i) should be increased to \$150 (now \$120) in the case of 'buses carrying not more than 10 passengers, \$400 (now \$350) for those carrying not more than 22, and \$460 (now \$400) for those capable of carrying more than 22. Similarly, the licences under section 31 (21) (a) (ii), which at present are \$75 and \$120, should be increased to

\$100 and \$150, respectively, in the cases of 'buses plying on the East Bank. These 'buses are numerous: they are well patronized and the profits appear to be large, so that the owners of the vehicles should be well able to bear the increase in licence which is proposed.

28. We also suggest that barristers and solicitors be required to pay an annual licence fee of \$15 or some such sum; there is a precedent for such fees in other Colonies.

29. The extra revenue involved in these proposals is \$5,000 per annum.

III.—*Internal Revenue (Other).*

30. The principal sources of revenue under this head are stamp duties, estate duty, duty on transports and mortgages, acreage tax, and income tax.

31. *Stamp Duties.*--We do not think that the stamp duties should be raised generally, but advise that the fee on summonses be increased from 72 cents to one dollar. We have been told that the Police have frequently taken up cases which should be instituted by private individuals, thus causing a loss of revenue, but we understand that the matter is already receiving attention. The same stamps are issued for postage and revenue purposes and the allocation between heads III and V is purely arbitrary. The revenue from stamp duties this year is likely to be \$5,000 under the estimate.

32. *Estate Duty.*—We recommend that the provisos to section 10 (1) of the Tax Ordinance (No. 8 of 1929) be deleted: the exemptions contained in the provisos do not exist in the English legislation on the subject. The additional revenue secured by such a change would be about \$10,000 per annum. The Estate Duty Ordinance, 1898, would produce more revenue if a section were introduced corresponding to section 39 of the English Revenue Act, 1862, on the subject of certain debts due to any deceased person by persons in the Colony: and still more if sections were introduced making estate duty payable locally on shares of companies whose business and assets are practically wholly in the Colony though the companies are registered in England, or, if a large portion of such business is carried on in the Colony, then on that portion. We understand that legislation to this effect exists in certain parts of the Empire and think that, in view of the need of the Colony, the same principle might well be introduced here.

33. *Income Tax.*—Income tax was introduced in the Colony in 1929 and is in a form which combines the "slab" system and the system adopted in Great Britain and Northern Ireland. Residents in the Colony are allowed a deduction of \$1,200 (£250) in

all cases with further deductions of \$720 (£150) for married men and \$144 (£30) for each child under the age of sixteen years or receiving full-time instruction in some educational institution. There are also other deductions which need not be mentioned here. When the chargeable income has been determined, tax is assessed at 2 per cent. on the first \$1,200 (£250) of such income, 3 per cent. on the second \$1,200, 4 per cent. on the next \$1,200, 5 per cent. on the next \$2,400, 7 per cent. on the next \$2,400, 9 per cent. on the next \$4,800, 12 per cent. on the next \$9,600, 15 per cent. on the next \$24,000, and 20 per cent. on the remainder. The profits and gains of companies are assessed at 10 per cent. There is no super-tax or surtax. The incidence of the tax is very light in the case of the smaller incomes assessed: for instance, a married man with two children pays nothing on an income up to \$2,208 (£460), and on an income of \$3,408 (£710) only \$24 or £5.

34. It has been strongly urged before us that the income tax should not be increased owing to the burden of the Customs duties on residents in the Colony. We are unable to accept this contention as the financial condition of the Colony renders further taxation unavoidable, but we have taken it into consideration in the recommendations which we make. We are of opinion that (i) a system similar to that in force in Great Britain and Northern Ireland should be adopted, and in the case of individuals the allowance for a bachelor should be \$720 (£150) and for a married man \$1,200 (£250) with allowances for children of \$240 (£50) for the first child and \$180 (£37) for each of any other children there may be, and (ii) the rate of taxation should be 10 per cent., with half that rate on the first \$1,000 (£208). We also advise the imposition of a super-tax on incomes exceeding \$12,000 (£2,500) at the following rates:—

<i>On the portion exceeding</i>		<i>But not exceeding</i>		
\$12,000	...	\$18,000	...	2½ per cent.
\$18,000	...	\$24,000	...	5 „
\$24,000	...	\$30,000	...	7½ „
\$30,000	...	...	...	10 „

The taxation on companies should remain as at present, i.e., 10 per cent.

We also recommend that pensions paid to non-residents from the revenues of the Colony should be taxed.

35. The tax assessed in respect of the year 1929 was \$329,545 (£68,655), of which \$104,797 (£21,833) was payable by companies registered in the United Kingdom, and was thus subject to relief from British taxation. The corresponding figures in 1930 were: tax assessed \$259,222 (£54,005), tax payable by companies \$66,530 (£13,860).

Despite the period of the Colony's fiscal year at which our proposals are made we would urge that the revised tax be introduced forthwith. If this is done, the tax is estimated to yield \$300,000 in the current year, or twice the amount at present in the Estimates. In 1929 the yield from the tax at the proposed rate would have been \$500,000 instead of \$266,000.

36. We note that the amount of tax paid by property-owners in Georgetown in respect of the annual value of their property is extremely small owing to the fact that all municipal taxes on the property are allowed as a deduction before the annual value is computed and all rents are inclusive of these taxes whether such are properly payable by the landlord or by the tenant. The system which is being followed needs revision.

IV.—Specific Services and Reimbursements-in-aid.

37. There are 25 items included in this head. Many of them cannot be increased by any action of the Government or by any recommendation made by us, e.g., fines and seizures, and others could not be increased at such a time as this without violating the feelings of every considerate person, e.g., hospital and dispensary fees. None of the remainder seems susceptible of increase, and after discussing most of them with the departments concerned no increase is recommended.

V.—Post Office—Telegraphs—Telephones.

38. Some of the rates are very moderate and might be increased when times improve, but we do not recommend any change at present.

VI.—Rents.

39. The Government owns a large number of houses occupied by officials. In most cases the rents are standard rents fixed under Circular 5097/28 of 1st November, 1928; in others the rent is a fixed percentage (10 per cent. for unfurnished and 12 per cent. for furnished quarters) of the occupants' salary—a common arrangement in some other Colonies.

Other rents under this head are those on Colony and Crown lands, the rates being fixed by law. As development is a crying need of the Colony any enhancement of the rates is inadvisable.

VII.—Forests, Lands and Mines.

40. No change in the fees, licences, or royalties is recommended; any increase would probably result in reduced revenue. As it is, the revenue this year is likely to be \$28,000 below the original estimate of \$170,875.

VIII.—Interest. IX.—Miscellaneous.

41. No increase under these heads is possible this year and no increase is visible in the near future.

42. *Proposed Land Tax.*—Taxation in the form of an acreage tax has been known in the Colony from its earliest history, but for present purposes it will be sufficient to mention the taxes in this form which have been in force from time to time during the last half century. From 1880 to 1916 an Acreage Tax was levied on sugar estates to provide funds for immigration purposes. In 1906 a further impost of this nature was levied in connection with sea defences, the management of which the Government had been compelled to undertake. Its collection ceased in 1923 at the instance of the Combined Court, and an export tax of $1\frac{1}{2}$ per cent. was introduced, being in turn suspended a few months ago in the case of agricultural products, as already stated. Finally, in 1914, an additional acreage tax was imposed in order to make up the loss of revenue anticipated from the Canada-West Indies Reciprocity Agreement. The last of these taxes is in force to-day at the rate of 31 cents an acre upon each acre of land under sugar-cane cultivation, with the exception of areas not exceeding five acres which are cultivated by one person. The earlier taxes varied in their scope, being based on sugar-estates or lands falling within declared sea defence areas, or land planted with sugar-cane or empoldered or waste. The amounts also varied and at times were heavy.

43. The idea of further taxation on land is distasteful to the sugar planters, who would prefer that taxation should be based on ascertained profits, that is, should be in the form of an income tax : they have also drawn attention to the burden of existing taxation in its various forms. But further taxation, it may be repeated, is unavoidable and having regard to the general circumstances of the Colony and the increasing area under crops other than sugar we are of opinion that a Land Tax should, as soon as circumstances permit, be imposed in the coastlands area which should be based on the capacity of the landholders to pay ; that is, it should depend on actual cultivation as a general rule and should represent the varying value of the land.

44. We have inspected several villages and think that, despite the absence of a cadastral survey, a tax in this form is feasible although we are necessarily unable in the time at our disposal to outline a scheme complete in all its details. The soils in the coastlands, of which the chief kinds have been briefly described in paragraph 6, admit of easy demarcation. From the information obtained by us in the villages or supplied to us, the rents in a particular village vary, as a rule, with the class of soil although,

as might be expected, the rates in different villages vary for the same class of soil. It will not be a matter of difficulty to determine prevailing rates for each class of soil in groups of villages which are sufficiently alike in situation and general characteristics. Such rates would be approved by the Government and, when adopted, would form the basis of the land tax, a proportion, for instance one-sixth or one-eighth, of the valuation according to the rates sanctioned being taken as tax. All land would be valued, whether cultivated by owners or tenants. One difficulty occurs that in certain villages "lots," i.e. fields, which contain good soil are sometimes allowed to lie uncultivated for several years. There is no reason why such lands should escape assessment. The case is different where front lands are left uncultivated in order to provide a grazing ground. The circumstances will vary widely in different areas and it may be found advisable to leave these lands out of account: if any assessment is based on them, it should follow ascertained facts.

45. Annual revision of the assessment would clearly be impossible owing to the expense of the operation and the want of staff, and the period of the assessment might in the first instance be fixed at 10 years. If additional revenue in this form should prove to be necessary in the future, it could be levied by way of a cess which would be a percentage of the tax.

46. The dates for payment of the tax should be fixed to suit the convenience of the landholder, regard being had to the nature of the crop, the time required for marketing, and the date on which rent is usually realized from the tenant.

47. A land tax on the lines proposed would probably yield \$120,000 to \$150,000 a year on the present cultivated area. It would absorb the existing acreage tax which produces about \$17,000 annually.

48. Owing to the poverty of the soil, the scattered nature of the cultivation, and the difficulty of assessment and finally of collection, a land tax is not suitable for the hinterland.

CHAPTER IV.

EXPENDITURE.

General.

49 The expenditure entered in the budget of the current year is \$5,285,069. We have scrutinized the estimates of all the departments and summarize in the following table the savings to be effected by the retrenchments which we propose:—

<i>Head.</i>	<i>Estimated Savings.</i>	
	<i>In 1931.</i>	<i>In a full year.</i>
	\$	\$
1. Governor	—	6,000
2. Legislature	} 1,700	4,100
3. Colonial Secretary		
4. Audit		
5. Treasury	830	3,060
7. Commissaries	} 11,000	41,000
8. Lands and Mines		
11. Immigration		
12. Local Government Board		
15. District Commissioners		
9. Forests	3,000	18,000
10. Transport and Harbours	12,500	16,000
16. Supreme Court	1,340	6,200
17. Law Officers	2,000	5,200
18. Magistrates	2,880	4,380
20. Police	14,600	46,800
22. Prisons	3,000	2,400
23. Religion	—	2,000
24. Poor	7,000	8,000
25. Medical	} 7,800	14,800
26. Bacteriological		
27. X-Ray		
28. Hospitals		
30. Education	1,370	3,330
32-36. Post Office in all Branches	5,285	16,405
37. Agriculture	1,025	800
38. Analyst	730	1,248
39. Militia	9,000	18,000
42. Subventions—Other	2,000	2,700
45-50. Public Works under all heads	6,720	12,577
[53. Census (inserted for convenience)	—	16,600]
	<hr/>	<hr/>
	\$94,420	\$250,650

Our proposals are explained in detail in the succeeding paragraphs. The departments in which no savings have been suggested are not mentioned unless particular reasons exist for so doing.

50. The retrenchments proposed regarding staff are due in part to the abolition of posts the work of which will be distributed among the remaining officials and partly to re-organization. We do not propose any reduction in salaries although we have received numerous suggestions that such a course should be adopted. In the case of the highest posts this is hardly possible because a number of officers who have come from other countries are on contract expressed or implied and a reduction of their salaries would be regarded as a breach of such contract, while the reduction of the pay of the remainder would involve an invidious discrimination and considerable resentment. Such being the case, we are also unable to suggest any reduction in the salaries of the officials next in rank. Similarly, the position of the clerical staff presents difficulties since in normal times, we have been informed, Government service is so unattractive that many of the best recruits leave their posts after a short period of service in order to take up employment in a commercial house. Moreover, retrenchment by way of "cuts" in salaries of the clerical staff would only yield a small sum and would cause considerable discontent at a time when it is essential to secure willing service. But while no reduction in salaries is feasible or expedient, we have sought to achieve a somewhat similar result by increasing the income-tax which is so graded that the burden will fall proportionately on those who can afford to pay.

51. At the same time it is clear that, unless a far greater improvement in the affairs of the Colony takes place than we are for present purposes able to assume, the scale of salaries which has hitherto prevailed in the Colony must be reduced. We suggest in Appendix E a series of scales which might be adopted as vacancies occur, or, in one case, when times improve. The proposals which concern the clerical establishment provide for the difficulty which has been described above and at the same time, according to our calculations, will result in economy. They will also obviate a number of transfers on promotion and thereby increase efficiency.

52. *Allowances.*—The question of allowances has been brought before us by several witnesses, some of whom went so far as to urge that all allowances should be abolished, advice which was evidently given without due consideration. In January, 1929, a committee was appointed to consider the whole subject and a large number of allowances were abolished or will be abolished as occasion arises. We have seen the orders issued by the Government and have no further recommendations to make.

I.—Governor.

53. The first item of Part I of Schedule E relates to the Governor. Our view is that, for the reasons stated in paragraph 51, the emoluments of this high office should be reduced, on a change of the holder, from \$19,200 (£4,000) to \$16,800 (£3,500) subject to income tax or, if the income is free from income tax, \$14,400 (£3,000). In our judgment the Governor should be liable to pay income tax and the exemption in the present Income Tax Ordinance should be repealed. We are glad to place on record that His Excellency the present Governor has informed us that in his view the charge should be made on the Governor's income in the present financial position of the Colony.

We are further of opinion that on a change of office the allowance for contingencies should be reduced from \$4,800 (£1,000) to \$3,600 (£750).

II.—Legislature. III.—Colonial Secretary's Office.

54. These heads are intimately connected, as the officials shown under "Legislature" are frequently employed, when the Legislative Council is not sitting, on work of the Secretariat. After examination of the establishment we recommend that the salary of the Colonial Secretary, which at present is \$7,128—\$240—\$7,848 (£1,485—£50—£1,635), should be reduced to \$6,240 (£1,300) fixed on the occurrence of a vacancy in the office; that the pay of the Assistant Colonial Secretary should be \$4,080 (£850) fixed; that the post of Second Assistant Colonial Secretary (pay \$2,784—\$120—\$3,264 = £580—£25—£680) should be abolished; and that the status of Senior Clerk (\$2,400—\$120—\$2,640 = £500—£25—£550) be raised to that of Principal Clerk at \$2,880 (£600). Certain consequential changes in the cadre are involved but need not be stated here.

55. A sum of \$1,000 is spent on printing the debates of the Legislative Council. In the existing financial condition of the Colony this is a luxury which might well be dispensed with, and we would suggest that in place of the printed reports one or two bound copies of the official reporter's type-written transcript of his notes should be made available for the purpose of reference. We understand also that the newspaper reports of the debates are usually very full.

IV.—Audit Office.

56. One post of fourth-class clerk should be abolished. Petty savings which have been indicated to the Department can also be effected.

V.—Treasury.

57. In the Treasury Department a first-class clerk is due to retire at the end of the year and his place will not be filled : also a third-class clerk will be replaced by a sixth-class clerk. Against this, three temporary clerks now paid from an open Vote will be promoted to be clerical assistants at an increased rate of pay. There will be a small saving on travelling expenses. We have also suggested to the Department that further duties be allotted to the Secretary to the Currency Commissioners and also that the maintenance of the departmental Votes ledger for other departments be discontinued.

Two allowances now paid to officers by quasi-Government funds will be paid into revenue in future, say, \$816 this year and \$1,104 in a full year.

VI.—Customs Department.

58. After a careful examination of this vote we are unable to recommend any savings. The Department is the most important revenue-collecting department in the Administration : large reductions have been made in the past two years and further reductions would reduce efficiency where efficiency is most required.

VII.—Commissaries. VIII.—Lands and Mines. XI.—Immigration. XII.—Local Government Board. XV.—District Commissioners.

59. The present system of administration, represented by the departments named above, involves a waste of effort as various officials are employed to do work which could be done with equal efficiency by one man. The question, therefore, of introducing in their place a new form of administration such as the creation of districts has engaged the attention of the Government for some time, and a Committee appointed by the Governor has recently been occupied in working out details on a memorandum laid before them by His Excellency. They have recommended a scheme which is estimated to effect savings of \$12,000 per annum. The only manner in our opinion in which substantial economies can be effected in this branch of the Administration is to replace the departments named by a district scheme in some form or other. But the proposals formulated by the Committee do not go sufficiently far in the direction of economy and we therefore suggest the following scheme.

60. Geographically the Colony is divided into two distinct areas, and these areas should be the basis of the administrative system. That is to say, there should be two divisions, the coastlands under an officer to be styled Superintendent (or Commissioner) of the Coastlands and Agent-General of Immigration, and the hinterland

under the control of the Conservator of Forests with the title of Conservator of Forests and Commissioner of the Interior.

61. The coastlands would be divided into three areas, each under an Assistant Superintendent or District Officer (or some such title) who would be assisted by a number of executive officers. The scheme* in brief would be :—

East District (from the River Corentyne to the River Abary)—

One Assistant Superintendent (or District Officer) stationed at New Amsterdam.

Two senior executive assistants—one at New Amsterdam, one at 63.

Two junior executive assistants—one at New Amsterdam and one at Springlands.

Central District (from the Abary River up to and including Leguan)—

One Assistant Superintendent (or District Officer) stationed at Georgetown.

Two senior executive assistants—one in the neighbourhood of Buxton or Belfield, the other at Vreed-en-Hoop or further west as may be decided.

Two junior executive assistants—one at Georgetown, one in some place west of the River Demerara.

West District (from and including Wakenaam to the Venezuelan border)—

One Assistant Superintendent (or District Officer).

The work performed by the Customs officers at New Amsterdam and Skeldon would be transferred to the district officer. The Government medical officer in the present North-West District should have subordinate administrative charge of that area and should also be invested with limited judicial (criminal) powers. Civil cases and the criminal cases not disposed of by the Government medical officer would be tried periodically by the magistrate stationed at Suddie.

The proposed staff may need to be strengthened slightly if a land tax is introduced.

62. The primary functions of the district officers will be to secure the collection of all Government dues not otherwise provided for, to inspect distilleries, to ensure that the safety of the countryside shall not be endangered by neglect of the systems of drainage, to supervise the measurement and partition of land, to administer the poor law, and to give effect to the general policy and the particular orders of the Government; an additional duty will be to supervise and assist the local authorities to the extent which may be necessary and expedient.

* **NOTE.**—The details of the scheme are omitted from this Report. A copy has been left in the Secretariat of the Colony.

63. At present, certain sums due to Government are being recovered through the village authorities. They represent the repayment of loans or the payment of sums equivalent, generally, to the interest and sinking fund on certain coastal defence works and the cost of working pumping-plants. Attempts at recovery of the sums due to Government through the village authorities have in a number of cases resulted in the accumulation of arrears, since the first claim on the collection is for the payment of village servants or village works and the demand by the State is treated as secondary; and, as the village rates seem rarely to be collected in full, there is a recurring and indeterminate loss to the general revenue. We are strongly of opinion that all sums due to the Government should be collected by the officers of the Government and that the village authorities should merely deal with the sums required for village expenditure. The method of collection also needs revision. The demand is now made on dates which have no reference to the time at which the crops of various kinds are gathered, and it would be for the benefit of the agriculturist if, as suggested in our proposal for a land tax, he were required to pay his dues when he has disposed of his crop and is therefore in funds. The procedure for enforcing payment in cases of default is also cumbrous, and something seems to be required in the nature of a Government Dues Recovery Ordinance which would give the superior district staff power to issue process for the recovery of arrears, even including the attachment of land (by whomsoever held) for the purpose of collecting rent from it. Concurrently provision should be made by means of rules having the force of law for the suspension, or even the remission, by the Government of a Government demand on the land. Such rules are recommended in order to prevent improper interference by influential persons.

64. The disappearance of a large number of sugar estates has brought into existence a class of landlords some of whom appear to be indifferent to the interests of the countryside, and neglect to maintain the drainage system on their property in an efficient manner, with the result that their neighbours may suffer damage and be unable to meet the payments due from them. The necessity for efficient drainage is universally admitted and we are of opinion that the district staff should have power to intervene in cases of neglect and to direct a defaulting proprietor or body of proprietors to make good the deficiency within a definite period or to provide sufficient funds to enable the work to be done under district control.

65. The office of the Agent-General of Immigration does not possess the importance which it enjoyed before indentured immigration from India ceased. But, in view of the Colony's liability for the repatriation of a large number of East Indians and their families, the maintenance of the records of the immigrants and

their families is essential, and access to an officer in high position must also be provided. We propose, therefore, that the Superintendent (or Commissioner) of the Coastlands should be Immigration Agent-General and that his title should make this clear. The records should be carefully maintained so long as this is necessary, and the work of the existing department in the districts should be entrusted to the district staff. The latter should be under the necessity of learning sufficient Hindustani or Hindi to enable them to deal direct with the East Indians who came into the Colony on indenture, and should be ready to recognize the importance to the Colony of the adoption by East Indians of British Guiana as their permanent home, a matter which will be greatly facilitated by the accessibility and sympathetic attitude of those placed in authority.

66. The Local Government Board at present controls the budgets of the local authorities and sanctions the rates to be imposed in the various areas. Those functions would fall to the Superintendent (or Commissioner) of the Coastlands with or without the help of a committee, the channel of communication being the assistant superintendents (or district officers).

67. If a district scheme is introduced, it will be necessary for the Government of the Colony to secure for a period the services of an officer from abroad who has had experience of work of this type. He would inaugurate the scheme and train the staff and also his eventual successor. It is needless to say that an officer of great energy, ability, and tact will be required since the proposed method of administration involves a considerable departure from existing and previous practice. Such an officer should be regarded not as a head of a department but as a purely executive officer and should be frequently absent on tour. His method of touring should not be hurried visits by motor-car from headquarters but by staying at rest-houses of which a number exist and more can probably be provided through the reduction in the number of police stations which has been recommended.

68. The savings from the scheme are estimated to exceed \$26,000 per annum on the basis of mean cost. The actual savings in the immediate future will probably be more, as the officers who come under reduction will in several cases be drawing the maximum pay of their office while the officers newly appointed will be in receipt of the minimum.

69. The greater part of the work of the Lands and Mines Department is concerned with the interior; it is in charge of Crown and Colony lands (except such as concern the Public Works Department), forests, rivers and creeks, and of all minerals, including gold, silver, and precious stones. The Conservator of Forests has hitherto dealt with selected forest areas and the area under his management tends to increase. We are of opinion that one

officer should be able to exercise control over both departments, and think that in the interests of economy the experiment might be made. As, for reasons given elsewhere in this Report, the retention of a forest expert is necessary, the Conservator would be placed in charge of the hinterland (including Christianburg on the Demerara river and Takama on the river Berbice) and the greater part of the office of the Lands and Mines Department which is now situated in Georgetown would be transferred, as opportunity offers, to the Mazaruni Settlement, which has been approved as the headquarters of the Forest Department and where ample office and residential accommodation is available. The remainder of the Lands and Mines Department would be located in Georgetown, preferably in the same building as the office of the Superintendent of the Coastlands.

70. This proposal involves the abolition of the post of Commissioner of Lands and Mines. In addition, we recommend that the post of Superintendent of Surveys be not filled while the present holder is on special duty on the Brazil Boundary Commission and that it be abolished when the term of special duty comes to an end or, if the situation at the time demands, that an officer on lower pay be appointed. The department has also submitted proposals for petty reductions aggregating \$3,500 in the current year and over \$6,000 in a full year and we advise that they be carried into effect at once. The savings involved in these proposals will be over \$14,000 in a full year.

IX.—Forests.

71. We supported the proposal of the Government that the headquarters of the Forest Department should be close to the forest area and should therefore be removed to the Mazaruni Settlement: this has now been approved. The effect of the transfer and the abolition of the post of surveyor, which is already in contemplation, will result in a saving during the current year of \$3,000 and in future years of \$18,000, of which sum it may be noted \$15,000 represents the cost of the transfer of the Department. The future of this department (which was only created a few years ago) is discussed in a subsequent paragraph of this report.

X.—Transport and Harbours.

72. The Colonial Transport Department operates two railways along the coast, several steamer and launch services (mostly on the great rivers), and two ferries, and is in control of the harbour. Its revenue account shows a surplus of \$39,000 on railways and \$80,800 on harbours but a deficit of \$19,000 on steamers and launches, or a net working profit of \$100,800; its profit and loss account, however, shows a deficit of over \$91,000 due to the payment of annuities and

interest on capital, and this sum will be increased in 1933 by \$11,000 when further sinking fund charges become payable.

It is only right, however, to add that up to 1913 the Government paid an annual subsidy of \$65,000 for the steamer and launch services and that it was only when the new tender was increased to \$80,000 for a 15-year contract or \$85,000 for a 10-year contract that it was decided to take over the service; similarly, a subsidy of \$68,500 per annum was also paid up to the time the railways were purchased.

73. We have examined the working of the department and are satisfied that there is efficient management. The only material economy which we suggest is that when a suitable opportunity occurs the posts of General Manager and Civil Engineer might be combined: it has been suggested also that when a post can be found for the present Harbour Master a successor should be obtained at a smaller salary—a suggestion which we endorse. We have considered the charges made for services rendered and, so far as the railways are concerned, have found that there is little margin for increased revenue owing to the keenness of omnibus competition which is so marked a feature elsewhere; but where the department has monopolistic services we have already suggested to the Government that the rates should be slightly increased and our suggestions have been adopted. The anticipated increase in revenue, together with certain reductions in working charges which we have suggested, should result in a reduction of the deficit to \$62,000—increased revenue \$17,000, decreased expenditure \$12,500. In this connection we feel it incumbent to note that maintenance charges have been reduced to a perilously low figure, and we are afraid that to some extent the measures hitherto adopted may be a form of false economy.

XIII.—Co-operative Credit Banks.

74. At present the post of Director is vacant. The department was abolished in August, 1930, although the then Director continues to draw the pay of the post in another office in which he is serving. We are of opinion, for the reasons stated in paragraph 132, that this post should be continued and we are unable to recommend any economy under this head.

XVI.—Supreme Court. XVIII.—Magistrates.

75. Law and justice are administered by a Supreme Court consisting of a Chief Justice and two Puisne Judges and by six magistrates who are under the control of the Attorney-General and who are often barristers. The number of magistrates, we understand, is shortly to be reduced to five. The jurisdiction of the magistrates on the criminal side is limited in cases affecting property

to those where the value of the property does not exceed \$25; the result is that many petty offences have to be proceeded with indictably, involving a preliminary enquiry by a magistrate and a trial before a Judge and Jury. The civil jurisdiction of the magistrates is limited to cases involving not more than \$100. All other cases are tried in the Supreme Court.

76. The criminal cases tried in the Supreme Court have been as follows in the past three years—

	1928.	1929.	1930.
Murder	15	5	6
Manslaughter	3	6	4
Others	85	73	51
Total	<u>103</u>	<u>84</u>	<u>61</u>

19,132 criminal cases were instituted in the Courts of magistrates in 1928, 18,086 cases in 1929, and 17,417 cases in 1930. Of these, 3,739, 4,206, and 4,061 were sent up by the police. The number of cases which were dismissed for non-appearance of complainants was 6,759, 5,788, and 5,396 in the three years, respectively. The magistrates also dismissed 1,682, 1,474, and 1,111 cases after hearing in the same years. Appeals from convictions by magistrates are heard by a bench of two Judges in the Supreme Court.

77. On the civil side 17,972, 16,742, and 14,098 cases were instituted in the magistrates' courts in the years 1928, 1929, and 1930, respectively. In the same years the civil cases instituted in the Supreme Court were 421, 396, and 385. Apart from these the Court disposes of matrimonial cases (15, 13, and 19 in the years cited), Admiralty cases (none), insolvency cases (18, 16, and 14), and applications for probate (272, 238, and 294), and also hears appeals from a single Judge in a number of cases and from magistrates: appeals in cases of amounts exceeding \$250 go to the West Indian Court of Appeal. The Court also deals with petitions and a large number ofparate execution proceedings.

78. The volume of work in the magistrates' courts is heavy but much is of a petty nature. The opinion is widely held that the work in the Supreme Court is insufficient to justify the appointment of three Judges. The volume of work, however, is not the only criterion as His Honour the Chief Justice is absent at certain times of the year on the business of the West Indian Court of Appeal. We are of opinion that for a population of 315,000 the Judiciary, taking the term in its widest sense, is too large: at all events it is more than the Colony in the present state of its finances can afford. We think that the office of Second Puisne Judge should be abolished and that the Supreme Court should consist of a Chief Justice and one Puisne Judge. We would also urge that relief be given to the

Supreme Court by increasing the jurisdiction of magistrates in the coastlands area. Certain offences, e.g., murder, must be tried by the Supreme Court, but there seems to be no reason why a low money-limit should be imposed in cases of theft or criminal misappropriation or the like. If it is thought that a money limit at all is desirable we would suggest that the sum be \$100. On the civil side the jurisdiction might well be \$250; that sum is the limit for cases in which barristers and solicitors are permitted to appear alone in the Supreme Court. We are also of opinion that an attempt should be made to give relief to the magistrates by constituting benches of honorary magistrates who could deal with petty cases, particularly under municipal by-laws. This system is in force in other countries in much the same stage of development as British Guiana. We have been informed that the system was in force in the Colony at one time but proved unsatisfactory and was abolished. We would nevertheless urge a further trial and can hardly believe that no competent and righteous citizens can be found by whom the exercise of magisterial functions would not be regarded as an honour.

79. Some relief might be given to magistrates if the system of peripatetic courts were curtailed. For instance, the Magistrate at New Amsterdam holds his court in eight places besides his headquarters, three of which he visits twice a month, four once a month, and the last once in six months. Of these places, one is situated at a distance of two miles from headquarters (across the Berbice river) and one of four miles. Such facilities hardly seem to be required in a locality where communications are good.

80. Further relief could be given by revising the system by which magistrates are required personally to cancel stamps. The procedure involves a mass of dull, laborious routine for an officer who might well be otherwise employed. An equally effective alternative could be devised without difficulty and is, we understand, at present under consideration.

81. Elsewhere in this Report the suggestion has been made that the issue of distress warrants for the realization of arrears of Government and local dues should be entrusted to the district officers whose creation we have recommended. If this is done, the time available to magistrates for their judicial work will be increased.

82. As a result of our proposals regarding the change in the duties of the Attorney-General we recommend that control of the magistracy be vested in the senior magistrate at Georgetown, who should be specially selected.

XVII.—Law Officers.

83. The Law Officers of the Colony comprise an Attorney-General on a salary of £1,400-£50-£1,600, an Assistant to the

Attorney-General on £480-£25-£580 who is also allowed English barrister's practice, and a Crown Solicitor who is also Official Receiver and Public Trustee on £900-£25-£1,000. A sum of \$500 is also provided in the Budget for fees to be paid to counsel for prosecuting at criminal sessions. We regard this staff as excessive for a Colony with the population of British Guiana, particularly in present conditions. The Attorney-General has informed us that his work is heavy and that he needs a full-time assistant. We are of opinion that the post of assistant should be abolished and that the work done by the Attorney-General should be revised and should be restricted to giving advice on legal problems stated to him through the Colonial Secretary and to the drafting of legislation. In other words his functions would be that of legal adviser to the Government and he would not take an active part in the general administration. The pay of the office should be \$4,320 (£900), and a sum of \$1,000 might be provided for fees payable to counsel for prosecuting at criminal sessions. More than this the Colony cannot afford.

XIX.—Official Receiver.

84. The expenses of the office of Official Receiver and Public Trustee are more than covered by the revenue collected. The establishment does not permit of any reduction.

XX.—Police. XXXIX.—Militia.

85. The protective forces of the Colony comprise (i) the regular police and (ii) the militia. The strength of the police force according to the estimates for the current year consists of an Inspector-General, a Deputy Inspector-General, four county inspectors, one detective inspector, one pay and quarter-master, five district inspectors, five sub-inspectors, one staff officer and five warrant officers, and 101 non-commissioned officers and 506 constables of whom 45 are mounted. Officers are appointed by the Secretary of State from candidates who apply both in the United Kingdom and locally. Of the other ranks of the force, 641 are natives of the Colony and include 32 East Indians and one Chinese, 20 are from Barbados and 26 from other West Indian islands.

The militia consists of a headquarters staff, three of whom are officers in the police, an unpaid staff, and three companies, each with an establishment of five officers and 64 other ranks, of which two are raised in Georgetown and one in New Amsterdam. Officers who are not on the permanent staff receive a uniform allowance annually and the other ranks are issued with uniform and are paid according to rank for each parade attended.

86. The police force seems to us to be unnecessarily large; in particular, the number of police stations which we have noticed in

the villages along the coast is excessive. This matter has already attracted the attention of the Government, for a committee has recently considered the problem and has suggested a reduction of six police stations. In our opinion the recommendations of the committee do not go far enough and we are convinced that the number of stations might be reduced still further without endangering the peace of the Colony. At the same time, after full consideration, we think it desirable that, as in other countries, there should be an additional defensive force at the disposal of the Government which can be called upon in times of emergency and which affords an opportunity to the ordinary citizen to train himself for service in time of need. We therefore recommend that the militia should be retained unchanged in its personnel but that the police force might well be reduced by the abolition of the post of Deputy Inspector-General, one county inspector, two district inspectors, two warrant officers, eight non-commissioned officers (two sergeants-major, two sergeants, and four corporals), and 40 constables (eight first-class, five second-class, and 27 third-class). We also recommend that the number of clerks should be reduced by three. The reduction in the actual force will in turn involve savings under sub-heads such as lodging allowances, station allowances, good conduct pay, and the like, while the Inspector-General at our request has also suggested petty savings under a number of sub-heads. In view of the abolition of the post of Deputy Inspector-General, the status of one of the county inspectors should be raised by an increase in salary of \$480 per annum. If our proposals are accepted, the saving during the current year will be about \$14,600 and \$46,800 in a full year.

87. We are also of opinion that for the present resources of the Colony the minimum pay of police constables—\$32 a month for unmounted men and \$33 a month for mounted men—is too high. We do not suggest any reduction for men actually in the service but strongly advise that when recruitment opens a new grade of pay of not more than \$28 a month should be introduced.

88. Militia in the estimates comprises two items, (a) machine-gun and infantry companies and (b) band. Our reference to the militia in paragraph 86 was to item (a). The only further remark we have to make regarding this sub-head concerns the time gun. No provision appears in the estimates for the current year but the gun is being fired and we understand that this is being effected by using up powder surplus from last year and also by a contribution of \$300 a year from the Town Council, a body which is itself in sore need of funds. The gun is fired at 5 a.m. and 8 p.m., the former time being maintained, among other reasons, for the sentimental one that it is a reminder of the emancipation of the slaves since the gun at five o'clock was always fired in the days of slavery to call the slaves to their duties. The amount is petty

but there is no justification for the expenditure in present circumstances, while, moreover, it serves no military purpose. We recommend, therefore, that no provision be made in the Estimates on this account.

89. The band, although appearing under the head "Militia," has little to do with that force and is in essence a band maintained by the State solely for the delectation of its citizens. Public opinion attaches very great importance to the band, whose excellent reputation is not confined to the Colony, and its removal would be regarded with general regret, perhaps even with dismay. Its cost, however, exceeds \$18,000 per annum, while all the posts, except those of apprentices, are pensionable. The expenditure on the band is more than the Colony can bear in its present condition or at any future date which we can visualize, and we have no alternative but to recommend its abolition despite public feeling in its favour and the reasons, other than financial, which might be urged for its retention. Should a substantial movement develop for the maintenance of such a band through private subscriptions, we think that the annual grant by the Colony of a sum not exceeding one-tenth of the cost or \$1,500, whichever is the less, might be considered.

XXI.—*Fire Protection.*

90. The fire brigades at Georgetown and New Amsterdam are closely linked with the police as they are under the control and management of senior officers of that service. Half the cost is met from Colonial revenues and half from municipal revenues. In towns in which the buildings are almost universally of wood the maintenance of an efficient fire protection service is a necessity and we are unable to suggest any savings under this head although, as stated in paragraph 143, we think that the distribution of the expenditure should be revised.

XXII.—*Prisons.*

91. There are three prisons in the Colony, one at Georgetown, another at New Amsterdam and a penal settlement at Mazaruni. There are very few prisoners at the latter and its abolition has already been decided on. The average number of prisoners in the Colony was 258 in 1930 and it would have been convenient had they all been congregated in one prison. The prison at Georgetown, however, is not sufficiently large, there appears to be no vacant land surrounding it, and the cost of building a new prison is in present circumstances prohibitive. We therefore make no recommendation regarding the abolition of the prison at New Amsterdam.

92. We are of opinion that there is no need to retain the Inspector of Prisons: at the same time we are opposed to the idea that the

control of this department should be made over to the police. We therefore recommend that the Surgeon-General be made *ex officio* Inspector of Prisons without additional emoluments and that the immediate supervision of the gaol in Georgetown be entrusted to a member of the medical staff in that place with a payment of £100 a year for his services. There will be small savings in the current year owing to a fall in the cost of living, otherwise there are no economies which we can suggest.

XXIII.—Ministers of Religion.

93. The total expenditure provided in the Estimates for the current year is \$24,800, of which \$13,200 represents sums payable under Ordinance 38 of 1920. The balance is distributed amongst various denominations as grants-in-aid for missionary purposes. It has already been decided that these grants shall cease in six years' time. Having regard to the various elements of the population of the Colony and to its present financial needs, we are of opinion that the process of withdrawal should be expedited and we recommend therefore that after the current year the grants should be reduced by a quarter instead of a sixth until they disappear.

XXIV—XXVIII.—Medical and allied Departments, Hospitals and Dispensaries and Poor.

94. We deal with these subjects together because the Surgeon-General is in charge of all the medical arrangements in the Colony and is Chairman of the Poor Law Commissioners, and also because hospitals and the alms-house are inextricably bound up in each other.

95. The expenditure in the last two years has been :—

	1929.	1930.
	\$	\$
Medical Department	160,790	134,805
Bacteriological Department ...	7,322	7,223
X-Ray Department	7,507	6,133
Hospitals, Asylums, & Dis- pensaries.	358,463	344,443
Poor	129,434	114,584
	<hr/>	<hr/>
	\$663,516	\$607,188
	(£138,232)	(£126,498)

96. The staff in the Medical and allied departments comprises a Surgeon-General, a resident surgeon in the Georgetown hospital,

28 medical officers, the medical superintendent of the leper asylum, an ophthalmologist, a bacteriologist, and two radiographers. Of the medical officers, 13 are in charge of medical districts, one acts as police and prison surgeon and attends at the alms-house in addition to other duties, and 14 are employed at the hospitals in Georgetown (7), New Amsterdam (2), and Suddie (2), and at the Mental Hospital (3); the hospital figures include the leave reserve (2 or 3).

97. The officers in charge of districts are for the most part in the coast-lands and the system dates from the time when labour was imported on indenture and close medical supervision was required. The conditions have altered radically but the system has remained. The Government medical officers receive a salary of £500-£25-£700 and also charge their patients fees whenever possible. The emoluments which they receive from the Colony are disproportionate to the services rendered by them, and it is now contemplated that a certain number (four at present) of stipendiary posts shall be abolished as the incumbents retire and shall be replaced by a system of subsidies. Immediate action by way of compulsory retirement is inexpedient because the cost of the pension of a retired officer and the subsidy would often be equal to, or might even exceed, the pay of the retiring officer. We are aware that in certain countries of the type of British Guiana doctors are often reluctant to settle down in rural districts and that medical service can only be secured through a measure of State subsidy. But we are of opinion that subsidies should only be provided where absolutely necessary and that the system should not be adopted universally without attempting some other alternative. There are quite a number of private medical practitioners in the Colony and we are loth to believe, until actual experiment has proved the contrary, that, if the State Service in populous localities like Buxton were removed, private practitioners would not fill the vacant place: in fact, we have been informed by some persons who have interviewed us that instances have occurred of the frustration of attempts at private practice in certain places by the Government medical officers who elected to charge, temporarily, a fee at which the private practitioner could not compete. We recommend, therefore, that as vacancies occur in the ranks of the medical officers the experiment be tried of leaving certain districts vacant and so allowing private medical practitioners the opportunity of establishing themselves, Government work being paid for on the basis of the service rendered. The process will be gradual and there will be ample opportunity of testing the scheme and of judging of the value of the outcry which will inevitably arise. If the experiment is successful, it should be ex-

tended wherever possible. If unsuccessful, the introduction of a subsidized medical service should be considered. There will be a few localities, such as the Mazaruni River and North-West districts, where the retention of a medical officer will probably be required. Where medical officers, full-time or subsidized, are employed the districts entrusted to them should be as large as possible, and it might be considered whether this object could not be aided by enlisting the services of licensed persons of less qualifications, of whom there are numbers in the Colony. We suggest also for consideration whether in New Amsterdam the officer in charge of the hospital should not be required to perform the duties of a district medical officer in addition to his other work. The employment of one or two doctors at the Georgetown hospital on lower pay might also be considered, although we are aware of the difficulties inherent in this suggestion. Further, local physicians and surgeons might with advantage be invited to render honorary services: we have been informed that such an invitation would meet with a favourable response.

98. The number of hospitals in the Colony is six, of which three are large—Georgetown (564 beds), New Amsterdam (161 beds), Suddie (92 beds)—and three small—Bartica (14 beds), Mabaruma (30 beds), and Kamakusa in the diamond fields (8 beds). The average number of patients treated daily in 1930 was as follows:—

				<i>Indoor.</i>	<i>Outdoor.</i>
Georgetown	...	...	...	544	125
New Amsterdam	...	...	...	119	66
Suddie	...	...	...	80	41
Bartica	...	...	...	7	9
Mabaruma	...	...	...	20	9
Kamakusa	...	...	...	1	6

The persons who daily attended the Government dispensaries in the Colony, 13 in number, aggregated 102 on the average. A mental hospital is also maintained, the average number of inmates having been 755 in 1930, and a leper asylum with an average population of 285. There is also a large alms-house in Georgetown with an average number of 813 inmates in 1930, which is maintained from Colonial revenues, while 3,072 adult poor on the average were in receipt of outdoor relief from the same source. Thus the total number of people who received assistance from the State in 1930 averaged 6,054 or 1.9 per cent. of the population. And this is apart from the treatment provided for their employees by the sugar estates and the Demarara Bauxite Company and from the assistance given by philanthropic institutions.

99. We are unable to state the population of the public institutions on the basis of communities for any given period, but may quote the figures for a particular date (22nd April, 1931), viz. :—

	<i>Black.</i>	<i>East Indian.</i>	<i>Others.</i>	<i>Total.</i>
Public hospitals ...	364	208	130	702
Mental hospital ...	429	242	91	762
Leper asylum ...	115	65	69	249
Alms-house ...	559	192	91	842

Of the inmates of the alms-house, 316 belonged to Georgetown and 526 to the rest of the Colony.

100. The expenditure on medical institutions and relief is disproportionate to the resources of the Colony, and we have repeatedly investigated the possibility of effecting material savings but without any great success. It is probable that here as elsewhere free medical service is obtained by people who can afford to pay for a doctor; but we understand that steps are taken to prevent this as far as possible. We have also been informed that, if the numbers in the alms-house were reduced, the people would flock to the hospitals, and if admission were refused there the cases would be picked up by the police in the streets and would reach the alms-house by this method. The number of derelicts also is large. In the case of East Indians this result may be due to the fact that the proportion of male labourers recruited in former days was large, and that the men contracted no family ties and in their old age have no relatives to whom they can turn for relief. In the case of persons of African descent the cause appears to be sociological. A proposal has been considered for removing the alms-house to Mahaica in the hope that the locality might be less attractive than Georgetown and that many people who in present conditions seek admission might thus tend to rely on their relatives to a greater degree. If this hope were realized, the capital expenditure of the scheme would probably be justified. But for the present funds are not available and the proposal must remain in abeyance.

XXIX.—*Public Health.*

101. The activities of this department are so essential to the welfare of the Colony that no retrenchment is possible. On the contrary, we have elsewhere suggested increased expenditure when the financial position of the Colony improves.

XXX.—*Education.*

102. The expenditure budgeted for in the current year under this head is slightly less than \$400,000. The opinion is widely held that, although the expenditure is large, full value is not being obtained for the money spent. A special Commission investigated

the problem a few years ago and recommended considerable changes, but full effect could not be given to the proposals owing to the want of school buildings belonging to the Colony. At present the buildings are owned by various denominations who for this reason control the schools although the salaries and pensions of schoolmasters and also part of the money required for repairing the buildings are provided from Colonial revenues. Some economy has already been secured during the last two years by the abolition of a number of schools, and the only manner in which to secure further economy is to erect State schools. The result, however, would be small in the immediate future since new school buildings could only be constructed from a loan and the sinking fund and interest would counterbalance savings on establishment. In view of the impossibility of providing State schools, the Government has under consideration a scheme to improve the system of education without the establishment of such schools. By relieving the Church schools of responsibility for the practical side of the elementary school curriculum, and utilizing some of the funds and staff at present provided for general education in these schools, it is hoped to provide a number of centres for practical instruction and vocational training only. No increase in the total expenditure on education is involved.

The teachers are not as a rule highly paid and, we are informed, are not excessive for the number of scholars on the rolls although the average attendance is only 70 per cent. of the enrolment.

As a result of our scrutiny it will be possible to make small economies aggregating \$1,370 this year and \$3,300 in future years. We are disappointed at our inability to effect greater retrenchment, but it must be borne in mind that economies to the extent of more than \$47,000 have been effected during the last two years.

XXXI.—*Industrial School.*

103. Unfortunately we were not able in the time at our disposal to visit the Industrial School at Onderneeming. We understand that proposals are under consideration to transfer it to a well-known religious body which would also undertake the opening of a similar school for girls. We have no opinion to express except to say that there should be no increase in expenditure on this account.

XXXII-XXXVI.—*Post Office.*

104. From the point of view of commercial accounting, the Post Office, including telegraphs and telephones, was run at a profit of \$1,600 in 1930. The Post Office itself yielded a profit of \$12,700, while the working of the telephones resulted in a loss of \$5,400 and the telegraph service of \$5,700. We have examined the expenditure and find that savings amounting to \$4,500 can be

effected in the current year and \$8,400 in a full year in the postal branch of the Post Office and nearly \$700 this year and \$2,000 in a full year in the Post Office engineering branch (telegraphs and telephones). The saving in the postal branch will be effected mainly by the conversion of eight district postmasterships into postal agencies, together with sundry small economies in other items. In the engineering branch the services of four telegraph operators will be terminated at the end of the current year, while the scheme to employ additional apprentices with a view to future appointments in the Post Office will be further postponed. The other savings of which a record exists in the department call for no particular remark.

105. The working of the Savings Bank of the Post Office resulted last year in a profit of \$9,566, but this large sum was due to a windfall in the shape of profit on the sale of stock which had to be sold owing to the number of deposits withdrawn in consequence of the existing depression. Small savings of a petty nature will be effected, but this branch is being run economically and nothing further is possible.

106. The Post Office is also in control of an electrical inspector's branch in which are employed two inspectors who are largely concerned with electrical fittings in houses. As nearly all the houses in the Colony are built of wood the activities of this branch are in fact closely associated with fire protection. Of the two inspectors employed, one is paid for entirely by the two local insurance companies, which are also providing a sum for surprise inspections. The branch was run in 1930 at a loss of nearly \$2,500, but against this loss it is not unfair to claim a set-off of the licence fees paid to the Government by the fire insurance companies under the general Tax Ordinance. These amounted to \$2,000.

107. The accounts of the wireless section in 1930 exhibit a net deficit of nearly \$12,000. Wireless communications must be considered under two heads (i) overseas, (ii) internal. The wireless station was erected by the Admiralty during the war and transferred to the Colony after its conclusion on the condition that the machinery was maintained in good order. Good cable communications are provided by the Pacific Cable Board, recently transferred to Imperial and International Communications. We understand that the question of the future maintenance of the wireless station for overseas communications is under consideration and we desire to express no view other than that the Colony cannot afford to keep up the service. We would note in this connection that one of the functions of the wireless service is the maintenance of a direction-finder for ships approaching the harbour. Internal wireless communications are maintained for the benefit of the Demerara Bauxite Company at Mackenzie, for the Real Daylight Balata Company at Apoteri, and for general administration at Kamakusa,

Enachu, and Mabaruma. Owing to the arrangements made by the Companies the stations at Mackenzie and Apoteri are self-supporting. The other stations involve a loss. This may be justified on administrative grounds but we are disposed to think that one of the stations at Kamakusa and Enachu might be closed. If it is decided that the overseas wireless service should be abandoned, the direction-finding service can be combined with the internal wireless service.

XXXVII.—Agriculture.

108. The expenditure on this department has increased materially during the past few years and has been the subject of somewhat acrid comment on the part of a number of people who have interviewed us. We deal with the subject in its larger aspect in our discussion on the development of the resources of the Colony. So far as the estimated expenditure is concerned we are unable to suggest any reduction under establishment, but recommend slight retrenchments under other charges amounting to \$1,025 in the current year and \$800 in future years, of which details are recorded in the Director's office.

XXXVIII.—Government Analyst.

109. The volume of work performed in this department is considerable and is of primary importance to the health of the community. The Government has already decided to abolish the post of Second Assistant Analyst as soon as possible. We have no further reductions to suggest.

XL.—Pensions.

110. Pensions are paid under Ordinance 11 of 1903 as amended to date. This law originally provided *inter alia* for the retirement of officers at the age of 60 years with 1/30th part of the average pay over the last five years for every year of pensionable service up to a limit of one-half. This provision was modified in 1921 by the grant of a lump sum bonus of two years' pay as drawn at the time of retirement and the substitution of 1/960th of average pay for each month of pensionable service up to a limit of three-eighths. A Bill is before the Legislature at the present time which provides for the grant of a pension of 180/720ths of pensionable emoluments for the first ten years of service and an addition of 1/720th of the same emoluments for each month's service in excess of ten years subject (i) to a maximum of two-thirds and also (ii) to the drawal of only three-fourths of the pension so calculated and of a lump sum equal to ten times the balance of the pension. Special provisions exist for persons whose service has been non-pensionable in whole or in part, but need not be stated here.

111. The expenditure on pensions during the last five years has been :—

	\$		\$
1926 ...	425,932	} including lump sum bonuses of	89,227
1927 ...	444,973		100,517
1928 ...	427,548		73,214
1929 ...	498,060		106,447
1930 ...	516,388		112,741

112. The cost of pensions is extremely high for the resources of the Colony, and the payment of lump sums has been the subject of bitter criticism. It would appear that the rate of commutation of the part of a pension for a lump sum in 1921 was extremely favourable to the pensioner, but the fact remains that the change was accepted by the Legislature, has been in force for ten years, and affects all officials now in service. The draft Ordinance at present under consideration will involve an increased charge on the revenue, but this result can be largely avoided by the withdrawal of the proposed addition of five years to an officer's service on account of climate which can hardly be justified in the case of residents of the Colony, who form by far the greater proportion of public servants. With this amendment the extra charge involved by the draft Ordinance will be small according to the calculations which have been shown to us, but in view of the importance of the question and the necessity of avoiding any material increase in the present cost of pensions we recommend that, before any further action is taken, the advice of an actuary be obtained. The proposed revision of the law has the merit of bringing British Guiana into line with other Colonies, and is no more than equitable in the case of those public servants who are transferred from those Colonies and whose interests are prejudiced at present by their transfer.

XLI.—Subventions—Municipal.

113. No saving is possible under this head during the current year. We have suggested in paragraph 143 that certain changes be introduced with effect from 1st January, 1932.

XLII.—Subventions—Other.

114. The grants of \$2,400 for the Royal Agricultural and Commercial Society's Museum and of \$2,000 for the Georgetown Public Free Library should be reduced to \$1,000 in each case.

No other savings under this head seem possible.

XLIII.—Miscellaneous.

115. The only large item under this head which seems open to criticism is the sum of \$30,000 disbursed on public printing. It is

paid under a contract, but we think an effort should be made to reduce the expenditure by \$10,000. Some result has already been achieved by a recent enquiry into the number of forms which are in use.

116. The work of the Registrar of Friendly Societies should be transferred to the Registrar of the Supreme Court and the salary of the former saved: also the office of Secretary to the Tender Board should be abolished and the work done in the Colonial Secretariat. The savings, however, will be small.

117. Several items under this head should be transferred to more appropriate heads.

118. In some Colonies there is a central vote for stationery under this head. In British Guiana each department has its own vote, prepares its own annual requisition and submits it to the Colonial Secretary, who merely forwards it to the Crown Agents. We think that a more economical plan would be for a central stationery vote to be inserted under this head, controlled by the Colonial Secretary to whom each department would send its annual requisition, all the requisitions (after careful examination and reduction if necessary) being sent in a consolidated form to the Crown Agents. We also think that less expensive paper might be used for unimportant work and that economy both in quantity and quality should be enforced.

XLIV.—Public Debt.

119. The public debt charges are estimated to amount to \$1,368,379 during the current year, or 32 per cent. of the ordinary revenue as at present estimated. The amount will be increased by \$100,320 in 1933 when the contributions to the sinking fund of the 1929 loan begin. The debt, as already stated, amounts to \$22,403,846 and represents, broadly, expenditure of \$6,300,000 on sea defence works, \$2,360,000 on the purchase of railways and steamers, \$900,000 on the provision of artesian wells, \$1,410,000 for coastal drainage and irrigation, and \$5,674,000 for the sewerage and other schemes in Georgetown. Of the two latter items the allocation between the Government and the local authorities is under discussion. The debt charge is a very serious burden on the resources of the Colony and is the principal cause of the latter's inability to equate revenue and expenditure. A large proportion of the debt is of a protective, as distinguished from a reproductive, nature, but was inevitable if the Colony was not to incur very serious damage. The direct result of the works on sea defence and coastal drainage has been the protection of the productive lands of the Colony from damage by sea and flood, while it is further anticipated that the protective measures connected with public health will result in an increase of population, one of the important necessities of the Colony at the present time.

XLV.—Public Works Department.

120. The personnel of the Public Works Department comprises a Director, Assistant Director, five engineers (two executive, two district, and one assistant), an engineering draughtsman, an inspector of works, a surveyor, 16 overseers, and one mechanical foreman who is also the superintendent of the yard, workshops, and transport. Public works expenditure has been reduced to a minimum and it is generally felt that the expenditure on the staff is far too high for the money available for expenditure on actual works. We consider that there is good ground for this criticism. The abolition of the post of Assistant Director had already been decided on before we reached the Colony. We recommend that that decision be carried into effect when opportunity offers, and, moreover, that the technical staff be reduced by the removal of the engineering draughtsman and the inspector of works, while the posts of one overseer and an assistant in the drawing office should also be abolished. The savings under this head, including the abolition of the post of attendant at the Kaburi Rock portage, will be \$5,200 in the current year and \$11,000 in a full year.

121. The engineers appointed by the department are all required to have passed the examination of the Institution of Civil Engineers qualifying them for associate membership of that Institution. We have made enquiries whether it would not be possible to institute a service of sub-engineers by the recruitment of qualified persons in the West Indian islands, but we have been informed that such men are not available. If at any time they should become available, we would suggest that the replacement of highly-paid engineers by a grade of sub-engineers should be considered. The work of the superior staff would then be confined to supervision and the preparation and checking of estimates and plans. The overseers who are employed have, we are told, no technical knowledge and are really only in charge of gangs. The system seems wasteful and we think that the employment of small contractors should be extended as far as possible, the work of the engineers being limited to that of supervision.

XLVI.—Public Works Annually Recurrent.

122. We can suggest no reduction of the provision for annually recurrent works: indeed, we consider the provision to be too low. This head of expenditure is one which is always the first to feel the effect of economy by hard-pressed Governments, but in this Colony retrenchment has now been in force so long that the buildings are beginning to suffer and unless a further grant is made for maintenance there is a danger that higher expenditure in the more costly form of renewal will be necessary at no distant date.

XLVII.—Roads, Rivers, Creeks, and Portages

123. We are also unable to recommend any reduction in the allotment for maintenance of roads and bridges. The bridges, so far as we have seen them, have been maintained with fair efficiency although they are being subjected every year to an increasing strain. The amount allotted for the maintenance of roads will, in the course of time, have to be raised owing to the increase in motor traffic since the roads have no good foundations and are tending to be seriously damaged by this modern form of transport.

XLVIII.—Sea Defences.

124. We think that an attempt should be made to reduce expenditure on sea defences by \$1,500 a year, but it must be borne in mind that there is always liability for unforeseen expenditure under this head due to the action of the sea.

L.—Public Works—Extraordinary.

125. The proposed expenditure on miscellaneous extraordinary public works is highly desirable and we shall be glad to see the allotment sanctioned in full.

Pages 93A and B, 94A and B of Estimates.

126. The Budget shows a large number of items which it is desirable to execute as money becomes available, but we are unable to consider any provision at the present time.

 CHAPTER V.
FINANCIAL RESULTS.**Financial position—Present and Future.**

127. When we left England the Budget Estimates for 1931 disclosed an anticipated deficit of \$738,552 (£153,865) but on our arrival we found a revised figure of \$637,652 (£132,844) owing to the introduction of higher Customs duties at the end of December. Unfortunately, the position has deteriorated during our stay in the Colony, particularly under customs and excise, and the anticipated deficit has risen to \$1,073,813 (£223,711). We have recommended retrenchments which, if introduced as soon as possible after the receipt of our report, should result in gross savings of \$94,420 in the present year and \$250,650 in a full year. Against this must be set off increased expenditure on pensions (including lump sums) and leave allowances where leave is granted. Accurate calcula-

tions are not possible for obvious reasons, but a rough estimate of the former is \$76,000 (including lump sums of \$70,000) in the current year and \$25,000 in a full year, and of the latter \$10,000; in the case of leave we think that the purpose of the proposed retrenchments should not be defeated by the grant of long leave to officials who have not taken leave for years and would suggest for consideration that the maximum leave granted should be limited to three months. We have also suggested increased taxation, calculated to bring in \$192,000 in the current year and \$382,000 in a normal year. Our proposals are estimated to reduce the anticipated deficit to \$873,393 (£181,956) as explained in Appendix F. Against this the Imperial Government is providing a loan grant of £80,000 (\$384,000), so that the amount still to be covered will be \$489,393 (£101,956). The aggregate deficit at the end of the year will be \$777,182 (£161,913). It is necessarily difficult to forecast the exact effect of our proposals in 1932 if the present depression persists: but on the basis of the figures of the current year the deficit would be about \$460,000 (£96,000, say) or, if the land tax cannot be introduced, over \$600,000 (£125,000).

128. We have explored every avenue possible and are unable to suggest how the Budget can be made to balance during the current year or even in future years until there is a recovery in the price of the primary products of the Colony, or unless further and more drastic reductions are made in the cost of administration than we have been able to recommend. It must be borne in mind that extensive retrenchment has already been effected by the Government of the Colony during the last two years. The chief financial trouble of the Colony at the present time is the intractability of so much of its expenditure, particularly its debt charges and the cost of pensions and poor and sick relief: these amount to no less than \$2,130,000 at the present time and are likely to be \$2,230,000 in 1933, or about two-fifths of the total expenditure. Our proposals have been limited of necessity to the remaining three-fifths. We anticipate, however, that, when matters become normal, our proposals will result in a surplus of \$500,000 a year in the Budget.

In view of the necessity for increased expenditure, we are unable to visualize any great reduction in taxation although some small reduction might be made in certain Customs duties which bear hardly on the poorer section of the community. The first claim on any balance will be to make provision for the repayment of temporary loans granted from the Colonial Development Fund and also from the Imperial Treasury if it is not possible to forgo these loans. We would also advise that a substantial reserve be created for the purpose of ways and means, for the replacement of the fleet of steamers, and for the expenditure which must inevitably be incurred on the coastal drainage pumps about twenty years hence. Increased provision for the maintenance of public works is also very necessary. Sanitation is of vital importance if the population

of the Colony is to increase, and additional allotments under this head are essential. Finally, there will always be a number of schemes of development and, possibly, protection for which funds will be required. So far as future expenditure is concerned we would advise the adoption of the procedure that expenditure on development should depend on savings and no attempt should be made to anticipate future revenue. We would further suggest that schemes for development should be examined in the strictest financial manner and that, as a general principle, no project should be undertaken unless proved likely, on the most conservative estimate, to be remunerative on a commercial basis. If these principles are adopted, we think that the Colony will be able to provide effectively for the development which may be necessitated by the growth of its population. This, we are convinced, is the true method for securing the progress of the Colony, progress which will no doubt be slow but will be within the means of the people.

Funding of the deficit.

129. Since the sum of \$527,789 outstanding on 31st December, 1930, has been since reduced by a loan grant of \$240,000 (£50,000), it seems scarcely necessary to fund the comparatively small balance at present and we think that funding operations should be postponed until January next or, if this cannot be arranged, till October next, when a loan for the total amount needed might be issued—unless the Imperial Treasury finds itself in a position to give further assistance to the Colony. The latter suggestion is hardly within our terms of reference, but we feel compelled to mention it because opinion in the Colony on the point is strong and it is beyond doubt that the cost of the public debt, which will be further increased by funding operations, is seriously affecting the activities of the Colony.

CHAPTER VI.

DEVELOPMENT OF THE COLONY.

130. Before considering the question of future development we feel it necessary to refer to a grave problem which has an important bearing on the financial position of the Colony, that is to say, the tendency of the people, or at all events an important section of them, to look to the State to meet all their needs. The expenditure under many heads of the Estimates reflects this tendency; the cost of hospitals and poor relief shows it most clearly, but close analysis discloses it in many other directions. Urgent claims are now being made on behalf of the unemployed, and we

think it necessary to examine the question briefly. Until ten years ago the cry of the sugar estates was for labour, and every person so desirous could secure work. As already stated, the area under sugar, which was nearly 74,000 acres in 1918, fell to 57,000 acres in 1930 and there is a prospect of further diminution. As sugar provides abundant employment it necessarily follows that the decrease in its area has led to a considerable displacement in labour. Surplus labour was readily absorbed until last year owing to the heavy public expenditure on sea defences, coastal drainage works, the provision of a pure water supply in the villages, and the Georgetown improvement schemes, which involved the expenditure of millions of dollars. That expenditure has ceased and concurrently the present price of sugar has led the owners of estates to reduce field work to a minimum, and a serious fall in the price of diamonds has made work in the diamond area less remunerative. The result is a large amount of unemployment and a loud outcry from those who are out of work. This should not be so. The extraction of gold could still, as in former days, absorb more labour than that at present employed; a scheme to this end is already under the consideration of the Government of the Colony, but unfortunately gold has not the lure of diamonds with their prospect of abundant wealth for the lucky finder of a large stone. Agriculture also could provide work for many. We have seen considerable areas of good land in a condition of such neglect as almost to constitute a serious economic offence and yet people from some of those areas are on relief works. Even the land under cultivation is often not being tilled in a manner to secure the greatest out-turn possible or to produce foodstuffs which can be grown in the Colony but which are at present being imported. So far as the greater part of manual workers are concerned, it may be regarded as beyond question that they could somewhere procure a livelihood of some kind or other if they would only show sufficient adaptability. Many, however, are looking to the State to provide employment for them. The Colony has hitherto been able to meet the various demands made on it by its citizens. That day has now passed. The means of the Colony are, and for years will be, straitened, and its activities in many directions must be curtailed: the people must perforce rely to a greater extent on themselves since it is idle for them to expect that unlimited funds will be provided from extraneous sources.

131. On the facts as at present known the future welfare of the Colony depends largely on the development of agriculture and the exploitation of the forests.

Agriculture.

The former may be a slow movement to some extent so far as area is concerned since the reconditioning and reclamation of land must depend on the funds which from time to time become avail-

able. The improvement of the crops, however, is being actively studied. The Agricultural Department is engaged in an attempt to find an improved kind of sugar-cane and in discovering means to secure greater fertility in the soil. It is also occupied in developing the cultivation of homogeneous and better rice, and in exploring the possibility of introducing new kinds of crops which will add to the resources of the Colony. It is also giving instruction to all on the countryside who are willing to hear. It has already achieved results of the greatest value, but its opportunities are limitless.

Co-operative Credit Societies.

132. A necessary concomitant of the development of the cultivation of rice is the inauguration of a wide system of co-operative credit societies, since most of the cultivators are men of small means and the facts which have come to our notice have impressed on us the necessity of securing the co-operative milling and marketing of rice.* The marketing of produce such as bananas and plantains also needs consideration, and it is possible that co-operative action will solve many difficulties connected with this subject. We think that an Agricultural Bank will hardly be suitable in the conditions prevailing in the Colony and that greater benefit will be derived from the introduction of a system based on the Raiffeisen method similar to those which have been so successful elsewhere. Such a scheme will involve the deputation of an officer with special knowledge from some other Colony, as we believe that there is no one in British Guiana who is competent to undertake this work. Since the appointment of such an officer at the cost of the Colony is not possible immediately, we recommend an absolute grant from the Colonial Development Fund equivalent to the cost of the appointment during the first year, or, if necessary, two years.

Forests.

133. The Forest Department has now enumerated the timbers to be found on an area of nearly 2,000 square miles. The valuable kinds of timber are sufficient to meet the requirements of a large company for a long term of years and we hope that, as soon as the present world depression improves, capitalists may be induced to take up this project. The future use of wallaba is uncertain; tests are at present being made to ascertain its suitability for the manufacture of pulp or stakes and staves and the like. But, the forests being what they are, reforestation must be carried on immediately on areas which have been cleared if the timber is not to become a wasting asset and the future position of the Colony to be worse than it is now. Since the period of growth of the timber now standing in the forests cannot be established by ordinary

* *Note.*—The problem of the cultivation of rice was the subject of a special report to the Empire Marketing Board last year by Mr. C. E. Douglas

methods but is thought to be considerably more than a century, it is essential that reforestation should be effected by trees which require a shorter time to reach maturity than that estimated for those already standing, and experiments by the Forest Department are being initiated with a view to their discovery. This work is of vital importance for the future resources of the Colony and we are strongly of opinion that the Forest Department should be maintained at its present strength for some years. When the research work described has been completed, the constitution of the department must be reviewed, and will necessarily be decided by the progress then made in utilizing the resources of the forests.

134. Both the Agricultural and the Forest Departments have been the subject of bitter attack in the Colony, although there are not wanting strong defenders of the former. Research work is of necessity slow and results are in many instances not forthcoming immediately. The Colony is in urgent need of funds, the Departments are considered to be costly and to have yielded but little in return for the expenditure incurred, and a demand for heavy retrenchment in the Agricultural Department and for the total abolition of the Forest Department in its present form has been made insistently. Either course would, in our opinion, be fatal to future progress. It is only by the expenditure of the present day that the known resources of the Colony can be marshalled effectively. The diminution in the area under sugar has rendered it imperative that the small farmers shall be able to obtain the maximum yield from the land, whether from rice or from the crops which can be grown on the higher ground. Equally urgent is the need to find employment for those whose preference is to live not by tillage but by other forms of manual labour. Such employment will be available, and available in abundance, if and when the forests are fully exploited. We do not wish to under-rate the difficulties which are still ahead and which have caused many persons in the Colony to adopt an attitude almost of despair. A market has to be found for the timber, the assistance of outside capital has to be invoked, and success in experiments of vital importance has yet to be achieved. But now that the natural wealth of the forests is more accurately known it is not difficult to believe that persistent effort at development will achieve its reward. In any event the attempt should be strenuously made. This enterprise is one which merits the grant of assistance to the Colony and we should be glad to see the cost of the Forest Department in the present and succeeding years met, in part if not altogether, by an absolute grant from the Colonial Development Fund.

Electric Power.

135. The Colony also possesses great potential resources for the generation of electric power, which it has not been practicable hitherto to utilize.

Bauxite.

136. The bauxite areas are being worked only by the Demerara Bauxite Company, registered in Canada. A large concession has been granted to an English company but the date on which their operations will begin is still uncertain. Full development will only occur when the present world depression has passed.

Gold and Diamonds.

137. Gold and diamonds are found in quasi-alluvial areas in the centre of the Colony, but whether they exist in a form the discovery of which would lead to a "rush" there is no evidence to show. The areas, which are at present difficult of access, are worked for the most part by men of African stock (known locally as "pork-knockers") on their own account and afford a source of employment of the greatest value to the Colony. Gold has also been worked by dredging companies; for a long time this form of exploitation was abandoned, but operations have recently been revived. A few small gold-mines were once operated but the last ceased working over 14 years ago. For reasons already given, gold is less attractive to the "pork-knocker" than diamonds, and we regret that this should be the case. We do not, on the information in our possession, anticipate any marked development under this head.

Cattle.

138. If sufficient capital is forthcoming, cattle-rearing and sheep-breeding will increase in the south and will add to the resources of the country. Development in these directions is very desirable. Recent investigations have shown that there is also considerable scope in the coastlands for co-operative dairying and for improving the rearing of pigs and poultry.

Oil.

139. Oil is believed by some to exist in the Colony but has not been discovered up to date. A small local Company has been formed for exploration on the Corentyne Coast.

Railways.

140. The Colony contains many advocates of a forward railway policy who urge that by some means or other a railway should be constructed through the hinterland to the Brazilian border and be linked up with a line which, it is hoped, would be constructed in Brazil from Manaus to the frontier. The Colony itself is obviously unable at present to raise the capital for the project or to give any financial guarantee regarding it, and it has therefore been represented that the precedent of the Canadian Pacific Railway might

be followed and that a private company might be induced to construct a railway by the grant of squares of land along the line the construction of which is contemplated. The advocates of this scheme, however, seem to base their conclusions on premises which have often no foundation in fact. They overlook the point that the country through which the line would pass is tropical forest which, as already explained, would only have an ephemeral value if reforestation does not take place, and reforestation can only be remunerative after a long term of years. The land too is unfit for agricultural purposes (except for comparatively small areas) and so cannot carry a large population which seems to us to be one of the chief requisites of successful railway enterprise. Moreover, it is within the bounds of possibility that any company exploiting the forests would use the railway but little, if at all; logging lines from the area of felling to the railway would be necessary and, considering the extra handling involved, the company might find it more profitable to convey its produce direct to ships on the Mazaruni just below D'Urban Island. The gold and diamond fields would not provide much traffic and the number of cattle which might be conveyed from the southern savannahs would contribute but a small share of the revenue required to run the railway. Nor does the idea that the line would attract traffic between Manaos, or the part of Brazil which adjoins the Colony, and Georgetown or some other port seem likely to furnish a strong incentive for the expenditure of a large amount of capital when the length of the railway journey and the absence of deep-water facilities are considered.

Roads.

141. But although we do not regard the project of a railway as feasible at the present time, we are of opinion that an attempt should be made to open up the interior by roads as recommended by Mr. John Leggate in 1927. One such road is being constructed from Bartica, the natural capital and port of the hinterland, to the Potaro. The cost is being met partly by a loan and partly by a gift from the Colonial Development Fund. As funds become available the question might well be considered of making extensions to the west in order to facilitate access to the gold and diamond fields and to the south in order to make the Kaieteur Fall in its magnificence accessible and to provide easier communications with the savannahs.

CHAPTER VII.

MISCELLANEOUS.**Central and local finance.**

142. No clear line has been drawn in the past between Colonial and local finance. The Colonial taxes include not only Customs and Excise duties, income tax, estate duties, licence fees for guns and dogs and the like but also wheel taxes and a tax on trades and professions which in other countries are usually treated as municipal. The only tax levied by the local authorities is a form of house or property tax, the tax being levied as a percentage of the appraised value of the property which has in some places little relation to the actual value. The Colony, on the other hand, undertakes the liability for all expenditure on police, education (except such as is provided by the several religious denominations), and poor relief, provides half the cost of the fire brigades in Georgetown and New Amsterdam and gives grants-in-aid for the maintenance of roads in the same places.

143. We think that taxes of a purely municipal kind in city and town areas should be made over to the councils concerned and should be collected by them. The position in the rural areas is different and, moreover, we are doubtful if general conditions are suitable: we are therefore unable to recommend the transfer of taxes in this case. We attach in Appendix G a list of the taxes which in our opinion should be treated as local with effect from the next financial year. We have excluded the licence fees for all persons connected with arms and ammunition, liquor, river craft, balata, gold and diamonds, and steam boilers because of the control which it is necessary for the Government to exercise. The fees payable by banks and insurance companies have been excluded because the functions of those institutions are not necessarily confined to the area in which they are located. The entertainment tax and fees for dog licences are a proper source of central revenue for which precedent may be found elsewhere. The tax on motors is regarded in some countries as a source of income for the upkeep of the roads, in others as a means of general taxation based on ability to pay; the conditions in the Colony are such as to warrant the adoption of the latter principle. But there is no reason why the municipalities should not also impose a tax of their own. The amount of revenue which it is proposed to transfer is \$48,300 on the collections of 1929 (Georgetown \$42,750, New Amsterdam \$5,550). On the other hand we recommend that concurrently with this change the existing subventions for roads, amounting to \$20,000 in the case of Georgetown and \$4,500 in the case of New Amsterdam, should be withdrawn. We further recommend that the proportion of the cost of the fire brigades borne

by the Town Councils should be raised from one-half to three-fifths. Such expenditure is strictly of a municipal nature, but for various reasons the Government has undertaken to bear a share of the cost and we are of opinion that this decision should be maintained. The net result is that the Town Council of Georgetown will benefit by a sum of about \$18,000 per annum, while the position of New Amsterdam will virtually remain unchanged. We recognize the objection which may be raised to the relinquishment of any revenue to municipal authorities at the present time and have considered the possibility of transferring part of the expenditure on poor relief, education, etc., to the same authorities by suggesting the levy of a cess for the purpose. But the burden of taxation in Georgetown is already as much as the ratepayers can bear and we have been unable to pursue the idea further.

144. We would also advise that, so far as may be possible, the functions of the Government and of local authorities regarding the execution of works be clearly defined. During our examination of the question of allocating the cost of the Georgetown sewerage scheme, on which we were asked to advise, we were greatly impressed by the embarrassing controversy which has taken place and particularly by the claim, admittedly an extreme one, made by certain ratepayers in Georgetown, that the Government is responsible for the large excess of the actual cost (nearly £1,000,000) over the original figures (under £250,000) on which the Town Council, it is alleged, was mistakenly induced to embark on the scheme. Such a state of affairs is highly undesirable. We think that where a local authority, like a Town Council, is in a position to carry out a scheme it should do so subject to financial control by the Government in cases where works are executed from loans. If such control is suitably and at the same time strictly exercised, the same result could probably be achieved as by direct intervention but without the occurrence of the present difficulties.

General.

145. Everyone in the Colony is perturbed at its present financial condition and many people—officials and non-officials alike—are actively engaged in trying to discover an effective remedy. Thus many of our conclusions are not new, but, as a rule, we have reached them independently. Fears may be felt that the retrenchments proposed will involve a serious loss of efficiency; in our opinion this should not be the case although it may be necessary to make a greater call on the time of Government servants. At all events the fact must be recognized that, as already stated, the resources of the Colony are at present, and will be for many years, straitened, and that the standard of expenditure suggested by us is as high as the Colony can bear.

Acknowledgments.

146. In conclusion, we desire to record our deep obligation to His Excellency the Governor and all the officers of his Administration for the ready and unfailing help which they invariably rendered to us during our enquiries. We also desire to acknowledge the valuable assistance which we have received from the Members of the Legislature and the individuals and representatives of Associations who favoured us with their views.

W. GASKELL.

D. S. MACGREGOR.

LONDON.

1st June, 1931.

APPENDIX A.
GEOGRAPHY AND HISTORY.

The Colony of British Guiana, which, it is interesting to note, is the only British possession on the South American Continent, lies between the first and ninth degrees of North latitude and fifty-seventh and sixty-first degrees of West longitude, and has a sea-board of roughly 270 miles, extending from near the mouth of the Orinoco river on the west to the Corentyne river on the east. The Colony is bounded on the north by the Atlantic Ocean, on the south and south-west by Brazil, on the east by the Dutch colony of Surinam, and on the west by Venezuela, and is divided into the three counties of Essequibo, Demerara, and Berbice. It has an area of approximately 90,000 square miles, of which only 198 square miles along the coast and up the rivers are cultivated, and only 4,128 square miles have been alienated under firm title.

The climate is a naturally healthy one for the tropics. On the coastal region there are two wet and two dry seasons in the year. The long wet season usually commences about the middle of April and lasts until the middle of August. This is followed by the long dry season, which extends to the middle of November. From the middle of November to the end of January there is a short wet season, while a short dry season follows from the beginning of February to the middle of April. In the forest region of the interior the usual contrast between the wet and dry seasons is less marked than on the coast. In the savannah region in the far interior the rainfall is less than that registered in either of the other two. The mean temperature in the shade ranges in the coastal regions from 79° F. to 82° F., the mean maximum registering from 83° F. to 87° F., and the mean minimum from 74.5° F., to 76.5° F. Fresh sea-breezes blow steadily, almost without intermission in the daytime, during the greater part of the year. During the months of January, February, and March, they continue both day and night, and make life pleasant for the European. The general direction of the wind is north-east, east-north-east, or east. Occasionally, however, during the wet months of the year, a land-breeze is experienced from the south-east, south, or south-west, and with this wind the heaviest falls of rain occur. The wind varies from "gentle" to "fresh" and gales are exceedingly rare. During 1929 the mean shade temperature as recorded at the Botanic Gardens, Georgetown, was 80.1° F., or 0.7° F. lower than that of the previous year and 2.4° F. above that at the Penal Settlement, Mazaruni river. The absolute maximum was 90.0° F. and the absolute minimum 70° F. The total rainfall for the year was 71.62 inches. The mean rainfall in 1929 for the coastlands was 79.42 inches, as compared with 98.58 inches at the Penal Settlement, Mazaruni, and 100.86 inches at stations situated more than 15 miles from the coast.

The principal languages spoken in the Colony are English and different Indian languages.

The Colony was first partially settled between 1616 and 1621 by the Dutch West India Company, who erected a fort and depot at Fort Kyk-over-al in the present county of Essequibo. In 1624 a settlement was founded on the Berbice river by Van Peere, a Flushing merchant, under licence from the Company. The first English attempt at settlement was made by Captain Leigh on the O'apock river (now French Guiana) in 1604. The effort, though followed up by Robert Harcourt in 1613 and 1627, failed to establish a permanent settlement. Lord Willoughby, famous in the early history of Barbados, also turned his attention to Guiana and founded a settlement in Surinam in 1663, which was captured by the Dutch in 1667 and ceded to them at the Peace of Breda in exchange for New York. The Dutch retained their hold on the three colonies with more or less firmness, now yielding to England, now to France or Portugal, till 1796, when during the war of

the French Revolution they were captured by a British fleet sailing from Barbados. The territory was restored to the Dutch in 1802, but in the following year was retaken by Great Britain and finally ceded to that Power in 1814.

The Constitution, as it existed up to 1891, consisted of a Governor, a Court of Policy, and a Combined Court.

During 1891 the administrative functions of the Court of Policy were transferred to an Executive Council.

The Court of Policy and Combined Court then subsisting were determined on the 18th July, 1928, and a Legislative Council substituted therefor.

The Legislative Council as now constituted consists of the Governor, two *ex-officio* members, eight nominated official members, five nominated unofficial members, and fourteen elected members. It shall be dissolved not later than two years after its first constitution, and thereafter at the expiration of five years if it has not been dissolved earlier. A general election must be held within two months of the date of dissolution.

The Executive Council consists of the Governor, two *ex-officio* members, four nominated official members, two* nominated unofficial members, and three* elected members, all of whom are members of the Legislative Council.

(Extracted from the *British Guiana Report for 1929. Colonial Reports—Annual, No. 1496.*)

*As in 1931.

APPENDIX B.

PRINCIPAL IMPORTS FOR THE LAST FIVE YEARS UNDER THE MAIN HEADS OF CLASSIFICATION.

	1926.	1927.	1928.	1929.	1930.
	\$	\$	\$	\$	\$
Food, Drink, and Tobacco.	5,066,744	4,649,956	4,417,963	4,225,624	3,809,672
Raw Materials and Articles mainly unmanufactured.	950,478	871,421.	907,598	761,688	640,184
Articles wholly or mainly manufactured.	6,422,446	6,295,727	6,492,672	5,623,046	4,993,229

APPENDIX B—cont.

PRINCIPAL ARTICLES OF DOMESTIC PRODUCE EXPORTED DURING
THE LAST FIVE YEARS:—

		1926.	1927.	1928.	1929.	1930.
Sugar	... tons	84,659	109,616	114,687	100,449	114,542
	\$	6,050,257	8,787,585	8,124,666	5,943,788	5,418,884
Molasses	... galls.	2,017,862	2,677,457	2,873,468	2,536,623	3,851,337
	\$	103,443	145,547	164,281	141,203	198,454
Rum	pf. galls.	789,643	1,081,020	1,269,923	1,109,482	846,319
	\$	398,871	516,444	576,287	491,476	362,970
Rice	... tons	2,914	11,497	18,083	14,091	22,480
	\$	218,146	723,871	1,114,147	876,407	1,090,385
Lumber	... feet	189,034	263,988	195,773	117,802	175,228
	\$	17,514	25,258	20,682	12,672	17,785
Timber	o. feet	313,461	215,204	134,030	435,888	181,206
	\$	258,331	160,792	104,408	287,190	139,647
Sleepers	... No.	10,794	18,756	18,873	13,591	3,375
	\$	6,654	10,343	17,999	15,496	1,990
Copra	... tons	1,708	1,163	3,501	3,759	2,010
	\$	190,055	116,525	352,522	314,350	143,423
Balata	... lb.	597,401	753,037	647,566	599,897	995,459
	\$	358,441	392,509	257,448	231,651	390,292
Coffee	... lb.	773,257	430,543	919,772	907,026	367,371
	\$	132,623	68,844	137,933	104,135	22,400
Gold	... oz.	5,434	5,607	4,264	5,837	5,057
	\$	98,263	99,422	76,149	100,535	89,581
Diamonds	carats	145,097	180,678	132,966	128,115	102,051
	\$	3,300,952	3,614,938	2,518,836	2,277,566	1,431,364
Bauxite	... tons	183,859	160,933	167,621	182,692	119,616
	\$	920,682	806,549	839,615	914,035	598,080

APPENDIX C.
FUNDED DEBT.

Authority.	Amount authorized.	Rate.	Amount raised.	Still to be raised.	Amount expended.	Balance in hand.	Amount redeemed.	Outstanding at 31-12-1930	Sinking Funds.	ANNUAL CHARGE.	
										Interest.	Sinking Fund.
	\$	Per cent.	\$	\$	\$	\$	\$	\$	\$	\$	\$
3/1886 6/1886	1,200,000	4	1,200,000	Nil	1,200,000	Nil	238,080	961,920	809,169	48,000	12,000
19/1896												2,500,000	3-4½	2,496,792	Nil	2,496,792	Nil	161,376	2,335,416	951,615	81,718	19,437
6/1916	15,000,000	5-6	9,449,800	Nil	9,424,200	25,600	1,014,700	8,435,100	777,010	463,490	60,166
38/1920	639,410	5	639,410	Nil	639,410	Nil	Nil	639,410	209,416	31,971	15,397
11/1929	{ 14,896,800 432,000 }	5	10,032,000	5,140,800*	9,746,898	285,102	Nil	10,032,000	—	501,600	100,320 (1933).
†23/1921											
	34,668,210		23,818,002	5,140,800	23,507,300	310,702	1,414,156	22,403,846	2,747,210	1,211,379	107,000 (1931-32) 207,320 (1933).
	£7,222,544		£4,962,084	£1,071,000	£4,897,534	£64,730	£294,616	£4,667,468	£572,335	£252,371	£22,292 (1931-32) £43,192 (1933).

* One item has been abandoned and others may possibly be abandoned.

† B.G. Railway Permanent Annuities and Perpetual Stock.

cc.

APPENDIX D.

BALANCE SHEET OF THE COLONY OF BRITISH GUIANA AT 31st DECEMBER, 1930.

<i>Liabilities.</i>		\$	\$	<i>Assets.</i>		\$	
Deposits—				Advances—			
For Investment	2,896,929	73		Unemployment Relief Works, pending recovery of grants from Imperial Exchequer	145,890	32	
Loan Stamp Duty Account—				British Guiana—Brazil Boundary Survey Commission—recoverable from Imperial Exchequer	4,556	06	
Ordinance No. 11 of 1929	85,884	16		Schemes approved under Colonial Development Fund pending recovery of grants and loans	31,400	12	
Royal Bank of Canada—Security for Note Issue	240,000	00		Bardays Bank, London, to meet interest payments in 1931 on £1,000,000 Sterling Loan	132,202	80	
Colonial Development Fund—				General	383,140	04	697,189 34
Instalments on account of expenditure on approved schemes	23,800	00		Imprests			25,229 72
General	148,656	26		Remittances			3,911 11
			3,400,270 15	Unallocated Stores Accounts—			
Advances made to the Colony by the Crown Agents from Joint Colonial Fund			1,540,800 00	Public Works Department	23,820	70	
Balance held by the Colonial Treasurer on Loan Account at 31st December, 1930—				Colonial Transport Department	134,990	89	158,811 59
Loan Ordinance No. 6 of 1916	25,600	00		Deposits Invested—			
Do. 11 of 1929	285,101	75		General	2,954,403	67	
			310,701 75	Royal Bank of Canada—Security for Note Issue	240,000	00	
				Loan Stamp Duty Account—Ordinance No. 11 of 1929	85,884	16	
							3,280,287 83
				General Account—Investments for realisation			39,281 02
				Colonial Treasurer			519,272 31
				Surplus and Deficit Account			527,788 98
			<u>\$5,251,771 90</u>				<u>\$5,251,771 90</u>

APPENDIX E.

				PART I.	
<i>Office.</i>				<i>Existing Rates.</i>	<i>Recommendation.</i>
				£	£
Governor	...	...	...	3,500+500 Duty	3,000+500 Duty (subject to Income Tax). or 2,500+500 Duty (free from Income Tax).
Colonial Secretary	...	...	...	1,485-50-1,635	1,300 with furnished quarters.
Auditor	...	...	...	900	900
Treasurer	...	...	...	1,000-50-1,200	1,100
Comptroller of Customs	...	...	...	850	800
Chief Commissary	...	...	...	675	—
Commissioner, Lands and Mines	...	...	...	900	—
Conservator of Forests	...	...	...	1,200-50-1,500	1,100
Immigration Agent-General	...	...	...	800	—
Transport—					
General Manager	...	...	...	1,000	1,000 (or 1,200)
Civil Engineer	...	...	...	850	
Chief Mechanical Engineer	...	...	...	850	
Harbour Master	...	...	...	650	
Local Government Board—					
Inspector of Districts	...	...	...	500-25-700	—
Secretary	...	...	...	500-25-600	—
Director of Co-operative Societies	...	...	...	500-25-700	800
District Commissioners	...	...	...	675-25-775	—
Chief Justice	...	...	...	1,800	1,500
Puisne Judge (First)	...	...	...	1,300	1,100
Puisne Judge (Second)	...	...	...	1,200	—
Attorney-General	...	...	...	1,400-50-1,600	900
					(Legal Adviser)
Magistrates—2 at	...	...	...	675-25-775	1 at 750 (Senior Magistrate, Georgetown) 4 at 500-25-650
1 at	...	...	...	575-25-675	
3 at	...	...	...	600	
Official Receiver	...	...	...	900-25-1,000	900
Inspector-General, Police	...	...	...	1,000	1,000
Surgeon-General	...	...	...	1,000-50-1,200	1,000
Resident Surgeon and Surgeon Specialist,	...	...	...	1,100	1,000
Government Bacteriologist	...	...	...	700	700
Radiographer (X-Ray)	...	...	...	350-25-450	350-25-450
Medical Officer of Health and Sur- geon-General's Deputy.	...	...	...	750-25-900	800
Director of Education	...	...	...	900	1,000
Superintendent, Industrial School	...	...	...	500	
				(+180=680)	500
Postmaster-General	...	...	...	825	800
Chief Engineer, Post Office	...	...	...	650-25-750	650-25-750
Wireless Engineer	...	...	...	450-25-550	—
Director of Agriculture	...	...	...	1,200	1,100
Deputy Director of Agriculture	...	...	...	900	800
Entomologist	...	...	...	600-25-700	600-25-700
Veterinary Surgeon	...	...	...	600-25-700	600-25-700
Chemist-Ecologist	...	...	...	600-25-750	600-25-700
Botanist and Mycologist	...	...	...	500	500
Government Analyst	...	...	...	860	750

PART I—cont.

<i>Office.</i>	<i>Existing Rates.</i>	<i>Recommendation</i>
	£	£
Director of Public Works ...	1,200	1,100
Executive Engineers—2 at ...	600-25-800	600-25-700
District Engineer 1 at ...	600-25-650	500-25-600
" " 1 at ...	500-25-600	
Assistant " 1 at ...	400-25-500	400-25-500
Registrar	800-25-900	800-25-900

PART II.

<i>Office.</i>	<i>Existing Rates.</i>	<i>Recommendation.</i>
	\$	\$
III—2. Assistant Colonial Secretary.	3,840-120-4,320	4,080 fixed.
V—2. Deputy Treasurer	3,360-120-3,840	3,120-120-3,600
VIII—2. Secretary and Accountant.	3,120-120-3,600	2,880-120-3,360
8. Superintendent of Lands.	2,304-120-2,784	2,112-96-2,400
XVI—5. Deputy Registrar	3,360	3,120
XX—3. County Inspectors and Detective Inspector.	2,160-120-2,640	1,920-120-2,400
XXVII—2. Assistant Radiographer.	1,440-120-1,680	1,440-120-1,680
XXIX—2. Assistant Government Medical Officers of Health.	3,120-120-3,840	3,000-120-3,600
XXX—2. Inspector of Schools	2,640-120-3,120	2,400-120-2,880
3. 2nd Inspector of Schools.	2,304-120-2,784	1,920-120-2,400
4. Assistant Inspector of Schools.	1,560-72-1,800	1,560-72-1,800
XXXIII—2. Telephone Inspector	1,680-120-2,160	1,680-120-2,160
10. 2nd Telephone Inspector.	1,680-120-1,920	1,680-120-1,920
XXXIV—1. Two Assistant Electrical Inspectors.	2,160	1,920-120-2,160
XXXV—1. Wireless Engineer	2,160-120-2,640	2,160-120-2,640
XXXVIII—2. 1st Assistant Analyst.	1,920-120-2,400	1,920-120-2,400

PART III.
SALARY SCALES OF CLERICAL SERVICE.

	<i>Existing Scale.</i>	<i>Proposed Scale.</i>
	\$	\$
Principal Clerk Secretariat ...	2,400-120-2,640	2,880 fixed.
Chief Clerk Treasury ...	2,304-120-2,784	2,304-120-2,784
" " Customs ...	3,240 fixed.	3,240 fixed.
" " Audit ...	2,760-120-3,240	2,760-120-3,240
" " (Other) ...	2,304-120-2,784	1,800-96-2,280 (*five in number).
1st Class Clerk ...	1,800-96-2,280	1,560-72-1,800 (1st Grade-*26).
2nd " " ...	1,560-72-1,800	(1,248-72-1,488
3rd " " ...	1,428-72-1,488	(2nd Grade-*35).
4th " " ...	936-48-1,176	456-36-600†-
5th " " ...	624-48-864	48-840†-60-1,200-
6th " " ...	384-48-624	(*147 in number).
Clerical Assistants ...	360 per annum.	360-18-432 (*56 in number).

* These figures have reference to the present establishment.

† Efficiency Bars.

Note.—The corresponding scale of salaries should be adopted in the case of officials not mentioned in Parts II or III who draw salaries equal to that of a clerk in any of the grades in Part III.

APPENDIX F.
SURPLUS AND DEFICIT ACCOUNT.

REVENUE in 1931 as now estimated by the Treasurer ...	4,211,256
<i>Add</i> increases as suggested in the Report ...	192,000
	4,403,256
EXPENDITURE in 1931 as per printed Estimates... ..	5,285,069
<i>Deduct</i> —	
Savings as recommended in the Report ...	94,420
	5,190,649
<i>Add</i> —	
New Pensions—	
Lump sum ...	70,000
New Pensions—	
Annual ...	6,000
Leave Pay ...	10,000
	5,276,649
	Deficit 873,393
<i>Deduct</i> —	
IMPERIAL LOAN GRANTS—	
*£50,000 received ...	240,000
£80,000 to come ...	384,000
	624,000
<i>Add</i> —	
Accumulated deficit from 31st December, 1930 ...	249,393
	527,789
ESTIMATED TOTAL DEFICIT ON 31st DECEMBER, 1931 ...	777,182

* This sum of £50,000 is in reduction of the 1930 deficit but was not received till 1931. The sum of £80,000 is expected in 1931.

APPENDIX G.

LICENCE FEES THE TRANSFER OF WHICH TO THE MUNICIPALITIES IS PROPOSED.

Balls	Hucksters
Billiard tables	House agents
Carriage—four wheel—hire	Markets
Carriage—two wheel—hire	Pawnbrokers
Carriage—two wheel—private	Precious stones
Carriage—donkey—two wheel—private	Public entertainments
Carriage—hackney	Public entertainments—quarterly
Cart—donkey—four wheel—hire	Stores
Cart—donkey—two wheel—hire	Bread shops
Cart—mule	Druggist—1st Class
Cinema theatre	Druggist—2nd class
Cycles—ordinary	Druggist—market
Horse—hire	Auctioneers.
Horse—private	



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CHAPTER 142.

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CHAPTER 142.

MARRIAGE.

[No. XXV of 1901.]

[6th November, 1901.]

PART I.

PRELIMINARY.

Short title.

1. This Ordinance may be cited as the Marriage Ordinance.

Interpretation.

2. In this Ordinance, unless the context otherwise requires,—

“ Registrar General ” means the registrar general of births and deaths;

“ superintendent registrar ” means the commissary of the district, or any acting commissary, or any officer appointed by the Governor to be superintendent registrar in a registration district;

“ marriage officer ” means a marriage officer appointed under this Ordinance;

“ marriage district ” means a district declared by section three of this Ordinance to be a marriage district;

“ registered building ” means a building registered under this Ordinance as one wherein banns of marriage may be published;

reference to forms is made to the forms given in the schedule hereto.

PART II.

MARRIAGE DISTRICTS AND OFFICERS, AND REGISTERED BUILDINGS.

Marriage Districts.

Division of the colony into marriage districts.

Chapter 139.

3.—(1) The several registration districts into which the colony is, from time to time, divided under the Registration of Births and Death Ordinance, shall be marriage districts for the purposes of this Ordinance.

(2) No alteration at any time made in the limits of any of those registration districts shall affect any proceedings which at the time of the alteration are being taken under this Ordinance to procure due solemnisation of any marriage, but those proceedings may be continued and shall have the like effect as if the alteration had not taken place.

Marriage Officers.

4.—(1) The Governor may, in his discretion, appoint any male minister of the Christian religion, ordained, or otherwise set apart, to the ministry of that religion, according to the usage of the communion to which he belongs, to be a marriage officer for the colony. Appointment of ministers of religion as marriage officers.

(2) Any marriage officer may act in that character throughout the colony.

5. No marriage officer shall be required to act in that character with respect to any marriage contrary to, or desired to be solemnised in any manner other than is prescribed by, the rules of the religious denomination to which he belongs. Power to refuse to act.

6.—(1) All applications by ministers of religion for appointment as marriage officers must be made in writing to the Registrar General, who shall without delay transmit the application to the Colonial Secretary for the information of the Governor. Applications for appointment as a marriage officer.

(2) Every minister of religion acting in that character for a congregation, or having the local superintendence of several congregations, who applies to be appointed a marriage officer must state in his application the name or other description of the place of public worship in which he acts, or of the places of public worship of the congregations over which he has local superintendence, and the postal address at or to which all communications intended for him may be delivered or sent.

7. Every marriage officer shall, if he ceases to act as a minister of religion, forthwith notify the fact to the Registrar General. Notification of ceasing to act.

8. Any marriage officer may resign his appointment as that officer by notifying his resignation to the Registrar General. The resignation shall be published in the Gazette and shall take effect from the date of publication. Resignation.

- Tenure of office.** 9. A marriage officer, when duly appointed, shall retain his office until it is notified in the Gazette that he has ceased to be a marriage officer.
- Temporary absence from colony.** 10. A marriage officer intending temporary absence from the colony, shall notify the Registrar General of his intention, and shall make arrangements for the custody of the marriage register books supplied to him satisfactory to the Registrar General.
- Cancellation of appointment.** 11. The Governor in Council shall have full power, on good cause shown, to cancel the appointment of any marriage officer.
- Register of marriage officers; form A.** 12.—(1) The Registrar General shall keep a register in accordance with form A of all marriage officers appointed under this Ordinance.
- (2) Whenever a marriage officer changes his postal address as last recorded on the list of marriage officers at the Registrar General's office, or takes the active charge or superintendence of any place or places of worship of which his charge or superintendence is not recorded at that office, he shall forthwith report in writing to the Registrar General the change of residence, postal address, or ministerial charge, and in default thereof his appointment as marriage officer may be cancelled.
- Sending in of applications or notifications.** 13. Every application, notice, or other notification required by or under this part of this Ordinance to be sent to the Registrar General, if the minister concerned is a member of any denomination having a recognized Head in the colony, shall be sent through that Head.
- Publication of appointments and changes.** 14. All appointments under this part of this Ordinance, and all changes of residence, postal address, or ministerial charge, of marriage officers, shall be published in the Gazette.
- Superintendent Registrar.*
- Superintendent registrar of marriages.** 15. The Governor may appoint any commissary or other officer to be superintendent registrar of marriages in a marriage district.
- Office.** 16. The superintendent registrar's office shall be taken, for the purposes of this Ordinance, to be within the

district of which it is the register office, although not locally therein.

17.—(1) The Registrar General shall furnish to every superintendent registrar a marriage notice book and a sufficient number of forms of certificates, which shall be accounted for by the superintendent registrar to the Registrar General.

Supply of marriage notice books and forms of certificates.

(2) The cost of providing marriage notice books and forms of certificates shall be defrayed in like manner as the cost of providing register books of births and deaths.

18. A superintendent registrar shall not perform any function or act in respect of marriages elsewhere than in his office, or otherwise than in accordance with the express provisions of this Ordinance.

Limitation of powers.

19. The Governor may at any time declare any building a superintendent registrar's office under this Ordinance, and on notice thereof being published in the Gazette, that place shall be a superintendent registrar's office for all the purposes of this Ordinance, and there may be more than one office in any superintendent registrar's district.

Governor may declare any building a superintendent registrar's office.

Registered Buildings.

20.—(1) The head of every denomination of the Christian religion in this colony, within one month after the commencement of this Ordinance, shall make out and send to the Registrar General a list of all buildings exclusively used as places of public Christian worship belonging to the denomination of which he is Head wherein banns of marriage have been usually published, and the Registrar General shall register the buildings in a book to be kept for that purpose at his office and make out, and cause to be published in the Gazette, a list of all of them, and shall state in the list the marriage district within which each building so registered is situate and shall add also the name and place of abode of the superintendent registrar of each district, and a copy of the list, or of the Gazette containing it, shall be sent to every superintendent registrar and marriage officer.

Registration of buildings in use at the commencement of this Ordinance.

(2) Where it is desired to register a building belonging to a denomination which has no Head in the colony, and which has been exclusively used as a place of Christian worship belonging to that denomination, and wherein

district of which it is the register office, although not locally therein.

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Registration of buildings in use at the commencement of this Ordinance.

(2) Where it is desired to register a building belonging to a denomination which has no Head in the colony, and which has been exclusively used as a place of Christian worship belonging to that denomination, and wherein

banns of marriage have been usually published, the person in charge of the building shall do, in respect of it, what by the preceding sub-section is required to be done by the Head of a denomination, and the Registrar General shall deal with the building in the manner provided by that sub-section.

Registration of buildings at any time set apart for religious worship.

21.—(1) Any proprietor, or trustee, or any other person who has the sole control of a separate building used as a place of Christian worship, may apply to the Registrar General in order that the building may be registered for the publication of banns, and in that case shall deliver or send to the Registrar General a certificate signed by not less than five householders resident within the marriage district, that the building has been and is intended to be used as a usual place of public religious worship, and that they desire the place to be registered as aforesaid, which certificate shall be countersigned by the proprietor, or trustee, or other persons, making the application.

(2) On receipt of the certificate, the Registrar General shall register the building in the book in which buildings used for the publication of banns are registered and indorse on the certificate the date of the registration, and shall keep the certificate with the other records of his office, and shall give a certificate of the registration under his hand on stout paper to the person by whom the certificate is countersigned, and give public notice of the registration of the building by advertisement in the Gazette.

(3) For the entry, certificate, and publication, the Registrar General shall receive, at the time of the delivery to him of the application for registration the sum of two dollars and fifty cents.

What a separate building is.

22. Any building which has been, and is intended to be, used exclusively for public religious worship shall be taken to be a separate building for the purpose of being registered under the last preceding section, notwithstanding that it is under the same roof with any other building or forms a part only of a building.

Use of building as school.

23. The use of any building for the purposes of a school or the holding of any entertainment therein for any object in connection therewith while religious worship is not going on therein, shall not prevent that building being registered for the publication of banns; and the Registrar General, if satisfied that the necessities of any marriage

district so require and not otherwise, may, on application as above provided, register for the publication of banns a building in which the religious worship of any denomination is usually carried on within that district, notwithstanding that it is used for other purposes while religious worship is not going on therein.

24.—(1) If, at any time subsequent to the registration of a building, it is made to appear to the satisfaction of the Registrar General that the building has been disused for the public religious worship of the congregation on whose behalf it was registered as aforesaid, the Registrar General shall cause the registration thereof to be cancelled :

Cancellation
of registry
if building
disused :

Provided that if it is proved to his satisfaction that the same congregation use instead thereof some other building for the purpose of public religious worship, he may substitute and register the new place of worship instead of the disused building.

Proviso.

(2) Every application for cancelling the registration of a disused building, or for the substitution and registration of a substituted building, shall be made to the Registrar General, and the cancellation or substitution when made and the date thereof shall be entered in the book provided for the registration of those buildings, and shall be certified and published in manner hereinbefore provided in the case of the original registration of the disused building.

(3) For every substitution the Registrar General shall receive at the time of the delivery of the certificate from the party requiring the substitution the sum of two dollars and fifty cents.

(4) After the cancellation or substitution has been made by the Registrar General, banns may not lawfully be published in the disused building unless it is again registered in the manner hereinbefore provided.

25. Whenever a registered building is being reconstructed or repaired, the Registrar General, on application in writing made to him for that purpose, may order and direct that banns of marriage may be published in any church or other building in the same marriage district which he by order in writing directs until the registered building is again opened for the performance of divine service, and during the whole of that period that church or building, for all purposes relating to the publication of banns of marriage, shall be deemed and taken to be the registered building under reconstruction or repair.

Rebuilding
or repair of
registered
building.

Notice to be placed in registered building.

26. In some conspicuous place at the main entrance, or one of the main entrances, of every registered building, a notice shall be placed in these words :

“ Banns may be published in this building.”

Consent required for use of registered building.

27. No banns shall be published in any registered building without the consent of the minister or other person having the charge and control thereof, or of the head of the denomination to which the minister belongs, where he is by law empowered to give that consent.

PART III.

RESTRICTIONS ON MARRIAGE.

Persons who may not intermarry.

Prohibited degrees :

28. Intermarriage between those hereinafter mentioned is hereby prohibited, namely,—

- (a) in the case of those related by blood, between
 - (i) ascendants and descendants, namely, parents and children, upward and downward in infinitum;
 - (ii) brothers and sisters, or step-brothers and step-sisters;
 - (iii) uncles and their nieces, that is, their brother's or sister's children or grandchildren and descendants, or aunts and their nephews, that is, their brother's or sister's sons or grandsons or their descendants, in both classes of cases in infinitum;
- (b) in the case of those related by affinity, between
 - (i) a husband and any kinswoman or kindred of his deceased wife, or the wife and any kinsman or kindred of her deceased husband, related to the husband or wife in the hereinbefore stated degrees, namely : between any person and his daughter-in-law, that is, his son's widow or his son's or daughter's son's widow, and so downward, any widow of any of his descendants, or any wife and her son-in-law, that is, the husband of her deceased daughter, or the husband of her son's

or daughter's daughter, and so downward, the husband of any of her descendants;

- (ii) a man and his step-daughter, that is, the daughter of a former marriage of his wife, or any of his said wife's descendants, or a woman and her step-son, that is, the son of a former marriage of her deceased husband, or any of her said husband's descendants;

(c) between any persons who by the common law of the colony are forbidden to intermarry :

Provided that—

- (i) any man may hereafter marry the sister of his deceased wife; and
 (ii) any woman may hereafter marry her deceased husband's brother.

Proviso.

29. All marriages celebrated between persons forbidden to intermarry shall be absolutely null and void to all intents and purposes whatsoever.

Marriages within the prohibited degrees void.

30.—(1) Where either of the parties, not being a widower or widow, is under the age of twenty-one years, no marriage shall take place between them until the consent,—

Restriction of power in cases of minority of parties :

- (a) of the father (if then living) of the party so under age; or,
 (b) if he be dead, of the guardian or guardians of the person of the party so under age, lawfully appointed, or one of them; or,
 (c) if there be not that guardian, of the mother if living and unmarried; or
 (d) if there be no mother living and unmarried, then of a guardian or guardians of the person appointed by the Supreme Court or a judge thereof,

has been first obtained :

Provided that when there is no person capable of consenting, the marriage may be sanctioned as prescribed in the next succeeding section.

Proviso.

(2) Persons who have reached the age of twenty-one years, and widowers and widows, may marry without the consent of others.

31. If a parent or guardian whose consent is necessary to a marriage is non compos mentis or absent from the colony, or otherwise incapable as aforesaid of consenting,

Case of parent or guardian of party to be married being unable to consent or improperly refusing consent to marriage.

or withholds his, her, or their consent to any marriage, or if there is no one capable of consenting, anyone wishing to marry to whose marriage that consent is necessary but cannot be given, or is withheld, may apply by petition to the Chief Justice, or (in case of there being no one officiating as Chief Justice) a judge of the Supreme Court, who is hereby empowered to proceed upon the petition in a summary way, and if the marriage proposed, upon examination, appears to him to be proper he shall judicially declare, by his order in writing, that the marriage is proper and may be solemnised forthwith; and every marriage duly solemnised in pursuance or under the authority or direction of that order shall be as good, valid, and effectual, to all intents and purposes whatsoever, as if the consent aforesaid had been duly given thereto.

PART IV.

PRELIMINARIES TO MARRIAGE.

Authority
for solemnisation :

32. Except in the cases mentioned in the seventh part of this Ordinance, no marriage shall be solemnised or celebrated unless there is produced to the marriage officer, or superintendent registrar, solemnising or celebrating it, a certificate or certificates, as the case may be, of the due publication of the banns within the preceding three months, or a licence of the Governor which is still in force, or a superintendent registrar's certificate or superintendent registrar's certificates which is or are still in force :

Proviso.

Provided that where a marriage is solemnised by a marriage officer officiating in the registered building in which banns of that marriage have been within the aforesaid period duly published, or is celebrated at a superintendent registrar's office where any notice relating to that marriage, and still in force, has been duly given, it shall not be necessary to issue a certificate of the publication in that registered place or of the notice given in that office.

Banns of Marriage.

Publication
of banns.

33.—(1) Any minister of the Christian religion, ordained or otherwise set apart to the ministry thereof, according to the usage of the communion to which he belongs, if appointed as a marriage officer (but not otherwise), may himself, or by someone officiating under his control, publish banns of marriage between persons wishing to be joined together in holy matrimony.

(2) The publication shall be made in an audible manner some time during public divine service on a Sunday, in the face of the congregation before whom, and in the registered building in which the minister officiates and in the marriage district in which dwell both of the parties to be married, and shall contain the Christian and other name and surname and place of abode of each of the parties, and shall be published on three Sundays within a period not exceeding three months preceding the solemnisation of the marriage.

(3) If the parties to be married dwell in different marriage districts the banns shall be published in like manner in each marriage district.

(4) If one or both of the parties dwell in any place not within any marriage district then, if there be a registered building in use in that place, the banns of the party or parties dwelling there shall, subject to the provisions of section twenty-seven of this Ordinance be published there in manner aforesaid; and if there be no registered building in that place, then the banns of those of the parties to be married who dwell there shall be published in manner aforesaid in some marriage district next adjoining thereto.

34. No marriage officer shall be obliged to publish banns between any persons whomsoever, unless the persons to be married, two days at the least before the time required for the first publication of the banns respectively, deliver or cause to be delivered, to the marriage officer, a notice of their true Christian and other names and surnames, their respective rank, profession, or occupation, and a description of their place or respective places of abode in the marriage district or place aforesaid, and of the time during which they have dwelt there, and state whether they, or one, and if one only which of them, have or has been married before, and the notice shall further contain a statement signed by both parties to the effect that they know of no lawful impediment to their marriage with each other.

Notification to be made to minister before publication of banns by parties intending to marry.

35.—(1) Whenever anyone, whose consent to a marriage is by this Ordinance required, forbids the marriage and gives notice thereof before it is solemnised to the minister publishing the banns therefor, the publication of those banns shall be void unless the person so objecting afterwards withdraws his objection, and then the publication shall hold good.

Publication when void.

(2) Whenever three calendar months from the last publication of banns have elapsed without the marriage to which those banns relate having been solemnised, the publication of the banns shall be void.

(3) In either of the cases aforesaid, before the parties can be married by banns, the banns must be published anew in manner and form aforesaid, as if no banns had ever been published between them.

Certificate of publication of banns.

36.—(1) The officiating minister at any registered building where banns have been duly published as aforesaid, shall, unless that publication is void, on the request of both or either of the parties whose banns have been so published, give to the party requiring it a certificate of the banns having been duly published in that building.

(2) For the certificate the officiating minister shall be entitled to demand and receive a fee of one dollar.

Supply of books for the registration of banns.

37. The Registrar General shall provide, for use at every building wherein banns may be published under this Ordinance, a proper register book of banns, of substantial paper, ruled and having the several pages numbered progressively; and the banns shall be published from that book and not from loose papers and, after publication, shall be signed by the officiating minister or by some person under his direction.

Marriage Licences.

Power of the Governor to grant marriage licences.

38. The Governor, subject to the restrictions herein-after mentioned may, if he thinks fit in any case, grant a licence to marry without publication of banns.

Restriction of power in cases of minority of parties.

39. Where either of the parties, not being a widower or widow, is under the age of twenty-one years, the licence shall not be granted until the consent—

- (a) of the father (if then living) of the party so under age; or,
- (b) if he is dead, of the guardian or guardians of the person of the party so under age, lawfully appointed, or one of them; or,
- (c) if there is not that guardian, of the mother if living and unmarried; or,
- (d) if there is no mother living, and unmarried, then of a guardian or guardians of the person, appointed by the Supreme Court or a judge thereof,

has been first obtained.

40. The parties intending marriage or either of them may require that the licence shall authorise the solemnisation of the marriage, in respect of which application for the licence is made, by any marriage officer by whom that marriage could have been solemnised if banns thereof had been published as aforesaid.

Rights of parties obtaining licence.

41.—(1) Those intending marriage who desire to obtain the licence shall apply to the Governor therefor by petition lodged at the Colonial Secretariat at least two days before it is required.

Applications for licences.

(2) The petition shall state—

- (a) the Christian or other names and surnames of the parties, their respective rank, profession or occupation;
- (b) the place where, and the marriage officer by whom, the marriage is to be solemnised;
- (c) whether the parties or either of them have or has been previously married;
- (d) that they know of no impediment of kindred, or alliance, or other lawful cause, to prevent the proposed marriage;
- (e) that one of the said parties, for the space of fifteen days immediately preceding the licence, has had his or her usual place of abode within the colony;
- (f) where either of the parties, not being a widower or widow, is under the age of twenty-one years, that the consent of the person or persons whose consent to the marriage is required under this Ordinance has been obtained.

(3) The petition shall be signed by both parties and shall be accompanied by such evidence of the statements therein made as the Governor may from time to time prescribe in the case of those petitions.

42. A licence shall be in the form prescribed by the Governor.

Form of licence.

43. If any objection to the grant of any licence for a marriage be lodged at the Colonial Secretariat that objection being duly signed by or on the behalf of the person who lodges it, stating his place of residence and the ground of objection, no licence shall issue until the Governor has examined into the matter of the objection and is satisfied

Objections against issue of a licence.

that it ought not to obstruct the grant of the licence for the marriage, or until the objection is withdrawn by the party who lodges it.

Licence,
when void.

44. Whenever three calendar months have elapsed without the marriage to which a licence relates having been solemnised, that licence shall be void, and before the parties can be married by licence a fresh licence must be obtained as if no licence had been previously granted.

Superintendent Registrar's Certificate.

Notice of
marriage;
schedule;
form B.

45.—(1) Those intending marriage who desire to obtain a superintendent registrar's certificate shall give notice under their hands in form B or to the like effect, to the superintendent registrar of the district within which they have dwelt for not less than seven days then next preceding, or, if the parties dwell in different marriage districts, each shall give the like notice to the superintendent registrar of the district wherein he or she has dwelt for the period aforesaid.

(2) The notice shall have at the foot thereof a statutory declaration, made and signed by the parties or party giving it, stating—

- (a) that they, or he, or she (as the case may be), know or knows of no impediment of kindred, or alliance, or other lawful hindrance, to the said marriage; and
- (b) that they, or he, or she (as the case may be), for the space of seven days immediately preceding the giving of the notice, have or has had their, his, or her, usual place of abode and residence within the district of the superintendent registrar or registrars to whom the notice or notices (as the case may be), is, or are so given; and
- (c) when either of the parties intending marriage, not being a widower or widow, is under the age of twenty-one years, further stating that the consent of the persons whose consent to that marriage is by law required, or of the Chief Justice or other judge, has been given.

(3) The declaration may be made before and taken by anyone by law authorised to administer an oath, or before and by the superintendent registrar to whom the notice is about to be given.

(4) The notice aforesaid shall not be received by any superintendent registrar unless it is in the prescribed form and accompanied by the declaration aforesaid.

46.—(1) The superintendent registrar to whom the notice of marriage is given shall forthwith file it with the records of his office, and also enter the particulars thereof in the book to be called The Marriage Notice Book, and for each entry shall be entitled to have a fee of twenty-four cents.

Filing and
entry of
notice.

(2) The marriage notice book may at any reasonable time be inspected without fee by anyone.

47. The superintendent registrar receiving the notice shall cause a true and exact copy thereof, with a statement under his hand that any objections to the intended marriage must be lodged with him within twenty-one days from the date thereof, to be suspended or affixed in some conspicuous place outside his office for the twenty-one days next after the day of the entry of the notice in his marriage notice book.

Publication
of notice.

48.—(1) After the expiration of twenty-one days next after the day of the entry of the notice in his marriage notice book, the superintendent registrar shall issue under his hand, upon the request of any party giving the notice, a certificate in, or to the effect of, form C, provided no lawful impediment or valid objection to the marriage has been in the meantime shown to exist.

Certificate
of notice;

schedule ;
form C.

(2) For the certificate the superintendent registrar shall be entitled to demand and receive a fee of one dollar.

49.—(1) Anyone may enter an objection to the issue of a superintendent registrar's certificate on the ground of any legal impediment to a marriage between the parties, or of consent on the part of anyone whose consent is required to the marriage not having been obtained.

Objections
to issue of
certificate.

(2) The objection shall be in writing, signed by or on behalf of the person who enters it, shall state his name and place of residence and the ground of his objection, and shall be lodged with the superintendent registrar within twenty-one days from the date of the notice set up outside his office under section forty-seven of this Ordinance.

(3) When any objection is so lodged the superintendent registrar shall transmit it to a judge of the Supreme

Court who shall decide upon it as expeditiously as the circumstances of the case will allow, the objection so transmitted being as far as practicable regarded and dealt with as a petition.

(4) The superintendent registrar in that case shall suspend the issue of his certificate until he receives a certified copy of the judge's decision, and shall act in conformity therewith.

(5) The costs of and attending the decision by a judge on any objection shall be in the judge's discretion.

Certificate,
when void.

50. Whenever three calendar months have elapsed without the marriage to which a certificate relates having been performed that certificate shall be void, and before the parties can be married by a superintendent registrar's certificate a fresh notice must be given as if no proceedings had previously been taken to obtain a certificate.

Notice of
a foreign
marriage.

51.—(1) A notice of a marriage intended to be solemnised under the Foreign Marriage Act, 1892, shall be given by one of the parties intending the marriage who has had his or her usual abode in some place in the colony for one week preceding (or for any other period prescribed by order in Council at any time hereafter published under the Act aforesaid), to the superintendent registrar of the marriage district in which that place is.

Form of
notice.

(2) The notice shall be given in the like form, so far as it is applicable, and shall be subject to the like requirements as if that party were about to be married in that place.

Publication
of notice.

(3) The superintendent registrar shall deal with the notice and shall publish it in like manner on payment of the like fee as in the case of a marriage within his marriage district.

Certificate of
publication
of notice.

(4) The superintendent registrar, unless he is aware of any impediment or objection which should obstruct the solemnisation of the marriage, shall give a certificate that the notice has been so given and published as aforesaid, in the like manner and in the like form, so far as the same is applicable on payment of the like fee, as in the case of a marriage in his marriage district.

False
declaration
or represen-
tation.

(5) Anyone who—
(a) knowingly and wilfully makes a false declaration, or signs a false notice under this Ordinance, for the purpose of procuring a marriage under the Foreign Marriage Act, 1892, or

(b) forbids a marriage under that Act by falsely representing himself to be a person whose consent to the marriage is required by law, knowing the representations to be false,
shall suffer the penalties of perjury and may be tried in any county in the colony and dealt with in the same manner in all respects as if the offence had been committed in that county. Penalty.

PART V.

SOLEMNISATION OR PERFORMANCE OF MARRIAGE.

52. Every marriage shall, except in the cases mentioned in part VII of this Ordinance be solemnised— Provisions as to solemnisation.

(a) between the hours of six in the morning and nine in the evening, if solemnised by anyone other than a superintendent registrar, and between the hours of ten in the morning and four in the afternoon if performed at a superintendent registrar's office; Time.

(b) by some marriage officer, or by the superintendent registrar of the marriage district, if the marriage is performed at his office, and in either case in the presence of two or more credible witnesses besides the marriage officer or superintendent registrar; By whom.

(c) (i) according to the form and ceremony the parties see fit to adopt: Ceremony:

Provided that in some part of the ceremony the consent of each party to accept the other as his or her wife or husband is clearly expressed in the presence of the marriage officer and the witnesses; Proviso:

(ii) if a marriage is performed in a superintendent registrar's office, each of the parties shall say to the other: "I call upon these persons here present to witness that I, A. B., do take thee, C. D., to be my lawful wedded wife (or husband)":

Provided that in the marriage of East Indian immigrants it shall not be necessary for either party to pronounce the name of either party. Proviso.

53. If the parties to a marriage contracted at the superintendent registrar's office desire to add the religious ceremony ordained or used by any Church or persuasion Addition of religious ceremony to civil marriage.

to the marriage so contracted, they may present themselves for that purpose to any minister of that Church or persuasion, who, upon the production of their certificate of marriage before the superintendent registrar, may if he thinks fit perform the marriage service of the Church or persuasion to which he belongs, but nothing in the performance of that service shall supersede or invalidate a marriage so previously contracted, nor shall the performance of that service be entered as a marriage among the marriages in any marriage register provided under this Ordinance; and at no marriage performed at the registrar's office of any district shall any religious service be used there.

Fee of superintendent registrar for performance of marriage.

54. For every marriage performed in his office the superintendent registrar shall be entitled to demand and receive from the parties married a fee of one dollar.

Case of marriage between minors after publication of banns.

55. No marriage officer who solemnises any marriage after due publication of banns as aforesaid between persons, both or one of whom not being a widow or widower, are or is at the time of the marriage under legal age, shall be answerable or responsible, or liable to any pain, penalty, or proceeding, for having solemnised the marriage without the consent of the parents or guardians, or other persons if any, whose consent is required by law, unless those parents or guardians, or other persons, or one of them, forbid the marriage, and give notice thereof to the marriage officer before he has solemnised the marriage.

PART VI.

REGISTRATION OF MARRIAGE.

Supply of register books.

56.—(1) A bound marriage register book and separate sheets for a duplicate original register, all of substantial paper, according to the forms provided for the registration of marriages by this Ordinance, shall, at the commencement of this Ordinance and thereafter whenever necessary, be supplied to each marriage officer and superintendent registrar by the Registrar General.

(2) The cost of providing the books and separate sheets shall be defrayed in like manner as that of providing register books of births and deaths.

Keeping of register of marriages;

57. Immediately after the solemnisation or performance of every marriage, an entry thereof shall be made in a marriage register book by the marriage officer or superintendent registrar; and in every entry in every register it

shall be expressed that the marriage was had by banns, or by licence of the Governor, or superintendent registrar's certificate, and if both or either of the parties married by licence or certificate be under age and not a widow or widower, that it was had with the consent of the parents or guardians, or other persons or person having lawful authority to withhold consent to the marriage, or after an order of the Chief Justice or other judge aforesaid, and shall be signed by the marriage-officer or superintendent registrar, as the case may be, with his proper addition, and by the parties married, and shall be attested by the two witnesses; and every entry shall be in or to the effect of form D in the schedule.

schedule ;
form D.

58.—(1) Of every entry at the same time before the parties depart shall then and there be made on a separate piece of paper a duplicate original register in which the same matter shall be entered and signed, and attested by the same parties in or to the effect of form E in the schedule.

Duplicate
register ;

schedule ;
form E.

(2) All duplicate original registers made in any one calendar month shall, within the first ten days of the calendar month next following, be transmitted to the Registrar General and shall be filed and safely preserved by him in his office, and every marriage officer and superintendent registrar shall be entitled to receive, out of any moneys which the Legislative Council provides for that purpose, the sum of twenty-five cents for every marriage so entered and transmitted as aforesaid.

(3) Every original register, and also every copy thereof certified, under the hand of the marriage officer, or superintendent registrar, who for the time being has the lawful custody of the original, to be a true copy, and every duplicate original register, and also every copy thereof, certified, under the hand of the Registrar General, or his lawful deputy, to be a true copy, shall respectively be good evidence of the facts therein recorded, in pursuance of this Ordinance in all courts and proceedings whatsoever in which it may be necessary to give evidence of the marriage to which it relates.

59. All persons at all reasonable times in the day (except Sundays), may search the original register book, and also the file of duplicate original registers, in the presence of the person for the time being having the care of them respectively, or his deputy, and may have a true copy of any entry therein, certified under the hand of the marriage officer,

Right to
search
register
books, and
to have
certified
copies of
entries
therein.

to the marriage so contracted, they may present themselves for that purpose to any minister of that Church or persuasion, who, upon the production of their certificate of marriage before the superintendent registrar, may if he thinks fit perform the marriage service of the Church or persuasion to which he belongs, but nothing in the performance of that service shall supersede or invalidate a marriage so previously contracted, nor shall the performance of that service be entered as a marriage among the marriages in any marriage register provided under this Ordinance; and at no marriage performed at the registrar's office of any district shall any religious service be used there.

Fee of superintendent registrar for performance of marriage.

54. For every marriage performed in his office the superintendent registrar shall be entitled to demand and receive from the parties married a fee of one dollar.

Case of marriage between minors after publication of banns.

55. No marriage officer who solemnises any marriage after due publication of banns as aforesaid between persons, both or one of whom not being a widow or widower, are or is at the time of the marriage under legal age, shall be answerable or responsible, or liable to any pain, penalty, or proceeding, for having solemnised the marriage without the consent of the parents or guardians, or other persons if any, whose consent is required by law, unless those parents or guardians, or other persons, or one of them, forbid the marriage, and give notice thereof to the marriage officer before he has solemnised the marriage.

PART VI.

REGISTRATION OF MARRIAGE.

Supply of register books.

56.—(1) A bound marriage register book and separate sheets for a duplicate original register, all of substantial paper, according to the forms provided for the registration of marriages by this Ordinance, shall, at the commencement of this Ordinance and thereafter whenever necessary, be supplied to each marriage officer and superintendent registrar by the Registrar General.

(2) The cost of providing the books and separate sheets shall be defrayed in like manner as that of providing register books of births and deaths.

Keeping of register of marriages;

57. Immediately after the solemnisation or performance of every marriage, an entry thereof shall be made in a marriage register book by the marriage officer or superintendent registrar; and in every entry in every register it

shall be expressed that the marriage was had by banns, or by licence of the Governor, or superintendent registrar's certificate, and if both or either of the parties married by licence or certificate be under age and not a widow or widower, that it was had with the consent of the parents or guardians, or other persons or person having lawful authority to withhold consent to the marriage, or after an order of the Chief Justice or other judge aforesaid, and shall be signed by the marriage officer or superintendent registrar, as the case may be, with his proper addition, and by the parties married, and shall be attested by the two witnesses; and every entry shall be in or to the effect of form D in the schedule.

schedule ;
form D.

58.—(1) Of every entry at the same time before the parties depart shall then and there be made on a separate piece of paper a duplicate original register in which the same matter shall be entered and signed, and attested by the same parties in or to the effect of form E in the schedule.

Duplicate
register ;

schedule ;
form E.

(2) All duplicate original registers made in any one calendar month shall, within the first ten days of the calendar month next following, be transmitted to the Registrar General and shall be filed and safely preserved by him in his office, and every marriage officer and superintendent registrar shall be entitled to receive, out of any moneys which the Legislative Council provides for that purpose, the sum of twenty-five cents for every marriage so entered and transmitted as aforesaid.

(3) Every original register, and also every copy thereof certified, under the hand of the marriage officer, or superintendent registrar, who for the time being has the lawful custody of the original, to be a true copy, and every duplicate original register, and also every copy thereof, certified, under the hand of the Registrar General, or his lawful deputy, to be a true copy, shall respectively be good evidence of the facts therein recorded, in pursuance of this Ordinance in all courts and proceedings whatsoever in which it may be necessary to give evidence of the marriage to which it relates.

59. All persons at all reasonable times in the day (except Sundays), may search the original register book, and also the file of duplicate original registers, in the presence of the person for the time being having the care of them respectively, or his deputy, and may have a true copy of any entry therein, certified under the hand of the marriage officer,

Right to
search
register
books, and
to have
certified
copies of
entries
therein.

superintendent registrar, or officer for the time being respectively having the custody of the original or duplicate original register as aforesaid (as the case may be), which true copy the marriage officer, or Registrar General, or his lawful deputy, is hereby required to make, examine, and certify under his hand to be a true copy, in the form of the duplicate original register, except that the copy shall be headed " Certified copy of original (or duplicate original) marriage register," (as the case may be), and shall be dated on the day, month, and year when it is delivered.

Fees payable for search and for certified copies of entries.

60. The following fees shall be demandable and payable before the performance of the duty to which they respectively relate, that is to say,—

for every general search not directed to any particular entry	ninety-six cents
for every search for a particular entry	forty-eight cents
for every search for two or more particular entries and not exceeding four entries... ..	twenty-four cents for each entry
for every such certified copy as aforesaid	forty-eight cents

PART VII.

CLINICAL MARRIAGES.

As to marriage in articulo mortis.

61.—(1) A marriage officer may solemnise a marriage without any licence, or certificate of notice, or banns, in the following special case, that is to say, where the marriage is between two persons one of whom he believes, from the certificate of a medical practitioner, if a medical practitioner has been in attendance on that person, and if no practitioner is actually in attendance on the person, or it appears to the marriage officer impossible to obtain a certificate in time, then from his own observation, to be in articulo mortis, the person, before the solemnisation, declaring that he or she believes that he or she is at the point of death.

(2) The marriage shall not be solemnised unless both parties are able to signify their consent thereto in presence of two witnesses.

(3) The marriage shall not be solemnised where either of the parties is under twenty-one years of age, not being

a widower or widow, without the verbal or written consent of the person whose consent is by law required; if that person is present the consent may be given orally, and the person shall sign the register of the marriage in token of assent thereto; if the person is absent the consent shall be in writing, and shall be attached to the duplicate register.

(4) A marriage so solemnised shall be specially registered, and the certificate of the medical practitioner, or the marriage officer who performed the ceremony, as the case may be, that in his opinion the sick person is at the point of death, shall be attached to the duplicate register.

(5) The register and duplicate original register shall contain the particulars and be in the form indicated in form F in the schedule; but shall in all other respects be subject to the provisions of this Ordinance relating to marriage registers. Schedule;
form F.

(6) No marriage solemnised under the provisions of this section shall be valid unless the foregoing conditions are observed.

(7) The certificate to be given by a medical practitioner, or a marriage officer for the purposes of this section, shall be in form G in the schedule. The fee payable to any government medical officer for the certificate shall be one dollar, if a special visit is not required before it can be given, and if a special visit is required, a fee of two dollars. Schedule;
form G.

PART VIII.

OFFENCES.

62. Anyone who knowingly and wilfully—

- (a) solemnises marriage at any other time than between the hours of six in the morning and nine in the evening, save in the case mentioned in part VII;
or
- (b) solemnises marriage save as aforesaid without due publication of banns, or licence of marriage from the Governor, or certificate from a superintendent registrar, first had and obtained;
or
- (c) falsely pretending to be a marriage officer or superintendent registrar, solemnises marriage;
or

Unduly
solemnising
marriage :

(d) solemnises any marriage save as aforesaid more than three months after the last publication of banns, or the issue of a licence by the Governor, or the entry of a notice of the marriage by a superintendent registrar,

shall be guilty of a misdemeanour, and on conviction thereof shall be liable to imprisonment with or without hard labour for any term not exceeding two years :

Proviso.

Provided that all prosecutions therefor shall be commenced within three years after the offence committed.

Making false declaration, etc.

63. Anyone who knowingly and wilfully makes any false declaration (statutory or other), or signs any petition, notice, statement or certificate required by this Ordinance, which is in any material respect false, for the purpose of procuring any marriage, shall be deemed guilty of wilful or corrupt perjury and shall be liable to be prosecuted and punished accordingly.

Performance by superintendent registrar of a void marriage.

64. Any superintendent registrar who knowingly and wilfully performs, or permits to be performed, in his office any marriage in this Ordinance declared to be null and void shall be guilty of a misdemeanour and on conviction thereof shall be liable to imprisonment with or without hard labour for any term not exceeding two years.

Liability of persons lodging an objection on frivolous grounds.

65.—(1) Anyone who enters an objection with the Colonial Secretary or superintendent registrar against the grant of any licence or issue of any certificate, on grounds which the Governor or a judge declares to be frivolous as well as being such as ought not to obstruct the grant of the licence, shall be liable for the costs of the proceedings, and for damages which may be recovered by plaint or action by the party against whose marriage the objection has been lodged.

(2) For the purpose of enabling anyone to recover costs and damages in any action, as provided by this section, from any person who has lodged an objection on frivolous grounds, a copy of the declaration of the Governor, purporting to be signed by him, or a copy of the judgement of the judge, shall be evidence that the Governor or judge has declared the objection to have been lodged on grounds that are frivolous as well as being such as ought not to obstruct the grant of the licence or issue of the certificate, as the case may be.

PART IX.

MISCELLANEOUS.

66. After the solemnisation or performance of any marriage under this Ordinance, it shall not be necessary, in support of the marriage, or in any action, suit, or proceeding where it may come into question, to give any proof of the consent of anyone whose consent thereunto is by law required, or, the actual dwelling of the parties married, or of either of them, before the marriage in any specified district, for any prescribed period, or that the banns were published, or notice of intended marriage given, in the place wherein, or by or to the person by or to whom, the banns ought to have been published, or the notice given, or that the marriage was solemnised or performed in the place, and by a person, where and by whom it ought to have been solemnised or performed :

Dispensing with proof of certain preliminary matters, after solemnisation of marriage :

Provided that nothing herein contained shall prevent any evidence being given that the marriage is null and void under any provision of this Ordinance expressly declaring marriages to be null and void, but the burden of proof shall in all those cases lie on the party alleging the marriage to be null and void.

Proviso.

67. In no case whatsoever shall any suit or proceeding be had, in any court, or before any jurisdiction whatsoever, to compel the celebration of any marriage by reason of any promise or marriage contract made, or by reason of seduction, or of any cause whatsoever which arises after the commencement of this Ordinance, any law or usage to the contrary notwithstanding :

Prohibiting proceedings to compel marriage :

Provided that nothing herein contained shall prevent anyone aggrieved from suing for or recovering damages in any court, or by any proceeding wherein and whereby damages may be lawfully recovered for breach of promise of marriage, or for seduction, or other cause aforesaid.

Proviso.

68. If any persons, save in the cases mentioned in the seventh part of this Ordinance, being married by a superintendent registrar—

Invalidation of certain marriages.

(a) knowingly and wilfully intermarry in any other place than a building wherein marriages may lawfully be solemnised; or

(b) knowingly and wilfully intermarry without due publication of banns, or licence from the Governor, or a certificate from a superintendent registrar, first had and obtained; or

(c) knowingly and wilfully consents to, or acquiesces in, the solemnisation or performance of their marriage by anyone not being a marriage officer or superintendent registrar,

the marriage of those persons shall be null and void to all intents and purposes whatsoever.

Securing of property where necessary consent to marriage not obtained.

69.—(1) Where either of the parties to a marriage is under twenty-one years of age, not being a widower or a widow, and is married under this Ordinance without the consent of the person whose consent is by law required, no community of property ⁽¹⁾ between the parties for the benefit or to the advantage of the party marrying the minor shall take place, nor shall any property be acquired from the minor by the other party to the marriage by last will, gift, transfer, or in any other way whatsoever, nor shall any stipulation made by that party by any ante-nuptial contract for any benefit from the property of the minor be valid or of any effect.

(2) The parent or guardian of the minor whose consent has not been given to that marriage may take proceedings in the Supreme Court by action for securing the property; and the Court shall have power in the action to order and direct that all the property of the minor shall be secured under the direction of the Court for the benefit of the minor or of the issue of the marriage, or of both, in such manner as the Court thinks fit, for the purpose of preventing the offending party from deriving any interest, or pecuniary benefit from the marriage.

Savings.

Chapter 208.

70. Nothing in this Ordinance shall affect—

(a) the provisions as to the marriage of immigrants contained in the Immigration Ordinance; or

(b) the right of any marriage officer to receive for any duty performed by him under this Ordinance the fees heretofore customarily paid to ministers of the same denomination for the performance of that duty.

⁽¹⁾ Since 1904, by the Married Person's Property Ordinance of that year. (Chapter 144), there has been no community of goods between husband and wife in consequence of marriage in respect of either movable or immovable property.

(b) knowingly and wilfully intermarry without due publication of banns, or licence from the Governor, or a certificate from a superintendent registrar, first had and obtained; or

(c) knowingly and wilfully consents to, or acquiesces in, the solemnisation or performance of their marriage by anyone not being a marriage officer or superintendent registrar,

the marriage of those persons shall be null and void to all intents and purposes whatsoever.

Securing of property where necessary consent to marriage not obtained.

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(2) The parent or guardian of the minor whose consent has not been given to that marriage may take proceedings in the Supreme Court by action for securing the property; and the Court shall have power in the action to order and direct that all the property of the minor shall be secured under the direction of the Court for the benefit of the minor or of the issue of the marriage, or of both, in such manner as the Court thinks fit, for the purpose of preventing the offending party from deriving any interest, or pecuniary benefit from the marriage.

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⁽¹⁾ Since 1904, by the Married Person's Property Ordinance of that year, (Chapter 144), there has been no community of goods between husband and wife in consequence of marriage in respect of either movable or immovable property.

71. All fees received by a superintendent registrar under this Ordinance shall be paid into the Treasury for the benefit of the colony. Payment of fees into Treasury.

72. The Governor in Council may make regulations with regard to the publication of banns of marriage between aboriginal Indians, and any banns published in accordance with those regulations shall be in all respects valid : Publication of banns of marriage of aboriginal Indians :

Provided that nothing in this section contained shall affect the right of aboriginal Indians to have their banns published in accordance with the general provisions of this Ordinance. Proviso.

SCHEDULE.

FORM A.
(Section 12.)

Number.	Name.	Denomination.	Date of appointment.	Postal Address.		Remarks.
				Originally given.	At present time.	

FORM B.
(Section 45.)

Form of Notice of Marriage.

To the Superintendent Registrar of the district of
in the county of

I (or We) the undersigned, hereby give you notice that a marriage is intended to be held within three calendar months from the date hereof, between me and the other party herein named and described (or us) that is to say :—

Name and surname.	Condition, i.e., widower, bachelor, widow or spinster.	Rank or profession.	Age.	Dwelling place.	Length of residence.	Marriage district and county in which the parties respectively dwell.
(a)						

(a) The names and particulars relating to the man should be first entered in the several columns, and then the names and particulars of the woman placed below.

And hereby solemnly and sincerely declare that know of no impediment of kindred or alliance or other lawful hindrance to the said marriage, and that the above-named, have for the space of seven days immediately preceding the giving of this notice, had usual place of abode and residence within the above-mentioned marriage district of

(b) If both parties are under age, the form must be adapted so as to meet the case.

And further solemnly and sincerely declare that of the parties herein named and described [neither is a minor under the age of twenty-one years *(or in lieu of the part within brackets) (b)* not being a widower *(or widow)* is *(or am)* a minor under the age of twenty-one years, and that the consent of whose consent to this marriage is required by law has been duly given and obtained thereto.]

And make the foregoing declarations conscientiously believing the same to be true, pursuant to the provisions of the Marriage Ordinance, well knowing that every person who knowingly or wilfully makes any false declaration, or who signs any false notice for the purpose of procuring any marriage under the provisions of the said Ordinance, shall suffer the penalties of perjury. In witness whereof have hereunto set and subscribed hand this day of

(Signed)

Declared before me this day of

(Signed)

FORM C.

(Section 48.)

Form of Superintendent Registrar's Certificate.

I, Superintendent Registrar of the marriage district of in the county of do hereby certify that on the day of the following notice was duly entered in the marriage notice book of the said district *(here copy notice omitting the declarations at foot thereof)*.

The issue of this certificate has not been objected to by any person *(or has been objected to but the objection has been overruled)*.

This certificate will be void unless the marriage is solemnised or performed within three calendar months after the date of the entry of notice, namely, on or before the day of

(Signed)

Superintendent Registrar.

FORM D.
(Section 58.)
Original Register.

19	MARRIAGES solemnised or performed at					, in the marriage district of	in the county of		19 .
Number.	When married.	Names and surnames.	Ages.	Condition.	Rank or profession.	Residence at the time of marriage.	After banns or licence or supt. registrar's certificate.	Consent, by whom given, or judge's order.	

Married at _____ in the marriage district aforesaid, after _____, by me.
(Signed)

Marriage Officer or Superintendent Registrar.

This marriage was solemnised (or performed) between us { _____ } in the presence of us { _____ }

FORM E.
 (Section 58.)
 Duplicate Original Register.

19 . MARRIAGES solemnised or performed at in the marriage district of - in the county of 19 .

Number.	When married.	Names and surnames.	Ages.	Condition.	Rank or profession.	Residence at the time of marriage.	After banns or licence or supt. registrar's certificate.	Consent by whom given, or judge's order.

Marriage at in the marriage district aforesaid, after , by me.
 (Signed)

Marriage Officer (or Superintendent Registrar.)

This marriage was solemnised (or performed) between us { } in the presence of us {

Examined with the original register by me and found to be correct—

Marriage officer (or Superintendent Registrar).

FORM F.
(Section 61.)

Form of Marriage Register and of Duplicate Original Marriage Register (Marriage in articulo mortis).

Number.	When married.	Names and surnames.	Condition.	Rank or profession.	Ages.	Marriage district and residence at the time of marriage.	Father's name and surname.

MARRIED at
by (or before) me
the colony of British Guiana.

in the marriage district of

a marriage officer of

This marriage was {
solemnised between us {

in the presence of us {

(a) (I consented to the marriage of

(Signed)

.)

I hereby certify that immediately before the solemnisation of this marriage, the said to me in the presence of the witnesses who have attested this marriage that he believed

solemnly declared self to be at the point of death.

(a) Add, if circumstances require.

This day

Marriage Officer.
, 19

MARRIAGE.

CH. 142

2323

2324

CH. 142.

MARRIAGE.

FORM G.
(Section 61.)

I,
having been in attendance on
certify that in my opinion the said
is in articulo mortis.

medical practitioner,



BRITISH GUIANA

REVISED EDITION 1930.

CHAPTER 143.

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CHAPTER 143.

MATRIMONIAL CAUSES.

[No. XXXIV of 1916.]

[30th December, 1916.]

PART I.

1. This Ordinance may be cited as the Matrimonial Causes Ordinance. Short title.

2. Subject to any Ordinance, the Supreme Court (hereafter in this Ordinance called "the Court") shall exercise all jurisdiction in respect of divorces and other matrimonial causes and disputes, and in respect of declarations as to the legitimacy of a child, and as to the validity of any marriage under this or any other Ordinance or under the common law, in as full and complete a manner as it has hitherto exercised jurisdiction in divorce and matrimonial causes under the Roman-Dutch common law, and that jurisdiction shall as far as possible be exercised in the same manner and in accordance with the same principles and rules as jurisdiction in those matters is exercised by the Probate Divorce and Admiralty Division of the High Court of Justice in England, subject to any rules of court made under this Ordinance or the Supreme Court of Judicature Ordinance, or any amending Ordinance, hereafter in this Ordinance called "the rules." Jurisdiction. Chapter 10.

3.—(1) A decree of judicial separation (which shall have the effect of a divorce a mensa et thoro under the existing law and other legal effect in this Ordinance mentioned), may be obtained, either by the husband or the wife, on the ground of adultery, or cruelty, or desertion without cause for two years and upwards. Decree for judicial separation.

(2) Application for restitution of conjugal rights or for judicial separation on any of the grounds aforesaid may be made by either husband or wife by petition to the Court in accordance with the rules, and the Court to which the petition is addressed, on being satisfied that the allegations therein contained are true and that there is no legal

ground why the prayer should not be granted, may decree restitution of conjugal rights or judicial separation accordingly and, where the application is by the wife, may make any order for alimony deemed just.

Order for
protection
of wife's
property :

4.—(1) A wife deserted by her husband may at any time after the desertion, if resident within the colony, apply to a magistrate or to the Court, for an order to protect any money or property she acquires by her own lawful industry, and property of which she becomes possessed, after the desertion, against her husband or his creditors, or any person claiming under him.

(2) The magistrate or the Court, if satisfied of the fact of desertion and that it was without reasonable cause, and that the wife is maintaining herself by her own industry or property, may make and give to the wife an order protecting from her husband and all creditors and persons claiming under him her earnings and property acquired since the commencement of the desertion, and those earnings and property shall belong to the wife as if she were a feme sole :

Proviso.

Provided that—

(a) the order, if made by a magistrate, shall within ten days after it is made be entered with the registrar of the Court, and the husband, and any creditor or other person claiming under him, may apply to the Court, or to the magistrate by whom the order was made, for its discharge; and

(b) if the husband or any creditor of, or person claiming under, the husband seizes or continues to hold any property of the wife after notice of the order, he shall be liable at the suit of the wife (which she is hereby empowered to institute) to restore the specific property, and also for a sum equal to double the value of the property so seized or held after the notice.

(3) If an order of protection is made, the wife during the continuance thereof shall be and be deemed to have been, during the desertion of her, in the same position in all respects, with regard to property and contracts and suing and being sued, as she would be under this Ordinance if she obtained a decree of judicial separation.

(4) Where an order of protection has been made the husband or creditor may apply to the Court, or to the magistrate for the time being exercising jurisdiction

in the district in which the order has been made, and the Court, whether it has itself made the order or not, or the magistrate, may discharge the order.

5. Any husband or wife, upon the application of whose wife or husband, as the case may be, a decree of judicial separation has been pronounced, may at any time thereafter present a petition to the Court, praying for a reversal thereof on the ground that it was obtained in his or her absence, and that there was reasonable ground for the alleged desertion, where desertion was the ground of the decree; and the Court, on being satisfied of the truth of the allegations of the petition, may order the decree to be reversed accordingly; but the reversal shall not prejudice or affect the rights or remedies which any other person would have had if it had not been ordered, in respect of any debts, contracts, or acts of the wife incurred, entered into, or done between the times of the decree of separation and of the order of reversal.

Reversal of
decree of
judicial
separation.

6. Whenever the Court makes any order for alimony, it may direct the alimony to be paid either to the wife herself or to any trustee on her behalf to be approved by the Court, and may impose any terms or restrictions to the Court seeming expedient, and may from time to time appoint a new trustee, if for any reason it appears expedient to the Court to do so.

Payment of
alimony to
wife or to her
trustee.

7. In every case of judicial separation the wife, from the date of the decree and whilst the separation continues, shall be considered as a feme sole with respect to property of every description which she acquires or which comes to or devolves upon her; and that property may be disposed of by her in all respect as a feme sole, and on her decease, if she dies intestate, it shall go as it would have gone if her husband had been then dead:

After judicial
separation
wife con-
sidered a
feme sole as
to property
acquired:

Provided, that if the wife should again cohabit with her husband, all the property to which she is entitled when the cohabitation takes place shall be held to her separate use, subject, however, to any agreement in writing made between herself and her husband while separate.

Proviso:

8. In every case of judicial separation the wife whilst so separated shall be considered as a feme sole for the purposes of contract, and wrongs and injuries, and suing and being sued in any civil proceeding, and her husband shall

and also for
purposes of
contract and
suing:

not be liable in respect of any engagement or contract she has entered into, or for any wrongful act or omission by her, or for any costs she may incur as plaintiff or defendant :

Proviso :

liability of husband for wife's necessities, and exercise of joint power.

Provided that,—

- (a) where upon a judicial separation alimony has been ordered to be paid to the wife and it is not duly paid by the husband, he shall be liable for necessities supplied for her use; and
- (b) nothing shall prevent the wife from joining, at any time during the separation, in the exercise of any joint power given to herself and her husband.

Petition for dissolution of marriage.

9.—(1) Any husband or wife may present a petition to the Court, praying that his or her marriage may be dissolved, on the ground that his wife or her husband has since the solemnisation thereof been guilty of adultery, or malicious desertion with or without adultery.

Chapter 9.

(2) Notwithstanding any provision to the contrary in any previous Ordinance, a petition may be presented under this section notwithstanding that a decree or order for judicial separation has been obtained from the Court or from a court of summary jurisdiction under section forty-one of the Summary Jurisdiction (Magistrates) Ordinance and remains undischarged, but the leave of the Court shall be first obtained.

(3) The Court on the application of a petitioner or respondent under the rules, and after giving both parties an opportunity to be heard by affidavit or otherwise, may make any preliminary order it thinks fit as to the payment of all or part of the costs of proceedings by either party.

Co-respondents.

(4) Upon the petition presented by a husband the petitioner shall make the alleged adulterer a co-respondent thereto, unless on special grounds allowed by the Court he is excused from so doing; and on every petition presented by a wife for dissolution of marriage the Court, if it sees fit, may direct that the person with whom the husband is alleged to have committed adultery be made a co-respondent.

Facts of which Court must satisfy itself.

(5) Upon the petition, it shall be the duty of the Court to satisfy itself, so far as it reasonably can, not only as to the facts alleged, but also whether or not the petitioner has been in any manner accessory to or conniving at the adultery or has condoned it, and shall also inquire into any counter-charge made against the petitioner.

10.—(1) If the Court, on the evidence in relation to the petition, is not satisfied that the alleged adultery has been committed, or finds that the petitioner has during the marriage been accessory to or conniving at the adultery of the other party to the marriage, or has condoned the adultery charged, or that the petition is presented or prosecuted in collusion with either of the respondents, then and in any of those cases the Court shall dismiss the petition.

When Court shall dismiss petition.

(2) If the Court is satisfied on the evidence that the case of the petitioner has been proved, and does not find that the petitioner has been in any manner accessory to or conniving at the adultery of the other party to the marriage, or has condoned the adultery charged, or that the petition is presented or prosecuted in collusion with either of the respondents, then the Court shall pronounce a decree declaring the marriage to be dissolved :

When Court shall pronounce decree for dissolution of marriage :

Provided that the Court shall not be bound to pronounce the decree if it finds that the petitioner has during the marriage been guilty of adultery, or if the petitioner, in the opinion of the Court, has been guilty of unreasonable delay in presenting or prosecuting the petition, or of cruelty towards the other party to the marriage, or of having deserted or wilfully separated himself or herself from the other party before the adultery charged, and without reasonable excuse or of wilful neglect or misconduct which has conduced to the adultery.

Proviso.

11. In every case of a petition for a dissolution of marriage the Court if it sees fit may direct all necessary papers in the cause to be sent to the Attorney General, who may appear in person or may instruct counsel to argue before the Court any question in relation to the matter, and which the Court deems it necessary or expedient to have fully argued; and the Attorney General shall be entitled to charge and be re-imbursed the costs of any proceeding in the matter as part of the expenses of his office.

Direction that papers be sent to the Attorney General.

12.—(1) Every decree for a divorce or for nullity of marriage shall be in the first instance a decree nisi, not to be made absolute till after the expiration of a period, not less than six months from the pronouncement thereof by general or special order from time to time directed by the Court; and during that period any person shall be at liberty, in the manner the Court by general or special order in that behalf from time to time directs, to show cause why the decree should not be made absolute by reason of its having

Decree nisi in the first instance, etc.

been obtained by collusion, or by reason of material facts not brought before the Court.

(2) On cause being so shown, the Court shall deal with the case by making the decree absolute or by reversing the decree nisi, or by requiring further inquiry, or otherwise as justice may require.

(3) At any time during the progress of the cause or before the decree is made absolute, anyone may give information to the Attorney General of any matter material to the due decision of the cause, who may thereupon take the steps he deems necessary or expedient.

Intervention
of Attorney
General.

(4) If from that information or otherwise the Attorney General suspects that any parties to the cause are or have been acting in collusion for the purpose of obtaining a divorce contrary to the justice of the case, he may by leave of the Court intervene in the cause, alleging that collusion, and retain counsel and summon witnesses to prove it; and the Court may order the costs of the counsel and witnesses, and otherwise arising from the intervention, to be paid by the parties or any of them it sees fit, including a wife if she has separate property, and if the Attorney General is not thereby fully satisfied his reasonable costs, he shall be entitled to charge and be re-imbursed the difference as part of the expenses of his office.

Relief to
respondent
in certain
cases.

13. In any suit instituted for dissolution of marriage, if the respondent opposes the relief sought on the ground, in case of a suit instituted by a husband, of his adultery, cruelty, or desertion, or, in case of a suit instituted by a wife, on the ground of her adultery or cruelty, the Court may in the suit give to the respondent, on his or her application, the same relief to which he or she would have been entitled if he or she had presented a petition seeking that relief.

Maintenance
and alimony:

14.—(1) The Court if it thinks fit, on any decree for dissolution or nullity of marriage, may order that the husband shall to the satisfaction of the Court secure to the wife that gross sum of money or that annual sum of money for any term not exceeding her life which, having regard to her fortune (if any), to the ability of the husband, and to the conduct of the parties, it deems reasonable, and for that purpose may refer the matter to the registrar to settle and approve of a proper deed or instrument to be executed by all necessary parties, and the Court if it thinks fit may

suspend the pronouncement of its decree until that deed has been duly executed.

(2) In that case the Court if it thinks fit may make an order on the husband for payment to the wife during their joint lives of any monthly or weekly sum for her maintenance and support the Court thinks reasonable, and that order may be made either in addition to or instead of an order under the preceding sub-section :

Provided that—

Proviso.

(a) if the husband afterwards from any cause becomes unable to make those payments the Court may discharge or modify the order or temporarily suspend it as to the whole or any part of the money so ordered to be paid, and again revive the order wholly or in part as the Court thinks fit; and,

(b) where the Court has made any order mentioned in this sub-section and is satisfied that the means of the husband have increased, the Court if it thinks fit may increase the amount payable under the order.

(3) In any suit for dissolution or nullity of marriage the Court shall have the same power to make interim orders for payment of money, by way of alimony or otherwise, to the wife as it has in a suit instituted for judicial separation.

15. In every case not already provided for by law in which anyone is charged with adultery with any party to a suit, or in which the Court considers, in the interest of anyone not already a party to the suit, that that person should be made a party thereto, the Court if it thinks fit may allow that person to intervene upon any terms the Court thinks just.

Intervention on terms.

16. On any decree for dissolution or nullity of marriage, or judicial separation, the Court, where the marriage has been in community of goods or by ante-nuptial contract, may make any order for the division of the property subject to the community or to the ante-nuptial contract that seems equitable.

Division of property where marriage in community or by ante-nuptial contract.

17.—(1) A husband, either in a petition for dissolution of marriage or for judicial separation, or in a petition limited to this object only, may claim damages from any person on the ground of his having committed adultery

Claim for damages from adulterer.

with the wife of the petitioner; and the petition shall be served on the alleged adulterer and the wife, unless the Court dispenses with that service or directs some other service to be substituted; and in the absence of any rules of court the claim made by the petition shall be heard and tried on the same principles, in the same manner, and subject to the same or the like rules as those petitions are now heard and determined in England, and all the enactments herein contained with reference to the hearing and determination of petitions to the Court, so far as necessary, shall be deemed applicable to the hearing and determination of petitions presented under this enactment.

(2) The damages to be recovered on the petition shall in all cases be fixed by the Court, although the respondents or either of them do not appear; and after judgement has been given the Court shall have power to direct in what manner the damages shall be paid or applied, and to direct that the whole or any part thereof shall be settled for the benefit of the children (if any) of the marriage, or as a provision for the maintenance of the wife.

Payment of costs by adulterer.

18. Whenever in any petition presented by a husband the alleged adulterer has been made a co-respondent and the adultery has been established, the Court may order the adulterer to pay the whole or any part of the costs of the proceedings.

Orders as to custody of children.

19. In any suit or other proceeding for a decree of judicial separation, or nullity of marriage, or dissolution of marriage, the Court may from time to time, before making the final decree, make any interim orders and provisions in the final decree it deems just and proper, with respect to the custody, maintenance and education of the children of the marriage of whose parents is the subject of the suit or other proceeding, and may give any further or other directions it deems advisable as guardian paramount of all infants.

Affidavit in support of petition.

20.—(1) Everyone seeking a decree of nullity of marriage, or of judicial separation, or dissolution of marriage, or in a suit for jactitation of marriage, together with the petition therefor, shall file an affidavit verifying the petition so far as he or she is able to do so, and stating that there is not any collusion or connivance between the deponent and the other party to the marriage.

(2) The petition shall be served on the party to be affected thereby, either within or without his Majesty's dominions, in the manner the Court by any general or special order from time to time directs; but the Court may dispense with the service altogether if it seems necessary or expedient to do so.

Service of
petition.

21. The Court, if it thinks fit, may order the attendance of the petitioner and examine him or her, or permit him or her to be examined or cross-examined on oath on the hearing of any petition; but the petitioner shall not be bound to answer any question tending to show that he or she has been guilty of adultery.

Examination
of petitioner.

22. The Court may from time to time adjourn the hearing of a petition and require further evidence thereon, if it sees fit to do so.

Adjourn-
ment.

23. Subject to the rules the witnesses in all proceedings before the Court, where their attendance can be had, shall be sworn and examined orally in open court:

Mode of
taking
evidence:

Provided that parties, except as hereinbefore provided, shall be at liberty to verify their respective cases in whole or in part by affidavit, but so that the deponent in every affidavit shall be, on the application of the opposite party or by direction of the Court, subject to be cross-examined by or on behalf of the opposite party orally in open court, and after the cross-examination may be re-examined orally in open court as aforesaid by or on behalf of the party by whom the affidavit was filed.

Proviso.

24. The Court may under its seal issue writs of subpoena ad testificandum or subpoena duces tecum, commanding the attendance of witnesses at the time and place therein expressed; and those writs may be served in any part of the colony; and everyone served with the writ shall be bound to attend and to be sworn and give evidence in obedience thereto, in the same manner as if it had been a writ of subpoena issued in any other cause pending in the Court.

Attendance
of witnesses
in Court.

25. When the time for appealing against a decree for dissolution of marriage has expired and no appeal has been presented against it, or when an appeal has been dismissed, or when as the result of an appeal any marriage

Liberty to
parties to
marry again.

is declared to be dissolved, but not sooner, the respective parties thereto may marry again as if the prior marriage has been dissolved by death.

Periodical
payments in
lieu of
attachment.

26.—(1) Where a petition for restitution of conjugal rights is presented by the wife the Court, at the time of making the decree, or at any time afterwards, may order that in the event of the decree not being obeyed within any time in that behalf limited by the Court the respondent shall make to the petitioner any periodical payments that may be just, and the order may be enforced in the same manner as an order for alimony in a suit for judicial separation.

(2) The Court, if it thinks fit, may order that the husband shall to the satisfaction of the Court secure to the wife those periodical payments and for that purpose may refer the matter to the registrar of the Court to settle and approve of a proper deed or instrument to be executed by all necessary parties.

Settlement
of wife's
property.

27. Where the petition for restitution of conjugal rights is presented by the husband, if it is made to appear to the Court that the wife is entitled to any property, either in possession or reversion, or is in receipt of profits of trade or earnings, the Court, if it thinks fit, may order a settlement to be made to the satisfaction of the Court of that property, or any part thereof, for the benefit of the petitioner and of the children of the marriage, or either or any of them, or may order that part which the Court thinks reasonable of the profits of trade or earnings to be periodically paid by the respondent to the petitioner for his own benefit, or to the petitioner or any other person for the benefit of the children of the marriage, or either of them.

Power to
vary orders.

28. The Court may from time to time vary or modify any order for the periodical payment of money, either by altering the times of payment or by increasing or diminishing the amount, or may temporarily suspend the order as to the whole or any part of the money so ordered to be paid, and again revive the order wholly or in part, as the Court thinks just.

Non-compli-
ance with
decree for
restitution
deemed to
be desertion.

29.—(1) If the respondent fails to obey a decree of the Court for restitution of conjugal rights he or she shall thereupon be deemed to have been guilty of desertion without reasonable cause, and a suit for judicial separation

may be forthwith instituted, and a decree of judicial separation may be pronounced although the period of two years may not have elapsed since the failure to obey the decree for restitution of conjugal rights.

(2) When any husband who has been guilty of desertion by failure on his part to obey a decree for restitution of conjugal rights has also been guilty of adultery, the wife may forthwith present a petition for dissolution of her marriage, and the Court may pronounce a decree nisi for the dissolution of the marriage on the grounds of adultery coupled with desertion. The decree nisi shall not be made absolute until after the expiration of six calendar months from the pronouncement thereof, unless the Court fixes a shorter time.

30. The Court, at any time before final decree on any petition for restitution of conjugal rights, or after final decree if the respondent fails to comply therewith, upon application for that purpose, may make from time to time all the orders and provisions with respect to the custody, maintenance, and education of the children of the petitioner and respondent which might have been made by interim orders during the pendency of a trial for judicial separation between the same parties.

Custody of children.

31. An appeal shall lie from any decision of the Court under this Ordinance in the same manner as from any other decision of the Court.

Appeal.

PART II.

32.—(1) Any natural-born subject of the King, or anyone whose right to be deemed a natural-born subject depends wholly or in part on his legitimacy or on the validity of a marriage, being domiciled in the colony, or claiming any movable or immovable property situate therein, may apply by petition to the Court praying for a decree declaring that the petitioner is the legitimate child of his parents, and that the marriage of his father and mother, or of his grandfather and grandmother, was a valid marriage, or for a decree declaring either of the matters aforesaid; and any subject or person aforesaid, being so domiciled or claiming as aforesaid, may in like manner apply to the Court for a decree declaring that his marriage was or is a valid marriage.

Declaration of legitimacy or of validity of marriage.

(2) The Court shall have jurisdiction to hear and determine the application and to make a decree declaratory

of the legitimacy or illegitimacy of that person, or the validity or invalidity of that marriage, as to the Court seems just; and the decree, except as hereinafter mentioned, shall be binding to all intents and purposes on the Crown and on all persons whomsoever.

Declaration of right to be deemed a natural-born subject.

33. Anyone, being so domiciled or claiming as aforesaid, may apply by petition to the Court for a decree declaratory of his right to be deemed a natural-born subject of the King; and the Court shall have jurisdiction to hear and determine the application and to make any decree thereon to the Court seeming just; and where the application last aforesaid is made by the person making an application for a decree declaring his legitimacy or the validity of a marriage, both applications may be included in the same petition; and every decree made by the Court, except as hereinafter mentioned, shall be valid and binding to all intents and purposes upon the Crown and all persons whomsoever.

Affidavit to accompany petition.

34. Every petition under section thirty-two of this Ordinance shall be accompanied by such affidavit verifying the petition and of the absence of collusion as the Court by any general rule directs.

Power to award and enforce payment of costs.

35. In all proceedings under section thirty-three of this Ordinance the Court shall have full power to award and enforce payment of costs to any persons cited, whether they do or do not oppose the declaration sought, if the Court deems it reasonable that those costs shall be paid.

Papers to Attorney General.

36. A copy of every petition under this part of this Ordinance and of the affidavit accompanying it shall, one month at least before the petition is presented or filed, be delivered to the Attorney General, who shall be a respondent upon the hearing thereof and upon every subsequent proceeding relating thereto.

Persons cited to see proceedings.

37. Where an application to the Court is made under this part of this Ordinance, any person or persons besides the Attorney General whom the Court thinks fit shall, subject to the rules, be cited to see proceedings or otherwise summoned in the manner directed by the Court, and may be permitted to become parties to the proceedings and oppose the application.

38. The decree of the Court shall not in any case prejudice anyone unless that person has been cited or made a party to the proceedings, or is the heir-at-law, or next-of-kin, or other real or personal representative of, or derives title under or through, a person so cited or made a party; nor shall the decree prejudice anyone if subsequently proved to have been obtained by fraud or collusion.

Saving of rights.

39. No proceeding to be had under this Ordinance shall affect any final judgement or decree already pronounced or made by a court of competent jurisdictions.

Saving of judgement

40. Rules of court may be made for the purpose of this Ordinance under the Supreme Court of Judicature Ordinance.

Rules of court.
Chapter 10.



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CHAPTER 208.

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CHAPTER 208.

IMMIGRATION.

[XVIII of 1891.]

[1st November, 1891.]

PRELIMINARY.

Short title.

1.—(1) This Ordinance may be cited as the Immigration Ordinance.

Not to apply to Chinese.

(2) Notwithstanding anything in this Ordinance contained it shall not apply to any native of China or the descendant of any native of China.

Interpretation.

2.—(1) In this Ordinance, unless the context otherwise requires,—

“the Agent General” means the Immigration Agent General and includes any immigration agent acting under his authority;

“ship” includes a sea-going vessel of any description;

“season” means the period between and inclusive of the first date in any year on which emigrant ships for this colony may lawfully leave India, and the corresponding date in the following year;

“plantation” means any sugar, cacao, coffee, cotton, rice, or plantain estate in cultivation, or any two or more estates if they are adjacent to each other and managed as one estate, or any other piece of land in cultivation under one management of the extent of at least five acres, and includes any cattle or sheep farm or any woodcutting establishment;

“employer” means the proprietor or lessee of a plantation or the attorney of the proprietor, and includes the manager for the time being in charge of the plantation;

“manager” means the person for the time being having the personal charge or superintendence of a plantation and includes any overseer acting under his authority;

“immigrant” means any person introduced into the colony either wholly or in part at the expense of the immigration fund, and includes the children

- of an indentured immigrant; but this definition shall not affect the special definition of the term contained in part ten;
- “ indenture ” and “ indentured ” mean respectively a contract of service registered under this Ordinance and a person subject to that contract;
- “ adult ” means an immigrant of or above the age of fifteen years;
- “ minor ” means an immigrant under the age of fifteen years and of or above the age of ten years;
- “ infant ” means an immigrant under the age of ten years;
- “ adult,” “ minor,” and “ infant ” respectively include an immigrant of uncertain age who has been estimated by the Agent General to be an adult, minor, or infant, as the case may be;
- “ dependant ” of an immigrant means any immigrant or descendant of an immigrant who is an orphan and has been adopted by the first-mentioned immigrant;
- “ return passage ” means a passage back to India, provided for an immigrant free of cost or at a reduced cost to him;
- “ Asia ” includes any island adjacent to the continent of Asia.

(2) Reference to forms is made to the forms contained in the schedule of forms hereto annexed.

3. This Ordinance is divided into parts as follows :—

- PART I.—The Immigration Department :
- PART II.—Fiscal provisions :
- PART III.—Arrival and allotment :
- PART IV.—Indenture :
- PART V.—Dwellings :
- PART VI.—Rations :
- PART VII.—Hospitals :
- PART VIII.—Labour and wages :
- PART IX.—Leave and desertion :
- PART X.—Marriage and divorce :
- PART XI.—Transfer and determination of indentures :
- PART XII.—Certificates of exemption from labour :
- PART XIII.—Passports and return passages :
- PART XIV.—Registers, returns, and certificates :
- PART XV.—Procedure :
- PART XVI.—Miscellaneous provisions.

Arrangement
of the
Ordinance.

(Signature)

Forms :
schedule :

4.—(1) The forms shall respectively be used for and in respect of the several matters in this Ordinance upon which reference is made to them in the margin by their respective numbers.

(2) The Agent General may, with the approval of the Governor and Legislative Council, from time to time cause the forms to be varied or altered, and also additional forms to be framed, as occasion may require, for the purpose of carrying out the provisions of this Ordinance, and the varied, altered, or additional forms shall have the same force and effect as if they were incorporated in the schedule :

Proviso.

Provided that every form shall be first published in the Gazette, and copies thereof sent by the Agent General to all persons required under penalties by this Ordinance to fill up and use any form for which a form has been substituted.

Naming of
places of
emigration.

5. The Governor may by proclamation, by the advice and with the consent of the Legislative Council, name the ports or places in Asia from which immigration is permitted to the colony under this Ordinance.

PART I.

THE IMMIGRATION DEPARTMENT.

The Agent General.

Appointment
and salary.

6. His Majesty may appoint some fit and proper person to be Agent General, who shall receive a salary at the rate of not more than one thousand five hundred pounds per annum.

General
duties.

7. The Agent General—

(a) shall be the head of the immigration department, and shall be responsible to the Governor for the efficient performance of the duties of its officers (but not of the duties of the medical officers) and for the proper carrying out of the provisions of this or any other Ordinance, whether passed before or after the commencement hereof, relating to immigration ;

(b) shall also keep the registers of the department and exercise and perform any other functions and duties in relation to immigration prescribed by

- this or any other Ordinance, whether passed before or after the commencement of this Ordinance, or entrusted to him by the Governor;
- (c) shall be secretary to the Governor for immigration matters.

8.—(1) The Agent General may at any time enter into and upon any plantation whereon immigrants are employed, and inspect the condition and general treatment of the immigrants and the condition of their dwellings, and of the yards and grounds about the dwellings, and of the hospital accommodation, and may inquire into any complaint which the employer has against an immigrant, or which an immigrant has against the employer, or which is reported to him by the Surgeon General or be otherwise brought to his notice, and may require any immigrant to be brought before him on a visit and, either before or after the inquiry, make a complaint or lay an information in his own name, on behalf of an immigrant against the employer, or against any other person, before the magistrate of the district, or in any other court of justice of the colony, other than that of the magistrate of the district, having jurisdiction to hear, try, and determine the offence or other matter charged against the employer or other person.

General powers.

(2) The Agent General shall watch the proceedings on the complaint or information on behalf of the immigrant, and may, if necessary, bring them for review by way of appeal before any superior court having jurisdiction in the cause, and in that court retain the services of counsel, and in all respects act on behalf of the immigrant as if he himself were the principal in the cause; and he shall report to the Governor the course of the proceedings from time to time and the final result thereof.

The Senior Immigration Agent.

9. The Governor may appoint some fit and proper person to be Senior Agent, who shall receive the salary and allowances for the time being assigned to him by the Legislative Council.

Appointment and salary.

10.—(1) The Senior Agent shall be stationed at the immigration office in Georgetown and shall act as assistant generally to the Agent General in the performance of his duties.

General duties.

(2) In the absence of the Agent General, anything which may by law be done or suffered by him may be done or suffered by the Senior Agent.

Immigration Officers.

Appointment,
duties, and
salaries.

11.—(1) The Governor may appoint so many fit and proper persons to be immigration agents, clerks, interpreters, and other officers respectively residing in the colony as may be necessary for the performance of the ordinary duties of the immigration department, who shall receive the salary and allowances for the time being assigned to them by the Legislative Council.

(2) The Governor may assign to any officer a district or place within which to act in the performance of his duties, and may at any time remove him from one district or place to another.

Medical Officers.

Inspection by
the Surgeon
General.

12.—(1) The Surgeon General may at any time visit any plantation on which there are immigrants, and inspect the dwellings of the immigrants, the yards and grounds about the dwellings, and the hospital and all books and registers kept in connection therewith.

General
duties of the
medical
inspector.

(2) He shall, once at least in every six months, visit every plantation on which there are indentured immigrants, and inspect the hospital and the dwellings of the immigrants and the yards and grounds about the dwellings, and shall ascertain whether the provisions of this Ordinance and of any regulations in that behalf have been duly observed.

(3) Within one month after the visit, he shall make a report in writing, in duplicate, to the Agent General of the condition and management of the hospital, and of the condition of the dwellings of the immigrants on the plantation and of the yards and grounds about the dwellings, and of the performance by the government medical officer of the district of that officer's duties under this Ordinance in relation to the plantation.

13. The Surgeon General may appoint any government medical officer to exercise or perform any or all of the powers, functions, or duties conferred or imposed on him by this Ordinance, and the appointment may be either general or for a particular time, or may be limited to a particular plantation or part of the colony.

14. Every government medical officer to whom a medical district is assigned shall act as medical officer for all plantations within his district on which there are immigrants, and as medical attendant at all the hospitals certified under this Ordinance within his district.

Duties of government medical officer in immigration matters.

15. Whenever it appears necessary to the Agent General to require, under the provisions of this Ordinance, that any special visit shall be made to a plantation, or to require the presence and assistance of a government medical officer in conducting any investigation under the provisions of this Ordinance on a plantation, he may make a requisition to the Surgeon General for the services of a government medical officer for that purpose, and the Surgeon General shall thereupon cause the services to be rendered.

Requisition for special visit of government medical officer.

Work of the Department.

16.—(1) Subject to the control of the Governor, the Agent General shall have authority over the several agents, clerks, interpreters, and other persons employed in the immigration office, and shall, subject to the provisions of the next succeeding section, assign his duties to each of them, and may delegate to an agent the exercise or performance of any of his functions or duties, but without diminution of his own responsibility, and may also employ the persons he deems necessary as interpreters or judges of work under the provisions of this Ordinance and award to any of those persons for the services a sum not exceeding five dollars for each day on which the person is so employed.

Supervision by the Agent General.

(2) All expenses so incurred by the Agent General, or by any subordinate officer under his directions, shall be paid from the immigration fund.

17. It shall be the duty of every Agent, once in every six months, and oftener if so required by the Agent General, upon some day of which he shall give previous notice to the manager, to visit every plantation whereon there are indentured immigrants to receive and take cognizance of any complaints of immigrants, and thereupon to give advice, to conduct investigations, and to institute prosecutions, as the circumstances may require and, if required, to assist the magistrate in the estimate of wages.

Visiting of plantations by Immigration Agent.

18.—(1) The Agent General may summon anyone as a witness whose evidence he considers necessary for the proper

Summoning witness on inquiry;

determination of any inquiry held by him under this Ordinance.

form 1.

(2) The summons shall be served in the same manner as a summons issued by a magistrate is required to be served.

Penalty.

(3) Everyone on whom the summons has been duly served who, without any reasonable excuse, refuses or neglects to attend at the time and place mentioned in the summons shall be liable to a penalty not exceeding twenty-four dollars.

Administra-
tion of oath
on inquiry;

19.—(1) The Agent General may require every statement given by anyone at any inquiry held by him under this Ordinance to be given upon oath, and for that purpose he is hereby authorised to administer that oath.

form 2;
form 3.

(2) Everyone who when thereto required refuses to be so sworn shall be deemed to have hindered the officer holding the inquiry in the execution of his duty and shall be liable to be punished accordingly.

(3) Everyone who after being so sworn wilfully makes a false statement as to anything material to the proper determination of the matter then in question shall be deemed guilty of perjury, and shall be liable to be indicted and, if convicted, to be punished accordingly.

Taking of
evidence on
inquiry.

20.—(1) The Agent General shall, when holding any inquiry under this Ordinance, take down in writing the material portions of the statements made by the employer, by the immigrant, or by any witness, and may require the employer or witness to sign his statement, if it has been taken down directly.

(2) Every employer or witness who, when required to do so by the officer holding the inquiry, refuses to sign, or, if he is unable to write, to put his mark to, the statement made by him, if it has been taken down correctly, shall be deemed to have hindered that officer in the execution of duty and shall be liable to be punished accordingly.

Production
of labour
books.

21.—(1) The employer of an indentured immigrant shall be bound, whenever required to do so and as often as may be required, to produce to the Agent General each and every book of accounts kept by him in any way relating to the labourers employed on the plantation or in any way showing the wages paid to the labourers or to any of them, and to permit the Agent General to make copies thereof or of any portion thereof.

(2) Any employer who refuses or neglects to do so when thereto required shall be deemed to have hindered the Agent General in the execution of his duty and shall be liable to be punished accordingly.

22. Everyone who molests, hinders, or opposes any officer acting under this Ordinance in the execution of his duty, or in the exercise of any of the powers or authorities conferred upon him by this Ordinance, shall be liable to a penalty not exceeding ninety-six dollars or to imprisonment, with or without hard labour, for any term not exceeding six months, or to both the penalty and the imprisonment.

Molesting or opposing officer in execution of duty.

Penalty.

23. All travelling expenses incurred by any officer of the immigration department or by the Surgeon General in the performance of his duties, and attested by proper vouchers, shall be paid from the immigration fund.

Travelling expenses.

Emigration Agencies.

24. The Governor may appoint some fit and proper person to be emigration agent to superintend the emigration of labourers from any port or place in Asia from which immigrants may be introduced into the Colony, who shall receive the salary and allowances for the time being assigned to him by the Legislative Council.

Appointment and salary of emigration agent.

25. The Governor may, upon the recommendation of the emigration agent in any of those ports or places, appoint the necessary fit and proper persons as clerks and interpreters, or otherwise, to be employed there in the work of the emigration office of the colony who shall receive the salary and allowances for the time being assigned to them by the Legislative Council.

Appointment and salaries of emigration agent's officers.

26.—(1) Every emigration agent shall transmit his accounts to the Agent General, with proper vouchers, at the times directed by the Governor.

Accounts and expenses of emigration agent.

(2) The amount of all necessary expenses, attested by proper vouchers, incurred by an emigration agent in the collection, maintenance, medical attendance, and inspection of emigrants and for their conveyance to the colony, and of all just and reasonable expenses incurred by him in

or incidental to the sending back to their homes of any emigrants who are rejected at the port of embarkation, or in or incidental to the sending back to the port from which they sailed of any emigrants entitled to free return passages under this Ordinance, shall be paid from the immigration fund.

PART II.

FISCAL PROVISIONS.

Establishment of immigration fund.

27. For the purposes of this Ordinance there shall be a fund, to be called the immigration fund, which shall be administered by the Colonial Treasurer, subject to the control of the Governor.

Formation of and charges upon the fund.

28. The fund shall be credited with all sums received on account of indenture fees, on account of the acreage tax levied by any Tax Ordinance for the time being in force, on account of any vote in aid of immigration for the time being made by the Legislative Council, and on account of all other matters, and shall be debited with the whole annual cost of immigration under this Ordinance.

Indenture fee.

29.—(1) The indenture fee payable by an employer to the fund in respect of each adult immigrant allotted to him shall be the sum from time to time fixed by resolution of the Governor and Legislative Council; and the indenture fee payable in respect of each minor immigrant shall be one-half that which would have been payable if he had been an adult.

(2) When any immigrant is allotted to any department for the public service of the colony, the department shall pay to the fund in respect of the allotment the same sum that would have been payable by a private employer.

Modes of payment of indenture fee:

30. Unless the Governor specially requires the indenture fees on any allotment to be paid in cash, payment thereof shall be made in the following manner:—One-tenth shall be paid in cash forthwith, and for the balance five promissory notes shall be given, bearing date the day of the arrival of the ship in which the immigrants were introduced, the first for one-tenth of those fees, payable, with interest at

the rate of five per centum per annum, at the end of one year from the date thereof, and the remaining notes, each for one-fifth thereof, payable respectively, with interest at the same rate, at the end of each of the four years then next ensuing :

Provided that—

Proviso.

- (a) if the employer refuses or neglects to pay, within six days after his account has been rendered to him by the Colonial Treasurer, either wholly in cash, or partly in cash and partly in promissory notes, as provided by this Ordinance, the amount of indenture fees payable in respect of the allotment, the whole shall thereupon fall due and become payable in cash; and
- (b) on any allotment made to an employer in respect of any plantation held by him as a mortgagor, to which the mortgagee has objected in writing, or as a lessee for a term of years of which less than five years are unexpired, the indenture fees shall be paid in cash.

31. The Colonial Treasurer shall, in respect of all promissory notes payable and sums of money due to the fund on account of any immigrants indentured on a plantation, have and hold for them on behalf of the colony a preferent lien on that plantation over and above all liens, claims, charges, and mortgages, legal and conventional, except liens and preferent rights of the Crown, and those allowed or created by any Ordinance; but, in the case of a plantation under lease, where the consent of the lessor has not been given to the lessee's application for the immigrants in respect of whom the preferent lien is claimed, the plantation shall not be subject thereto, except to the extent of the interest of the lessee in his lease.

Preferent
lien for debts
due to the
fund.

32.—(1) Where any plantation in respect of which promissory notes have been given by an employer under this Ordinance is sold by private contract, or at execution sale, or by the Official Receiver, or devolves by inheritance, devise, or otherwise, the preferent lien of the Colonial Treasurer upon that plantation for the amount of the promissory notes, with interest, shall subsist and continue, notwithstanding the sale and notwithstanding any transport or letters of decree executed in consequence of the sale, and notwithstanding the devolution.

Subsistence
of lien, not-
withstanding
sale, etc., of
plantation.

Personal
responsi-
bility of
purchaser
to the fund.

(2) Immediately upon the sale, the purchaser shall be bound to make out and deliver to the Colonial Treasurer on behalf of the colony, in lieu of any outstanding promissory note, a new promissory note payable at the same date as the outstanding note, with interest thereon as from the day of sale.

(3) If the purchaser refuses or neglects, on demand made by the Colonial Treasurer, to make out and deliver as aforesaid any new promissory note, the whole of the outstanding promissory notes shall immediately fall due and become payable in cash.

(4) The provisions of the two last preceding subsections shall apply, with the necessary modifications, to the sale of any portion of a plantation.

Manner of
proof on
suit for
recovery.

33. In any proceeding taken for the recovery of the amount of any promissory note payable, or of any sum of money due, to the fund in respect of any immigrant allotted to or indentured on a plantation, it shall not be necessary to show that the person who signed the promissory note on the allotment to him of the immigrant, or to whom the immigrant was duly allotted or indentured, was the employer or other person entitled under this Ordinance to have the immigrant allotted or indentured to him in respect of the plantation from which that amount or sum is sought to be recovered, but it shall be sufficient to show that the immigrant was duly allotted or indentured, as the case may be, to perform service on that plantation.

Application
of payments
by employer
indebted on
promissory
notes.

34. All sums of money received by the Colonial Treasurer in respect of immigrants to which an employer who has given any outstanding promissory notes under this Ordinance is entitled, shall be applied, in the first place, to the payment of those promissory notes, whether they have at the time become due and payable or not, and in the order in which they fall due, and any accrued interest shall be paid before the principal, and the balance of those sums shall be paid in cash to the employer entitled thereto.

Recovery of
debts due to
the fund.

35. The Colonial Treasurer, on behalf of the colony, shall sue for and recover, by summary or parate execution against any plantation, all promissory notes at any time payable and all sums of money at any time due to the fund in respect of the plantation.

PART III.

ARRIVAL AND ALLOTMENT.

Application.

36.—(1) Every employer who desires to obtain an allotment of immigrants shall, on or before the fifteenth day of January, or any other day in each year from time to time fixed by the Governor, send in to the Agent General an application in writing specifying the number of immigrants of each nationality required, the name and situation of the plantation to which he wishes them to be assigned, and the name of the proprietor or lessee of the plantation; and the Agent General shall register each application in the register of applications for immigrants.

Application
for
immigrants;

form 4.

(2) If an application is made by or on the part of any lessee of a plantation, it shall be accompanied by the consent in writing of the proprietor, or, in default of that consent, the lessee shall show, to the satisfaction of the Agent General, that he is prepared to pay in cash on allotment the full amount of indenture fees payable in respect of the immigrants for whom application is made.

Application
by lessee.

(3) If an application is made by or on the part of the proprietor of a plantation under mortgage, and the mortgagee or his representative objects in writing to compliance with the application, it shall be the duty of the Agent General to refuse the application, unless he is satisfied that the proprietor is prepared to pay in cash on allotment the full amount of indenture fees payable in respect of the immigrants applied for.

Application
by
mortgagee.

37. No application shall be rendered invalid, or be in any way affected, by reason of the death, insolvency, or absence of the employer by whom it was made, or by reason of the sale by private contract, or at execution sale, or by the Official Receiver, of the plantation in respect of which it has been made; and no application duly made may be withdrawn without the sanction of the Agent General.

Continued
validity of
application.

38. The head of any department of the public service may, with the sanction of the Governor, apply for the allotment of immigrants required for the service of the colony in his department, and shall be considered, for the purposes of this Ordinance, as the employer of the immigrants allotted in consequence of the application.

Application
by head of
department.

Refusal of application.

39. Nothing in this Ordinance shall be held to interfere with the power of the Agent General, subject to the control of the Governor, to refuse any application for immigrants, or to refuse to deliver immigrants applied for on their arrival, if he sees reasonable grounds for refusal, but every refusal and the grounds thereof shall be communicated to the employer as soon thereafter as possible and also to the Governor.

Determination of number of immigrants to be introduced.

40. When the applications for immigrants have been completed in any year, a list of the applications shall be submitted by the Agent General to the Governor, and the question how far and in what proportions they can be granted shall thereupon be considered and determined by the Governor and Legislative Council.

Arrival.

Inspection of ship with immigrants on arrival.

18 & 19 Vict.,
c. 104;
18 & 19 Vict.,
c. 119.

41. On the arrival in the port of Georgetown of any ship having immigrants on board, the Agent General, assisted by the Surgeon General, or, in case of his absence or inability to act, by the health officer of the port, shall inspect the ship and immigrants, and ascertain whether there has been compliance with the provisions of the following Acts of Parliament, namely, the Chinese Passengers Act, 1855, and the Passengers Act, 1855, and of any other statute in that behalf now or hereafter to be in force, so far as they may be applicable, and shall report to the Governor the condition of the ship and immigrants and transmit with the report the surgeon superintendent's return of deaths and births and certificate of performance by the owners of the covenants and conditions of the charter-party, and also a certificate of the amount due for freight to the owners, and shall likewise require and transmit the report of the medical officer who has assisted him in the inspection.

Disposal of sick immigrant on board ship.

42. The Agent General shall, with the assistance of the Surgeon General, or, in his absence or inability to act, of the health officer of the port, and of the surgeon superintendent of the ship, examine any sick among the immigrants on board, and shall cause those of them that need it to be sent to the colonial hospital; and shall transmit with them a list, signed by the medical officer who has assisted him in the inspection, stating the name, sex, age,

disease, and length of time under treatment, of every immigrant so sent and the number by which he was designated on board.

43. Every immigrant arriving in the colony shall be provided with food and lodging in the immigration depôt, until he is allotted and delivered to an employer :

Board and lodging of immigrant on arrival: Proviso.

Provided that if an immigrant in the opinion of the Agent General is incapable of performing service under indenture, he may be detained at the depôt until he can be returned to the port or place whence he came or until he is otherwise dealt with by the Agent General.

Allotment.

44. Allotment shall, in the first place, be made to the head of any department of the public service of those immigrants for whom he has applied, and afterwards to the several employers who have made application, in the order from time to time directed by the Governor, as and in the manner determined by the Agent General.

Order of allotment.

45. The Agent General may allot immigrants under this Ordinance for domestic or other service when all the approved applications for immigrants have been granted, or when any particular immigrants are, in his opinion, by their physical condition or previous occupation, more fitted for employment in domestic or other service than for agricultural labour; but that allotment shall not be made without the consent of the immigrant proposed to be so allotted.

Allotment for domestic service.

46. In making an allotment husbands shall not be separated from their wives, nor minors and infants from their parents or natural guardians, and so far as possible members of the same family and neighbours from the same village and persons who agree in representing themselves to be friends and associates shall not be separated from each other.

Conditions of allotment.

47. In any allotment the Agent General shall, with the assistance of the Surgeon General, or, in case of his absence or inability to act, of the health officer of the port, distinguish every immigrant who is, in his opinion, not able-bodied and not capable of performing service as an agricultural labourer; and the indenture fee payable in respect of that immigrant shall be the part of that which would have been payable in respect of the immigrant if he had been

Indenture fee payable in respect of immigrant not able-bodied :

an able-bodied immigrant, which the Agent General thinks proper, or the immigrant may be indentured without payment of any indenture fee :

Proviso. Provided that the classification on arrival as able-bodied or otherwise shall not be regarded as applying to the whole period of indenture if the circumstances in any case otherwise require.

Mode of indenture ;
form 5 ;
form 6.

48.—(1) On the completion of every allotment or other disposition of immigrants on introduction, the Agent General shall register every immigrant included in the allotment or disposition in the general register of immigrants introduced into the colony, distinguishing, to the best of his ability, those who are adults, minors, and infants respectively, and shall number therein each of the immigrants by a particular number, commencing from the last number borne on the register and proceeding by regular numerical progression, and shall deliver to the employer an indenture list, signed by himself ; and a duplicate of that list shall be signed and delivered by the employer to the Agent General.

(2) On the delivery of the list, every immigrant mentioned therein shall become bound by the indenture.

(3) The Agent General shall also transmit to the Colonial Treasurer a return showing the number of immigrants included in the allotment, and the sums payable by way of indenture fees or otherwise in respect of those immigrants.

Detention of immigrant after allotment at the depôt.

49. If any employer to whom an allotment is made does not take away the immigrants allotted to him within four days after receiving notice that they are ready for delivery, or if the Agent General deems it necessary to detain them at the depôt on account of satisfactory accommodation not having been provided for them at the plantation to which they are allotted, or for any other cause which, in the opinion of the Agent General, renders their detention necessary, the employer shall pay to the immigration fund at the rate of sixteen cents for each adult immigrant and eight cents for each minor and infant immigrant for every day whereon that immigrant remains at the depôt.

Annual publication of list of ships and of allotment of immigrants.

50. The Agent General shall, as soon as possible after the first day of April in every year, publish in the Gazette a list of all ships which have arrived with immigrants, and a statement of the allotment and distribution of those immigrants, during the preceding season.

PART IV.

INDENTURE.

51.—(1) If an immigrant is introduced into the colony under a previous contract made with any emigration agent or other officer of the emigration office of the colony in the country from which he has emigrated, or with any employer or agent of an employer, that contract shall be valid and enforceable in every respect as against the colony or the employer, as the case may be, and, in so far as the rights of the immigrant may exceed or vary from the rights which he would have enjoyed under this Ordinance if he had not entered into that contract, he shall be entitled to the benefit of the contract.

Right of immigrant to enforce previous contract made with him.

(2) Except by permission of his Majesty's Government previously had and obtained, no previous contract entered into with any immigrant from any part of India shall be valid as against that immigrant.

Case of previous contract made with Indian immigrant.

52. The indenture of any immigrant arriving in the colony from any part of his Majesty's dominions in the East Indies, and, in the absence of any previous contract made out of the colony in that behalf, of any male immigrant arriving in the colony from any other part of Asia, shall be for the term of five years from the date of his allotment :

Term of indenture :

Provided that, for the purposes of labour under part VIII, the indenture of a female immigrant shall be for the term of three years only from the date of her allotment; and in their application to that immigrant the provisions of this Ordinance shall be subject to this enactment; but this enactment shall not apply to female immigrants already under indenture at the commencement of this Ordinance or to female immigrants arriving in the colony subsequently to its commencement and being indentured before the first day of July, eighteen hundred and ninety-five.

Proviso.

53. Upon the indenture of any immigrant introduced under any previous contract, a copy of that contract shall be preserved in the immigration office, and another copy of the contract shall be appended to the indenture list given to the employer; and the indenture shall be subject to that contract in so far as it is enforceable under this Ordinance.

Special provisions respecting previous contracts.

Previous contract made with minor.

54. No minor or infant immigrant shall be bound by any previous contract, whether it is alleged to have been entered into by himself or on his behalf.

Exemption of infant immigrant :

55.—(1) No infant immigrant shall be indentured or shall be compelled to perform any service whatever upon any plantation :

Proviso.

Provided that where any immigrant is under the age of ten years on introduction into the colony, he shall, on attaining that age, be deemed to be under indenture until the expiration or determination of the indenture of the relative or friend under whose charge he has been introduced, and shall be deemed to be under indenture to the employer to whom that relative or friend is indentured until the event aforesaid.

(2) At the expiration or determination of the indenture of the relative or friend, every immigrant who has been introduced under the age of ten years shall be entitled to a certificate of exemption from labour, whether he has been indentured or not.

Provision as to minor immigrant.

56. Every indentured minor immigrant shall, on attaining the age of fifteen years, become an indentured adult immigrant.

Rights of minor immigrant residing on plantation.

57. Every minor or infant immigrant residing on a plantation, and every immigrant indentured as other than an able-bodied immigrant, shall be entitled to the same rights, privileges, and immunities as able-bodied immigrants under indenture are entitled to under this Ordinance.

School-teaching of minor immigrants.

58. A minor immigrant shall not be indentured to any employer who has not previously made all available provision, to the satisfaction of the Governor, for his instruction in reading, writing, and the elements of arithmetic.

PART V.

DWELLINGS.

Information as to dwellings.

59. No immigrants allotted to a plantation shall be delivered to the employer until the employer has furnished the Agent General with any information required by him with regard to the dwellings to be assigned to those immigrants.

60. Every employer shall at all times provide an immigrant under indenture upon his plantation with a suitable dwelling and keep the dwelling in sufficient repair and its roofs water-tight, and shall keep the yard and grounds for a sufficient space round about it well drained and the drains clean and in good order, and the yard and grounds free from bush and from weeds and rubbish of every description, except as hereinafter provided.

Provision of suitable dwelling.

61. No dwelling which, in the opinion of the Surgeon General, is unfit for habitation shall be assigned to any indentured immigrant; and no greater number of immigrants shall be assigned to any dwelling or separate apartment, except with the special permission of the Surgeon General, than at the rate of one adult to every fifty feet of superficial space, or of three single men, or of one man and one woman with not more than two children, to every one apartment of not less than one hundred and twenty feet of superficial space.

Assignment and superficial capacity of dwellings.

62.—(1) Every manager shall keep a register of all the dwellings on his plantation that are, or are intended to be, assigned to indentured immigrants for their habitation, and shall from time to time enter on the register the names of all the indentured immigrants in each house or apartment.

Register of dwellings: schedule; form 7:

(2) The register shall be at all times open to the inspection of the Agent General, the Surgeon General, and the government medical officer, and the Surgeon General shall mark therein, under his signature, the dwellings he from time to time considers to be unfit for habitation, and also those he has permitted to be occupied in excess of the scale authorised by this Ordinance, with his reasons for the permission.

(3) The Surgeon General shall report to the Agent General the requisitions he deems necessary for ensuring the sanitary fitness of dwellings for habitation, and a copy of every requisition shall be transmitted by the Agent General to the employer; and every requisition shall be complied with by the employer:

Provided that if the employer considers a requisition unreasonable, he may make the representation hereinafter provided in the case of requisitions in the hospital register.

Proviso.

63.—(1) The Agent General may, with the assistance of the Surgeon General, make regulations seeming necessary for the proper construction, arrangement, drainage, and

Regulations in respect of dwellings.

maintenance in a sanitary condition, of the dwellings of the indentured immigrants, and also as to the drainage and sanitary condition of the dwellings of other labourers on a plantation occupying any dwellings provided by the owners thereof and adjoining or near the dwelling of an indentured immigrant, and of the yards and grounds about those dwellings.

(2) The regulations shall be subject to the approval of the Governor and Legislative Council, and copies thereof shall be sent to the manager of every plantation on which there are indentured immigrants.

Default of
employer in
respect of
dwelling.

64. Every employer who—

- (a) fails to provide any immigrant indentured to him with a suitable dwelling; or
- (b) in any respect refuses or neglects to comply with the provisions of this Ordinance, or with the regulations made under it, in respect of the repair, occupation, arrangement, and drainage of the dwellings, or in respect of the register of dwellings,

Penalty.

shall be liable, on the complaint of any immigrant thereby aggrieved, or of the Agent General, to a penalty not exceeding twenty-four dollars.

Default of
indentured
immigrant in
respect of
dwelling.

65. Every indentured immigrant or person occupying any dwelling on a plantation provided by the owner thereof and adjoining or near the dwelling of an indentured immigrant, who—

- (a) refuses or neglects to keep the yard and the drain, if any, at the front and the back of his dwelling, for a space not exceeding twenty feet on either side, free from bush and from weeds and rubbish of every description; or
- (b) keeps his dwelling in so filthy or unwholesome a state as to be a nuisance or injurious to health; or
- (c) refuses or neglects, within a reasonable time after being thereto required by the manager, to remove any nuisance or substance injurious to health from his dwelling, or to remove the nuisance or substance which he has caused or placed in the immediate proximity of his own or of any other dwelling; or

- (d) commits any nuisance on any dam or common thoroughfare of the plantation or in the vicinity of any dwelling on the plantation; or
- (e) wilfully causes any obstruction to any drain or trench on the plantation; or
- (f) wilfully fouls any fresh-water pond or trench of the plantation,

shall be liable to a penalty not exceeding five dollars or to imprisonment for any term not exceeding fourteen days. Penalty.

PART VI.

RATIONS.

66. Every employer to whom any immigrants are allotted shall, for three months from and after the first date of delivery to him of the immigrants included in the allotment, provide and distribute daily and every day to every immigrant, being an adult, the rations of food specified in the schedule to this Ordinance, or in any varied or other scheme from time to time put forth by the Agent General, with the sanction of the Governor and Legislative Council, and to every immigrant, being a minor, one-half of those rations, and to every immigrant, being an infant, one-third of those rations, and may, week by week, deduct the cost of his rations for the week from any wages earned by the immigrant during the week, in the case of an adult at the rate of eight cents, and in the case of a minor at the rate of four cents, for every day's rations furnished to the immigrants respectively; but no deduction shall be made by or allowed to any employer in respect of rations supplied to an infant immigrant or in respect of rations furnished in any previous week :

Rations for three months after allotment :

form 8 :

Provided that no immigrant who, before being allotted, has been resident in the colony or in any place in the West Indies for a period of twelve months at any time preceding the allotment shall be required to receive those rations unless he himself so desires. Proviso.

67. Every manager shall keep a muster-roll of all immigrants allotted to the plantation within the then next preceding twelve months, and the muster-roll shall, on some stated day in every month, be called over in the presence of the government medical officer, when every immigrant whose name is therein inscribed shall be produced by the manager and his state of health and sanitary condition ascertained by the officer. Muster-roll of newly-indentured immigrants.

Placing of
other
immigrant
on rations :

68. The Agent General may, on the recommendation of the government medical officer, or, in any case of emergency, that officer may, subject to the approval of the Agent General, direct any indentured immigrant to be placed in the receipt of daily rations, either for a certain period or until further direction; and that immigrant shall thereupon be inscribed on the muster-roll and be in all respects subject to the provisions of this Ordinance in respect of new-comers therein inscribed :

Proviso.

Provided that—

- (a) the immigrant shall not remain inscribed on the muster-roll beyond the space of six months without a fresh order; and
- (b) while he remains on the muster-roll, he shall be considered other than an able-bodied immigrant.

Prohibition
of sale and
purchase of
rations.

69.—(1) Every immigrant rationed under this Ordinance who sells or barter any ration, or part of a ration, which has been furnished under this Ordinance, shall be liable to imprisonment for any term not exceeding fourteen days.

Penalty.

(2) Every person who takes, by way of purchase or barter, from any immigrant rationed under this Ordinance any ration or part of a ration shall be liable to a penalty not exceeding twenty-four dollars or to imprisonment for any term not exceeding one month or to both the penalty and imprisonment.

PART VII.

HOSPITALS.

Hospital
accommoda-
tion for
immigrants
on
plantation.

70.—(1) No immigrant shall be allotted to or indentured on any plantation upon or for which there is not or are not a hospital or hospitals, certified or hereafter to be certified under this Ordinance, capable of affording accommodation for all immigrants on the plantation at the rate of at least ten beds for not more than fifty immigrants, fifteen beds for from fifty to one hundred immigrants, and five for every hundred immigrants after the first hundred, and affording separate accommodation for male and female immigrants.

(2) No joint hospital for any two or more plantations, and no hospital which is not situate upon the plantation

for which it is intended, shall be allowed without a certificate in its favour from the Surgeon General, and that certificate shall not be given without the special permission of the Agent General.

71.—(1) The Surgeon General shall, on the request of any employer, inspect the site and examine the plans for any building proposed to be erected or altered as a certified hospital under this Ordinance, and shall direct to be made therein the alterations and changes in his opinion necessary for ensuring the proper construction, ventilation, and drainage of the hospital, and shall certify any building erected in compliance with those directions and with the provisions of this Ordinance, or which has been altered so as to comply therewith, as a certified hospital for the purposes of this Ordinance, and shall state in the certificate the number of patients which the hospital is capable of accommodating.

Certifying hospital.

(2) Except as provided in the certificate, no part of any certified hospital, or of the space under it, shall be used for any purpose except the accommodation and treatment of patients.

(3) No structural alteration shall be made in any certified hospital unless it has been approved by the Surgeon General.

72. Any lessee of a plantation who, in accordance with any requisition of the Surgeon General, provides a new hospital or additional hospital accommodation for immigrants under indenture on that plantation shall be entitled to receive the compensation therefor from the lessor, on the termination of his lease, awarded to him by two arbitrators to be appointed by himself and the lessor respectively, or by an umpire appointed by the arbitrators.

Right of lessee in certified hospital.

73.—(1) If at any time the accommodation afforded in any certified hospital falls short of that required by this Ordinance as aforesaid, or if any certified hospital appears to the government medical officer to be for any reason unfitted for the purpose of, and improper to be used as, a certified hospital, the government medical officer shall make a report in writing of the matter to the Surgeon General, who shall, at his next regular visit, or sooner in case of urgency, examine into the matter, and, after conferring thereon with the employer and the government

Withdrawal of certificate of hospital :

medical officer, report to the Agent General as he thinks necessary and proper.

(2) If the Surgeon General reports that the hospital ought not to continue any longer to be a certified hospital, the Agent General may, subject to the approval of the Governor, withdraw the certificate of that hospital; and if the employer does not, within twelve months after the withdrawal of the certificate, or within any further period allowed by the Governor, provide some other building proper to be certified as a hospital under this Ordinance, the Agent General may remove all or any of the indentured immigrants from that plantation and transfer any of them for the unexpired remainder of their terms of service to any other employer willing to accept their services and to pay the commutation money:

Proviso.

Provided that any hospital from which the certificate has been so withdrawn shall, notwithstanding the withdrawal, continue to be regarded as a certified hospital with respect to all matters connected with the maintenance of discipline and the enforcement of the hospital regulations under this Ordinance.

Hospital regulations and dietary.

74.—(1) The Surgeon General may make any regulations he thinks fit for the proper arrangement and management of certified hospitals, and shall specify therein the furniture, medicines, and appliances, and the quantities of each, which are to be kept supplied in each hospital for its use, and shall also frame the dietary which is to be used in those hospitals.

(2) The regulations and every dietary shall be subject to the approval of the Governor and Legislative Council, and shall, when approved, be published in the Gazette, and copies thereof, with translations thereof, or the parts thereof affecting the rights and obligations of immigrants the Agent General selects, into the several languages of the immigrants residing in the colony, shall be transmitted by the Agent General to the manager of each plantation on which there is a certified hospital, and shall be at all times so kept suspended within the hospital as to be generally legible.

Equipment of hospital:

75.—(1) The employer shall at all times keep the hospital properly furnished with the bedding, utensils, and other furniture, and the dispensary thereof supplied with the medicines, medical stores, and surgical appliances, required by the hospital regulations, and shall provide for

the continual supply to the hospital, in sufficient quantities, of all articles of food comprised in the dietary, and also of any extras specially prescribed by the government medical officer, and shall also provide a case book and a hospital register, to be kept in the hospital, and record in the case book any failure of the government medical officer to visit the hospital at the times and in the manner directed by this Ordinance.

form 9;
form 10.

(2) The case book and hospital register shall be at all times open to the inspection of the Agent General, the Surgeon General, and the government medical officer, and shall be produced in any court, if the presiding judge or magistrate so requires, in any proceeding taken under this Ordinance by or against an immigrant.

76.—(1) The employer shall employ in the hospital and pay at least one qualified dispenser or principal sick nurse, and shall also, if and whenever the government medical officer so requires, employ any additional assistants necessary for the proper care of the patients in the hospital, and shall, if there are female patients, provide a female as well as a male sick nurse.

Employment
of dispenser
and
assistants
for hospital.

(2) If at any time the government medical officer is of opinion that any person employed in the hospital as a dispenser or assistant is, by reason of misconduct or incapacity, unfit to be so employed, he shall make an entry to that effect in the hospital register, and shall immediately report the entry to the Surgeon General, and, if the Surgeon General so directs in writing addressed to the employer, the employer shall without delay remove that person and appoint some other fit and proper person in his place.

77.—(1) The dispenser or principal sick nurse shall constantly reside on the premises of the hospital, and shall have charge of all furniture, medicines, stores, and appliances belonging thereto, and shall draw upon and account to the employer for all stores supplied to the patients by way of diet or otherwise, and in all matters affecting the health or comfort of the patients be subject to the orders of the government medical officer, and shall, subject to those orders, attend the patients, make up and administer the medicines, and serve out the diets as the government medical officer directs, and report to him any badness in the quality or defect in the quantity of the furniture, medicines, stores, and appliances, and shall enter in the

Duties of
dispenser.

case book the name and description of every immigrant brought to the hospital and in the hospital register the name and description of every patient admitted by the government medical officer, with the date of his admission and of his discharge, the nature of his disease or injury, and the result of the case, and shall keep an account of all stores expended in the service of the hospital and of the prices paid for all the stores he is himself authorised by the employer to purchase.

(2) That account shall be at all times open to the inspection of the Agent General, the Surgeon General, and the government medical officer, and shall be produced in any court if the presiding judge or magistrate so requires, in any proceeding taken under this Ordinance by or against any immigrant.

Visits of
government
medical
officer.

78. The government medical officer shall visit each plantation in his district upon which there are any indentured immigrants at least once in every forty-eight hours, Sundays excepted, and oftener in cases of emergency, or if specially summoned by the manager in any case, or if specially required by the Surgeon General, and shall on each visit sign his name with the date and hour of the signature in the case book; and shall, from time to time and as directed by the Surgeon General, visit the dwellings of the immigrants and the yards and grounds about them and order every indentured immigrant on the plantation whom he considers to require medical treatment to be treated either as an in-patient or out-patient, as the case may require, and shall report to the Surgeon General every case of neglect on the part of the manager to send to hospital or to produce before him any indentured immigrant who should be so sent or produced.

Treatment of
patients by
government
medical
officer.

79. The government medical officer shall, in the case of every patient brought to him for treatment or treated by him on a plantation, record in the case book any disease or injury from which the patient appears to be suffering, with the remedies prescribed and the diet ordered in each case, and whether he is treated as an in-patient or out-patient, and shall inform every in-patient of the diet prescribed for him, and whether stimulants and other extras are to be given with the diet; and, in case of complaint, shall ascertain whether the diet and extras have been duly given.

80.—(1) The government medical officer shall see that the hospital, with all bedding, utensils, and other furniture belonging thereto, is at all times kept clean and in proper order, and that there is at all times a sufficient supply of the medicines and food required by the hospital regulations and dietary.

Responsibility of government medical officer for hospital.

(2) He shall note in the hospital register any badness in the quality or defect in the quantity of the furniture, medicines, stores, and appliances of the hospital and any other neglect or violation of the provisions of this part or of the hospital regulations and dietary by the employer or any officer or servant of the plantation, and any omission or delinquency on the part of the hospital dispenser or principal sick nurse, not amounting to ground for his dismissal, and shall require the employer to provide the remedy for the evil, or to take the precautions against it, which in his opinion are necessary.

81.—(1) The government medical officer may require the manager by an entry made in the hospital register to remove to any public hospital any immigrant patient in a certified hospital whose case seems to him to be serious and attended with danger to life and to require the removal, or any other case in which the Surgeon General previously approves of the removal.

Removal of patient to a public hospital :

(2) The employer of any indentured immigrant admitted into any public hospital, either upon the requisition of the government medical officer, or when sent thither by the Agent General, or otherwise, shall pay to the Colonial Treasurer the sum of twenty-five cents for each day whereon that indentured immigrant remains in the hospital, and also, if he dies there, the expense of his burial :

Provided that—

Providio.

- (a) the Governor may at any time, upon the recommendation of the Surgeon General, by notice in the Gazette, suspend the operation of this section as regards either of those hospitals for any necessary term; and
- (b) if the medical officer of either of those hospitals certifies, as to any immigrant patient, that he is labouring under incurable insanity or leprosy, the liability of the employer under this section shall, in respect of that immigrant, absolutely cease and determine; and

- (c) if an immigrant patient in a public hospital under the provisions of this section is suffering from leprosy or insanity and at the expiration of twelve months from the date of his admission to the hospital the Surgeon General or other medical officer in charge of the hospital certifies that by reason of the leprosy or insanity he is unfit to return to labour, the liability of his employer for his maintenance in the hospital and for his burial (if he dies) under this section shall absolutely cease and determine.

Requisitions
for hospital.

82.—(1) The Surgeon General and the government medical officer shall respectively make in the hospital register any requisitions they deem necessary in relation to the hospital.

(2) Every requisition shall be obeyed by the employer, and the Surgeon General or the government medical officer shall report every case of non-compliance or of unnecessary delay in complying with a requisition to the Agent General.

Appeal
against
requisition
of medical
officer.

(3) If any employer represents to the Surgeon General that any requisition made by the government medical officer is unreasonable, or that the course of treatment pursued by the government medical officer is in any respect injudicious or extravagant, or that he has any other just cause of complaint against the government medical officer in respect of the management of the hospital or the treatment of the patients, the Surgeon General shall cause full inquiry to be made into the matter, and may require the government medical officer to annul the requisition or may give any other directions or instructions in the matter to the government medical officer he thinks necessary.

(4) Every employer and every medical officer shall be bound by the decision of the Surgeon General, subject to the approval of the Governor.

Default of
employer in
respect of
hospital
arrange-
ments.

83. Every employer who in any respect refuses or neglects to comply with the provisions of this Ordinance, or of the hospital regulations and dietary, in respect of the arrangement and management of any certified hospital or of the treatment of patients, or with any requisition made in pursuance thereof in the hospital register by the Surgeon General or the government medical officer, or with any requisition of the dispenser or principal sick nurse made in carrying out any prescription or diet order entered by

the government medical officer in the case book, shall be liable, on the complaint of the Agent General, to a penalty not exceeding forty-eight dollars.

Penalty.

84. Every employer who—

- (a) refuses or neglects to send to hospital any indentured immigrant on the plantation who is in need of medical care or treatment in hospital; or
- (b) fails, at any visit of the government medical officer, to produce that immigrant before him; or
- (c) refuses or neglects to provide that immigrant with the medicines, medical comforts, and diet ordered for him while under treatment by the government medical officer,

Default of employer in respect of treatment of sick immigrant.

shall be liable, on the complaint of the immigrant, to a penalty not exceeding twenty-four dollars.

Penalty.

85. Every indentured immigrant who,—

- (a) after being sent to the hospital by any duly authorised person, or after having voluntarily gone to the hospital, is found beyond its limits before he has been discharged by the government medical officer; or
- (b) refuses or neglects to go to the hospital when ordered by his employer to do so; or
- (c) refuses or neglects to appear at any time when required to do so before the government medical officer; or
- (d) resists any lawful order for his conveyance to the hospital or his production before the government medical officer; or
- (e) contravenes any of the hospital regulations; or
- (f) behaves himself in a disorderly or refractory manner while in the hospital,

Misconduct of indentured immigrant in respect of hospital.

shall be liable to a penalty not exceeding five dollars or to imprisonment for any term not exceeding fourteen days.

Penalty.

86. Everyone admitted into the hospital of a plantation for treatment on his own request or with his own consent, or without that consent in case of inability to express consent, shall be bound by the hospital regulations in the same manner as an indentured immigrant.

Obligation of hospital regulations on other than indentured immigrant.

PART VIII.

LABOUR AND WAGES.

Provisions relating to Indentured Immigrants.

Providing
work and
payment of
wages.

87.—(1) The employer shall provide every indentured immigrant on his plantation with sufficient work for a full day's labour on every day (except Sundays and authorised holidays) when field work is not rendered impossible by reason of bad weather, and shall pay him wages, either by the task or by the day, weekly, on the same day in every week, unless the day falls on an authorised holiday, when payment shall be made on the previous business day.

(2) If any indentured immigrant who is willing and able to work, is not provided with work on any working day, he shall be entitled to his full day's wages for every day on which work is not so provided for him.

Assignment
of work.

88.—(1) The employer may require an indentured immigrant to perform, by way either of task or time work, any work for which he is not physically unfit; but all work, whether in the buildings or otherwise, which requires the co-operation of more than two labourers at once in such a fashion that the indolence of one or more may prevent another from earning the full amount of wages which otherwise he might have earned in a day shall be paid for by the day and not by the task.

(2) The employer shall inform every immigrant, upon the assignment to him of any task or time work, whether he is to be paid wages for it by the task or by the day and at what rate for the task or day, respectively.

Duration of
time work
and of task
work :

89. Subject to the provisions for leave of absence from the plantation hereinafter contained, every indentured immigrant shall be present at the work assigned to him on every day, (except Sundays and authorised holidays) in the field for seven hours and in the buildings for ten hours :

Proviso.

Provided that no immigrant employed in field labour who has been present at the work assigned to him for forty-two hours and has earned one dollar and fifty cents wages during the week shall be compelled to be present at work again during that week.

Limit of
task work
per diem.

90. No task shall be of greater extent than can be performed by the immigrant to whom it is assigned within one working day of seven hours without extraordinary exertion.

91.—(1) The employer shall pay to every indentured immigrant employed in time work day wages at the rate, for each day during which the immigrant has been present at work for the full time prescribed by this Ordinance, of not less than twenty-four cents if he is indentured as an able-bodied adult male immigrant, and not less than sixteen cents if he is indentured as other than an able-bodied adult male immigrant :

Rate of wages for time work :

Provided that if any indentured immigrant is, in the opinion of the government medical officer, physically incapable of earning the minimum amount at the ordinary rates of wages, the government medical officer may direct that his name be placed on a list to be called the Invalid List, and any immigrant whose name is entered on that list shall receive daily rations and be given work suitable to his condition and be paid the wages proportionate to the work approved by the Agent General, or the Agent General may, if he thinks fit and with the consent of the employer, cancel the indenture of that immigrant and provide the immigrant, if he so desires, with a return passage to the port or place whence he came.

Proviso.

(2) The employer shall keep a pay list of all wages paid to indentured immigrants on his plantation.

Schedule ;
form 11 ;
A and B.

92. The rate of wages for any description of task work performed shall not be less than that ordinarily paid for the same description of work to the creole and other unindentured labourers working on the same plantation; and if there is none of those labourers, or if they are paid less than the average rate paid for the same description of work to labourers of that kind on neighbouring plantations, then not less than that average rate; and if there is none of those labourers performing the same description of work on neighbouring plantations, then it shall not be less than that ordinarily paid for the same description of work to indentured labourers upon neighbouring plantations :

Rate of wages for task work :

Provided that the wages agreed upon for a task shall in no case be less than the minimum amount of day wages payable for time work.

Proviso.

93. An indentured immigrant who is dissatisfied with the amount of wages tendered for any time or task work assigned to him by the employer, may, after performance of the time or task work in question, proceed in a summary manner before the magistrate of the district to recover any deficiency by which the wages so tendered fall short of a

Proceedings by immigrant for recovery of wages short-paid.

fair remuneration for the work so performed, or may make a complaint or lay an information against the employer for the unlawful withholding of wages duly earned; and the complaint or information may be turned by the magistrate into proceedings for recovery, if he is of opinion, after hearing the case, that there exist grounds for further inquiry before estimating the wages.

General
procedure
for recovery
of wages.

94.—(1) In any proceeding for the recovery of wages by an indentured immigrant, it shall not be necessary for him to take out a summons against the employer, or to make or lay a formal complaint or information therefor; but the magistrate may, upon receiving from him any verbal statement of complaint, require of the manager a statement in writing of the work in question performed by him, and of the wages paid therefor, together with any other material facts or documents.

(2) If the matter at issue appears to be such as should be tried upon a complaint for the unlawful withholding of wages, the magistrate shall forthwith issue, free of cost, a summons to the employer to appear and answer that complaint, and shall proceed thereupon as if the immigrant had in the first place made that complaint, and shall give notice to the immigrant accordingly; but if the rate of wages is the subject-matter of dispute the magistrate shall forthwith proceed to estimate to the best of his ability what is a fair remuneration for the work in question.

Making
estimate of
wages,
and order
thereon.

95.—(1) In making the estimate, whether for time or task work, the magistrate shall have regard, firstly to the rule hereinbefore laid down for determining the rate of task wages, and secondly; to the rates paid to indentured immigrants on neighbouring plantations for descriptions of work most nearly similar to that in question; and the magistrate may summon witnesses skilled in the valuation of labour and allow them their travelling expenses and payment for their time, at a rate not exceeding five dollars a day for a manager, forty-eight cents a day for a day labourer, and two dollars a day for any other person.

(2) The Agent General shall, on his request, furnish the magistrate with any information in his possession which may assist him in forming a decision, and shall, if necessary, hold an investigation upon the spot of the circumstances material to the question and report to the magistrate the result thereof.

(3) The magistrate shall make any order in the premises to him seeming just, and shall direct by whom and in what proportions the cost of the proceedings shall be paid, and shall specify in the order the grounds of his decision and transmit a copy thereof to the Agent General.

(4) The order shall be enforceable, and every payment directed thereby shall be recoverable, in the same manner as in the case of any order made in the exercise of the ordinary summary jurisdiction; and the order shall be final and without appeal.

96. An employer, a manager, or an officer of a plantation who assaults, or in any way ill-uses, an immigrant indentured on the plantation shall be liable to a penalty not exceeding forty-eight dollars, or to imprisonment with or without hard labour for any term not exceeding two months, or to both the penalty and the imprisonment.

Assault on indentured immigrant.

Penalty.

97.—(1) Any employer, manager, or officer of a plantation who unlawfully withholds or causes to be withheld any wages earned by an indentured immigrant shall be liable to a penalty not exceeding forty-eight dollars.

Unlawful withholding of wages.

Penalty.

(2) The magistrate shall order the wages to be paid, and shall report to the Agent General every conviction under this or the last preceding section, together with any circumstances of aggravation or extenuation to him seeming noteworthy.

98.—(1) Except as hereinafter provided, all wages duly earned by an indentured immigrant shall be paid in money without any deduction; and every stoppage of wages duly earned by him and every postponement of payment of wages beyond the next pay-day after they are due, and any payment of wages in kind, shall be taken to be an unlawful withholding of wages.

Prohibition of stoppage of wages and of payment in kind.

(2) No manager who supplies goods on credit to his indentured immigrant shall be entitled to stop the price thereof out of any wages thereafter earned by the immigrant.

99. Every indentured immigrant who, without reasonable excuse, refuses or neglects to amend any work duly thrown out as improperly performed shall, on the first conviction, be liable to a penalty not exceeding two dollars and forty cents, and, on a second or any subsequent conviction, to a penalty not exceeding ten dollars, and shall

Refusal or neglect of indentured immigrant to amend work improperly performed :

further forfeit any portion of the wages due for the work the magistrate thinks proper, and the manager may suspend the payment of the wages, pending any proceedings which he has taken against the immigrant for the refusal or neglect :

Proviso.

Provided that no work shall be taken to have been duly thrown out as improperly performed, unless the manager has taken down the work on the spot the same day or the next day after it has been done, nor unless the manager has informed the immigrant upon the spot that his work is thrown out, or, if he is absent, so soon after as is possible, and has specified the ground or matter of his objection to the work done and required him to amend it.

Agreement
for extra
time in
field or in
buildings.

100.—(1) An indentured immigrant may bind himself by agreement with his employer made in the presence of two witnesses and terminable on the next weekly pay-day, to work extra time in the field, but the description of work to be assigned to him during the extra time shall be expressly stipulated beforehand.

(2) An indentured immigrant may bind himself by agreement with his employer made in the presence of two witnesses and terminable on the next weekly pay-day, to work extra time in the buildings, and the employer may assign to him during the extra time any work in the buildings which he is physically competent to perform; but no indentured immigrant shall be compellable under that agreement to work on any one day for more than six hours of extra time, or to perform work of a different description from that for which he has by his agreement, expressly stipulated.

Requiring
performance
of extra work :

(3) In the absence of any previous agreement to that effect, an indentured immigrant employed in the buildings may on any day be required to work extra time not exceeding six hours :

Proviso.

Provided that the intention to require extra time shall be communicated to him at least one hour before the expiration of the ordinary time, and if he then gives notice of his refusal to continue any longer at work, he shall be entitled to leave work one hour after the expiration of the ordinary time.

Payment
for extra
time work.

101. All extra time work shall be paid for by the hour, at a rate not less than that at which ordinary time work is paid for; and the same provisions, remedies, and penalties, in respect of the due performance of work and

payment of wages, shall apply to service as a watchman and to extra time work whether under agreement or otherwise, as are contained in this part with reference to ordinary work.

102.—(1) No indentured immigrant shall be bound to serve as a watchman, but he may bind himself by an agreement with his employer made in the presence of two witnesses to serve as a watchman on the plantation for any term not longer than one month or from month to month, and, unless he gives notice of his wish not to serve any longer as a watchman at least seven days before the expiration of any month's service, he may be compelled to serve for the next month. Service as watchman;

(2) Every indentured immigrant who, after having agreed to serve as a watchman,—

(a) unlawfully neglects his duty as watchman; or form 12.

(b) unlawfully neglects to serve as a watchman during the period for which he has agreed or is bound to serve,

shall be liable to a penalty not exceeding two dollars and forty cents. Penalty.

(3) It shall be necessary, before an immigrant can be convicted for any offence under this section, to prove that he had previously agreed to serve as a watchman.

103.—(1) Every indentured immigrant who—

(a) without lawful excuse absents himself from work: Absence from or refusal to do work;
or

(b) having been directed by some duly authorised person to attend at a specified time and place for the performance of any particular work, refuses or neglects so to attend; or form 13.

(c) refuses or neglects to begin or to finish any particular work which he has been directed by some duly authorised person to perform,

shall be liable to a penalty not exceeding two dollars and forty cents. Penalty.

(2) It shall be sufficient for the purposes of this section if any direction in this section mentioned is given on the afternoon or evening of the day before or on the same day on which the work is required to be performed.

Excuse of physical incapacity for absence from work, etc.

(3) No immigrant shall be convicted under this section if he was at the time physically unfitted to perform work or to perform the work assigned to him, or if the work assigned to him was of a description or extent, or was assigned in a manner or for a rate of wages, contrary to any provision of this Ordinance, or if the work has been unduly thrown out, or if any wages due on account of the work have been unlawfully withheld, or if he is entitled to the benefit of the proviso to section eighty-nine of this Ordinance.

Minor offences by indentured immigrant; form 14.

104.—(1) Every indentured immigrant who—

- (a) is drunk in or about the buildings of the plantation, or while employed on any work; or
- (b) is drunk during any time in which he is required to be at work; or
- (c) uses to his employer, or to any person placed by him in authority on the plantation, any abusive or insulting word or gesture,

Penalty.

shall be liable to a penalty not exceeding five dollars or to imprisonment for any term not exceeding fourteen days.

Penalty.

(2) Every indentured immigrant who is guilty of any fraud or wilful deception in the performance of his work shall be liable to a penalty not exceeding five dollars.

More serious offences by indentured immigrant; form 15.

105. Every indentured immigrant who—

- (a) uses to his employer, or to any person placed by him in authority on the plantation, any threatening word or gesture; or
- (b) by negligence, carelessness, or other improper conduct, endangers, damages, or causes or suffers to be endangered or damaged, or sells, any property of his employer (and in any proceeding for a breach of this provision it shall not be necessary to state or prove the name of the employer); or
- (c) hinders or molests any other immigrant in the performance of his work; or
- (d) persuades or attempts to persuade any other immigrant unlawfully to refuse, absent himself from, or desist from, work,

Penalty.

shall be liable to a penalty not exceeding twenty-four dollars.

106. Every manager of a plantation whereon there are indentured immigrants shall keep a register of all causes under this Ordinance in which he is concerned before the magistrate.

Cause
register;
form 16.

Provisions with regard to Immigrants not under Indenture.

107. No one shall employ any immigrant not under indenture until he has produced his certificate of exemption from labour, and everyone who receives into employment that immigrant before indorsing on the certificate of exemption from labour produced by the immigrant his name and the day when the certificate was so produced shall be liable to a penalty not exceeding twenty-four dollars, one moiety whereof shall be paid to the informer.

Employment
of immigrant
not under
indenture.

Penalty.

108.—(1) Every manager of a plantation shall be bound to enter in a book to be kept by him the name and description of every immigrant not under indenture employed on the plantation, and the amount of wages earned by each in each week, and shall pay to each the wages due to him for the work performed by him on the plantation.

Duties of
manager of
plantation
where
immigrants
not under
indenture
are em-
ployed.

(2) Every manager of a plantation who contravenes this section, and every manager of a plantation on which any immigrant not under indenture performs any work for the benefit of the proprietor of the plantation before the name and description of the immigrant have been entered in the book, or before the certificate of exemption from labour held by the immigrant has been duly indorsed by the manager, shall be liable to a penalty not exceeding twenty-four dollars for each immigrant who so performs any work, one moiety whereof shall be paid to the informer.

Penalty.

109. The hiring, whether verbal or in writing, of any immigrant possessed of or entitled to a certificate of exemption from labour shall be subject to and governed by the provisions of any Ordinance now or hereafter to be in force regulating the hirings of servants in husbandry and other labourers, not being immigrants within the meaning of this Ordinance:

Other hirings
of free
immigrants:

Provided that no contract of that immigrant shall be taken to be an indenture within the meaning of this Ordinance, or to be a contract for more than twelve months certain from the time of entry into service any express or implied agreement to the contrary notwithstanding.

Proviso.

PART IX.

LEAVE AND DESERTION.

Leave.

Obligation of residence. 110. Every indentured immigrant shall be bound to reside on the plantation whereon he is under indenture.

Unlawful absence from plantation; form 17. 111. Every indentured immigrant who—
 (a) absents himself without leave from the plantation during the time in which he is required to be at work; or

(b) absents himself without leave from the plantation in a manner or for a time constituting a breach of the obligation of residence,
 shall be liable if a male to pay a fine not exceeding ten dollars, and if a female to pay a fine not exceeding five dollars.
 Penalty.

Right of immigrant to leave of absence after certain amount of work done: 112.—(1) Every indentured immigrant who has earned wages at the rate of at least one dollar and fifty cents per week during two consecutive weeks shall be entitled to leave of absence from the plantation at the rate of one day and night for every undivided period of two weeks, and the employer shall on his request furnish him with a free pass accordingly for as many days as he requires and is entitled to be on leave of absence:

Provido. Provided that no immigrant shall be entitled to leave of absence, and no employer, except for special cause to be stated in the pass, shall be entitled to give leave to any indentured immigrant, for more than seven days at any one time, or for more than twenty-six days in any one year; and no pass extended for special cause shall be given for more than twenty-six days at any one time, or more than once to the same immigrant in any one year.

(2) Every employer who—

(a) refuses a pass to which any immigrant is entitled;
 or

(b) gives a pass in excess of the limits allowed by this Ordinance; or

(c) states in any pass extended as aforesaid a false, frivolous, or pretended cause for extension,

shall be liable, on the complaint of the Agent General, to pay a fine not exceeding twenty-four dollars.
 Penalty.

113.—(1) Any indentured immigrant who, having been refused a pass by his employer, absents himself from his plantation in order on reasonable grounds to make a complaint or lay an information against the employer or manager before the magistrate, or to make any reasonable complaint of his treatment and to ask counsel of the Agent General or of any immigration agent, shall be entitled to receive from the magistrate, the Agent General, or the immigration agent, a certificate that the absence was for reasonable cause; but the certificate shall not be given, nor if given be valid, if the immigrant—

Leaving plantation for purpose of making complaint.

form 18.

- (a) has absented himself from the plantation with any weapon or any agricultural implement; or
- (b) has absented himself from the plantation in company with more than five other immigrants.

(2) No immigrant who possesses the certificate and who, on his return to the plantation, produces it to his employer, shall be liable to be convicted under section one hundred and eleven of this Ordinance in respect of the day on which it was granted, or in respect of the time before and after necessary to allow of his free going and returning.

(3) Where the magistrate, Agent General, or immigration agent, is of opinion that the complaint is ill-founded or frivolous, he shall so certify in writing to the employer.

Desertion.

114.—(1) Any indentured immigrant who without leave absents himself for seven days from the plantation whereon he is under indenture shall be taken to be a deserter from the plantation; and the manager may thereupon prefer a charge against him in that behalf before the magistrate and apply for a warrant for his apprehension.

Desertion ;

forms 19, 20.

(2) The warrant shall be granted free of cost and be directed to all constables.

(3) A copy of the warrant shall be transmitted by the magistrate to the Inspector General of Police within seven days from the day on which the charge is made, and any copy thereof, certified under the hand of the Inspector General of Police, may be executed in the same manner as the original warrant.

(4) Every manager who does not prefer a charge before a magistrate against a deserter shall report the fact of the desertion to the agent of the district.

Default by manager in preferring charge against deserter.

115.—(1) Every manager who does not prefer a charge in the proper form before the magistrate against an indentured immigrant who has deserted, or report the fact of the desertion to the immigration agent, as the case may be, within fourteen days after the immigrant has become a deserter, shall be liable, on the complaint of the Agent General, to pay a fine not exceeding twenty-four dollars, and shall, in addition to that fine, pay an absolute accumulating fine of twenty-four cents for every day of default.

Penalty.

(2) No entry shall be made in the register of defaulters in respect of any desertion of any immigrant where the manager has not preferred a charge against the immigrant for desertion, or reported the fact of the desertion to the immigration agent of the district, within that time.

Penalty on deserter.

116. Every indentured immigrant who deserts from his plantation shall be liable to a penalty not exceeding two dollars and forty cents for the first offence.

Recovery of penalties under certain sections.

117. Penalties inflicted under sections ninety-nine, one hundred and two, one hundred and three, sub-section (2) of one hundred and four, one hundred and five, and one hundred and sixteen, shall be payable by weekly instalments not exceeding one-third of the average weekly wage of the immigrant, the first instalment to be payable at the expiry of a week from the order, and in the event of failure to pay any instalment the entire amount shall be recoverable in the first instance by distress, and the provisions relating to the infliction of those penalties are subject to the provisions of the Summary Jurisdiction (Procedure) Ordinance.

Chapter 14.

Supplemental Provisions.

Loss of original document charging desertion.

118. If the document containing the original charge for desertion made against an indentured immigrant is lost or mislaid, the magistrate may proceed to deal with the case on the original warrant or on any copy thereof certified by the Inspector General.

Registers of absences on leave and desertions.

119.—(1) The manager of a plantation on which there are indentured immigrants shall keep a register of absences on leave, and shall enter therein every pass granted by him

to an indentured immigrant and every leave of absence granted verbally to an indentured immigrant which extends over the night. Schedule ; forms 21 and 22.

(2) He shall also keep a register of desertions and enter therein every desertion of an indentured immigrant from the plantation.

120. The Agent General or any immigration agent may cause to be detained any immigrant suspected by him to be a deserter or absent from his plantation without leave, or who refuses to return to his plantation when ordered to do so by the Agent General or immigration agent; and he shall, if in Georgetown, be taken to the immigration depôt, or if elsewhere than in Georgetown, to an immigration agent, or if he is detained at night, to the nearest police station. Apprehension of immigrant suspected of being absent without leave.

121. Any immigrant who, on being brought to the Agent General, or to an immigration agent, or to a police station by any police constable, wilfully refuses to give his name or the name of the ship in which he was introduced into the colony, or any other information reasonably required by the Agent General, or the immigration agent, or by the police constable in charge of the police station, for purposes of identification, shall be liable to a penalty not exceeding five dollars or to imprisonment, with or without hard labour, for any term not exceeding fourteen days. Refusal of immigrant apprehended to give information.

122. Any indentured immigrant who, while an inmate of the immigration depôt, without leave absents himself therefrom for seven days, shall be taken to be a deserter, and the Agent General may thereupon prefer a charge against him in that behalf before the magistrate and apply for a warrant for his apprehension, which shall be granted in the same manner as is hereinbefore provided with respect to a deserter from a plantation. Absence from depôt without leave.

123.—(1) Everyone who, not being entitled to the services of an immigrant under this Ordinance,— Employment of indentured immigrant by person not entitled to his services.

(a) employs or knowingly harbours any indentured immigrant; or

(b) induces or attempts to induce any indentured immigrant to leave off work, or to quit his plantation against the will of his employer, shall be liable to pay a fine not exceeding forty-eight dollars, and, in the case of employment, in addition to the Penalty.

fine, to pay to the employer entitled to the services of the immigrant, by way of damages, at the rate of one dollar for every day on which the immigrant has been so employed.

(2) If the person charged is the manager of a plantation, it shall be sufficient to support a conviction under this section to prove that the immigrant has been employed thereon in the service of that manager.

Disposal
of indentured
immigrant
on release
from
custody :

124. When an indentured immigrant who has been arrested by a police constable or imprisoned is entitled to be discharged from custody or from prison, he shall without delay be conveyed by a police constable to the plantation whereon he is under indenture; and he may be kept in custody while he is being so conveyed and until he can be so taken to the plantation :

Proviso.

Provided that, if required by the Agent General or any immigration agent, he may be taken to the immigration office or to the office of any immigration agent.

Certificate as
to indentured
immigrant
brought in
custody to
plantation ;
form 23.

125. When any indentured immigrant is brought to the plantation whereon he is under indenture by any police constable, the manager of the plantation shall be bound to give to the police constable a certificate, stating the time when the immigrant was so brought, and every manager who refuses or neglects to give that certificate shall be liable, on the complaint of the Inspector General or an inspector of police, to pay a fine not exceeding five dollars.

Penalty.

Report of
indentured
immigrant's
voluntary
return to
plantation.

126. When an indentured immigrant who has deserted from the plantation whereon he is under indenture voluntarily returns to the plantation, the manager of the plantation shall report the fact to the police constable in charge of the police station nearest to the plantation, and every manager who neglects to do so for seven days after the return shall be liable, on the complaint of the Inspector General or an inspector of police, to pay a fine not exceeding five dollars.

Penalty:

Report of
indentured
immigrant's
release from
prison.

127. The superintendent of the penal settlement and the keeper of every prison shall report in writing to the Agent General when any immigrant who was under indenture at the time of his arrest for the crime or offence of which he

has been convicted is discharged from any cause before the time when his sentence would have expired, or when he is imprisoned for a longer period of time than that mentioned in his sentence in consequence of his not completing the proper number of tasks, or otherwise; and the superintendent or keeper shall transmit the report as soon after the event as practicable.

128.—(1) The Agent General or the immigration agent in each district shall keep a separate register of defaulters for each plantation whereon there are any indentured immigrants. Register of defaulters;

(2) The name and description of every indentured immigrant on the plantation who is sentenced to imprisonment, or who is convicted of desertion on a charge preferred in due time, shall be entered in the register. form 25.

129. Whenever any employer alleges that an indentured immigrant has been imprisoned or has deserted, and produces to the Agent General or to an immigration agent a certificate, signed by the magistrate or other proper officer, that the immigrant has been sentenced to imprisonment or has been convicted of desertion on a charge preferred in due time, then, (but in no other case,) the Agent General or an immigration agent shall make an entry in the register of defaulters of the facts stated in the certificate, and shall date the entry with the date when it was made by him, and shall sign or initial it, and shall also so date and sign or initial the certificate so produced, and thereafter return it to the employer : Entries in register :

Provided that the Agent General or an immigration agent may, before making the entry, require proof as to the identity of the immigrant referred to in the certificate. Proviso.

130. The Agent General or an immigration agent shall, from time to time and as often as may be necessary, correct the entries in the register of defaulters, so that they shall accurately state all the periods to be excluded in reckoning the term of service of each immigrant under indenture : Correction of register :

Provided that the Agent General or an immigration agent shall not obliterate any previous entry made in the register either by himself or any other person, and shall date every entry with the date when it was made, and shall sign or initial it. Proviso.

PART X.

MARRIAGE AND, DIVORCE.

Interpreta-
tion of
"immigrant"
in this part.

131. In this part, unless the context otherwise requires, "immigrant" means any person introduced or coming into the colony from Asia, whether directly or indirectly, and whether wholly or in part at the expense of the immigration fund or otherwise, and includes any descendant of that person.

MARRIAGE.

Register of
married
immigrants
arriving in
the colony;
form 26.

132. The Agent General shall keep a register of immigrants found to be married at the time of their arrival in the colony, wherein the number of any registration shall be the same for the husband and the wife and which shall be continued in regular sequence.

Registration
of married
immigrants
on arrival;

form 27.

133.—(1) On the arrival in the colony of a ship with immigrants on board, the Agent General shall inquire whether any of them stand in the relation of husband and wife to each other; and if he is satisfied, by the statements of the parties themselves and by any other information he is able to procure, that the parties ought to be regarded and dealt with as husband and wife, he shall thereupon cause an entry to be made accordingly in the register mentioned in the last preceding section, and at the same time deliver to each of the parties a certificate of marriage.

(2) The persons so registered as husband and wife shall be deemed to be married, unless it is shown that they are so nearly related by blood that a marriage between them was unlawful.

(3) The provisions of this and the last preceding section shall apply, with the necessary modifications, to the case of a male immigrant and a female immigrant arriving in the colony in different ships and alleging that they were married before their arrival.

Exemption
from fee for
registration.

(4) No fee shall be payable for the registration of any marriage under the provisions of this section or for any certificate granted under it.

Register of
marriages of
immigrants
contracted
in the
colony;
form 28.

134. The Agent General shall keep a register of marriages of immigrants contracted in the colony, wherein the number of any registration shall be the same for the husband and the wife and which shall be continued in regular sequence.

135. With reference to the marriage of Christian immigrants the following provisions shall have effect:—

Marriage of
Christian
immigrants.

- (a) an immigrant who, at the time of his or her arrival in the colony, professes Christianity shall, immediately upon arrival; and
- (b) an immigrant who, at any time after his or her arrival in the colony, is converted to Christianity shall, immediately upon conversion,

as to capacity or incapacity to contract marriage, and the conditions subject to which, and the manner in which marriage may be contracted, be subject to the general law of the colony.

136. No marriage shall be contracted under this Ordinance (and if it is so contracted and registered, it shall be null and void ab initio), where it is shown that either of the parties has, or had at the time of the contracting and registration, a wife or husband alive, or where either party is directly descended from the other, or where the female is a sister of the male, either by the full or the half-blood, or where the male is a brother of the female, either by the full or the half-blood.

Prohibition
of certain
marriages.

Jolyman

137.—(1) Where a male immigrant, not being under fifteen years of age, and a female immigrant, not being under thirteen years of age, wish to contract a marriage, they may signify that wish to the magistrate of the district in which they reside.

Notification
of intended
marriage;

alt

(2) The magistrate shall thereupon call upon the parties to produce a certificate signed by the Agent General, to the effect that there does not appear from the records of the immigration department to be any impediment to the intended marriage.

form 29.

(3) If that certificate is produced, the magistrate shall call upon the parties to sign a notice, which shall be furnished to them free of charge by the magistrate and contain a declaration by the parties that, to the best of their belief, there exists no lawful impediment to their marriage, and, if the female is under fifteen years of age, that the consent of her father, if alive and in the colony, or, if he is dead, of her mother, if alive and in the colony, or, if her father and mother are both dead or absent from the colony, of the Agent General, has been obtained.

(4) The magistrate shall thereupon give public notice of the intended marriage by posting up the notice for three weeks in a conspicuous place at the court house nearest to the place of residence of the parties or of one of them, and by publicly reading the notice upon each day during the three weeks upon which he holds a court at that court house; but if the court is held more than once a week, it shall be sufficient if the notice is read on one day during each of the three weeks.

(5) If the parties reside in different judicial districts the proceedings mentioned in this section shall be taken in each district.

Grounds of objection to proposed marriage.

138. No objection shall be admitted to any marriage proposed to be contracted under this Ordinance unless it is shown to the satisfaction of the magistrate that either of the parties thereto has a wife or a husband still living; or that the parties stand in any of the degrees of relationship within which it is hereinbefore declared to be unlawful for persons to perform marriage; or, in the case of a male, that he is under fifteen years of age, or, in the case of a female, that she is under thirteen years of age, or, if she is under fifteen years of age that the consent mentioned in the last preceding section has not been obtained.

Making and decision of objection to proposed marriage.

139.—(1) Anyone who desires to object to an intended marriage of which notice has been given as hereinbefore provided, must do so to the magistrate before the expiration of the aforesaid period of three weeks.

(2) If any objection is made, the magistrate shall, immediately on the expiration of the period of three weeks, fix a day for the hearing of the objection, and shall cause notice thereof to be given to the parties who have given the notice of marriage; and at the hearing the person making the objection shall be bound to prove the existence of the alleged impediment to the marriage.

(3) If either party makes application for a review of the decision on the objection, the magistrate shall not grant the certificate hereinafter mentioned until the review has been disposed of in due course of law.

Marriage after publication of notice;

140.—(1) Within six months after the publication aforesaid has been made and not afterwards, and if no valid objection is pending or has been allowed to the intended marriage, the parties may appear before the magistrate

or either of the two magistrates in whose districts publication has been made, as the case may be, who shall, on being satisfied of the parties' identity and that publication of notice of their intended marriage has been duly made, declare the parties to be husband and wife and deliver to each of them a certificate of marriage. form 30.

(2) Within twenty-four hours after delivering that certificate, the magistrate shall transmit a copy thereof to the Agent General, and in default of his so doing he shall be liable on the complaint of the Agent General to a penalty not exceeding forty-eight dollars.

(3) On receipt of the copy of the certificate, the Agent General shall cause an entry of the marriage to be made in the register of marriages of immigrants contracted in the colony.

141.—(1) When an immigrant desires to be married by a minister of the Christian religion after publication of banns, he or she shall cause to be delivered to the minister a certificate, signed by the Agent General, to the effect that there does not appear from the records of the immigration department to be any impediment to the intended marriage, and the minister shall not publish the banns until he receives the certificate. Marriage after publication of banns :

(2) The minister shall retain the certificate and, within twenty-four hours after the marriage has been solemnised, indorse thereon the date and place of marriage, with the signature thereto, and transmit the same to the Agent General.

(3) Every minister who offends against the provisions of this section shall be liable to a penalty not exceeding forty-eight dollars :

Provided that no complaint shall be brought for the recovery of the penalty without the sanction in writing of the Agent General. Proviso.

142.—(1) A marriage contracted after the commencement of this Ordinance between a male immigrant, not being under fifteen years of age at the date of the marriage, and a female immigrant, not being under thirteen years of age at the date of the marriage, both of whom, at the date of the marriage, are free from any disability mentioned in section one hundred and thirty-six of this Ordinance, profess the same religion, not being the Christian religion, and are subject to the same personal law, shall, if contracted according to the religion and Marriage according to religion and personal law :
141

personal law of those immigrants and registered under this Ordinance, be deemed to be valid as from the date of such marriage :

Provision

Provided that, before the marriage is contracted, the parties thereto shall first obtain a certificate, signed by the Agent General, to the effect that there does not appear from the records of the immigration department to be any impediment to the intended marriage; and the marriage shall not be deemed to have been duly contracted unless that certificate has been first obtained.

(2) If the marriage referred to in the certificate is not contracted within three months from the date of the certificate, the certificate shall on the expiration of that period become null and void.

Registration of marriage contracted according to religion and personal law; form 31;

143.—(1) Within seven days after the celebration of a marriage contracted according to religion and personal law, the parties to the marriage, or one of them, shall deliver a certificate thereof to the immigration agent for the district in which they reside.

(2) If default is made in delivering the certificate within the time aforesaid, each of the parties to the marriage shall be liable to a penalty not exceeding twenty-four dollars.

(3) The immigration agent shall forthwith transmit the certificate to the Agent General.

(4) On receipt of the certificate, whether within the time aforesaid or otherwise, and on satisfying himself—

(a) that the requirements of the last preceding section have been complied with; and

(b) that, in the case of a female under fifteen years of age, the person acting as guardian was entitled so to act,

the Agent General shall cause an entry of the marriage, with the necessary modifications of the particulars of the entry, to be made in the register of marriages contracted in the colony, and shall forthwith transmit to each of the parties a certificate of the registration.

form 32.

Inquiry as to contracting of marriage.

144. Whenever the Agent General issues a certificate under section one hundred and forty-two of this Ordinance and does not, within three months and seven days thereafter, receive from or on account of the parties mentioned therein, or one of them, the certificate mentioned in the last preceding section, it shall be his duty to make inquiry

into the matter, and, if necessary, to make a complaint against the parties who have made default in respect of the last mentioned certificate.

Property of Married Immigrants.

145.—(1) If any female immigrant is deserted by her husband, being an immigrant, the magistrate of the district where she resides shall, on application made by her or on her behalf, and on being satisfied of the fact of the desertion and that it was without reasonable cause and that she is maintaining herself by her own industry or property, give to her an order protecting her earnings and property acquired since the commencement of the desertion from her husband and from all creditors and persons claiming under him, and those earnings and property shall belong to the wife as if she were a single woman.

Protection
of property
of woman
deserted by
her husband.

(2) The magistrate shall cause a notice of the order to be posted up for fifteen days in a conspicuous place at the court house nearest the place where the woman resides, and the husband or anyone claiming under him may, during that time, apply to the magistrate to annul the order, and if the application is made the magistrate shall hear it and make any just order thereon.

146.—(1) If a female immigrant deserts her husband, being an immigrant, and cohabits with another man, the magistrate of the district where the husband resides shall, on application made to him by or on behalf of the husband, summon the woman and the alleged adulterer before him and, on being satisfied of the fact of the desertion, and cohabitation, give to him an order protecting his earnings and property acquired since the commencement of the desertion from his wife and from all creditors and persons claiming under her, and those earnings and property shall belong to the husband as if he were single.

Protection
of property
of man
deserted by
his wife :

(2) The woman shall forfeit from the date of the order all movable property given to her by her husband, and shall further forfeit all right (if any) to the community of property resulting from her marriage, and the husband shall not be liable for any debt which she may contract during the desertion :

Provided that, if the desertion is afterwards condoned by the husband, any order made under the provisions of this section shall thereupon ipso facto become annulled and the community of property shall take effect and subsist anew from the date of the condonation.

Proviso.

Division of
property of
married
immigrants.

147.—(1) Where a male immigrant and a female immigrant who are married to each other, or who have cohabited together, cease to cohabit and either of them desires that the property to which they or either of them are or is entitled should be divided, the magistrate of the district where those immigrants reside, or either of them resides, on application made to him by or on behalf of either of them, may summon them before him and any witnesses they desire, or either of them desires, to be examined, and make any just order for the division of the property.

Penalty.

(2) Anyone, being a party to the proceedings, who refuses or neglects to comply with the terms of the order shall be liable to imprisonment, with or without hard labour, for any term not exceeding one month.

(3) If, after the order is made, anyone aforesaid refuses or neglects to comply with the terms thereof, that refusal or neglect for a period of seven days shall be deemed a fresh offence, and so on toties quoties.

(4) Where a male immigrant and a female immigrant have cohabited together, without having been married, and one of them dies intestate during the period of cohabitation, the Agent General, in the case of the death of an indentured immigrant, or of an immigrant not under indenture dying in any hospital, asylum, prison, or other public institution of whatever kind, and being in possession of movable property not exceeding in value the sum of ten dollars, may assign to the survivor for his or her absolute use and benefit any share, not exceeding one-half, of all the movable and immovable property belonging to the estate of the deceased immigrant acquired by their joint earnings, or to the acquisition of which the survivor has contributed, which after due inquiry and consideration appears just.

(5) Every decision under the last preceding sub-section shall be final, and the Agent General shall have full power and authority to do all things necessary, including the power to convey immovable property, for putting the survivor in possession of the share of the property so assigned.

Protection of Immigrants' Wives.

Apprehen-
sion and
punishment
of male
immigrant
threatening
his wife.

148.—(1) Where a male immigrant threatens to murder, wound, beat, or ill-treat his wife or any woman with whom he has cohabited or desires to cohabit, a magistrate or justice of the peace, on being informed thereof and being satisfied that there is reason to suppose that bodily injury

may be inflicted on the woman, shall forthwith issue his warrant for the apprehension of the immigrant alleged to have used the threats.

(2) Any immigrant who uses any of those threats may be forthwith arrested by a police or rural constable and detained in custody until a warrant can be obtained for his apprehension.

(3) Every immigrant who uses any of those threats shall be liable to imprisonment, with or without hard labour, for any term not exceeding one month, and, on a second or any subsequent conviction, to imprisonment with or without hard labour, for any term not exceeding six months.

149.—(1) Where it is proved to the satisfaction of a magistrate, that there is reason to suppose that an immigrant on a plantation may, from motives of jealousy, inflict bodily injury on any woman, and that it is expedient, on account of the jealousy, to remove from a plantation an immigrant under indenture on that plantation, the magistrate may direct that the last-mentioned immigrant shall be removed to some other plantation and the indenture transferred.

Transfer of immigrant in case of danger from jealousy.

(2) Every immigrant so ordered to be removed may be detained in custody until his transfer to some other plantation.

150.—(1) Where a magistrate is informed, or where in any proceeding whatever it appears to a magistrate, that there is reason to suppose that an immigrant may inflict bodily injury on a woman, he may, if he thinks fit, forthwith issue his warrant for the apprehension of that immigrant, and shall, whether he issues the warrant or not, make full investigation as to the circumstances of the case.

Proceedings where injury to woman is feared.

(2) The magistrate may order the immigrant to be detained in custody until the Agent General can take any necessary action.

(3) The Agent General may at any time, for the reason above-mentioned and whether after or without any proceeding taken by a magistrate, order any indentured immigrant to be removed from a plantation, and the order shall be deemed to authorise the detention in custody of the immigrant until he can be removed and his removal in custody, but no immigrant shall be detained under this section for more than fourteen days.

Punishment
for enticing
away wife
of immigrant
or harbouring
her :

151. Everyone who entices away or cohabits with the wife of an immigrant, or unlawfully harbours the wife of an immigrant who has left her husband without just cause, shall be liable to a penalty not exceeding twenty-four dollars or to imprisonment, with or without hard labour, for any term not exceeding three months, or to both the penalty and imprisonment, and, on a second or any subsequent offence, shall be deemed guilty of a misdemeanour and be punishable accordingly :

Penalty :

Proviso.

Provided that no one shall be convicted under this section for cohabiting with the wife of an immigrant if he establishes to the satisfaction of the magistrate or court before whom he is tried, that the wife was deserted by her husband, or that the husband compelled her to leave his house, or that the cohabitation was with the knowledge and consent of the husband.

Copy of
proceedings
for the
Agent
General.

152. In any matter arising under either of the last four preceding sections the magistrate shall, as soon as the proceedings are concluded, or sooner if he thinks fit, transmit a copy thereof to the Agent General, who shall thereupon take such action as the circumstances of the case may allow and require.

Divorce.

Proceedings
for divorces of
immigrants.

153.—(1) Where immigrants are married and one of them is guilty of misconduct entitling the other to a divorce, the spouse so entitled to a divorce may apply to a magistrate for an order dissolving the marriage.

(2) The magistrate shall, on receiving the application, summon before him the parties and any witnesses whom they desire to be examined, and any persons whom the magistrate thinks it expedient to examine, and the magistrate shall reduce to writing the statements on oath of the parties and the witnesses and transmit the application and statements to the Registrar of the Supreme Court in order that they may be laid before the Chief Justice for his decision.

(3) When the application and statements are laid before the Chief Justice, if it appears to him that the party applying for divorce is entitled thereto, he may deal with the application in a summary way and make an order dissolving the marriage.

(4) The Chief Justice may require the magistrate to take further evidence on the application and transmit it

to the Registrar, or may require the parties to appear before him and produce any necessary evidence.

(5) On the application and statements being laid before the Chief Justice, he shall have the same powers as the Supreme Court in its civil jurisdiction would have in an action therein for the dissolution of the marriage, and may make any order and on the same terms and with the same conditions, the said Court might have made.

(6) Every order dissolving a marriage made under this section shall have the same incidents and the same effect as a judgement of the Court.

(7) The fee payable in respect of the proceedings shall be the sum of twenty-four dollars, and that fee shall include all charges in the registry of court and be payable on making the application to the magistrate, but nothing in this section shall affect the right of any person to apply to be allowed to sue as a pauper.

(8) The provisions of this section shall only apply to marriages contracted or registered under the provisions of Ordinance No. X of 1860 or of this Ordinance.

154. Immediately an order under the last preceding section is made the Registrar shall transmit a copy thereof to the Agent General, who shall cause it to be entered in a register of divorces of immigrants to be kept by him.

Register of divorces of immigrants; form 33.

Offences.

155. Everyone who knowingly and wilfully inserts, or causes or permits to be inserted, in any register kept under this part a false entry of any matter relating to a marriage or divorce shall be guilty of a misdemeanour, and on conviction thereof shall be liable to imprisonment, with or without hard labour, for any term not exceeding two years.

Punishment for making false entry in register.

156. Everyone who makes, signs, or attests any declaration or certificate by this part required or authorised to be made or given containing a statement which is false, and which he either knows or believes to be false or does not believe to be true, shall be guilty of a misdemeanour, and on conviction thereof shall be liable to imprisonment, with or without hard labour, for any term not exceeding two years.

Punishment for signing false declaration or certificate.

Punishment
for forging
certificate.

157. Everyone who forges or alters in any material particular, or offers, utters, disposes of, or puts off, knowing it to be forged or altered in any material particular, any certificate by this part required or authorised to be given, shall be guilty of a misdemeanour, and on conviction thereof shall be liable to imprisonment, with or without hard labour, for any term not exceeding two years.

Supplemental Provisions.

Proof of
marriage or
divorce.

158. An entry, whether purporting to be an original entry or not, in any register kept under this part shall be conclusive evidence, until the contrary is proved, of the marriage or divorce of the parties to whom the entry relates, and also of the date of the marriage or divorce if it is specified in the entry.

Use as
evidence of
entry in
register and
of certificate.

159.—(1) Where an entry is by this part required to be made in a register, primâ facie evidence may be given of the entry in any court of justice and in any legal proceeding by production of a writing purporting to be certified by the Agent General to be a true copy of the entry.

(2) Where any certificate is by this part required or authorised to be given, primâ facie evidence thereof may be given in any court of justice and in any legal proceeding by production of a certificate apparently in accordance with, and purporting to be signed as required by, this part.

(3) No proof shall be required of the handwriting or official position of the person signing the certificate. . .

(4) Every certificate given under this part shall be primâ facie evidence of any fact therein certified.

(5) The provisions of this section shall be deemed to be in addition to, and not in derogation of, any powers of proof under any existing law. . .

Appeal
where
registration
is refused.

160. If the Agent General refuses to register any marriage or divorce under this part, any person aggrieved by the refusal may apply by petition to the Chief Justice to have the registration made, and if on the application it appears that the registration ought to be made, the Chief Justice shall order the Agent General to make the registration and may make any order as to costs seeming just.

Cancellation
of registra-
tion.

161. Where registration under this Ordinance has been made of a marriage or divorce, anyone aggrieved by the registration may apply to the Chief Justice to have it

cancelled, and if on the application it appears that the registration ought not to have been made, the Chief Justice shall order the Agent General to cancel it, and may make any order as to costs seeming just.

162.—(1) An application to the Chief Justice under this part and the subsequent proceedings thereupon shall be as prescribed by any general orders made by the Chief Justice under this part, or, if those orders are not made, and subject thereto, if any, the application shall be by motion and subsequent proceedings shall be in accordance with the usual practice of the Supreme Court on motions.

Procedure on application to the Chief Justice.

(2) All general orders made by the Chief Justice under this section shall be published in the Gazette.

(3) The production of a copy of the Gazette purporting to contain any such orders shall be *primâ facie* evidence that they were duly made and of the tenor thereof.

163. Every order of a magistrate made under this part shall be subject to the review provided by the Summary Jurisdiction Ordinances.

Right of appeal from magistrate's order.

164. Any person, on the production of a receipt for the sum of one dollar from the Treasury, may have a true copy, certified under the hand of the Agent General, of any entry made in a register kept under this part, but a public officer shall not be required to pay for a certified copy required by him in his capacity as a public officer.

Furnishing of certified copy of entry in register.

165. During a period of twelve months after the commencement of this Ordinance and subject, so far as they can be made applicable, to the provisions of this part, the Agent General may register any marriage contracted in the colony between immigrants according to their religion and personal law before the commencement of this Ordinance; and the provisions of this part shall, with any necessary modifications, apply to any marriage so registered in the same manner as if it had been contracted after the commencement of this Ordinance.

Registration of existing marriages contracted according to religion and personal law.

PART XI.

TRANSFER AND DETERMINATION OF INDENTURES.

166. The commutation money payable under this Ordinance on the determination or transfer of the indenture of an immigrant shall be calculated at the rate, for every

Computation of commutation money:

year or portion of a year remaining unexpired of the indenture, of one-fifth of the indenture fee which has been paid by the employer in respect of the indenture, together with interest thereon at the rate of five per centum per annum since the commencement of the indenture; and all the commutation money shall be paid into the immigration fund, and be payable thereout to the employer :

Proviso.

Provided that if an immigrant wishes to determine his indenture within one year after arrival he shall pay the whole cost of his introduction.

Commutation
by husband
or wife.

167. An indentured immigrant who is married to a wife or husband indentured on another plantation shall be entitled, upon giving three months' notice to the employer, to determine his or her own indenture on payment of the commutation money; and if the employer of that wife or husband on the request of the commuting immigrant advances the commutation money, the commuting immigrant may be re-indentured to that employer for a period equal to the unexpired remainder of the indenture so commuted.

Commutation
by mother of
minor.

168. On the termination of the indenture of any female immigrant, whether by expiration of time, by commutation, or otherwise, she shall be entitled to remove with her from the plantation her minor and infant children, on payment of the commutation money for any of them under indenture in respect of whose indenture the employer has paid any indenture fee; and if the female immigrant so removes in order to become indentured to a new employer, and that employer on her request advances the commutation money of the minor immigrant, the minor may be re-indentured to that employer for a period equal to the unexpired remainder of the indenture so commuted.

Determina-
tion of
indenture by
the Agent
General on
payment of
commutation
money :
Proviso.

169. The Agent General may, with the sanction in writing of the Governor, at any time determine the indenture of any immigrant on paying to the employer of the immigrant the commutation money :

Provided that the Agent General may, with the like sanction, indenture the immigrant to any other employer who may be willing to accept his services for a term equal to the period of time of the previous indenture remaining unexpired when it is determined.

170.—(1) If at any time it appears to the Governor in Council, on sufficient ground shown to his satisfaction, that all or any of the immigrants indentured on a plantation should be removed therefrom, he may in his discretion cancel their indentures and grant them certificates of exemption from labour, or cancel their indentures and re-indenture them, with or without payment of commutation money, to some other employer, for the remainder of their respective terms of service, the other employer, if required, paying therefor in cash or by promissory notes as the Governor in Council directs.

Transfer of immigrants.

(2) The transfer shall not cancel the obligation of the original employer to pay the promissory notes given in respect of those immigrants, but he shall be entitled to the commutation money if paid as provided in sections one hundred and sixty-six and one hundred and eighty hereof.

171. Every lessee of a plantation whose term of lease expires before the determination of the indenture of an immigrant indentured to him on that plantation shall be entitled to have the immigrant transferred for the unexpired remainder of his term of service to any employer approved by the Agent General, who is willing to accept his services and to pay the commutation money; but, of any of those employers, the first option of having the transfer made to him shall lie with the lessor of the plantation.

Transfer of immigrant on determination of lease.

172. If any plantation whereon an immigrant is under indenture is sold, either by private contract or at execution sale, or by the Official Receiver, or, if it is leased, it devolves by inheritance, devise, or otherwise, the immigrant shall render the same service to the purchaser, lessee, devisee, heir, or other new employer, his heirs, executors, administrators, or assigns, and for the same term, as he would have been bound to render to his original employer.

Transfer of services of immigrant on sale or devolution of plantation.

173. Other provisions relating to the transfer of immigrants are contained in parts VII and X.

Other provisions as to transfer. Parts VII and X.

174. The Agent General may,—

(a) on the request of an employer, allow all or any of the immigrants indentured to that employer on any plantation to be removed to any other plantation in the possession or under the management of the same employer; or

Permissible removal, temporary transfer, and determination.

(b) allow the immigrant to be temporarily transferred for any term, not exceeding twelve months, to any plantation the owner whereof is willing to accept his services, and during that term he shall be deemed to be indentured to the other employer for all the purposes of this Ordinance; or

(c) on the joint request of an employer and his intended immigrant allow the indenture of that immigrant to be determined, with or without the payment of commutation money;

but the removal, transfer, or determination, shall not in any manner affect any lien of the colony upon the original plantation, or the pecuniary liability of any employer to the immigration fund.

Determina-
tion of
indenture
for ill-treat-
ment.

175. Upon report made by a magistrate of his conviction of an employer under this Ordinance for ill-usage of an indentured immigrant, or for unlawfully withholding the wages of an indentured immigrant, the Governor may declare the indenture of the immigrant determined and thereupon direct the Agent General to re-indenture the immigrant for the remainder of his term of service to any other employer willing to accept his services, and the other employer shall, if required, pay to the immigration fund, by way of indenture fee, the sum which would have been paid by the immigrant if he had commuted, and that sum shall be paid thereout to the former employer if the Governor so orders.

Computation
of duration
of indenture.

176.—(1) The indenture of an immigrant shall not determine by effluxion of time unless he has fulfilled the legal obligations imposed on him by the indenture.

(2) Every indenture of an immigrant, although purporting to be for a fixed period of time, is hereby declared to be for a term of actual service equal in duration to the period of time for which the immigrant has become bound to serve under the indenture and shall continue in force until the immigrant has performed service thereunder for that term.

Exclusion
of certain
periods in
computation
of term of
indenture :

177. In reckoning the term of service of an immigrant under indenture for the purpose of ascertaining the time when the indenture determines, all periods of time shall

be excluded during which the immigrant has been absent from his work from any of the following causes, that is to say,—

(a) imprisonment; but imprisonment shall not for the purposes of this section include detention in respect of any proceeding which results in the acquittal or discharge of the prisoner, whether from want of prosecution or from any other cause; and

(b) desertion; but no indentured immigrant shall be deemed to have been absent from his work, within the meaning of this section, on account of any desertion unless he has been duly convicted of the desertion:

Provided that this section shall not apply to any imprisonment or desertion not duly recorded in the register of defaulters.

Proviso.

178. Except as in this Ordinance provided, no indenture shall be transferred or determined either by agreement between the employer and the immigrant or otherwise.

Prohibition of other transfers, or determination.

179. The Agent General shall record every transfer, other than a temporary transfer, and every determination of an indenture, in the general register of immigrants introduced into the colony, and shall deliver to the employer to whom any immigrant is transferred a new indenture list, and the employer and immigrant shall thereupon be and be taken to be bound by that indenture accordingly.

Record of transfers and determinations.

180.—(1) Notwithstanding anything contained in this Ordinance, where any indentured immigrants who were allotted at one and the same time to one employer are transferred to another employer, the new employer may, with the sanction of the Governor, give to the Colonial Treasurer promissory notes for the amount of the indenture fees due for the portion of the term of indenture which is unexpired at the date of the transfer in respect of the immigrants so transferred.

Financial arrangements on transfer of party of indentured immigrants from one employer to another.

(2) The promissory notes so given shall be payable, with interest at the rate of five per centum per annum, at the same dates as the promissory notes given by the former employer in respect of the immigrants so transferred and subsisting at the date of the transfer, and shall, mutatis

mutandis, have the same effect to all intents and purposes as promissory notes given under this Ordinance on an original allotment of immigrants.

(3) When the transfer has been made and the promissory notes given the liability of the former employer and the lien on his plantation in respect of any promissory notes given by him on account of the immigrants so transferred shall be pro tanto discharged.

(4) The former employer shall, as soon as practicable after the transfer is made, pay to the Colonial Treasurer the amount due for the expired portion of the term of indenture for which promissory notes have been given, together with interest thereon to the date of the transfer.

PART XII.

CERTIFICATES OF EXEMPTION FROM LABOUR.

Grant of certificate of exemption from labour; form 34.

181. Every immigrant who has completed or who hereafter completes any term of service under indenture, whether entered upon before or after the commencement of this Ordinance, or whose indenture has been duly determined or is hereafter determined under this Ordinance, shall be entitled to receive from the Agent General, free of charge, a certificate of exemption from labour, which the Agent General shall record in the general register of immigrants introduced into the colony.

Grant of provisional certificate.

182. The manager of every plantation about to be officially visited by the Agent General shall give previous notice of the intended official visit to the immigrants on the plantation and on every visit produce before the Agent General every immigrant who, since the last of those visits, has completed his term of service under indenture, or who will, in the course of time within one month thereafter, complete it, and the Agent General shall deliver to each of those immigrants a certificate of exemption from labour and, if necessary, indorse the certificate with the word "Provisional," and with the date at which the certificate will in the course of time become due.

Indorsement of provisional certificate by employer.

183.—(1) So soon as any provisional certificate of exemption from labour has either in the course of time or otherwise become due, the immigrant may call upon his employer to indorse the same.

(2) Every employer who refuses or neglects to indorse the certificate when it is due and when he is called upon to do so, shall be liable to pay a fine not exceeding ten dollars, and in addition to the fine shall pay to the immigrant an absolute accumulating sum of twenty-four cents for every day of the default.

Penalty for default.

184. The Agent General may grant to any immigrant who is at any time, in his opinion, permanently disabled and unfit to perform service under indenture and is certified to be so by the medical inspector, a certificate of exemption from labour, and the cause of disability shall in every case be specified in the certificate of the medical inspector.

Grant of certificate to disabled immigrant.

PART XIII.

PASSPORTS AND RETURN PASSAGES.

185. Every Indian immigrant who has obtained or become entitled to a certificate of exemption from labour and wishes to quit the colony, shall apply to the Agent General for a passport; and the Agent General shall, within one week from the date of the application, deliver to him free of charge a passport available for fourteen days from the date thereof and register the passport in the register of passports; and the certificate of exemption from labour of the immigrant or his right to receive that certificate, as the case may be, shall thereupon be suspended.

Grant of passport to Indian immigrant;

form 35;
form 36.

186. No immigrant shall quit or attempt to quit the colony unless he has previously obtained a passport from the Agent General, and every immigrant who contravenes this section shall be liable to a penalty not exceeding twenty-four dollars.

Quitting the colony without passport.
Penalty.

187. No passport shall be granted to any indentured immigrant, and no passport, except with the special permission of the Governor, shall be granted to any immigrant introduced into the colony at the expense, either wholly or in part, of the colony or of the immigration fund who has not resided in the colony for at least five years after his introduction, unless he pays to the Agent General a sum equal to the entire cost of his introduction, and that sum shall be ascertained and determined by the Agent General.

Limitations of right to passport.

Receiving immigrant on board ship without passport with intent to take him out of the colony;

188.—(1) Every owner, master, or person in charge of a ship who receives or harbours on board the ship or elsewhere an immigrant who has not obtained a passport or whose passport has expired, with intent to take that immigrant out of the colony, shall be liable to a penalty of one hundred dollars for each of those immigrants whom he has so received or harboured, and, in default of payment of the penalty, to imprisonment, with or without hard labour, for any term not less than three months and not more than six months.

(2) The ship shall be liable and executable for the amount of the penalty imposed by the magistrate on the owner, master, or person in charge, and that amount, with costs, may be recovered and realised by the sale of the ship, her tackle, apparel, and furniture, by the same process in execution as that by which a judgement of the Supreme Court in its civil jurisdiction against the owners of the ship would be enforced, commencing with a summons, to be issued by the Registrar, directed to the person convicted and the owners of the ship, without naming the owners, requiring them to pay the amount.

form 37.

(3) The charge for any offence under this section may be preferred by any person within two years after the commission of the offence.

Aiding departure of immigrant without passport. Penalty.

189.—(1) Everyone who aids or abets the departure from the colony of any immigrant who has not obtained a passport, or whose passport has expired, shall be liable to a penalty of one hundred dollars for each immigrant whose departure he has so aided or abetted, and, in default of payment of the penalty, to imprisonment, with or without hard labour, for any term not less than three and not more than six months.

(2) A moiety of a penalty recovered under the provisions of this or the last preceding section shall be paid to the informer.

Extension of privilege of quitting the colony under passport.

190. Notwithstanding anything contained in this Ordinance, the Agent General may, in any passport granted by him under this part, direct that the passport shall hold good during any period not exceeding six months he thinks fit, and the passport shall have effect accordingly.

Provision by employers for return passages of future immigrants.

191.—(1) The employers to whom during the season commencing in eighteen hundred and ninety-eight or any subsequent season Indian immigrants are or have been

allotted shall provide, in the manner from time to time determined by the Governor in Council, for the payment of any part of the cost of the return passages of the immigrants introduced in that season and who subsequently return to India which is not by law payable by those immigrants.

(2) If the provision is at any time to be made wholly or in part by means of promissory notes sections thirty-one, thirty-two, and thirty-three of this Ordinance shall apply to any promissory notes given for the purpose of making that provision as if those notes were specially mentioned therein.

(3) Nothing contained in any of the sections aforesaid shall be deemed in any way to affect the personal liability of the maker of any promissory note mentioned therein or in the preceding sub-section of this section.

192.—(1) Every Indian immigrant introduced during the season commencing in eighteen hundred and ninety-eight or any subsequent season, who completes a continuous residence of ten years in the colony and during that time obtains or becomes entitled to a certificate of exemption from labour shall, unless he surrenders as hereinafter provided his right thereto, be entitled to be provided with a return passage to the port in India whence he sailed to the colony, on payment by him if not destitute or disabled of the sum hereinafter specified, but if destitute or disabled then without any payment by him.

Right to
return
passage :

(2) The sum referred to in the preceding sub-section shall be in the case of any male immigrant one-half, and in the case of any female immigrant, one-third, of the passage money.

(3) Subject to the proviso hereinafter contained and without prejudice to any right to a return passage conferred by sub-section (1) of this section, everyone who is the child or dependant or wife of any immigrant mentioned in that sub-section shall, whatever may be the period during which that person has resided in the colony, be entitled without payment to be provided with a return passage or passage to the port in India to which his or her natural or adoptive parent or her husband returns in the same ship wherein he returns but not otherwise :

Provided that no person aforesaid shall be entitled to a return passage or passage to India without payment if that person—

Proviso.

(a) is an immigrant who, being an adult, was engaged in India and subsequently introduced on the

terms that he or she should contribute part of the cost of his or her return passage;

- (b) is an immigrant who has surrendered as hereinafter provided his or her right to a return passage;
- (c) having been born in the colony, has surrendered the right to a passage to India which he or she has acquired under sub-section (3) of this section;
- (d) being a child or dependent under the age of twelve years, the Governor deems it desirable in his or her interest that he or she should remain in the colony;
- (e) is under indenture upon which an indenture fee has been paid, and the commutation money has not been paid to his or her employer.

(4) Every immigrant who at any time quits or attempts to quit the colony without a passport shall thereby forfeit all claim to a return passage under this section.

(5) In the case of any immigrant who after his return to India is again introduced into the colony as an immigrant, his right to a return passage under this section shall be subject to any condition in his engagement in India, that those persons shall have no right to a return passage.

(6) The Agent General may, with the express sanction of the Governor in any particular case, for special cause relax any of the conditions contained in the proviso to sub-section (3), or the provisions of sub-section (4) of this section.

(7) Nothing in this section shall affect the rights of any immigrant introduced before the season commencing in eighteen hundred and ninety-eight, but the right of that immigrant to a return passage, unless he or she has surrendered as hereinafter provided his or her right thereto, shall be governed by section one hundred and eighty-nine of this Ordinance as if that section had not been repealed.

Surrender
of right to
return
passage.

193. Any immigrant who has completed a continuous residence of ten years in the colony and has during that time obtained or become entitled to a certificate of exemption from labour, or anyone entitled to a free passage to India in the same ship with any immigrant may, in consideration of a grant or transport of land or of a money payment, or of all or any of those considerations, surrender his right under this or any other Ordinance to a return

passage; but no surrender of her right to a return passage or passage to India made by any female immigrant or woman who is married shall be valid unless her husband consents thereto.

194. Wherever land is granted or transported or money paid to a woman in lieu and satisfaction of her right to a return passage free of cost or at a reduced cost, the land or money shall be, notwithstanding any marriage then existing or thereafter contracted, at all times held, enjoyed, and disposed of by her as if she had never been married.

Exclusive right of female immigrants to consideration given in lieu of return passage.

195.—(1) Wherever anyone surrenders his right to a return passage in consideration wholly or in part of any grant or transport of land, a statement shall be inserted in the grant or transport that the land is granted or transported in complete or partial satisfaction (as the case may be) of that person's right to a return passage; and if the person be a female there shall also be inserted a statement that the land is to be at all times held, enjoyed, and disposed of by her notwithstanding any existing or future marriage, as if she had never been married.

Grants and transports of land in satisfaction of rights to return passages.

(2) The husband of a woman to whom any land is to be granted or transported in satisfaction wholly or in part of her right to a return passage shall (unless he has previously consented in writing to her surrender of her right), be made a party to and execute the transport, and shall in case of a grant (unless he has previously consented as aforesaid), sign a consent thereon to the surrender by the woman of her right to a return passage. The execution and signature or the consent in writing shall be conclusive evidence of his consent, and any consent in writing aforesaid shall be annexed to the transport or grant made to the woman.

196. The Agent General may order any Indian immigrant who has received a certificate of exemption from labour under section one hundred and eighty-four of this Ordinance to be provided, if he so desires, at the expense of the immigration fund, with a return passage to the port in India whence he sailed for the colony.

Grant of return passage to disabled Indian immigrant.

197. Before the departure of any ship hired at the expense of the colony with return immigrants on board, the Agent General, assisted by the medical inspector, or,

Inspection of ship with return immigrants.

in his absence or inability to act, by the health officer of the port, shall inspect the ship and the immigrants, and ascertain whether the arrangements made for the passage and for the treatment of the immigrants on board are in conformity with the law, shall make out a list of the immigrants on board the ship who are entitled to a return passage at the expense of the colony and deliver it to the surgeon superintendent for the use of himself and the master of the ship; he shall also certify upon the list the total number and description of the immigrants embarked, together with their state and condition, and that they have been provided with clothing suitable for the voyage.

Transmission of report of inspection to the Governor.

198. The Agent General shall transmit to the Governor his report on the inspection, and shall also require and transmit therewith the report of the medical officer who assisted in the inspection.

PART XIV.

REGISTERS, RETURNS, AND CERTIFICATES.

Half-yearly returns of deaths of immigrants in public institutions.

199. The superintendent, keeper, or other officer in charge of any prison, hospital, or other public institution of the colony shall, on or before the twenty-first day of April and the twenty-first day of October in every year, make out and transmit to the Agent General a return of all immigrants who have died while inmates of the public institution during the six months previous to the months of April and October respectively and transmit therewith any certificate given under this Ordinance found in the possession of any of those immigrants.

Registers to be kept on plantation.

200.—(1) Every manager of a plantation whereon any immigrant is under indenture or contract of service shall keep a register book or register books.

(2) The book or books shall be at all times open to the inspection of the Agent General, of the medical inspector, and of the government medical officer, and shall be produced in court, if the presiding judge or magistrate so requires, in all proceedings taken under this Ordinance by or against an immigrant under indenture or contract of service on that plantation.

(3) The book or books shall include the following particulars:—

Form 6;

(a) the several indenture lists received by the manager on allotment of immigrants, or any copies of

them which have been certified by the Agent General;

- (b) registers of
- (i) dwellings of indentured immigrants; form 7;
 - (ii) absences on leave; form 21;
 - (iii) desertions; form 22;
 - (iv) births of immigrants occurring on the plantation; and form 38;
 - (v) deaths of immigrants occurring on the plantation. form 39.

201. Every employer of immigrants shall, on or before the twenty-first day of April and the twenty-first day of October in every year, make and send to the Agent General a return in writing of the number of each description of immigrants in his service on the last day of the preceding month, and the Agent General shall make an abstract of all those returns, and of the returns made by the officers in charge of public institutions, to be laid before the Governor and Legislative Council.

Half-yearly returns by employer; form 40.

202. Every manager who—

- (a) makes any false entry in a register or half-yearly return required to be kept or made by him under this Ordinance; or
 - (b) neglects to keep a register carefully noted up; or
 - (c) neglects to make out and send in any half-yearly return within the time limited in that behalf,
- shall be liable, on the complaint of the Agent General, to a penalty not exceeding twenty-four dollars.

Manager making false entry in register or return.

Penalty.

203. Every government medical officer shall, within one month after the end of each year, transmit to the Surgeon General a return of all the diseases entered in the hospital register within his district, and the medical inspector shall, in the month of June in every year, make out a statistical abstract of all those returns for the preceding year, with a report thereon; and a duplicate copy of the abstract and report shall be transmitted by the Surgeon General to the Agent General, to be laid by him, together with his own report, before the Governor and Legislative Council.

Medical returns.

204.—(1) Every immigrant whose certificate of exemption from labour has been lost or destroyed shall be entitled, on proving to the satisfaction of the Agent

Loss of certificate of exemption from labour;

certified
copies of
registers.

General that he is then entitled to the certificate and that it has been lost or destroyed, and on payment of twenty-four cents, to receive a duplicate of the certificate; but the Agent General may, if he thinks fit, grant a duplicate certificate without payment of any fee.

(2) Every employer shall at any time be entitled to a duplicate of any indenture list of immigrants delivered to him on payment of five dollars or of ten cents per immigrant if the immigrants are less than fifty in number.

(3) Every employer and every immigrant shall be entitled to receive a certified extract from any register kept by the Agent General on payment of twenty-four cents for every extract.

Use by one
immigrant
of certificate
or pass of
another.

Penalty.

205. Any immigrant who uses or attempts to use any certificate of exemption from labour or any pass signed by an employer, not being the immigrant to whom that certificate or pass was granted, shall be liable to a penalty not exceeding twenty-four dollars or to imprisonment, with or without hard labour, for any term not exceeding two months, or to both the penalty and imprisonment.

Forgery of
certificate of
exemption
from labour.

206. Everyone who forges or alters, or offers, utters, disposes of, or puts off, knowing it to be forged or altered, any certificate of exemption from labour mentioned in this Ordinance or any indorsement provided by this Ordinance to be made thereon, with intent to defraud, shall be guilty of felony, and on conviction thereof shall be liable to imprisonment with or without hard labour for any term not exceeding two years.

Forgery of
passport
or pass.

207. Everyone who forges or alters, or offers, utters, disposes of, or puts off, knowing it to be forged or altered, any passport or pass mentioned in this Ordinance with intent to defraud shall be guilty of a misdemeanour, and on conviction thereof shall be liable to imprisonment with or without hard labour for any term not exceeding one year.

PART XV.

PROCEDURE.

Procedure
and appeal:

208.—(1) Every complaint made and every information laid under any of the provisions of this Ordinance shall be made or laid before the magistrate of the district in which

the offence was committed or the cause of complaint arose, and the procedure for the recovery of any fine or penalty or the enforcement of any imprisonment under the provisions of this Ordinance shall, unless otherwise provided hereby, be that provided by the Summary Jurisdiction Ordinances, and shall be subject to the appeal thereby prescribed:

Provided that

Proviso.

(a) a complaint or information against an indentured immigrant shall be made or laid within one month from the date of the offence or cause of complaint, or, in case of desertion, within one week from the date at which the deserter is apprehended; and

(b) if the Agent General, on behalf of any indentured immigrant, wishes to carry any summary conviction or order or other adjudication of a magistrate in a case of summary jurisdiction under this Ordinance to appeal before the court, he may appeal at any time within one month after the hearing.

(2) Every copy of grounds of appeal or of any other process required by the Agent General shall be furnished from the registry of court, or by the clerk to the magistrate, free of charge.

209. Every complaint which may be made and every information which may be laid under this Ordinance by an immigrant may be made or laid on his behalf by the Agent General.

Agent General may act for immigrant.

210. In any proceeding taken by the Agent General under this Ordinance, it shall not be necessary for him to attend in person unless he is a material witness, but he may authorise any officer of the immigration department to appear on his behalf.

Appearance of the Agent General.

211. In any proceeding taken by an employer against an immigrant under this Ordinance, it shall not be necessary for the complainant to attend in person unless the complainant is a material witness on the part of the immigrant, in which case the hearing may be postponed in order to his appearance.

Appearance of employer.

212. The defendant in any proceeding under this Ordinance shall be entitled to be sworn and to tender his evidence on oath; and every heathen immigrant shall make

Admissibility of evidence of defendant.

any oath or affirmation he declares to be binding on his conscience, and shall be liable in case of falsehood to be convicted and punished as for perjury.

Statement of ownership of property.

213. In any proceeding taken by or against an employer in which it may be necessary to state the ownership of any property belonging to or in the possession of the proprietors of any plantation, it shall be sufficient to name any one of those proprietors, or the attorney of the proprietors, and to state the property to belong to the person so named and another or others, as the case may be.

Proof of indenture list, certificate of exemption, or certified extract.

214. In any proceeding taken by or against an immigrant, any indenture list or certificate of exemption from labour, and any duplicate thereof signed by the Agent General, and every certified extract from any register kept by the Agent General, shall be received in evidence of any fact therein recorded without further proof.

Power of magistrate to order indentured immigrant before him to be conveyed to hospital.

215.—(1) Whenever, in any proceeding before a magistrate against an indentured immigrant, it appears to the magistrate that the immigrant requires medical care or to be medically examined, the magistrate may order him to be taken to the hospital of the plantation on which he is indentured, and thereupon he shall be conveyed by the police and admitted to that hospital.

(2) If a warrant has been issued for the apprehension of the immigrant as a deserter and he quits the hospital without being duly discharged, the warrant shall revive and be in full force immediately he does so.

(3) When the order is made, the magistrate may adjourn the proceeding to any time he thinks fit, or until after the immigrant is discharged from the hospital; and in the latter case the magistrate, before continuing the proceeding, shall cause proper intimation to be given to the parties of the time and place at which the proceeding will be continued.

Imprisonment of indentured immigrant.

216. Any magistrate who orders an indentured immigrant to be imprisoned by virtue of a conviction under this Ordinance may order him to be imprisoned either with or without hard labour.

Admission to bail in certain cases of immigrant sentenced to imprisonment.

217.—(1) Whenever any indentured immigrant is sentenced to be imprisoned under any summary conviction or order by a magistrate for any alleged offence under the

provisions of this Ordinance and the Agent General appeals **Form 41.**
 against the conviction or order, the magistrate shall there-
 upon admit the immigrant to bail in his own recognizance,
 in a sum not exceeding ninety-six dollars, to render him-
 self to prison according to the adjudication in case the
 adjudication is affirmed, and the adjudication, if affirmed,
 shall be enforced in the manner provided by the Summary
 Jurisdiction Ordinances.

(2) If the immigrant has been committed to prison
 before the Agent General has appealed, then the magis-
 trate of the district in which the prison is situate shall in
 every case admit the immigrant to bail as aforesaid on
 receiving notice in writing from the Agent General that he
 has appealed.

218.—(1) Every magistrate shall, on application made **Certified**
 in that behalf, furnish to the Agent General, free of cost, **copy of**
 a certified copy of any summary proceedings taken or had **proceedings**
 by the magistrate in respect of any matter arising out of **before the**
 the provisions of this Ordinance in which an immigrant **magistrate.**
 is concerned, and the copy shall include a certified copy of
 the complaint or information, the evidence, and the con-
 viction or order.

(2) The magistrate shall furnish the copy within
 seven days from the day on which he receives the applica-
 tion of the Agent General therefor.

219. The keeper of every prison shall, on application **Copy of**
 made in that behalf, furnish to the Agent General free of **warrant of**
 cost a copy of the warrant of commitment or other authority **commitment**
 by virtue whereof the keeper detains in custody any immi- **of immi-**
 grant for an alleged breach of the provisions of this **grant.**
 Ordinance.

220.—(1) Whenever an indentured immigrant is con- **Notification**
 victed of any offence committed by him after the commence- **by magistrate**
 ment of this Ordinance and is sentenced by a magistrate **of conviction**
 to pay a fine or penalty, or to be imprisoned with or without **of indentured**
 hard labour (or both), the magistrate shall state on the face **immigrant.**
 of the warrant of commitment, if the immigrant is com-
 mitted to prison, that the person therein named is an indented
 immigrant, if the fact is known to him, and shall,
 free of cost, transmit to the employer of the immigrant, if
 the employer is known to him, or, if the employer is not
 known to him, then to the Agent General, a certificate, **Form 42.**

signed by himself, stating that the immigrant has been so convicted and sentenced, and the time, if any, during which the immigrant was detained in custody while awaiting his trial before he was so convicted.

(2) In case of desertion, the magistrate shall also state in the conviction the date when the immigrant first quitted the plantation and the date when the charge was preferred against him for the desertion.

Notification
by magistrate
in case of
commitment
for trial.

form 43.

221. Whenever any indentured immigrant is charged with having committed any crime or offence after the commencement of this Ordinance and is committed by a magistrate for trial in the Supreme Court in its criminal jurisdiction, the magistrate shall attach to the depositions taken by him in the matter and transmit therewith a certificate stating the time during which the immigrant has been in custody in respect of the charge before he was committed for trial and whether or not the immigrant has been admitted to bail.

Certificate
of conviction
before
Supreme
Court.

form 44.

222. Whenever any indentured immigrant is convicted before the Supreme Court in its criminal jurisdiction of any crime or offence committed by him after the commencement of this Ordinance, and is sentenced to be kept in penal servitude or to be imprisoned, the registrar for the county or the clerk of the court shall give to the employer of the immigrant, on his application, the certificate transmitted by the magistrate with the depositions, and shall supply, the employer, free of cost, with a certificate stating that the immigrant mentioned in the certificate of the magistrate was so convicted and sentenced, and shall state therein if the immigrant was admitted to bail, either before or after his trial, by any judge of the Supreme Court.

PART XVI.

MISCELLANEOUS PROVISIONS.

Property of Deceased Indentured Immigrants.

Mode of
dealing with
property of
deceased
indentured
immigrant.

223.—(1) Every immigration agent shall collect and take possession of all property of an indentured immigrant who dies in his district and, with the sanction of the Agent General, shall deliver or pay it to anyone who establishes a right thereto, or, in the absence of that person, shall convert it into money and pay over the amount realised to the Colonial Treasurer to be remitted to the persons abroad entitled to it.

(2) The Agent General shall keep a book wherein shall be recorded the particulars of any dealings with the property. Form 45.

224. No appeal to any court shall lie from any decision of the Agent General in respect of a claim made to or against the estate of any deceased indentured immigrant, and no action shall lie against the Agent General or against any immigration agent for any act done or omission made by him in the administration of the estate of any deceased immigrant aforesaid under the provisions of this Ordinance. Protection of officers, in relation to property.

225. Every manager of a plantation shall, without delay, notify in writing to the immigration agent of the district the decease of any indentured immigrant, and with the notification, transmit also a short inventory of all the goods, chattels, personal effects, wages, and other assets which belonged or were due to the deceased immigrant. Proceeding by manager on death of indentured immigrant.

226.—(1) When a male immigrant and female immigrant have cohabited together without having been married and one of them dies intestate during the period of cohabitation, and the estate of the one so dying is administered by the Official Receiver under the provisions relating to the administration of immigrants' small estates, the Official Receiver may assign to the survivor for his or her absolute use and benefit any share, not exceeding one half, of all the movable and immovable property of the estate of the deceased immigrant acquired by the immigrants' joint earnings, or to the acquisition whereof the survivor has contributed, which after due inquiry and consideration appears just. Division by official Receiver of immigrants' property in certain cases.

(2) Every decision under the preceding sub-section shall be final, and the Official Receiver shall have full power and authority to do all things necessary (including the power to convey immovable property) to put the survivor in possession of the share of the property so assigned.

Administration of immigrants' small estates.

227.—(1) The Official Receiver shall, in the manner hereinafter provided, administer the estate of every immigrant who (a) dies intestate, or (b) dies testate, but without Administration of small estate.

appointing an executor, or whose executor, if appointed, refuses, neglects, or is unable to act, where in his opinion that estate does not exceed in value two hundred and forty dollars.

Realisation of small estate.

(2) The Official Receiver, without any previous legal formality, shall enter into and take possession of the immigrant's estate and realise it.

Report by employer of death of immigrant.

(3) The employer on whose plantation, or premises or in whose service, an unindentured immigrant labourer dies shall (a) without delay notify in writing the death of the labourer to the Official Receiver, and in default of so doing shall on conviction thereof be liable to a penalty of twenty-four dollars; (b) with the notification of the decease and under the like penalty in default, transmit to the Official Receiver a short inventory in writing, duly signed by him, of all the goods, chattels, personal effects, wages, and other assets, which to his knowledge belonged or were due to the deceased immigrant.

Penalty for default.

Inventory.

Inquiry as to property.

(4) The Official Receiver shall make inquiry whether the deceased immigrant possessed other effects or property of any kind, and, if they are discovered, prepare a short inventory thereof.

Sale of movable property.

228.—(1) The Official Receiver shall cause the goods, chattels, and effects belonging to an immigrant's estate to be sold in a summary way, and all sales may be made at any place deemed suitable and convenient, and either with or without previous notice, except in the case of articles of jewellery, or of gold or silver, apparently exceeding in value fifty dollars, which shall be sold after previous notice.

Sale of immovable property.

(2) Immovable property belonging to the estate shall be sold in the manner prescribed in the preceding subsection.

Disposal of balance.

229. All balances belonging to the estates of immigrants shall be paid over forthwith by the Official Receiver to the Colonial Treasurer, and the Colonial Treasurer shall give notice thereof to the Agent General in order that the heirs of the immigrants may if possible be ascertained without delay.

230. Where an immigrant under indenture dies, the provisions in that behalf of this Ordinance or of any other Ordinances for the time being in force relating to Asiatic immigrants shall apply.

Case of indentured immigrants.

231.—(1) From and out of all moneys realised by the Official Receiver for or on account of any estate administered by him under the provisions of section two hundred and twenty-seven to two hundred and thirty-two hereof, he shall deduct a commission at the rate of eight dollars on every one hundred dollars received or realised, and no commission shall be payable on any sums disbursed or paid out.

Commission payable for administration of estate.

(2) The amount of all commissions received by the Official Receiver under this section shall be paid to the Colonial Treasurer for the use of the colony.

232.—(1) The provisions of sections two hundred and twenty-seven to two hundred and thirty-one hereof inclusive shall apply only to the estates of immigrants who die before they have become entitled to a return passage to India, or before they have surrendered their right to a return passage, under any Ordinance for the time being in force relating to the return passages of immigrants to India and the surrender of the right thereto.

Application of five last preceding sections limited to certain immigrants. ✓

(2) A certificate purporting to be signed by the Agent General that any immigrant is entitled to a return passage as aforesaid, or has surrendered his right to a return passage, shall be *primâ facie* evidence of those facts and be so received in evidence in all courts without proof of the signature of the Agent General.

Exemption from provisions of this Ordinance.

233.—(1) Notwithstanding anything in this Ordinance contained, anyone born in the colony may make a declaration in writing, in the form in the schedule hereto, signed by him in the presence of the Agent General or any immigration agent, to the effect that he desires that the provisions of this Ordinance shall no longer apply to him :

Requisites :

Declaration : form 46 :

Provided that the person who makes the declaration shall not be under the age of twenty years and shall be able to read and write.

Proviso.

Certificate
of Agent
General;
form 47.

(2) On the production of the declaration to the Agent General the person who makes it shall be entitled to receive a certificate under the hand of the Agent General in the form given in the schedule hereto, and thereupon this Ordinance shall cease to apply to that person, and all his rights, duties, and liabilities under this Ordinance shall cease and determine, and he shall no longer be deemed to be an immigrant within the meaning hereof.

Application
for
certificate.

(3) The applicant for a certificate under the last preceding sub-section need not apply in person to the Agent General; it shall suffice if the application is made in writing and sent with the declaration by post or by another person to the Agent General.

Effect of
certificate
as to
marriage and
divorce:

(4) Part X of this Ordinance shall not apply to anyone who has received a certificate under this section, and from and after the date of the certificate he shall not be deemed to be an immigrant within the meaning of that part:

Proviso.

Provided that any marriage registered or contracted or divorce decreed, or any other matter or thing lawfully done under Part X before the date of the certificate shall be valid and effectual for all purposes whatsoever.

Care of Orphans.

Appointment
of guardian
of orphan
child of
immigrant.

234. The Agent General may commit the care and custody of any orphan child of an immigrant to anyone (hereinafter termed "the guardian") whom he thinks a fit and proper person to have the charge of the orphan child, and may change that guardian whenever he thinks fit.

Interference
with guardian
or removal
of orphan
from his
custody.

235. Everyone who—

(a) wilfully interferes with a guardian in any of the duties of his guardianship; or

(b) unlawfully removes or entices, or attempts to remove or entice, an orphan from the care and custody of his guardian,

Penalty.

shall be liable, on the complaint of the Agent General, to a penalty not exceeding forty-eight dollars or to imprisonment, with or without hard labour, for any term not exceeding three months.

Register of
orphans;
form 48.

236. The Agent General shall keep a register of orphans for the purposes of the last two preceding sections.

Government and Control of Festivals.

237.—(1) The Governor may make regulations for the government of the festivals of immigrants and the processions held by them in connection therewith, for defining the routes of the processions and preventing obstructions of the public highway by reason thereof, and for securing the due maintenance of the public peace and tranquillity during the festivals and processions.

Regulations for government of festivals.

(2) The regulations may be either general and apply to all plantations or public highways of the colony, or special and apply only to a particular plantation or public highway, to be set forth in the regulations.

Application.

(3) Everyone who contravenes a regulation shall be liable to a penalty not exceeding ninety-six dollars or to imprisonment, with or without hard labour, for any term not exceeding six months.

Contravention.

Penalty

(4) Prosecution for the contravention of a regulation may be made by any police constable.

Prosecution.

Questions as to Age.

238. Any question as to the age of an immigrant which may be raised under this Ordinance, other than a question in a court of justice, may be decided by the Agent General and his decision shall be final.

Decision of question as to age of immigrant.

General penalty.

239. Where no punishment is provided for the contravention of any of the provisions of this Ordinance, everyone guilty of the contravention shall be liable to a penalty not exceeding twenty-four dollars.

Penalty for contravention of the Ordinance not provided for.

SCHEDULE.

FORMS.

(Section 4.)

TABLE OF FORMS.

1. Summons on inquiry.
2. Oath on inquiry.
3. Affirmation on inquiry.
4. Register of applications for immigrants.
5. General register of immigrants introduced into the colony.
6. Indenture list.
7. Register of dwellings of indentured immigrants.
8. Scale of rations.
9. Case book.
10. Hospital register.

Certificate
of Agent
General;
form 47.

(2) On the production of the declaration to the Agent General the person who makes it shall be entitled to receive a certificate under the hand of the Agent General in the form given in the schedule hereto, and thereupon this Ordinance shall cease to apply to that person, and all his rights, duties, and liabilities under this Ordinance shall cease and determine, and he shall no longer be deemed to be an immigrant within the meaning hereof.

Application
for
certificate.

(3) The applicant for a certificate under the last preceding sub-section need not apply in person to the Agent General; it shall suffice if the application is made in writing and sent with the declaration by post or by another person to the Agent General.

Effect of
certificate
as to
marriage and
divorce:

(4) Part X of this Ordinance shall not apply to anyone who has received a certificate under this section, and from and after the date of the certificate he shall not be deemed to be an immigrant within the meaning of that part:

Proviso.

Provided that any marriage registered or contracted or divorce decreed, or any other matter or thing lawfully done under Part X before the date of the certificate shall be valid and effectual for all purposes whatsoever.

Care of Orphans.

Appointment
of guardian
of orphan
child of
immigrant.

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or removal
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custody.

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(3) Everyone who contravenes a regulation shall be liable to a penalty not exceeding ninety-six dollars or to imprisonment, with or without hard labour, for any term not exceeding six months.

Contravention.

Penalty

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Decision of question as to age of immigrant.

General penalty.

239. Where no punishment is provided for the contravention of any of the provisions of this Ordinance, every one guilty of the contravention shall be liable to a penalty not exceeding twenty-four dollars.

Penalty for contravention of the Ordinance not provided for.

SCHEDULE.

FORMS.

(Section 4.)

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7. Register of dwellings of indentured immigrants.
8. Scale of rations.
9. Case book.
10. Hospital register.

11. Pay list.
12. Complaint for an offence by a watchman.
13. Complaint for absence from work, etc.
14. Complaint for being drunk, etc.
15. Complaint for using threatening words, etc.
16. Register of cases before the magistrate.
17. Complaint for absence without leave.
18. Certificate that absence was for reasonable cause or the contrary.
19. Complaint against a deserter.
20. Warrant for apprehension of a deserter.
21. Register of absences on leave.
22. Register of desertions.
23. Certificate of return of indentured immigrant to plantation.
24. Complaint against an habitual idler.
25. Register of defaulters.
26. Register of married immigrants arriving in the colony.
27. Certificate of registration of marriage of immigrants arriving in the colony.
28. Register of marriages of immigrants contracted in the colony.
29. Notice of intention to contract marriage.
30. Certificate of marriage after publication of notice.
31. Certificate of marriage according to religion and personal law.
32. Certificate of registration of marriage of immigrants contracted in the colony.
33. Register of divorces of immigrants.
34. Certificate of exemption from labour.
35. Passport.
36. Register of passports.
37. Complaint against owner, etc., of ship for receiving immigrant who had no passport.
38. Register of births on plantation.
39. Register of deaths on plantation.
40. Half-yearly return by employer.
41. Recognizance in case of appeal.
42. Certificate of conviction of indentured immigrant by magistrate.
43. Certificate of committal of indentured immigrant for trial.
44. Certificate of conviction of indentured immigrant before the Supreme Court.
45. Register of property of deceased immigrants.
46. Register of orphans.
47. Declaration for exemption from Ordinance.
48. Certificate of exemption.

I.

(Section 18.)

Summons on inquiry.

To

of

Take notice that, under the provisions of the Immigration Ordinance you are required to attend before me at _____ in the county of _____ on _____ day, the _____ day of _____ 19____, at _____ o'clock _____ m., then and there to give evidence touching the matter of a certain inquiry, to be then and there lawfully held by me, on pain as the law directs.

Dated this _____ day of _____, 19____.

(Signed)

Immigration Agent.

5—(continued).

Amount of fee charged on partially non-effective immigrant.	Number in marriage register.	Indenture fee refunded.		Plantation to which transferred.	Commutated.	Certificate of exemption.		Sent to eleemosynary institution.	Number in obituary register.		Number and name of ship in which returned to Indis.	Year of departure.	Remarks.	
		Cause.	Amount.			No.	Year.		No.	Year.				
			\$											c.

6.

(Section 48.)

Indentured list of immigrants, ex ship 19 , allotted to plantation.

Register Number.	Name.	Father's name.	Sex.	Age.	Height.	Bodily marks.	Date of indenture.	Amount of fee.	Number of wife, husband or parent.	Remarks.

This Indenture witnesseth that from this date the immigrants scheduled above have been duly indentured by the Agent General to reside on plantation for five years, and to serve as labourers thereon, the male immigrants for five years and the female immigrants for three years, subject nevertheless in all respects to the Immigration Ordinance.

(Signed)

Immigration Agent General.
Proprietor [or as the case may be].

Dated this day of , 19

12.

(Section 102.)

Complaint for an offence by a watchman.

BRITISH GUIANA.

DISTRICT.

The complaint of _____ the _____ manager of plantation _____ in the _____ judicial district in the county of _____ taken [upon oath] before me, the undersigned magistrate for the said judicial district, who saith that the immigrant _____ male, _____ years on arrival, no. _____ ex _____ 19 _____, being then under indenture on the said plantation, and having bound himself by a certain agreement to serve as a watchman on the said plantation, and being then bound so to serve for a period then unexpired, on the _____ day of _____ 19 _____, and whilst he was so bound as aforesaid, at the said plantation, did unlawfully neglect his duty as a watchman by [*here state how*] (or to serve as a watchman on the said plantation) contrary to the form of the Ordinance in that case made and provided.

(Signed)

Manager of plantation.

Taken (and sworn) before me this _____ day of _____, 19 _____, at _____

(Signed)

Magistrate.

13.

(Section 103.)

Complaint for absence from work, etc.

BRITISH GUIANA.

DISTRICT.

The complaint of _____ the _____ manager of plantation _____ in the _____ judicial district in the county of _____ taken (upon oath) before me, the undersigned magistrate for the said judicial district, who saith that the immigrant _____ male, _____ years on arrival, no. _____ ex _____ 19 _____, being then under indenture on the said plantation, on the _____ day of _____ 19 _____, at the said plantation, did, without lawful excuse, absent himself from work, namely, [*here describe the work*] (or after having been directed by _____ being a duly authorised person, namely, [*here state the capacity of the person*] on the said plantation, to attend at [*here state the time*] at [*here state the place*] for the performance of certain work, namely, [*here describe the particular work, as for instance, weeding one opening in*

field no. 6 on the said plantation] refuse [or neglect] to so attend)
 (or refuse to begin, or refuse to finish, or neglect to begin, or neglect to finish
 [as the circumstances of the case may require] certain work, namely, [here
 describe the particular work] which said work the said
 had been directed by _____ being a duly authorised
 person, namely, [here state the capacity of the person] on the said plantation
 to perform,) _____ contrary to the form of the Ordinance
 in that case made and provided.

(Signed) _____
 Manager of plantation.

Taken (and sworn) before me this _____ day
 of _____, 19____, at _____

(Signed) _____
 Magistrate.

14.

(Section 104.)

Complaint for being drunk, etc.

BRITISH GUIANA.

DISTRICT.

The complaint of _____ the _____ manager
 of plantation _____ in the _____ judicial district in
 the county of _____ taken (upon oath) before me, the
 undersigned magistrate for the said judicial district, who saith that the
 immigrant _____ male, _____ years on arrival, no.
 ex _____ 19____, being then under indenture on the said
 plantation, on the _____ day of _____ 19____, at _____
 was drunk in (or about) the buildings, while employed on certain work,
 namely, [here describe the work]
 (or was drunk during the time when he was required to be at work) (or was
 guilty of fraud (or wilful deception) in the performance of his work by [here
 describe the fraud or deception practised])
 (or did use to _____ his employer (or a person by his
 employer then placed in authority on the said plantation as overseer or as
 foreman) abusive (or insulting) words (or gestures)
 contrary to the form of the Ordinance in that case made and provided.

(Signed) _____
 Manager of plantation.

Taken (and sworn) before me this _____ day
 of _____, 19____, at _____

(Signed) _____
 Magistrate.

15.

(Section 105.)

Complaint for using threatening words, etc.

BRITISH GUIANA.

The complaint of _____ the _____ manager of plantation _____ in the _____ judicial district in the county of _____ taken (upon oath) before me, the undersigned magistrate for the said judicial district, who saith that the immigrant _____ male, _____ years on arrival, no. _____ ex _____ 19 _____, being then under indenture on the said plantation, on the _____ day of _____ 19 _____, at _____ did use to _____ his employer (or a person by his employer then placed in authority on the said plantation as overseer or as foreman) threatening words (or gestures) (or did by negligence (or carelessness or improper conduct) endanger (or damage, or cause to be endangered, or damaged, or suffer to be endangered or damaged) certain property of his employer, the proprietor of the said plantation, namely, [*here describe the property*]) (or did sell certain property of his employer, the proprietor of the said plantation [*here describe the property*]) (or did hinder (or molest) one _____ an immigrant, in the performance of his work) (or did persuade (or attempt to persuade) one _____ an immigrant, unlawfully to refuse (or absent himself from or desist from) work) contrary to the form of the Ordinance in that case made and provided.

(Signed)

Manager of plantation.

Taken (and sworn) before me this _____ day of _____, 19 _____, at _____

(Signed)

Magistrate.

16.

(Section 106.)

Register of cases before the magistrate.

Number herein.	Date of complaint.	Complainant.	Defendant.	Number, ship and year of arrival.	Charge.	How disposed of.	Date of disposal.	Punishment.	Remarks.

17.

(Section 111.)

Complaint for absence without leave.

BRITISH GUIANA.

The complaint of _____ the _____ manager of plantation _____ in the _____ judicial district in the county of _____ taken (upon oath) before me, the undersigned magistrate for the said district, who saith that the immigrant _____ male, _____ years on arrival, no. _____ ex 19 _____, being then under indenture on the said plantation, did unlawfully absent himself from the said plantation without leave during the time in which he was required to be at work, namely, [*here state the time and describe the work*] _____ (or being then under indenture on the said plantation, on the _____ day of _____, 19 _____, (or and on _____ *days then next following, *if the absence continues*) did unlawfully absent himself from the said plantation without leave, and did thereby commit a breach of his obligation of residence on the said plantation) _____ contrary to the form of the Ordinance in that case made and provided.

(Signed)

Manager of plantation.

Taken (and sworn) before me this _____ day of _____, 19 _____, at _____

(Signed)

Magistrate.

* This number cannot be more than five, for if the immigrant has been so absent for more than five days in addition to the day specified, he becomes a deserter.

18.

(Section 113.)

Certificate that absence was for reasonable cause or the contrary.

This is to certify that the immigrant _____ male, no. _____ ex _____ 19 _____, came to me on the _____ day of _____ 19 _____, to complain of [*here state the matter of complaint*] and that I am of opinion he had reasonable grounds for so doing (or that the complaint was ill-founded or frivolous).

Dated this _____ day of _____, 19 _____.

(Signed)

*Immigration Agent General, (or
Immigration Agent or Magistrate).*

19.

(Section 114.)

Complaint against a deserter.

BRITISH GUIANA.

DISTRICT.

No. plantation.

The complaint of the Manager
of plantation in the judicial district
in the county of taken (upon oath) before me, the
undersigned magistrate for the said judicial district, who saith that the
immigrant male, years on arrival,
no. ex 19 , in height, bodily marks
being then under indenture on the said plantation, did, on the day
of 19 , without leave absent himself from
the said plantation, and did continue so to absent himself from the said
plantation for the period of seven days then next following, by means whereof
he, the said then became and now is
a deserter from the said plantation, contrary to the form of the Ordinance in
that case made and provided ; and thereupon the said
makes application that the said
may be apprehended and dealt with according to law.

(Signed)

Manager of plantation.

Taken (and sworn) before me this day
of , 19 , at

(Signed)

Magistrate.

N.B.—*These complaints are to be numbered consecutively on each plantation in each year from the 1st January, to the 31st December.*

20.

(Section 114.)

Warrant for apprehension of a deserter.

BRITISH GUIANA.

DISTRICT.

To all constables of the colony.

No. 1

Whereas a complaint in writing has this day been made before me, the
undersigned magistrate for this colony, at in the
 judicial district in the county of
by manager of plantation in the said
judicial district (upon oath) for that the immigrant male,
 years on arrival, no. ex 19 ,
in height, bodily marks being then under indenture on the

said plantation, did, without leave, on the _____ day of _____ 19 _____, absent himself from the said plantation, and did continue so to absent himself from the said plantation, for the period of seven days then next following, by means whereof he then became and now is a deserter from the said plantation, contrary to the form of the Ordinance in that case made and provided:—These are, therefore, to command you, or either or any of you, forthwith to apprehend the said _____ and bring him before me, or the then acting magistrate for the said judicial district, to be further dealt with according to law.

Dated this _____ day of _____, 19 _____
 at _____
 (Signed) _____
 Magistrate.

21.
 (Section 119.)
Register of absences on leave.

Number	No.	_____	plantation.	19 _____
Name	The	_____	immigrant	
Sex	male, no.	ex _____	19 _____	, indentured
Number, ship, and year of arrival	to plantation	_____	has this day been	day
Number of days' leave	granted leave of absence for	_____	_____	day
Whether verbally or on pass	verbally (or on pass).	_____		

(Signed) _____
 Manager.

22.
 (Section 119.)
Register of desertions.

Number.	Name of deserter.	Sex.	Country.	Number, ship, and year of arrival.	Date when last seen on the plantation.	Where supposed to be.	Remarks.

23.
 (Section 125.)
Certificate of return of indentured immigrant to plantation.
 This is to certify that the indentured immigrant
 male, no. _____ ex _____ 19 _____, was this day brought to
 this plantation by police constable no. _____ at _____ o'clock, m.
 Dated this _____ day of _____, 19 _____
 (Signed) _____
 Manager of plantation.

24.

(Section 134.)

Complaint against an habitual idler.

BRITISH GUIANA.

DISTRICT.

The complaint of _____ the _____ manager of plantation _____ in the _____ judicial district in the county of _____ taken (upon oath) before me, the undersigned magistrate for the said judicial district, who saith that the immigrant _____ male _____ years on arrival, no. _____ ex _____ 19 _____, being then under indenture on the said plantation, was absent from work on the said plantation, without lawful excuse, on _____ days in the month of _____ 19 _____, (or in the two consecutive months of _____ and _____ 19 _____, namely, on the _____) by means whereof the said _____ has become an habitual idler, contrary to the form of the Ordinance in that case made and provided.

(Signed)

Manager of plantation.

Taken (and sworn) before me this _____ day of _____, 19 _____, at _____

(Signed)

Magistrate.

25.

(Section 128.)

Register of defaulters.

Desertion.					Imprisonment.			
Name and description of immigrant.	Year.	From	To	Number of days.	Name and description of immigrant.	From	To	Number of days.

26.

(Section 132.)

Register of married immigrants arriving in the colony.

Number.	Date.	Name.	Country.	Number, ship and year of arrival.	Plantation to which allotted.

31.

(Section 143.)

Certificate of marriage according to religion and personal law.

We, *A.B.* and *C.D.*, severally declare as follows :—

1. We are both of the _____ religion and are subject to the same personal law.

2. We were duly married on the _____ day of _____ 19 _____, at _____ by _____ and we severally say that such marriage was well and truly effected according to the said religion and to the personal law to which we are subject.

(Signed)

A.B.
C.D.

We, *E.F.* and *G.H.*, severally declare that we are of the same religion and subject to the same personal law as *A.B.* and *C.D.*; that we were present at the ceremony of marriage between them; and that the statements contained in this certificate are true.

Dated this _____ day of _____, 19 _____.

(Signed)

E.F.
G.H.

If the female is under fifteen years of age, the following declaration must be added :—

I, _____ father [or as the case may be] of _____ do hereby declare that I consent to the marriage of the said _____ to _____

Dated this _____ day of _____, 19 _____.

(Signed)

J.K.

32.

(Section 143.)

Certificate of registration of marriage of immigrants contracted in the colony.

No. _____ Immigration Office, _____, 19 _____
Georgetown,

I hereby certify that the marriage of the immigrants hereunder named and described has been this day duly registered by me.

Name.	Country.	Number, ship and year of arrival.	Place of abode.	Date of marriage.

(Signed)

Agent General.

N.B.—The number and date of this certificate will correspond with the first two columns of the form No. 28.

33.

(Section 154.)

Register of divorces of immigrants.

No.	Date.	Name.	Country.	Number, ship, and year of arrival.	Date of marriage.	Number of divorce.	Date of divorce.

34.

(Section 181.)

Certificate of exemption from labour.

BRITISH GUIANA.

I hereby certify that the undermentioned immigrant has completed _____ term of service under indenture on plantation.

Name of immigrant	...	...	_____
Father's name	...	...	_____
Sex	...	...	_____
Age on arrival	...	...	_____
Height	...	...	_____
Number, ship, and year of arrival			_____
Date of indenture...	...	...	_____
Bodily marks	...	...	_____
Number of certificate	...	...	_____
Date of issue	...	...	_____

Dated this _____ day of _____, 19 _____.

(Signed)

Immigration Agent.

40.

(Section 201.)

Half-yearly return by employer of the descriptions of immigrants under indenture to, or residing on, plantation in the county of _____ *day of* _____, 19__.

	INDIANS.				CHINESE.		OTHERS.		TOTAL.	
	CALCUTTA.		MADRAS.		M.	F.	M.	F.	M.	F.
	M.	F.	M.	F.						
Number of immigrants under indenture at commencement of the half-year										
Number of immigrants allotted during the half-year										
Number of immigrants transferred from other plantations during the half-year										
Number of infant immigrants who came under indenture during the half-year										
Total (A)										
Number of immigrants whose terms of service expired during the half-year										
Number of immigrants transferred to other plantations during the half-year										
Number of indentured immigrants who died during the half-year										
Total (B)										
Total number of immigrants remaining under indenture (C)										
Total number of immigrants not under indenture, residing on the plantation										
Total number of children, under ten years, residing on the plantation										
Total (C)										

NOTE 1.—From total A subtract total B, the remainder (total C) shows the number remaining under indenture.

NOTE 2.—Immigrants under ten years of age are not indentured, and therefore must not be included amongst immigrants under indenture.

EXTRACT FROM REGISTER OF BIRTHS.

Name of infant.	Sex.	Date of birth.	Description of father. (See note 1.)			Description of mother. (See note 1.)		
			Name.	Country.	Number, ship, and year of arrival.	Name.	Country.	Number, ship, and year of arrival.

EXTRACT FROM REGISTER OF DEATHS—(See note 1).

Name of deceased.	Sex.	Age at time of death.	Country.	Number, ship, and year of arrival.	Date of death.	Cause of death.	Remarks.

N.B.—All certificates of deceased immigrants, issued by the immigration department, must be transmitted with this return.

(B) SPECIFICATION of indentured immigrants in the colonial hospital, alms house, lunatic asylum, or leper asylum, on 19 .

Name of immigrant.	Sex.	Country.	Number, ship, and year of arrival.	Date when sent.	Institution.	Remarks.

(B) SPECIFICATION of indentured immigrants absent by desertion on
, 19 .

No.	Name of deserter.	Sex.	Country.	Number, ship, and year of arrival.	Date of desertion.	Where supposed to be.	Remarks.

(B) SPECIFICATION of indentured immigrants absent by imprisonment on
, 19 .

No.	Name of immigrant imprisoned.	Sex.	Country.	Number, ship, and year of arrival.	Date of imprisonment.	Terms for which imprisoned.	Remarks.

NOTE 1.—*In the case of creoles of Indian or Chinese parentage, their date of birth, birthplace, and full description of parents must be given.*

NOTE 2.—*The specifications of absentees should only include those absent on the last day of the half-year.*

I hereby certify that the above return is, to the best of my knowledge and belief, in all respects true and correct.

Dated this day of , 19 .

(Signed)

Manager.

41.

(Section 217.)

Recognizance in case of appeal.

BRITISH GUIANA.

Be it remembered that on the day of in
 the year of Our Lord one thousand hundred and
 the immigrant male, no. ex 19
 came before the undersigned, one of His Majesty's magistrates for the said
 colony, and acknowledged himself to owe to our Sovereign lord the King
 the sum of ninety-six dollars, to be made and levied of his movable and
 immovable property, to the use of our said lord the King, his heirs and
 successors, if he, the said fail in the condition indorsed.

Taken and acknowledged the day and year first above-mentioned.

(Signed)

*Magistrate.**Condition.*

The condition of the within written recognizance is such that whereas
 the said was convicted before for
 that he and was thereupon and
 sentenced by the said to be and
 whereas the Agent General having, on behalf of the said
 appealed against the said conviction, the said is entitled to be
 released pending the determination of the appeal; if therefore the said
 conviction shall be confirmed and the said shall surrender
 himself into the custody of the keeper of the prison at
 in the county of and thereafter suffer the said
 imprisonment for his said offence, then this recognizance to be void, or else
 to stand in full force.

42.

(Section 220.)

Certificate of conviction of indentured immigrant by the magistrate.

BRITISH GUIANA.

DISTRICT.

This is to certify that the immigrant male, no.
 ex 19 , under indenture on plantation in the
 judicial district in the county of was
 on the day of 19 , convicted of
 and was thereupon sentenced to

[If to pay a fine add, which said fine was thereupon paid, or was not
 paid and the said immigrant was thereupon committed in default as the
 case may be.]

[If the immigrant was detained in custody before conviction, add, And
 that the said was detained in custody for day
 before his conviction while awaiting his trial.]

[If the offence is desertion add also, This is to certify further that the said so convicted of desertion as aforesaid; was proved to have first quitted the said plantation on the day of 19 , and that the charge for that desertion was preferred against the said immigrant on the day of , 19 .]

Dated this day of , 19 .

(Signed)

Magistrate.

43.

(Section 221.)

Certificate of Committal of indentured immigrant for trial.

BRITISH GUIANA.

DISTRICT.

This is to certify that the immigrant male, no. ex 19 , under indenture on plantation in the county of accused of was on the day of 19 , committed for trial at the session of the Supreme Court in its criminal jurisdiction for the county of to be held on the day of 19 , and that the said immigrant has been in custody in respect of the said charge for days (or and that he was admitted to bail on the day of 19 , as the case may be).

Dated this day of , 19 .

(Signed)

Magistrate.

44.

(Section 222.)

Certificate of conviction of indentured immigrant before the Supreme Court.

BRITISH GUIANA.

This is to certify that male, the person mentioned and described in the certificate of the day of , 19 , as the immigrant male, no. ex 19 , under indenture on plantation in the county of was on the day of 19 , convicted before the Supreme Court in its criminal jurisdiction, and sentenced to be kept to penal servitude (or to be imprisoned) for (and if admitted to bail for any cause, add, and that the said was on bail from the day of 19 , to the day of , 19 .)

Dated this day of , 19 .

(Signed)

Registrar (or Clerk of the Court).

45.

(Section 223.)

Register of property of deceased immigrants.

Number.	L. R. Number.	Description of deceased.						Description of	
		Name.	Sex.	Age.	Number, ship, and year of arrival.	Date of death.	Place of death.	Name.	Number, ship, and year of arrival.
		Heirs.		Nature of property and value.		How realized.		How disposed of.	
		Relationship.	Residence.						

46.

(Section 233.)

Form of declaration.

THE IMMIGRATION ORDINANCE.

I, _____ now residing at _____
an immigrant born in this colony hereby declare :—

1. That I desire that the Immigration Ordinance shall no longer apply to me and that I shall not be deemed to be an "immigrant" within the meaning of the said Ordinance for any purpose whatsoever.

2. That I hereby give up and for ever renounce all the rights and privileges that I may have under the said Ordinance, including the right to a return passage to India, and desire to be free from all the liabilities under the said Ordinance.

3. That I (or my father or mother) arrived in this colony in the ship _____ on the _____ day of _____ and was indentured to _____

Particulars of declarant.

- Full name
- Father's name
- Mother's name
- Date of birth
- Place of birth
- Height
- Colour
- Bodily marks
- Thumb print

Signature of declarant.

Signed and declared by the said _____
before me this _____ day of _____
19 _____

Immigration Agent.

CHAPTER 228.

CHURCHES (FINANCIAL ASSISTANCE).

[No. XXXVIII of 1920.]

[14th December, 1920.]

1. This Ordinance may be cited as the Churches (Financial Assistance) Ordinance. Short title.

2. In this Ordinance the expression "governing body" means:— Interpretation.

- (a) as to the Church of England, the incorporated trustees of the Church in the diocese of Guiana;
- (b) as to the Church of Scotland, the Presbytery of British Guiana;
- (c) as to the Church of Rome, the Roman Catholic Bishop in British Guiana;
- (d) as to the Wesleyan Methodist Missionary Society, the chairman of the British Guiana district of the Wesleyan Methodist Society;
- (e) as to the Moravian Church, the Moravian Mission Council;
- (f) as to the Salvation Army, the General of that Army;
- (g) as to the Lutheran Church, the person or persons whom the Governor in Council determines.

3.—(1) The Governor may, for and on behalf of the colony, cause to be handed over from colonial revenue to the Churches and religious denominations at the commencement of this Ordinance provided for by the Clergy List Ordinance, 1918, and hereinafter mentioned, by means of government bonds to be issued for the purpose, the sum of six hundred and thirty-nine thousand four hundred and ten dollars. Issue of government bonds in respect of grants to Churches. (No. XLIX of 1918.)

(2) The bonds shall be in the form in the first schedule hereto, or in any other form sanctioned by the Governor in Council, signed by the persons legally holding the offices of Colonial Secretary and Colonial Treasurer for First schedule.

the time being, or by any other person or persons on behalf of the colony thereto specially authorised by the Governor in Council.

(3) Each bond shall be for the sum decided by the Governor in Council, shall become repayable in twenty-five years from the first day of January nineteen hundred and twenty-one, and shall bear interest to be paid half yearly at the rate of five per centum per annum.

Distribution
of bonds.

4.—(1) The total amount of the bonds required by this Ordinance to be issued shall be distributed and apportioned in bonds to the amounts, and between the Churches and religious denominations, mentioned below, that is to say—

	\$
to the Church of England in the colony... ..	350,350
to the Church of Scotland in the colony... ..	87,660
to the Church of Rome in the colony	113,210
to the Wesleyan Missionary Society in the colony	75,000
to the Moravian Church	6,380
to the Lutheran Church	3,620
to the Salvation Army	3,190

(2) The bonds shall be issued by the Colonial Treasurer only to, and on the written acknowledgment of, the governing body of the Church entitled to receive the bonds and interest.

Redemption
of bonds.

5.—(1) In order to provide for the redemption of the bonds issued under this Ordinance, there shall be set apart in each year from the colonial revenues, in addition to the interest on the amount of the bonds, the sum of fifteen thousand three hundred and ninety-seven dollars.

(2) The sum so set apart each year shall be invested under the direction of the Governor until it is applied in redemption of the bonds as hereinbefore provided.

Additional
payments
from colonial
revenues.

6. In addition to the payments hereinbefore in this Ordinance prescribed, the Governor may authorise the following payments from the revenues of the colony;—

(a) to each of the Churches mentioned below, annually for twenty-five years, a certain sum of money, which shall—

(i) in the case of the Church of England, begin at \$14,943.64 for the year nineteen hundred and twenty-one, and decrease annually thereafter by \$597.74;

- (ii) in the case of the Church of Scotland, begin at \$3,738.86 for the year nineteen hundred and twenty-one, and decrease annually thereafter by \$149.55;
- (iii) in the case of the Church of Rome, begin at \$3,339.50 for the year nineteen hundred and twenty-one, and decrease annually thereafter by \$133.58, up to and inclusive of the year nineteen hundred and forty-five, after which year all those payments shall cease entirely;
- (b) to the Church of England, the sum of \$360 a year in respect of each of the ministers whose names are set out in the second schedule, and to the Church of Scotland the sum of \$960 a year in respect of each of the ministers whose names are set out in the third schedule, to this Ordinance, so long only as those ministers respectively are not in receipt of a pension from colonial revenues and continue to perform the duties of the offices which they respectively fill at the present time, or of any other offices in the colony of the Church to which they belong.

7. Each of the annual sums provided for by the last preceding section shall grow due and become payable on the last day of each month, the first monthly payment becoming due on the thirty-first day of January, nineteen hundred and twenty-one, and the Colonial Treasurer for the time being may from time to time upon the warrant of the Governor pay each monthly sum to the governing body of the Church in respect of which it is payable:

Provided that the sums payable under paragraph (b) of the last preceding section shall only be paid on the certificate of the bishop of Guiana, or the presbytery of British Guiana, as the case may be, or his or its lawful deputy, that the minister has discharged his duties during the month to which the certificate refers to the satisfaction of the bishop or in his absence his vicar-general, or of the presbytery, as the case may be.

8. All the colonial revenues not specially appropriated by any Ordinance already in force shall be held to be pledged for the payment of the interest and principal becoming due in respect of the bonds issued, and the other payments authorised to be made, under the provisions of this Ordinance.

Defaced
bonds.

9. If any bond issued under this Ordinance is by accident defaced, the Governor may cause a new bond to be made and delivered to the bearer and the defaced bond to be cancelled, and the new bond shall bear the same interest and be subject to the same rules as the original bond.

Replacing
bonds lost or
destroyed or
payment
thereof if
overdue.

10. The Governor, on proof to his satisfaction that a bond issued under this Ordinance has been by accident lost or destroyed before it has been paid off, may, if the number and amount of the bond is ascertained, and upon due security being given to his satisfaction for indemnifying the colonial Government for any loss to which that Government may at any time be subjected by reason thereof, issue a new bond corresponding in all respects with that so lost or destroyed; or, if any bond, when so lost or destroyed, is overdue, the Governor may cause the money due thereupon to be paid off and discharged.

To secure
salaries of
ministers of
Church of
Scotland;

third
schedule:

11.—(1) The Presbytery of British Guiana shall pay to each of the ministers named in the third schedule hereto, and each of them is hereby declared to be entitled to receive from the Presbytery, the sum of two thousand four hundred dollars per annum, and those payments shall be made by the Presbytery out of—

- (a) the payments from time to time made to it under paragraph (b) of section six of this Ordinance; and
- (b) the amounts for interest from time to time paid to it in respect of the bonds issued to it under this Ordinance; and
- (c) the payments from time to time made to it under paragraph (a) of section six of this Ordinance.

(2) The annual sum to be paid to each minister under the last preceding sub-section shall be due and payable on the last day of each month, commencing on the thirty-first of January, nineteen hundred and twenty-one:

Proviso.

Provided that the Presbytery—

- (a) may, if he thinks fit, deduct from the sum to which a minister is entitled by virtue of this section any sums which it has paid to him during the year nineteen hundred and twenty-one before the coming into operation of this section; and
- (b) may dispense with his services either when he has attained the age of sixty-five years, or if at any time he is guilty of an offence rendering him, under the laws of the Church of Scotland, liable to be removed from his office of minister.

FIRST SCHEDULE.

(Section 3.)

No. **BRITISH GUIANA GOVERNMENT FIVE PER CENT. BOND.** No.
 (Church Endowment.)
 \$639,410.
 (Authorised by Ordinance No. 38 of 1920.)

WHEREBY PRINCIPAL AND INTEREST ARE CHARGED UPON THE REVENUES OF THE COLONY.

The principal to be repaid by the application of a sinking fund in the manner herein described.

UNDER THE AUTHORITY of the above-named Ordinance, enacted by the Governor of British Guiana, with the advice and consent of the Court of Policy thereof, dated the 14th day of December, 1920, the Government of British Guiana promise to pay the bearer hereof the sum of , together with the interest thereon at the rate of five dollars per centum per annum from the 1st January, 1921, until paid, payable half-yearly on the 1st day of July and the 1st day of January of each year on presentation of the proper coupons for the same, as hereunto annexed, at the Treasury, Georgetown.

Both principal and interest are secured on the revenues of the colony of British Guiana (not specially appropriated by any Ordinance in force before the passing of the Churches (Financial Assistance) Ordinance, 1920), and a sinking fund of such equal annual proportion of the capital sum of the said bonds as with interest will be sufficient in the aggregate to pay the same as and when the same become payable, is provided for the repayment of the said bonds.

This bond is issued for a term of twenty-five years from the 1st day of January, 1921.

Given under our hands at Georgetown, Demerara, British Guiana, this first day of January, 1921.

A.B.	}	On behalf of the colony of British Guiana.
Colonial Secretary.		
C.D.	}	On behalf of the colony of British Guiana.
Colonial Treasurer.		

Recorded

Auditor.

COUPON.

BRITISH GUIANA 5% LOAN.
 Ordinance No. 38 of 1920.
 (Church Endowment.)

Six months' interest due 1st on bond for payable at the Treasury, Georgetown.

A.B. Colonial Secretary.
 C.D. Colonial Treasurer.
 1st

, 1921.

SECOND SCHEDULE.

(Section 6.)

CHURCH OF ENGLAND.

The Rev. A. M. B. Jemmott, B.A.
The Rev. O. H. Wilson.
The Rev. J. H. Williams.
The Rev. F. L. Quick.

THIRD SCHEDULE.

(Section 6.)

CHURCH OF SCOTLAND.

The Rev. J. B. Wallace, M.A.
The Rev. R. L. Macnie, M.A., B.D.
The Rev. J. W. MacGill, M.A.
