

THE

House of Assembly Debates

(OFFICIAL REPORT).

SESSION 1947—48

HOUSE OF ASSEMBLY

Tuesday, 1st June, 1948

Pursuant to adjournment, the House of Assembly met at 12 o'clock noon to-day.

Present :

His Honour Mr. G. B. EVELYN (*Speaker*), Dr. H. G. CUMMINS, Messrs. M. E. COX, K. N. R. HUSBANDS, D. A. FOSTER, R. G. MAPP, C. E. TALMA, G. H. ADAMS, B.A., H. D. BLACKMAN, V. C. GALE, D. D. GARNER, J. A. HAYNES, B.A., H. A. DOWDING, and S. A. WALCOTT.

Prayers are read.

Mr. CRAWFORD enters the House and takes his seat.

MINUTES.

The Minutes of the meeting which was held on the 18th May, 1948, having been circulated are taken as read and confirmed.

Mr. F. L. WALCOTT enters the House and takes his seat.

INDIA'S EXPRESSION OF GRATITUDE FOR RESOLUTION OF SYMPATHY IN CONNECTION WITH MAHATMA GANDHI'S DEATH

Mr. SPEAKER : I have the honour to inform the House that I have received a letter from the Honourable the Colonial Secretary enclosing a Message from the Government of India in reply to the Resolution of Sympathy passed by the House of Assembly on the 3rd February, 1948, in connection with the death of Mahatma Gandhi. I will ask the Clerk to read the Message.

The Clerk reads the Message as follows :—

"The Government and the people of India desire to convey to the people of Barbados their sincere gratitude for the Resolution adopted in the Barbados House of Assembly expressing sympathy in the tragic bereavement which India has suffered by the death of Mahatma Gandhi.

"It will be the endeavour of the Government and the people of India to pursue the ideals of universal peace and tolerance for which the Mahatma lived and died."

DOCUMENT.

Mr. SPEAKER : I have the honour to inform the House that I have received from the Commissioners of Highways for the parish of St. Thomas a Statement of Revenue and Expenditure for the half year ended 31st March, 1948.

PAPERS LAID.

Mr. ADAMS : Mr. Speaker—I have the honour to lay on the table of the House the following Papers: Message No. 8/1948 from His Excellency the Governor, with reference to the Address from the House of Assembly dated the 11th May, 1948, on the subject of emigration to the U.S.A. and Canada.

Despatch from the Secretary of State for the Colonies dated the 5th May, 1948, regarding the Chief Medical Officer's Report for the year 1946-47.

Return of the quarterly transactions in rum to the 31st March, 1948.

Report of the Commission appointed to review and make recommendations upon the structure of the Civil Service of Barbados and the remuneration and conditions of service of all Government servants.

Statement of the expenditure of the Housing Board to the 31st of December, 1947.

Mr. MOTTLEY enters the House and takes his seat.

NOTICES.

Government Notices are given as follows :—

Mr. TALMA : Bill to provide for an additional type of birth certificate and for other purposes connected with the registration of birth.

Mr. ADAMS : Bill to amend the Cotton Export Levy Act, 1935-5.

Mr. WILKINSON enters the House and takes his seat.

Other Notices are given as follows :—

Mr. CRAWFORD : Bill to enforce the wage Rates for the Sugar Industry for the year 1948-49.

Mr. COX : Of the following Address :—

*The House of Assembly
To*

His Excellency the Governor.

The House of Assembly respectfully requests Your Excellency to take immediate steps to send down

legislation having for its object the amending of the Police Pension Act thereby bringing it in line with the recent Civil Service (Amendment) Pension Act which provides for a pension to be paid at the rate of 1/50 instead of 1/60 of their salaries as was formerly the case.

Mr. MOTTLEY : Bill to amend the Vestries Act, 1911 (1911—5).

Mr. SPEAKER : There are several Bills on the Order Paper to amend the Vestries Act and the honourable member must satisfy me that the Bill, of which he gives notice now, does not deal with any matter already referred to.

Mr. MOTTLEY : It does not, Mr. Speaker.

Mr. SMITH enters the House and takes his seat.

BILLS READ A FIRST TIME.

On the motion of Mr. TALMA, seconded by Mr. ADAMS, a Bill to provide for an additional type of birth certificate and for other purposes connected with the registration of birth is read a first time.

On the motion of Mr. ADAMS, seconded by Mr. TALMA, a Bill to amend the Cotton Export Levy Act, 1935 (1935—5) is read a first time.

Messrs. SYMMONDS and WARD enter the House and take their seats.

On the motion of Mr. CRAWFORD, seconded by Mr. GARNER, a Bill to enforce the wage Rates for the Sugar Industry for the year 1948—49 is read a first time.

On the motion of Mr. ADAMS, seconded by Mr. GARNER, a Bill to amend the Vestries Act, 1911 (1911—5) is read a first time.

CHAIRMAN OF COMMITTEES.

On the motion of Mr. ADAMS, seconded by Mr. TALMA, the honourable junior member for St. Joseph (Mr. Smith) is appointed Chairman of Committees for to-day's sitting.

COMMITTEE OF SUPPLY.

Mr. SPEAKER : The first Order of the Day is to resume Committee of Supply to consider the grant of sums of money for the service of the Colony.

Mr. SPEAKER leaves the Chair and the House resumes Committee of Supply, Mr. SMITH being in the Chair.

SUPPLEMENTARY VOTE FOR CUSTOMS DEPARTMENT POSTPONED

Mr. BLACKMAN asks for and is granted leave to postpone the consideration of the first Resolution for £3,000 to supplement the provision in the Estimates of Expenditure for the year 1948—49 under Head VI, Customs, item 23, Rent of Warehouses.

ERECTION OF POLICE SUB-STATION AT BLACK ROCK.

Dr. CUMMINS : The next Resolution is for the sum of £630 to purchase an area of land, estimated at 9,000 square feet, situated at "Welbeck", Black Rock, St. Michael, on which to erect a Police Sub-Station and to meet the legal and other expenses in connection with the purchase.

The building which is now being rented by the Government and used as a Police sub-station at Eagle Hall has not been in very good condition for some time. It is unsuitable for the purpose; the cots almost touch one another and policemen sleep in them practically cheek to cheek. It has been condemned by Supt. Calver in his Report and even before that, I believe

it was condemned by the late Chief Medical Officer. For some years now—I think they started in 1940—41—communications have been going on between the Government and the present owner of this property with the view of purchasing it, demolishing the building and erecting a new and modern police sub-station on the site. For certain reasons, the Government decided not to purchase this site but to purchase a site lower down the Black Rock road called "Welbeck". That site has an estimated area of 9,000 square feet and the owner has agreed to sell it to the Government for £600. The area of the site on which the sub-station now stands is approximately 10,000 square feet. It was valued in 1942 at £1,200 and the owner agreed to sell for £1,400 but the purchase was not effected for the good reason that the War was in progress and building materials could not be obtained. During last year the owner was again approached by the Government and on this occasion she wanted £4,000; consequently the Government was forced to look for another site and as I have mentioned, it decided on "Welbeck" for £600. There was another site in the vicinity with an area of approximately 19,000 square feet which was offered to the Government at a price of 5/- a square foot but that price was considered prohibitive. I have mentioned all this so that it could be seen that the Government has been doing all it could to obtain a suitable site at the cheapest rate. The Government was anxious to purchase the site at Eagle Hall corner for the good reason that it could have squared up the corner and made a better job of it. I do not know if there is anything more members of the Committee would like to know. If so they may ask and I will answer. The value of the property is £600 and the additional £30 is to pay expenses in connection with the purchase. I beg to move that this Resolution do now pass.

Mr. BLACKMAN : I beg to second that.

The question that this Resolution do now pass is put and resolved in the affirmative without division.

On the motion of Dr. CUMMINS, seconded by Mr. BLACKMAN, the CHAIRMAN reports the passing of one Resolution and the postponement of another in Committee of Supply and asks leave to sit again.

The House resumes and on the motions of Dr. CUMMINS, seconded by Mr. BLACKMAN in each case, the Resolution which was passed in Committee of Supply is read a first and a second time and is agreed to.

COUNCIL'S AMENDMENT TO PUBLIC OFFICERS LOAN AND TRAVELLING ALLOWANCES BILL.

Mr. ADAMS : Mr. Speaker,—I am asking leave to deal with the amendment of the Other Place to the Public Officers Loan and Travelling Allowances Bill.

There being no objection, the honourable member is granted leave to proceed.

Mr. ADAMS : Mr. Speaker,—It is the most trivial of all amendments, possibly apart from a punctuation mark. Through some reason or other, the word "therefore" was inserted in a line and the Other Place has deleted that word. I beg to move that this amendment be now read a first time.

Mr. TALMA : I beg to second that.

The question that this amendment be now read a first time is put and resolved in the affirmative without division.

On the motions of Mr. ADAMS, seconded by Mr. TALMA in each case, the amendment is read a second time and is agreed to.

THE PUBLIC HEALTH BILL.

Mr. SPEAKER : The next Order is to resume Committee on the Bill to consolidate and amend the Acts of this Island relating to Public Health.

Mr. SPEAKER leaves the Chair and the House resumes Committee on the Bill, Mr. SMITH being in the Chair.

Clauses 8 and 9 are agreed to.

Dr. CUMMINS : I beg to move that Clause 10 stand part of the Bill.

Mr. BLACKMAN : I beg to second that.

On the motion of Mr. WILKINSON, seconded by Mr. WARD, Clause 10 is read as follows :—

"10. In order to facilitate public health administration, the Island is hereby divided into three Wards as follows :—

- (a) the Northern Ward, consisting of the parishes of Saint Lucy, Saint Peter, Saint James, Saint Thomas, Saint Andrew and Saint Joseph;
- (b) the Central Ward consisting of the Parish of Saint Michael; and
- (c) the Southern Ward consisting of the Parishes of Christ Church, Saint Philip, Saint George and Saint John.

Mr. WILKINSON : I would like the senior member for St. Thomas to tell me the population in each ward.

Dr. CUMMINS : I am sorry I cannot give that information. I did not come prepared with information of that sort but if the honourable member insists on having it I can postpone this clause and endeavour later in the afternoon to get the information.

Mr. WILKINSON : I do not want to delay the passing of the Bill but the information would be useful for purposes of comparison.

The question that Clause 10 stand part of the Bill is put and resolved in the affirmative without division.

Clauses 11 to 13 inclusive are agreed to.

Dr. CUMMINS : I beg to move that Clause 14 stand part of the Bill.

Mr. BLACKMAN : I beg to second that.

The question that Clause 14 stand part of the Bill is put and resolved in the affirmative without division.

Clause 15. The work to be carried out at a Health Centre shall include—

- (a) the diagnosis and treatment of venereal disease;
- (b) maternity and child welfare services;
- (c) the treatment of tuberculosis within limits to be determined by the Director;
- (d) nutrition clinics;
- (e) preventive measures against infectious diseases;
- (f) health education;
- (g) the direction and control of midwives employed by the Sanitary Authorities of the parishes within the Ward in which such Health Centre is established.

Dr. CUMMINS : I ask leave to amend sub-paragraph (g) by deleting the words "the direction and control" and substituting the word "supervision" therefor.

There being no objection, the leave is granted and the sub-paragraph is amended accordingly.

On the motion of Dr. CUMMINS, seconded by Mr. BLACKMAN, Clause 15, as amended, is agreed to.

Clauses 16 to 18 inclusive are agreed to.

19. (1) There shall be established in each of the Parishes of this Island a Sanitary Authority.

(2) The Sanitary Authority of a Parish shall be appointed by the Vestry of such Parish and shall consist—

- (a) in the case of each of the Parishes of Saint Michael and Christ Church of nine persons, of whom five shall be members of the Vestry of the Parish (and four persons other than members of the Vestry);
- (b) in the case of any other Parish of six persons of whom three shall be members of such Vestry and three persons other than members of such Vestry.

(3) Subject to the provisions of subsection (4) of this section the members of a Sanitary Authority who are Vestrymen shall be appointed on the twenty-fifth day of March in each year, or within twenty-one days thereafter, and the members of a Sanitary Authority who are not Vestrymen shall be appointed on the twenty-fifth day of June in every second year, or within twenty-one days thereafter.

(4) Notwithstanding anything to the contrary contained in this section, the first appointment of members of every Sanitary Authority shall be made within thirty days after the coming into operation of this Act, and the term of office of the members so appointed shall expire on the appointment of members in accordance with the provisions of sub-section (3) of this section, and not later than the fifteenth day of April next following the coming into operation of this Act.

(5) All members of a Sanitary Authority shall be eligible for re-appointment.

(6) If—

- (a) any casual vacancy shall occur in the office of any member by death, resignation or otherwise, or
- (b) any member shall decline to act, or
- (c) any member not being absent on leave from the island shall absent himself without sufficient excuse from three successive meetings of the Sanitary Authority,

the Chairman shall notify the same to the Vestry who shall thereupon appoint some fit person to fill the place of such member; but the person so appointed shall hold office only so long as the member in whose place he was appointed would have held office.

(7) The Chairman of the Sanitary Authority for each Parish shall be appointed by the Vestry of such Parish. In the event of his absence from any meeting the members shall elect one of their number to be chairman.

(8) Three members of a Sanitary Authority shall form a quorum.

(9) The Chairman shall have a casting vote as well as an original vote.

(10) No act or proceeding of a Sanitary Authority shall be invalidated or questioned on account of any vacancy among the members of such Sanitary Authority or any defect in their appointment.

(11) Every Sanitary Authority shall keep a minute book in which their proceedings shall be recorded.

(12) All acts, matters and things authorised or necessary to be done and executed by a Sanitary Authority may be done and executed by the majority of the members of such Sanitary Authority present at a duly constituted meeting.

Dr. CUMMINS: Mr. Chairman,—There are one or two amendments to be made to this Clause. First of all, I ask leave to delete all the words from the word “and” in line 4 of sub-paragraph (a) of sub-clause 2 to the end of the sub-paragraph and to delete all the words from the word “and” in line 3 of sub-paragraph (b) to the end of the sub-paragraph. It is felt that some parishes may want to appoint to their Sanitary Authorities persons who are all members of the Vestries of the respective parishes and as these sub-paragraphs are at present worded, they could not do that; they would be compelled to appoint persons to their Sanitary Authorities other than the members of their Vestries.

Mr. ADAMS: In that case I would like to suggest that the words “at least” be inserted after the word “whom” in line 3 of sub-paragraph (a) and in line 2 of sub-paragraph (b), otherwise the sub-paragraphs will be stating that only five and only three members respectively could be members of the Sanitary Authorities of the respective parishes.

Dr. CUMMINS: I accept those amendments.

Mr. HAYNES: Mr. Chairman,—Sub-paragraph (b) of sub-clause 2 of this clause provides that in the case of parishes other than St. Michael and Christ Church six persons shall be members of the Sanitary Authorities of those parishes but I consider that five members are adequate for those parishes. I can assure you that it is no pleasure to be a Sanitary Commissioner and sometimes there is more enmity than anything else. I do not think that people are very keen on serving as Sanitary Commissioners in some of the outlying parishes. For those reasons I beg to move that the word “six” in line 1 of sub-paragraph (b) be deleted and the word “five” substituted therefor.

Mr. DOWDING: I beg to second that.

Mr. MAPP: I cannot see the wisdom in that motion. You change the number of people to be appointed to a Sanitary Authority but you do not change the number to form a quorum. The only reason which is given for changing the number is that people are not anxious to serve and yet you do not change the quorum. You must have three in any case and the quorum should be changed from three to two so that if two members attend, there can still be a meeting of the particular Sanitary Authority. But in view of the reason which has been given for the change I would prefer to leave the clause as it stands because if members will not attend they should be turned out by the ratepayers when the time comes.

Mr. F. L. WALCOTT: If this amendment was going to prevent Sanitary Authorities from being unwieldy I would agree with the senior member for St. Andrew. The appointment of six will, to my mind, give more people the opportunity to function on these Boards. If you restrict it to too narrow a number you will find it difficult to get people in the various parishes to serve and I should prefer to err on the side of six rather than agree to five. Six cannot make the number unwieldy and it sounds strange to me to hear the honourable member suggest, in these days of democracy, that the scope for service on these Boards should be narrowed instead of widened.

Mr. MOTTLEY: Sir,—I wonder if honourable members will look at it this way. We have just so amended the same sub-paragraph (b) that the Vestries of parishes other than St. Michael and Christ Church may appoint at least three of their members to be members of the Sanitary Authorities of the respective parishes, and I suppose that non-vestrymen will still be appointed to serve on these Sanitary Authorities. As the law stands at present, the Commissioners of Health, whose places will be taken by

the Sanitary Authorities, at any of their meetings can commit the Vestry to any expenditure for which they may provide at the beginning of their financial year and I am suggesting that the number should be five or seven but not six. If you leave it at six, you may have a quorum of non-vestrymen who are not responsible to the ratepayers and for them to commit the particular parish to any expenditure would be a bad thing. You may have a Chairman who may call a meeting of his Sanitary Authority on a Friday when all the members who are vestrymen are in town and it must be borne in mind that he is to have two votes—a casting vote as well as an original vote. I repeat that you may very well get a Chairman who is a non-vestryman and two other members who are also non-vestrymen of the particular Sanitary Authority holding a meeting and committing the parish to any expenditure because what they have agreed to, the Vestry cannot question; ordinary expenditure for sanitation in a parish cannot be questioned by the Vestry of that parish. Let the number be either five or seven but not six. In any case I can quite see that any wide awake Vestry is bound to say that all the people who may be interested in sanitation in the particular parish are not necessarily vestrymen and that, therefore, it would be necessary to appoint to the Sanitary Authority of that particular parish persons who are not vestrymen. The Vestry may appoint persons who are interested in sanitation but who, when it comes to the spending of money to effect an improvement in a particular direction may say “Oh no; we are not spending money for that purpose.” I feel that an amendment to make the number five or seven should be supported.

Mr. ADAMS: Perhaps it is because I have been a member of a Vestry only for a short time that I do not follow the logic of these parochial authorities. Take the argument of the senior member for St. Andrew. I should imagine that if it is difficult to get people to serve you would make the number greater not less. Sometimes we appoint a Select Committee of this House, say seven members, and we add two more to ensure that a sufficient number attends to do the business of that Committee. I have never heard until to-day that it is difficult to get people to serve and if that is so, the number should be increased not reduced. I do not think that when the senior member for the City sat down he remembered what he said. His point may be absolutely sound but surely if there is that fear about which he is apprehensive, the Vestry who is the appointing body will see to it that a sufficient number of persons is appointed from its body but at the same time you cannot bind a Vestry to do something it does not want to do. Surely that would meet the honourable member's fear. A Vestry would see to it that there are not as many non-vestrymen on the Sanitary Authority as will be able to get together and do something behind the backs of other members. I thought the honourable members were going to say that there should be a different quorum for the parishes of St. Michael and Christ Church respectively than for the other parishes. If you make the quorum the same for all the parishes that argument may be used and that is the point, in my opinion, which should be altered.

Mr. TALMA: What I thought the senior member for the City would have referred to is the number which shall form a quorum. Three out of six shall form a quorum, so whether the number is increased to seven or reduced to five, the quorum about which he has fears will remain the same. His fear about non-vestrymen dominating the affairs of a Sanitary Au-

thority should not arise because the Vestry would always appoint people who know something about sanitation and in many instances you find that non-vestrymen possess a greater knowledge of sanitation than actual vestrymen. So the question is not how many members should comprise a Sanitary Authority but how many should form a quorum.

Mr. DOWDING: I cannot quite agree with the argument of the honourable members on the other side of the table. Although a Vestry may appoint someone thinking that he is a fit and proper person to serve, he may turn out to be an unfit and improper person (Mr. ADAMS: So too with vestrymen). Yes, Sir, so too with vestrymen but the fact remains that the vestrymen are elected by the people and that makes a big difference. I think there should be a majority of at least one vestryman on a Sanitary Authority.

Mr. WARD: A Vestry can appoint all six members of the Sanitary Authority from its body; it is not supposed to appoint persons from outside but if it does and the number to be appointed is six, it will see to it that it appoints four from its body and two from outside, so as to keep control over the affairs of the Sanitary Authority. If, as some honourable members have stated, it is difficult to get people to serve on the Sanitary Authority of a parish, I think it would be more difficult if the number is six than if it were five. That is a point about which we should be very careful because a Sanitary Authority may not be able to function if it has difficulty in getting people to serve. I am not so well conversant with sanitary work but I feel that if honourable members who have experience about this work assure us that it is difficult to get persons to serve on these Sanitary Authorities and we make the number six, we may be putting them in an awkward position to get people to serve and in some parishes, Sanitary Authorities may not be able to function for that reason. That is the only thing I am a bit sceptical about.

Mr. MOTTLEY: When I spoke a few moments ago I was dealing with the question of the number of members who should comprise a Sanitary Authority but I had made a note in connection with the number who should form a quorum. I intended to suggest an amendment in respect of the Sanitary Authorities of the parishes of St. Michael and Christ Church because it is rather peculiar that three members should form a quorum out of nine. As far as the other parishes are concerned, the reason why I used that argument was because I saw quite well that if the number to be appointed is six; at least three of whom shall be vestrymen, the policy of appointing three vestrymen and three non-vestrymen may be pursued and if the quorum is to be three, it looks to me that the number should be five. While I am on my feet I should like to refer to the proposal that the Chairman of a Sanitary Authority should have a casting vote as well as an original vote. I do not think I will support that and I suggest to the introducer of the Bill who has some experience in these matters that that would be a rather difficult matter because as far as all or nearly all of these Boards are concerned, the Chairmen are practically responsible, so to speak, for the administration and if they put forward suggestions which do not meet with the approval of the majority of members, it must be obvious to honourable members that they could override their majorities with their original and casting votes. The senior member for St. Thomas knows, from his experience, that that will not work.

The question that the word proposed to be deleted from sub-paragraph (b) stand part of the sub-paragraph is put and resolved in the negative, the division being as follows:—

Ayes: MESSRS. BRANCKER, F. L. WALCOTT, HUSBANDS, COX, FOSTER, MAPP, TALMA, BLACKMAN, and Dr. CUMMINS—9.

Noes: Dr. WILSON, MESSRS. SYMMONDS, CRAWFORD, MOTTLEY, HAYNES, DOWDING, GALE, S. A. WALCOTT, WILKINSON, WARD, and Mr. SPEAKER—11.

The question that the word "five" be inserted in the blank is put and resolved in the affirmative without division.

Mr. MAPP: I beg to make a counter motion because I do not see any sense in the result of that vote.

The CHAIRMAN: The honourable member is out of order. He cannot criticize the decision of the House.

Mr. S. A. WALCOTT: Mr. Chairman,—Sub-paragraph 3 of this clause provides that the members of a Sanitary Authority who are vestrymen shall be appointed on the 25th March in each year or within 21 days thereafter and the members who are non-vestrymen shall be appointed on the 25th June every two years or within 21 days after. I heard the senior member for St. Thomas say that this is to maintain continuity of policy but I would like to point out to him that if a Vestry appointed all vestrymen as members of the Sanitary Authority there will be no continuity of policy. I cannot understand why vestrymen should be appointed for one year and non-vestrymen for two years, but before I propose an amendment I should like to hear a further explanation of the point.

Dr. CUMMINS: As everybody knows, the Vestries die on the 31st December in each year and the non-vestrymen who are members of Sanitary Authorities may still be able to carry on the sanitary work until the new Vestries are elected.

Mr. S. A. WALCOTT: As the honourable member knows, the Sanitary Boards do not die on the 31st December and vestrymen who are members of the Sanitary Boards can still be members, except they lose their seats in the election for new Vestries. So that is no answer.

Mr. DOWDING: There must be some good reason for this proposal which the Government should be able to explain a little more fully; some member of the Government should be able to tell us why there is to be this departure from the old method of appointing members of the Sanitary Boards.

Mr. GALE: The Sanitary Commissioners—vestrymen as well as non-vestrymen—are appointed in March in each year and I see no reason why the appointment of non-vestrymen should be made on a separate date from the appointment of vestrymen. In my opinion, all the members of the Sanitary Authorities should be appointed as the Sanitary Commissioners are appointed now. If a member of a Vestry who is a member of a Sanitary Authority loses his seat on the Vestry, that Vestry would have to appoint someone at its next meeting to fill the vacancy on the Sanitary Authority and as far as I know, there has never been any trouble in that respect.

Mr. MOTTLEY: It seems necessary to have some explanation for this change and apparently the honourable introducer of the Bill is not in a position to give it. What is the set-up at present? On the 25th March in each year the Sanitary Commissioners—vestrymen and non-vestrymen—are appointed. The Vestries die on the 31st December in each year but those members of the Vestry who are members of the Sanitary Boards continue to function on those Boards until they are elected or otherwise. If they are not re-elected as vestrymen, then their seats on the Sanitary Boards are filled by the Vestries before the 25th March

but the general appointment of the Boards is made on, or within 21 days after, the 25th March. I suppose we all admit that we must have changes but we must be able to appreciate what those changes are for. If the honourable introducer of the Bill can give us the idea behind this change I will support it but I really cannot see the necessity for it. For instance, if in the parish of Christ Church there are nine members of the Sanitary Authority—five vestrymen and four non-vestrymen—the four non-vestrymen with no responsibility, so to speak, to the taxpayers are left to carry on while the Vestry is dead while the persons who are actually responsible to the taxpayers are placed on the Board for only one year. I repeat that I can see no necessity for this change. If the senior member for St. Thomas can show the necessity for it and that it would result in an improvement in sanitary conditions I am prepared to vote for it. The only reason as far as I can see for the change is that the Vestry is elected for only one year and, therefore, vestrymen should not be appointed members of Sanitary Authorities for more than a year. If that is so, the members of Sanitary Authorities who are members of Vestries must face an election every year to be able to go back to these Boards. After all, the Sanitary Boards and the Boards of Guardians are really the principal departments of local administration and if, Mr. Chairman, you provide by legislation that vestrymen who are responsible to the taxpayers should be appointed to Sanitary Authorities for one year and non-vestrymen who are not responsible to the taxpayers can be appointed to these Authorities for two years, I really do not understand it.

Dr. CUMMINS: I want to suggest to honourable members to deal with the other sub-clauses of this Clause. I have sent to get the necessary information on the point which has been raised in connection with sub-clause 3 and I suggest that we go on to the other sub-clauses until we get the information.

Mr. BRANCKER: There is this aspect of the matter which strikes me. This sub-clause 2 provides for the appointment of members of Vestries as members of Sanitary Authorities but there is apparently no provision in the Bill for the continuation of their membership of these Sanitary Authorities while the Vestries are dead. What will happen when the Vestries die on the 31st December in each year? There is apparently no clause of this Bill which says that the members of Vestries shall continue to function as members of Sanitary Authorities, notwithstanding the fact that the Vestries are dead; that is my point. In other Acts dealing with the appointment of members of Boards, there is a clause providing that when the period of service expires, those members go on to function until re-appointments are made and one would normally expect that a clause would be included in this Bill providing that vestrymen shall continue to function as members of Sanitary Authorities, notwithstanding the fact that the Vestries are dead. In the absence of such a clause from this Bill I am doubtful whether we can assume that they are entitled to continue to function after the 31st December when the Vestries are dead. I hear the remark that members of the Vestries carry on until the Vestries are elected. I know that they carry on but there should be a provision in this Bill to legalize that and I propose to move an amendment before the Bill is passed for the purpose of effectuating that.

Mr. MOTTLEY: I am proceeding to sub-clause 8 which says:—"Three members of a Sanitary Authority shall form a quorum." In St. Michael and Christ Church there are to be nine members of the

Sanitary Authority in each of these parishes and I suggest that this sub-clause be amended by adding the words "except in St. Michael and Christ Church where the quorum shall be five."

Dr. CUMMINS: I accept that amendment.

Mr. TALMA: Before any other honourable member raises any further points in connection with this clause 19 I would suggest that inasmuch as this Bill is very voluminous we should postpone the further consideration of this clause and proceed to deal with the non-controversial clauses of the Bill. I beg to move that the further consideration of clause 19 be postponed.

Mr. COX: I beg to second that.

Mr. MOTTLEY: Before the question is put I should like to say that the senior member for Christ Church was not present when the senior member for St. Thomas suggested, and the Committee approved, the postponement of sub-clause 3. I am now suggesting that we deal with sub-clause 9 and if we get through with that, then there will be left only sub-clause 3 of this Clause to be dealt with.

Mr. TALMA: I beg to withdraw my motion, save and except in relation to sub-clause 3.

Mr. MOTTLEY: Sub-clause 9 is breaking new ground. The introducer of this Bill and other honourable members know exactly what can happen if a Chairman of a Sanitary Authority has a casting vote as well as an original vote. There is a possibility that the Chairman who is the executive officer of the Sanitary Authority may flout the wishes of the majority by means of his casting vote and his original vote and that should be fairly obvious to honourable members. I beg to move that sub-clause 9 of Clause 19 be deleted.

Mr. HAYNES: I beg to second that.

Dr. CUMMINS: I want to say that this may be considered as breaking new ground but it is in keeping with a similar provision that has been passed by this House in connection with the Hospital Board, the Board of Education and, I think, the Highways and Transport Board. In all those cases the Chairmen, I think, have original as well as casting votes.

Mr. WARD: The Chairman himself is a member of the Sanitary Authority and as such he has a vote just as any other member has. Then in his capacity as Chairman he should have a casting vote. If he was not the Chairman, as a member of the Board he would have a vote and I still have a doubt in my mind as to whether he should be not able to exercise his original vote as well as a casting vote. If he were appointed Chairman by the other members of the Sanitary Authority, that would be a different thing altogether, but he is appointed Chairman by the Vestry and in my opinion he has the right to a vote in the same way as other members of the Sanitary Authority have it and if there is a tie, he is bound to break it with his casting vote.

Mr. F. L. WALCOTT: I am not in favour of one person having two votes but in this case it does seem permissible, for this reason. The particular member will not be *ex officio* Chairman of the Sanitary Authority, therefore, he will be having two votes; he will be an ordinary member of the Sanitary Authority in the first place and, as such, will have a vote and if he is appointed Chairman by the Vestry he will be entitled to a casting vote. As I have said, I am not wedded to the principle of one member having two votes but how will you get over the difficulty if he is an ordinary member in the first instance and then Chairman of the Sanitary Authority? I can very well see that some members would never become Chairmen of these Sanitary Authorities; they would just sit there as figureheads. If the Chairman

was Chairman by virtue of the fact that he is an official I would say that he should not have two votes but in the circumstances I do not see how you can avoid his having an original vote as well as a casting vote.

Mr. MOTTLEY: What the senior member for St. Peter has said would, in theory, be all right but not in practice. Whoever knows anything about the working of any Board knows that the Chairman brings his influence to bear upon any matter that is discussed by that Board. He is the person who is authorized to sign vouchers and he comes directly into contact with the officers of his department. The other members come together only when a meeting is summoned but the Chairman is the person who is directly responsible and he must bring his influence to bear. Take, for example, the position in the outlying parishes. Five members are to be appointed to the Sanitary Authority and of those five, three shall form a quorum. If a meeting is held at which only the Chairman and two other members are present and the Chairman has an original as well as a casting vote you can quite see what is likely to happen. I appeal to honourable members to view the matter in that light. There are honourable members who have experience in parochial affairs and they can see the danger of giving the Chairman of a Sanitary Authority an original as well as a casting vote. I am bound to press my motion for the deletion of sub-clause 9.

Mr. COX: I am going to support any amendment which gives a Chairman a casting vote but I am not going to vote for the sub-clause which provides that a Chairman shall have an original as well as a casting vote. While it is true that the dual vote may be very useful in some cases, it is equally true that it may be destructive in other cases and for that reason I would suggest to agree to an amendment to the sub-clause but not to delete it. We cannot afford to give the Chairman of any Board two votes because he may at some time or other use them to flout the wishes of the majority and in democratic communities the decision of the majority should be upheld. I happen to be a member of Boards and if the Chairmen of those Boards had original as well as casting votes, many decisions that were made for the welfare of the people of this island might not have been made. I beg to move that after the word "vote" in line 1 of sub-clause 9 the word "only" be inserted and that the words "as well as an original vote" be deleted.

The CHAIRMAN: The Chairman of any body always has a casting vote.

Mr. COX: But provision should be made in the Bill to that effect.

Mr. FOSTER: I beg to second the amendment of the senior member for St. Michael.

Mr. F. L. WALCOTT: There is nothing in the world to prevent a Chairman from having a casting vote; it is axiomatic that he has a casting vote. We passed Schemes of Government for secondary schools last week and the Chairman of the Governing Body of those schools was given a casting vote.

Mr. MOTTLEY: I am accepting the amendment of the senior member for St. Michael.

The CHAIRMAN: You cannot accept it because you are not in charge of the Bill.

Mr. MOTTLEY: I beg to withdraw my motion in favour of the amendment of the senior member for St. Michael.

Dr. CUMMINS: I accept the amendment of the senior member for St. Michael.

Mr. GALE: I would like to point out that it is not necessary that the Vestry should appoint the Chairman of a Sanitary Authority. The Vestry should

appoint the members of the Sanitary Authority and leave it to the members to appoint their own Chairman.

Mr. WARD: That is the crux of the whole matter. The Vestries should not appoint the Chairmen of these Sanitary Authorities. If the Vestries appoint the Chairmen of these Sanitary Authorities, they must automatically have two votes.

The question that sub-clause 9, as amended, stand part of clause 19 is put and resolved in the affirmative without division.

Mr. GALE: Reverting to sub-clause 7 of this clause I should like to say that I do not think it is necessary that the Chairman of a Sanitary Authority should be appointed by a Vestry. The Vestry can appoint the members of the Sanitary Authority and leave it to them to appoint their Chairman. I, therefore, beg to move that the words "by the Vestry of such parish" be deleted and the words "annually by the members of the Sanitary Authority" substituted therefor.

Mr. MOTTLEY: I beg to second that.

Mr. F. L. WALCOTT: I cannot see any objection to a Vestry appointing the Chairman of a Sanitary Authority, for this reason. These Sanitary Authorities will have wide powers and if, as you say, the members of the Vestries are the persons responsible to the taxpayers I cannot see anything fundamentally wrong in their appointing the Chairmen of the Sanitary Authorities. The Vestry is the greater Authority and, therefore, it should have the power to appoint the Chairman of the Sanitary Authority. I see nothing wrong in that. We can agree that the Chairman should not have two votes but I feel there is nothing wrong in his being appointed by the Vestry.

Dr. CUMMINS: I quite agree with all that is said by the honourable member who has just sat down. I have some experience as a Vestryman and while it is true that in the parish of St. Michael we had an exceptional man as Chairman of the Sanitary Board, who has just resigned, who was keenly interested in sanitation and did all he could to improve the sanitary conditions of this parish, yet I have always maintained—and I know that some honourable members who have spoken on this question will agree with me—that the Chairman of a Sanitary Authority should be a member of the Vestry for the very good reason that has been stated by the senior member for St. Peter. To me, it is obvious that if a Vestry is going to appoint the Chairman of the Sanitary Authority, except in the case of a gentleman like Mr. Thorne to whom I have just referred, it will appoint one of its number. I think that honourable members would be well advised to let sub-clause 7 remain as it is. A Vestry is going to appoint all the members of a Sanitary Authority and there is no harm in its appointing at the same time the Chairman of that Sanitary Authority. If a non-Vestryman has a greater knowledge of sanitation than a member of the Vestry has, then I feel that the Vestry ought, in the interest of the community, to appoint that person as Chairman of the Sanitary Authority of the particular parish; so I see no harm in allowing the sub-clause to remain as it is.

At this stage, 2 p.m. Mr. SPEAKER resumes the Chair and adjourns the House until 2.45 p.m. in accordance with Rule 40 (a).

LEAVE ASKED TO GIVE A NOTICE

On re-assembling,

Mr. COX: Mr. Speaker,—I ask leave to give notice of an Address.

Mr. SPEAKER: When the time comes for the consideration of Private Members' Business you can give notice of the Address.

REPLY LAID

Dr. CUMMINS: I beg to lay on the Table of the House the reply to question No. 57 standing in the name of the honourable junior member for St. Lucy.

MOTION FOR ADJOURNMENT

Mr. GARNER: Mr. Speaker,—I beg to move the adjournment of the House for five minutes in order to discuss a matter of importance.

Mr. SPEAKER: I do not know what that matter is.

Mr. GARNER: It is a matter which is very urgent. It concerns some business people and the travelling public.

Mr. SPEAKER: I have requested the House to let me know beforehand the nature of any matter which they want to discuss but the honourable member has not done so.

Mr. GARNER: This matter has only developed today, I was very busily engaged in entering negotiations this morning and I could not see Your Honour.

Mr. SPEAKER: The honourable member was in the House this morning and I cannot allow him to make an excuse like that.

Mr. GARNER: I was entering negotiations this morning when I should have been here to see Your Honour.

Mr. SPEAKER: I have made a ruling and I do want honourable members to support me in it.

Mr. CRAWFORD: I am supporting the suggestion made by the honourable junior member for St. Philip. The honourable member is referring to the fact that the concession granted to two bus concessionaires in the parishes of St. Philip and St. John was cancelled within a matter of hours without any proper notice being given to the concessionaires. This morning the honourable member had an appointment with the Director of Highways and Transport for a quarter past twelve, an appointment which could not be kept because the Director was engaged otherwise, and the honourable member was awaiting the Director before he could decide what action should be taken in the House. Although the matter has been temporarily settled and it may work with all the parties concerned—I had that assurance from the Colonial Secretary less than two hours ago — although some attempt has been made to resolve some of the difficulties, yet both the honourable junior member for St. Philip and I feel that in the interest of the parties involved in the dispute, it would be as well if the Government has some idea of what is operating in our minds and the remarks used today would be of use when it comes to finally settling the issue. I am therefore prepared to support the motion for the adjournment and I ask honourable members to do so.

Mr. SPEAKER: I admit that the House can do as they like. I only want to remind honourable members that I have asked that notice be given me beforehand of any matter which they want to discuss and that has not been done.

Mr. CRAWFORD: I have explained that when the honourable junior member for St. Philip should have been with the Director, the Director

was with the Colonial Secretary. I only had the assurance which I have mentioned at 1.30 o'clock and the House sat at 12 o'clock. Your Honour could not have been informed at an earlier hour. I think that a very useful purpose would be served if the matter is ventilated today.

Mr. ADAMS: I appeal to honourable members not to grant permission for any discussion on this matter. Honourable members saw me leave the House this morning; I saw the Colonial Secretary with whom I have discussed the matter, I have reported the solution arrived at to the parties involved and they are perfectly satisfied. The concessionaires will be running their buses from this afternoon. If I were in the place of the honourable members for St. Philip, from what I have heard no language would be strong enough for me to use in connection with the matter, and that is the attitude of every member of the House who has heard about the matter. A certain legal position has arisen on which the Director acted; and in order to avoid any hardship it was suggested that these two concessionaires be given back their concession and that they be allowed a fortnight in which to get the legal position put right. Therefore the matter is not now one of urgency. Something has been put in writing of which the honourable members for St. Philip have a copy, the Colonial Secretary, the Director and I have one. It would be a waste of time for this matter to be discussed on a motion for adjournment on the ground that it is a matter of urgency. The concessionaires are perfectly satisfied with the decision which has been arrived at and they left me to go to the Director so as to have it officially. I appeal to honourable members not to agree to this motion for adjournment because while the matter was an urgent one at 12 o'clock it is not one of urgency now.

Mr. SPEAKER: These are the grounds on which such a motion is allowed. The motion must deal with a particular case, the matter must be an urgent matter and the motion must raise a larger issue than an individual grievance. The whole point is whether this particular matter is an individual grievance or not. If it is an individual grievance it is within my power to disallow the motion.

Mr. CRAWFORD: The matter is more than an individual grievance for the simple reason that apart from the entire question of the travelling public, the whole policy under which the Department of Highways and Transport operates in so far as its relations with the concessionaires are concerned, is in dispute.

Mr. ADAMS: Is the honourable member in order to speak again? He has not made any motion and he is not replying to anything.

Mr. CRAWFORD: It is not correct to say that the matter has been finally settled; it has been settled subject to further negotiations. I want to submit that our remarks today will be of tremendous assistance in the carrying on of these further negotiations, and they may prevent a wrong decision from being arrived at finally.

Mr. SPEAKER: I will ask the honourable junior member for St. Philip to tell me the particular matter which he wishes to discuss.

Mr. GARNER: Yesterday afternoon the Director of Highways and Transport sent a letter to the Blades' Hill Bus Company, one of the partners of which has unfortunately just died, informing them that their concession would expire from twelve o'clock midnight.

Mr. SPEAKER: That is the particular matter.

Mr. GARNER: I have not finished. As a result of that the school children—

Mr. SPEAKER: That is nothing to do with it.

Mr. GARNER: There is always cause and effect.

Mr. SPEAKER: A certain company has been stopped from operating without due notice having been given.

Mr. GARNER: On account of that several members of the travelling public have been discommoded, several children who have brought their school tickets ahead of time have been discommoded. That is not an individual grievance; it is a matter of public urgency.

Mr. SPEAKER: I rule that this matter is not a matter of public importance because it only affects individual persons in a company.

SUSPENSION OF RULE 61 (A)

Mr. ADAMS: I am asking leave to move the suspension of Rule 61 (a) so as to resume Government Business.

Mr. WILKINSON: I would like the honourable member to say what business he is going to deal with.

Mr. ADAMS: I should like to resume consideration of the Public Health Bill.

There being no objection, the honourable member was granted leave to make the motion.

Mr. ADAMS: I beg to move that Rule 61 (a) be now suspended.

Mr. TALMA seconded the motion which was agreed to.

THE PUBLIC HEALTH BILL

Mr. SPEAKER: On the adjournment for lunch the House was in Committee on the Public Health Bill.

Mr. SPEAKER left the Chair, and the House resumed Committee on the Bill, Mr. SMITH being in the Chair.

THE CHAIRMAN: When the House was in Committee on this Bill before the adjournment for lunch, Clause 19 was under consideration.

Dr. CUMMINS: When we were debating Sub-clause 3 of this Clause honourable members were apparently not in favour of the appointment of non-Vestrymen as members of Sanitary Authorities for a period of three years. I promised that I would get some information on the matter and the information I have received is that it is felt that nobody would know much about the working of a Sanitary Authority in one year; and that non-Vestrymen should be given a better opportunity during the second year to learn more of the working of this Authority. It was contemplated seeking legislation to appoint non-Vestrymen for a period of five years. I pass on that information to honourable members and leave the matter in their hands.

The question that the words proposed to be deleted stand part of the motion was put and resolved in the negative.

A division was taken as follows:—

Ayes: Messrs. BRANCKER, F. L. WALCOTT, HUSBANDS, COX, MAPP, TALMA, ADAMS, BLACKMAN, Dr. CUMMINS and Mr. SPEAKER—10.

Noes: Dr. WILSON, Messrs SYMMONDS, FOSTER, GARNER, MOTTLEY, HAYNES, DOWDING, GALE, S. A. WALCOTT, WILKINSON and WARD—11.

The question that the words proposed to be inserted stand part of the section was put and resolved in the affirmative without division.

Mr. S. A. WALCOTT: I beg to move that the words "who are Vestrymen" occurring in lines 2 and 3 of Sub-clause 3, be deleted as well as all the words occurring after the word "thereafter" in lines 4 and 5 of this Sub-clause.

Dr. CUMMINS: I accept that amendment.

Mr. MOTTLEY: I beg to move that Sub-clause 2 (7) be further amended by the addition of the words "at its first meeting" after the words "Members of the Sanitary Authority."

Dr. CUMMINS: I accept that amendment.

Mr. BRANCKER: I should like to insert an additional paragraph in Sub-clause 3 so as to ensure continuity of Vestrymen. I propose to deal with that later on.

Mr. MAPP: While honourable members are considering amendments to this Clause I think we should proceed with other Clauses of the Bill. I therefore beg to move that consideration of Clause 19 be postponed.

Mr. ADAMS: I beg to move that Sub-Clause 3 be amended by adding the following words: "and in the case of Vestrymen shall remain members thereof notwithstanding the demise of the Vestry before that date". The object of that amendment is to make provision for the fact that after the 31st day of December there is no Vestry, therefore the Vestrymen automatically cease to function as members of the Sanitary Authority unless you make provision for them to remain members of the Sanitary Authority. I think that amendment will cover the point raised by the honourable junior member for St. Lucy.

Mr. BRANCKER: I beg to second that amendment; I think that will ensure the continuity of Vestrymen as members of the Sanitary Authority.

Dr. CUMMINS: I think that the members of the Sanitary Board are at present elected on the 25th of March and they hold office until the 24th of March next; so that they will still carry on in the interim.

Mr. MOTTLEY: I do not see the necessity for this amendment at all. I am in agreement with the Clause without that amendment.

Mr. TALMA: I made a motion that the consideration of this Clause be postponed because I anticipated what is happening now. We are only wasting time now. I remind you, Mr. Chairman, that I made that motion which I subsequently withdrew. I again beg to move that the further consideration of this Clause be postponed.

Mr. COX: I beg to second that.

Mr. WARD: In this Clause you are appointing members of the Sanitary Authority some of whom must be Vestrymen and other people from outside. When the Vestry dies there is no Vestry until another Vestry is elected and we should make some provision for the carrying on of the Sanitary Authority in the interim. I agree with the honourable senior member for St. Joseph.

Dr. CUMMINS: I am prepared to accept the motion made by the honourable senior member for Christ Church. Let us postpone the further consideration of this Clause until we consult the Attorney General in the matter and let us pass on to the next Clause.

The question that the further consideration of this Clause be postponed was put and resolved in the affirmative without division.

At this stage, it now being 3.30 o'clock, Mr. SPEAKER took the Chair and stated that it was now time for the consideration of Private Members' Business.

ADDRESS *RE* ENQUIRY INTO THE WORKING
OF THE DEPARTMENT OF HIGHWAYS
AND TRANSPORT

Mr. GARNER: Mr. Speaker,—Arising out of the discussion earlier this afternoon when I was ruled out of order, I ask leave to move the passing of the following Address:—

*The House of Assembly
To
His Excellency The Governor*

The House is of the opinion that, in view of the general dissatisfaction on the part of concessionaires with regard to the general operational policy of the Department of Highways and Transport, a Committee of Enquiry be appointed to enquire into the working of the Department, and make recommendations with a view to improvement of the relationship between concessionaires and the Department.

Mr. SPEAKER: The honourable member is asking leave to move the passing of an Address. If there is no objection, the honourable member will be granted leave. There being no objection, the honourable member is granted leave to make the motion.

Mr. COX: I was trying to give notice of an Address earlier this afternoon.

Mr. SPEAKER: The honourable junior member for St. Philip has already been given permission to make the motion.

Mr. COX: My Address is more comprehensive than the honourable member's Address and I suggest that a ballot be taken.

Mr. SPEAKER: We have to deal with the Address the passing of which the honourable junior member for St. Philip has been given leave to move, and then you can move an amendment if you like to do so.

Mr. ADAMS: It is immaterial which of the two honourable members proceeds but I think that we ought to stick to the Rules of the House. The honourable senior member for St. Michael gave Your Honour notice earlier of his intention to ask leave to move the passing of an Address—

Mr. SPEAKER: It is a matter for the House.

Mr. ADAMS: Rule 63 deals with this particular point where notices of motions are given, but I would appeal to both honourable members to remember what I said when the honourable junior member for St. Philip was trying to make a motion for the adjournment of the House, namely, that the matter is no longer a matter of urgency. The Government has had it drawn to its attention that there is dissatisfaction existing and I appeal to both honourable members not to pursue the matter but rather let us continue the consideration of the Public Health Bill.

Mr. SPEAKER: The honourable member has been given permission to move the passing of the Address.

Mr. ADAMS: On a point of order. In view of the fact that the honourable junior member for St. Philip has got leave to move the passing of the Address, and in view of the fact that Your Honour was notified by the honourable senior member for St. Michael that he intended to move the passing of an Address which is in similar terms to that of the honourable junior member for St. Philip, I suggest that Rule 63 should be observed and a ballot be taken so as to determine which honourable member should proceed.

Mr. SPEAKER: The question of a ballot arises when notices are being given in the morning, but in this particular instance permission has been given the honourable junior member for St. Philip to move the passing of an Address.

Mr. GARNER: I beg to move that this Address do now pass. It is a fact that we have given the Director of Highways and Transport great powers and when it seems fit he exercises those powers. Time is the greatest healer and perhaps it is the greatest rectifier: and we have to learn by sad experience what it is to give to any Director what is called dictatorial powers. I have before me the Third Schedule of the Act relative to the granting of concessions for operating motor 'buses along routes in Barbados and one of the conditions for the granting of a concession reads as follows: "This concession shall commence on the.....day of.....and shall remain in force until the.....day of.....unless such concession be sooner revoked by the Director on account of unsatisfactory service or infringement of the law and regulations or non-compliance with the conditions under which the concession is granted, which power of revocation the Director expressly reserves to himself." That power is very wide: it is almost unlimited and that is one of the reasons why I am asking that the Government appoint a Committee to make an investigation into the matter. After all, this is a matter of public interest; where you have people who have invested thousands of dollars, in some cases thousands of pounds, and have their livelihood so arranged as to be dependent upon running a 'bus service, when they have mortgaged their property in order to carry on such a business, it is not fair to give one man such wide powers that without any proper notice he can revoke the concession. The other part of the condition to which I have referred says this: "Such concession is relinquished by the concessionaire who, if so required by the Director, must give the Director six months' notice in writing of his intention to relinquish the same before such relinquishment becomes effective." I think that the Agreement should be binding on both sides and each side should have equal terms. As the position is now, dictatorial powers are given on one side while on the other some time is given for the cancellation of the Agreement. It is not fair to have these small 'bus owners living at the mercies of the Director of Highways and Transport and there is the rumour all around the island that this movement yesterday is the beginning of an end. It is not an end in itself but the means to an end.

Mr. SPEAKER: I suggest to the honourable member that he should not deal with any rumour.

Mr. GARNER: I take it that a very dangerous precedent is being set and if this matter is allowed to pass unnoticed, there is no telling how far this policy will go. As I have already said, there are those in this business of running a 'bus service who have at stake all that they have ever owned and even more, because some of them have borrowed money so as to carry on the business. I say that it is unfair to allow such wide powers to remain in the hands of the Director or Dictator when, in truth and in fact, the livelihood of the 'bus concessionaires depends upon how he feels about his contract. In everything there must be law and order but there must also be somebody to whom an appeal can be made. In the law Courts there is a Court of Appeal; British justice maintains that a man is not a criminal until you have proved him so and every citizen has the right of appeal. That is why we speak of dear old England: we love her, if for nothing else, for carrying out justice. I say that it is not fair for the Director of Highways and Transport only a few hours before he proposes to terminate this concession, to send a letter to these people telling them that they must cease to operate their 'buses at midnight. That is high-handed, barefaced and undemocratic. We have just fought a War to kill Hitler and I for one will never

stand in this Chamber and keep my mouth shut if we are creating a lot of small Hitlers in this place. This is a dictatorial move; it does not smell of any democracy at all and it should be stopped at once. No reasonable businessman would countenance a thing like that; it is plain tyranny. Thousands of dollars have been invested by people in this 'bus business, these people are trying to carry out their obligations they are in debt and suddenly it is rushed upon them that they must cease operations! Why were they not given six months' or three months' notice before the concession is revoked? On the other hand, if they wanted to relinquish the concession they would have to give the Director six months' notice in writing and I repeat that the agreement should be fair on both sides. It is incumbent on the 'bus concessionaire to give the Director six months' notice in writing of his relinquishment of the concession, but the Director can tell the concessionaire, as he has told these people, "You must relinquish your concession by midnight." I say that in the interest of the public we have got to see that they get proper transport and as cheaply as possible and that certain requirements are carried out; but on the other hand, the powers vested in the Director as set out in this Schedule are too wide. They are such that we are calling upon the Governor to appoint a Committee to investigate the matter at once. An absolute precedent has been set, and if this matter is allowed to pass unnoticed, what is there to prevent any 'bus company from being stopped in a month hence, and so on down the line until you get all the small concessionaires out of business and then we have a monopoly created? It looks to me that this is the beginning of a monopoly and it should be nipped in the bud. Suddenly like a bolt from the blue these concessionaires are given notice of the revocation of their concession! The Director should have been decent enough to give these people three months' notice or six months' notice of the revocation of this concession, whether it was written in the Schedule or not. Machinery costs a lot of money: it is not like a donkey-cart that you can push aside; I repeat that suddenly these people are told that they must cease to operate their 'buses. About 12 o'clock last night I was delving into this matter; I was so busy in seeing if I could get anything done about it that I was unable to give Your Honour notice of my intention to make a motion for the adjournment of the House. If that is going to be the attitude of the Director whom we have appointed by law then we have to be very careful as to what powers we give to these people. This power can be used for good or for ill; in this case it has been used for ill and the small 'bus owners have the jitters now because they fear they will be eaten up. They fear that this is a move towards a monopoly, that the business will be carried on by one group, they will go broke and we will have some more mad people down at Jenkinsville. This thing should be stopped and the Governor must act at once; people should not be allowed to use their power for ill, they must act as human beings. There must be some amendment brought in—I intend bringing in one—to curtail this power. We cannot make autocrats of people; we cannot allow the small business people to be hanged or molested or discommoded or put out of business and be replaced by big business. When you create monopolies you do a very dangerous thing. It is not to say that we have monopolies in the 'bus business yet, but what makes me come to the conclusion that there is a movement on foot to create monopolies is the fact that no sooner than these people were given notice that their concession would cease last night, another 'bus company was operating on the route this morning! This thing was done under cover: this 'bus company knew well ahead to keep its 'buses ready to operate on the route

this morning. I say that this is high-handed, bare-faced wickedness in high places; it is putting people who want to make an honest living out of business and replacing them by people who have already amassed a fortune. We need legislation to control these people. Not many weeks ago I said in this House that certain men have to be governed like little children because their lust for power is great; and unless you have laws to regiment them you will never get things going right. I do not know how I would face my parishioners if I did not bring this matter not only to the attention of the Governor but also to that of the public so that action of this sort should cease. If anybody has in mind that such a bare-faced, high-handed act could take place without my voice being heard, he was only dreaming or making a mistake; when people have reposed confidence in me I will serve them even although I make enemies for myself. I repeat that these people have invested their money; they have mortgaged their property so as to carry on this business and if the Director wanted to act as a human being he should have been decent enough to call these people and tell them: "I am giving you three months' or six months' notice and if you do not measure up to certain standards your concession will be revoked." That would have been more businesslike and I do not see that there could be anything wrong with that. Even although these concessionaires might be wrong, the Director's method of approach in the matter has made a bad job of it. He gives them a matter of hours' notice and on top of that he sends another 'bus company to operate on the route on the next morning. We cannot countenance such things. I cannot speak in small terms against such action; this is setting a bad precedent and I would like those who are in charge of this Department to know that it is bad taste to the public. Public opinion in St. Philip is thoroughly against this deal: the people think that it is a dirty one and they have asked me to bring it to the notice of the Authorities. I think I have stated my case and I ask honourable members to support me in this matter because it is not a matter that can be passed over lightly. This is a case in which small people are thrust out of business and that will mean total loss to these people who have been carrying on this business. Other things being taken into account we can only ask that this Committee be set up to make investigations at once. I had an appointment with the Director and he was engaged and I did not get back to see him. However, a letter has been handed to me saying that negotiations are underway subject to certain conditions and so on. I would like it to be known that the powers given to the Director are too wide: they are almost unlimited, they need revocation. They are top-heavy and they should be reviewed. Your humble servant will see to it that an amendment is brought in to that effect. We need to do something so as to prevent the smaller people from being pounced upon by big business. We want to let the Director know that we have not employed him as an agent or tool of big business: he is there to do what is right for the population of this island in matters of transport whether it is a question of the small man in the gutter or the big man in his castle. If the Director continues such a policy it will work to the detriment of the Department. After all, the Director is not lord of all; he is only a public servant and he must do the best for all concerned. He is supposed to rise above certain conditions; he is supposed to be impartial and unbiassed, he is not supposed to be moved by big business. He is supposed to represent both the big business man and the small business man alike. I think that we can safely censure him for what he did last night and I hope that he will never repeat such action, because it is something that will

make bad feelings among the population. We do not want advantage to be taken of anybody. If the Director wants anybody to respect him as such in this island, he must be impartial; he must rise above the conflict in the street, he must rise above catering to big business. These small people will have to live up to the regulations, but we will not allow the dictator to put them out of business on any flimsy charge. They must be given notice to live up to certain standards; they must not be called upon to lose whatever they have at a moment's notice and be thrown on the unemployment list. I think I have said enough and I hope that the Director will take notice.

Mr. TALMA: I thoroughly appreciate the honourable member's remarks, but I have not heard a word said as to the grounds for the action taken by the Director.

Mr. GARNER: I do not know if the honourable member has taken any stimulant to prevent him from hearing what I said. I have a copy of the letter which the Director wrote to the concessionaires and if the honourable member wants me to read it I will do so.

Mr. SPEAKER: I do not think I can allow the honourable member to read that letter.

Mr. GARNER: The honourable member says that he does not understand.

Mr. TALMA: I would like to know the reason why the Director acted as he did.

Mr. SPEAKER: What the honourable member is complaining about is that the concession has been revoked without any proper notice being given.

Mr. GARNER: I am not saying anything more in the matter now because there are other honourable members who want to join in the debate. I think that honourable members should be greatly moved just as I have been moved because this is a matter which will cause some indignation. It is an unrighteous act and it would boil in anybody's breast as something wrong. If the honourable senior member for Christ Church does not understand—

Mr. TALMA: I can understand as well as anybody else can understand; but I want to know the reason why the Director has taken the action which he has taken.

Mr. GARNER: I want to say finally that although this Address has begun to create a lot of heat, I hope that we will maintain our equilibrium and vote for the passing of the Address so that this small section of hard-working people should not be put out of business on the flimsiest of charges. I hope too that in future the Director will act as a human being and will realise that he should use his discretion with the powers which are vested in him: and that proper and immediate steps will be taken to implement this Address.

Mr. CRAWFORD: I beg to second the motion for the passing of this Address. I do not think that either my colleague has or I have to apologize for taking up the time of the House with this matter today. Even although the immediate cause of this dissatisfaction might have been temporarily settled, yet the fact remains that the general relationship between the Department of Highways and Transport and the concessionaires is highly unsatisfactory, and it will be of great advantage if the Committee of Enquiry asked for in this Address is appointed and begins to function with the least possible delay. What are the facts of this particular case? The concession which applies to an area in St. Philip and St. John was granted to the concessionaires Mr. Hinds and the late Mr. Lucas. Mr. Lucas died a few months ago and there has been some dissatisfaction between his legal representatives and the Department with regard to the turning over of the concession to them. So far

as I have been able to ascertain, on the 12th of May last the Director wrote a letter to Mr. Lucas's widow in reply to one which she had written to him asking that the concession be turned over either to her or to her son or individually or to them jointly. There has been some legal difficulties involved in the matter and in the absence of any further communication from the Department to Mrs. Lucas between the 12th of May and yesterday afternoon, a little before 4 o'clock, yesterday afternoon she received a communication stating that as at midnight last night the concession would be cancelled. I read the communication of the 12th May and it would not give anyone any reason to believe that such action was even contemplated. But it has come out of an almost clear, blue sky. Imagine that there is no communication between the 12th of May and the 31st of May and then this concessionaire receives a letter stating that the concession has been revoked and that this morning at daylight another concessionaire would operate buses along the route! As the honourable junior member for St. Philip has pointed out, the granting of a concession involves a fairly heavy expenditure of money. I speak subject to correction but I think that in this case the concessionaires own five buses and the cost of these buses must be about \$30,000. It is manifestly unfair and unreasonable, even if there were greater reasons than those I have given, to cancel a capital expenditure of \$30,000 within a few hours, notice and expect the proprietors to sit down with their money tied up in buses and think that that would be the end of the matter. It is true that the Director has acted within the ambit of the power which the Legislature has given him; and to that matter I will return later. It seems to me that the Director did not have sufficient grounds either legally or morally for cancelling the concession and subjecting the concessionaires to the annoyance and disadvantage which his action must have caused them. After all, they have to employ drivers, conductors and others contingent upon the running of buses; the staff is employed on a weekly basis and even although they stopped working yesterday they still have to be paid a week's wages. I should not at all be surprised if we eventually find out that to some possible extent the Government may have to bear some of the expenses involved. These concessionaires have certain operational expenses and when they have been suddenly told that they must cease to operate, one certainly cannot fail to appreciate the inconvenience, the expense and the almost incalculable harm which has been done to them. I insinuated that to some extent it is our fault that the Director has such wide powers and I want to digress for a moment so as to refer to that. It will be recalled that during the year before last my colleagues and I were responsible in this House for holding up the Housing and Town and Country Planning Bill because it sought to create a Director and also an Advisory Board, and it would have given the Director the same power which the Director of Highways and Transport now has.

Mr. SPEAKER: Has that got anything to do with this Address?

Mr. CRAWFORD: If we are asking for the appointment of a Committee of Enquiry to enquire into the working of this Department, we should suggest the lines on which we want the enquiry to be carried out. One of the fundamental causes for the dissatisfaction which exists between the concessionaires and this Department is the fact that the Advisory Board is appointed by the Governor, the Director has wide powers and no member of this House has any say in formulating the policy of the Department.

Mr. SPEAKER: Does that affect the relations between the concessionaires and the Department?

Mr. CRAWFORD: It does affect them most precisely. Before we passed the Department of Highways and Transport Bill, the House appointed the members of the Advisory Board. The honourable junior member for St. Lucy was a member of the Board; but when we relinquished our power and gave it to the Governor he never appointed to the Board a member like the honourable junior member for St. Lucy, he appointed other people.

Mr. SPEAKER: The nonhonourable member is now going into the personality of the Board.

Mr. CRAWFORD: This is highly important because if the House had some of its members on the Board, a lot of the grievances complained of would not have taken place at all: and more important still, I am completely and unalterably opposed to the appointment of a Director with an Advisory Board until such time as we have complete ministerial responsibility. When we have a Minister for Transport who formulates the policy of the Department and the Director is responsible for carrying out that policy, it is only then that we should have an Advisory Board. But until such time as we have this complete ministerial responsibility and the power to formulate policy in the hands of the Minister, it is sheer nonsense to talk about people having no say in the actual operation of the particular Board. Let me quote one paragraph from the Third Schedule to the Department of Highways and Transport Act so as to show the exceptionally wide powers which we have given to the Director with the Advisory Board and without a Minister to formulate policy: The relevant paragraph says this: "This concession shall commence and shall remain in force unless such concession be sooner revoked by the Director on account of unsatisfactory service or infringement of the law and regulations or non-compliance with the conditions under which the concession is granted, which power of revocation the Director expressly reserves to himself". In other words, even although this act was high-handed and unfair, the Director knew that he was acting within the power given him by the law. I make these remarks incidentally so as to issue a warning to the House against further relinquishing our power in relation to the appointment of Directors with Advisory Boards until such time as there is a further constitutional development in the Government of this country. This Address says that there is considerable dissatisfaction existing between the Concessionaires on the one hand and the Department on the other. There are several reasons for this dissatisfaction: for instance even in the granting of permits to concessionaires for holiday excursions I would risk to say that 90% of the concessionaires in the country districts are dissatisfied with the policy of the Department. People who have 'buses standing in the garages after they have spent considerable sums of money to acquire and operate these 'buses, are refused permits because of the existing policy of the Department with regard to granting these permits. That is why you will find on Bank Holidays and Sundays all sorts of unsafe contraptions carrying people to the seaside and other resorts when comfortable 'buses are standing in the garages because the owners cannot get permits to put them on the road on such occasions.

Mr. SPEAKER: Are permits given so that lorries can transport people?

Mr. CRAWFORD: Permits are given to the concessionaires. On Bank-holidays and Sundays

properly-constructed 'buses stand in the garages because the owners are not permitted to put them on the road while these unsafe contraptions are used and the owners do not have to apply for any permit to use them. These contraptions are used *ad lib.* Only about a week ago a concessionaire who lives in Dayrell's Road came to me complaining that he had a new 'bus to be put on the road and he was refused a permit for 41 days merely because some big official at the Transport Board decided to hold him up. That is not fair: after a man spends about \$6,000 so as to put a 'bus on the road, he wants to get returns as soon as possible to repay the interest on borrowed capital. I cannot see how it would require so much time on the part of the Clerks at the Transport Board to give a man permission to operate his 'bus. I also know of other cases in which the same thing has happened. If it is a question of another Clerk being wanted, by all means let the Director make application for him: but the small concessionaires rightly or wrongly interpret this action as a definite policy either to get them fed up with their concessions on the one hand, or on the other hand to make the concessions so disadvantageous that these concessionaires will withdraw and allow the whole thing to fall into the hands of two or three concessionaires. Whether that is right or wrong, the fact remains that the actions of the Director do permit of such an interpretation and I hope that every possible effort will be taken as soon as possible to remedy such actions because they do give rise to suspicion whether it is justifiable or not. To revert to the particular case in point, both yesterday afternoon and early this morning I have been endeavouring to get this matter adjusted as satisfactorily as possible, and about one o'clock today or shortly afterwards I was informed that the matter has been temporarily settled, not finally resolved. In other words, while it is true to say that these concessionaires will resume their concessions tomorrow morning, further negotiations are still going on and on the outcome of these negotiations will depend whether or not these concessionaires will continue to operate this concession permanently. As far as I can see, there is no obstacle either legal or otherwise, in the way of granting permission to these people to continue the concession and I do hope that we shall not have any cause to discuss this matter publicly again. It is obvious that if last night the concessionaires were notified that their concession had been cancelled and tomorrow they are resuming the concession after representations have been made to the Government to compel it to go into the matter, the inference is that even the Government is not satisfied with the action of the Director in this matter. Therefore that more than substantiates our position for calling for a Committee of Enquiry to investigate the activities and the policy of this Department, and it is sincerely to be hoped that so long as our constitution remains as it is, some steps will be recommended which will modify the powers of the Director and at the same time enable the elected representatives of the people to have more voice in the running of the Department. I do not think it is necessary for me to say anything more at this stage, but I recommend the Address to honourable members and solicit their support for its passing. I should like to say that it is only as a result of representations made from all sides that this matter has been looked into so quickly and a temporary solution arrived at; but the

over-all issue of the general relationship between the concessionaires and the Department is still at stake. Therefore it behoves us to take every step in our power to see that the matter is finally resolved in the interest of the public without any delay.

Mr. SYMMONDS: I want briefly to support the remarks of the two previous speakers in connection with this matter. What affects the parish of St. Philip today will soon affect the parish of St. George and the other parishes; and I hope that when this Address is passed and the Committee of Enquiry is set up, recommendations will be made to the effect that, until we have a ministerial set-up in this island whereby not only the Director of Highways and Transport, but the Director of any Department shall be compelled to take advice from the elected representatives of the people who shall then be responsible for the working of Departments, there shall be some modification of the power which is now wielded by Directors of Departments to the detriment, harm and perpetual annoyance of the people of this island. This not only obtains in matters of transport but in matters of education and even now there is a Bill before us in which we are handing over to another Director our very health. I want therefore to support most strongly the suggestions made by the two previous speakers that in this transitional period the Boards must die, if necessary, so that the new set-up should come into being. I say that there should be some compromise whereby the liberties and the rights of the people of this island, the people who have elected us to this Chamber, shall be given due consideration.

Mr. WILKINSON: I do not want to keep back the House for very long. I want to say that I do not agree with this Address. The previous speakers seem to regard this matter entirely from the point of view of the concessionaires, but the Director has to consider the travelling public and it is for their protection that all these Rules and Regulations have had to be made. Of course I will say in passing that my opinion and that of many other people is that this matter of transport should be under the control of the Police Department and not under the control of the Director of Highways at all. Several members have already expressed the view that this matter of transport is a matter for the Police and not for a builder of roads. I am one of the unfortunate members of the Advisory Board; unfortunately I could not attend the meeting last Wednesday when I believe the matter which has caused the introduction of this Address to-day was discussed, but I know that there has been considerable trouble with the Blades' Hill 'Bus Company. Mr. Lucas died some months ago and it was discovered that there had not been any company formed at all but it was just a sort of working agreement between Mr. Lucas and Mr. Hinds, each man having two 'buses. They have infringed the Regulations on several occasions in respect of transporting picnic parties without having permission to do so and transporting people along the routes of other concessionaires. I think that they were prosecuted for that by the then Attorney General and it came out that Mr. Lucas was not responsible for Mr. Hinds and Mr. Hinds was not responsible for Mr. Lucas. One can reasonably appreciate that the Director has to take all that into account. The question is: with whom is the Director dealing? I understand that Mr. Lucas's widow has asked that her son be allowed to continue the concession and a sort of temporary arrangement has been made. I am sure, as the hon-

ourable senior member for St. Philip has said, that there are considerable difficulties in this matter and no proper company or partnership has yet been formed. This supposed company does not bear a clean sheet as far as I know: they have committed one or two faults and they have been warned in the past. I did not know until I came into the House to-day of the decision that the concession would be withdrawn as from midnight last night, but I have been informed by the honourable senior member for St. Joseph that an arrangement has since been made, subject of course to all the legal points being put in order. Whether these people will be able to do that or not I do not know. I do not think that this Address is necessary; I am not aware of any strained feelings between the concessionaires and the Department of Highways and Transport. I ask honourable members to bear in mind that the Director has to remember the large travelling community whom he has to protect. The Director is not there to protect the 'Bus Companies, he is there to give them a square deal, and to carry out all the Regulations required for the safety of the public and to see that they get proper service. As regards the granting of permits for the transport of picnic parties, as far as I know these permits are given very liberally and the Director has to protect the regular service. The Director would not grant a permit for the transport of picnic parties unless he was satisfied that the person or company has sufficient buses in order to maintain the regular service as well. I know a Company which has a good many spare buses and that Company has obtained a larger number of permits in preference to other companies because other companies have not got these spare buses. I do not think that the Director can grant permits promiscuously. I repeat that I do not think that this Address is necessary; I am sure that if the honourable member who introduced it went to the Director he would be only too willing to talk over matters with the honourable member. As regards the question of Advisory Boards, it was the honourable junior member for St. Philip who, when the Department was created, said "I do not see the good of having any Advisory Board at all" and I supported that. The Director is there and the Advisory Board is called in at the discretion of the Director; he only calls upon the Board when he wants advice. As I have already said, I could not possibly attend the meeting of the Board last Wednesday; I cannot vote for the passing of this Address.

Mr. COX: I have listened to those honourable members who have spoken on this question and in so far as the honourable members for St. Philip are concerned, they have not really stressed the points as vividly as I believe it is necessary to stress them. I am prepared to move an amendment to this Address because there is a string of grievances existing between the bus concessionaires and the Department of Highways and Transport from the time when the Director came to this colony and took over from his predecessors. The Director practises oppression and discrimination against certain people who provide for the transportation of the people of this colony. We have been told what the position was as regards Mr. Lucas and Mr. Hinds, and judging from the remarks of the honourable junior member for St. James, the Director prosecuted these people and failed to secure a conviction; and because of his failure to secure a conviction against these people he came to the conclusion that they had not formed any proper company. No proper company had been formed because the Director failed to secure a conviction against these people and therefore he wants to

wipe them out. The Director should know that, after all, it pays people to represent themselves; a man who has been taken to Court has every right to fight to the last so as to avoid a conviction. I will give any man credit for doing that. I hope that these small people will always have intelligence and grit enough to fight against any Director or Directors or anybody for that matter. Sometime this year Mr. Hinds arranged with the Master at the Lodge School to take some children to Bridgetown so that they could go to the Aquatic Club and get a bath. Mr. Hinds did that job within his regular hours; he did not break any of the Regulations. He took up the children on his route, brought them to Bridgetown and they took a bus of the General Motor Bus Company, got their bath, came back, and Mr. Hinds took them back to the country. He charged the regular fare for bringing down the children, he did not charge them \$50 or \$100; but because the General Motor Bus Company was not given the charter as was customary, the Director, unknown to the very man, gave the General Motor Bus Company permission to paint the sign boards, "Blades Hill," and so on. I was in St. Philip and St. John this morning. The General Motor Buses went up with the sign boards marked "Private" but the sign boards marked "Blades Hill" and so forth had been painted two or three months ago. I have had the unhappy privilege of dealing with a case where sometime in 1946 a concession was taken away from a poor woman who has no other income than that obtained from operating that concession. The woman is Mrs. Weatherhead who is the concessionaire for the Brittons Hill route. As a result of some contention between her and the Chief Inspector of the Department, the route was taken from her and given to the General Motor Bus Company. The then honourable senior member for the City and I took up the matter and we got back the concession for Mrs. Weatherhead. Only recently this concessionaire was given the right to recondition a bus and the Director waited until the bus had been reconditioned and then wrote to say: "You will not be allowed to put that bus on the road." Again I had to take up this matter; I had to take the concessionaire to Government House, discuss the matter with the then Acting Governor and there was another fight in order to get the bus put on the road again. The whole of the Christmas season went by and there was a bus standing idle although it was in perfect order having been just reconditioned. Quite recently Messrs. Green and Murray were held up. What happened? Their concession was taken from them and the National Bus Company, the only Company which had spare buses at the time, was asked whether it could carry on meanwhile. This Company carried on the concession but when it came to the actual granting of the concession, it was granted to the Leeward Motor Bus Company which is owned by the Big Six. These things will show that it is the intention of the Director to rob every small concessionaire out of his route.

Mr. SPEAKER: I do not think the honourable member should say that.

Mr. COX: All right, Sir. Mr. Green has been running his bus along the Sturges route for years and he suffered; because we know that before this system of transport came into being people ran buses and lost their properties because the business did not pay.

Mr. SPEAKER: The whole point now is whether the Director of Highways and Transport has acted unreasonably in this particular case.

Mr. COX: I am moving an amendment which reads as follows:—

*The House of Assembly
To
His Excellency the Governor.*

(1) This House draws to Your Excellency's attention the fact that a Company was given notice at 3.30 p.m. on May 31st of the revocation of its concession at midnight of the same date on the ground of unsatisfactory service.

(2) This House has been informed that the concessionaire referred to was never given the opportunity even to know the nature of the charge against it or to defend itself against such allegations as may have been made respecting its operations.

(3) The House takes a serious view of the above circumstances and respectfully requests Your Excellency to appoint a Commission or other investigating Body to enquire into the working of the Department.

(4) The House is further informed that there is considerable dissatisfaction among bus owners with the operation of the Department.

That amendment will give a little wider scope than the Address which has been introduced by the honourable junior member for St. Philip. Judging from the activity and from the various expressions which have been made on many occasions not only by members of this House but the public as a whole, one can easily see that the Director is definitely a tyrant. One can see that it is his desire to force these small people out of business. In this case we have to take into consideration the fact that only recently these people were asked to provide four new units and doubtless they must owe somebody for some part of these units; because the honourable senior member for St. Philip mentioned just now that these buses cost about \$30,000. These people complied with the requirements of the Department, the buses have been inspected and the concessionaires were only awaiting the granting of the licence to operate them and yesterday afternoon about 3.30 o'clock the Director sent a messenger with a piece of paper to the Bus Stand and told these gentlemen: "Your concession is terminated to-night at 12 o'clock." He did not even have the decency to post a letter to these gentlemen. I know of nothing more wicked or despicable than that. That is just like a man running out of the canes, stabbing you and running back through the canes. There could not be anything more vicious than that. After all, these people have put their brains together so as to help themselves and they have given the public satisfaction for between 18 and 25 years. People entrust their children to them, they know the people and now they have been given this blow by the Director! After all, Mr. Lucas and Mr. Hinds are not the Director's yard boy to whom he could say: "I am finished with you this afternoon." This is a civilised community and if the Director is not civilised we will have to ask the Secretary of State to appoint him in one of the uncivilised places: we cannot afford in this civilised country to have a man to come in and cause so much confusion. The honourable junior member for St. James mentioned that it is a question of the convenience of the travelling public and that is why the Director should discharge his duties with as little partiality as possible. You should have seen the agony on the faces of these people when they were told that they would not be allowed to operate their buses on a route on which they were operating them for so long. I hope that we have not got too many people of the mentality of the Director in this island or even in the world. I am asking this Government to take steps to remedy these evils because if they carry on as they are car-

rying on in this Department, the passion of the people will rise one of these days. The Director is a man known to many people to-day—I put it as plainly as possible—as a negro hater and he has an Assistant, the Chief Inspector, who bears the same name. They have shown it on many occasions and every honourable member like me knows that what I am saying is true. They intend to give passive resistance to members of the House. They say: “Don’t mind the people in the House, we are going to do as we like.” The honourable senior member for St. Philip spoke about ministerial status and said that until we have this set-up we must do this and that and he also spoke about Advisory Boards; but I hope that the public will understand the difference between Advisory and Statutory Boards. The Director need not take any advice from the Advisory Board; the Board can tell him whatever they care to tell him and when they are finished he calmly says: “That is your point but I am the Director and this is my point.” The House can appoint an Advisory Board or not; the Board has no power whatsoever to make the Director follow their advice. We are aiming at a ministerial set-up; let us therefore get together and make this present experiment a success. I say here and now that attempts are being made to cut off the small concessionaires one by one until they are all gone. I would like to see those of us who claim to be representatives of labour to represent labour not by lip-service, not by misleading people and trying to force them back into slavery, but by joining together—

Mr. SPEAKER: The honourable member is debating something else now.

Mr. COX: I was only saying that we should unite and fight against the evil forces. I would repeat that a wicked and malicious act has been done to these concessionaires. From what I can gather, it would appear that there are only two Bus Companies who make no mistakes whatsoever—the General Motor Bus Company and the Leeward Motor Bus Company.

Mr. SPEAKER: This Address states that there is general dissatisfaction on the part of concessionaires.

Mr. COX: The honourable mover of the passing of the Address is not referring either to the General Motor Bus Company or the Leeward Motor Bus Company. I know as a fact that the honourable member is really referring to the small concessionaire because, as has been pointed out, even in the granting of permits for transporting people on excursions you will find at times that certain concessionaires are not given permits. I do not feel that the honourable member has gone far enough in this Address; I feel that it should be set out in the Address that we would like to have this Director transferred somewhere else. It is clear that he is not prepared to co-operate with the people of this colony.

Mr. SPEAKER: This Address does not go as far as that.

Mr. COX: I have made an amendment.

Mr. SPEAKER: It has not yet been seconded. This Address only asks that a Committee be appointed to enquire into the working of the Department and make recommendations.

Mr. COX: The Government has heard some of the facts in relation to this Department. All the facts have not been revealed and perhaps it is not necessary to reveal them all; but I say that now some of the facts have been revealed I am hoping that a Committee will be immediately set up and that it will go into the whole question of the working of this Department not merely in relation to transport but also in relation to the highways. I hope that a

strong Committee will be appointed and that something will be done to relieve the unhappy state of affairs which exists in this colony. The Director has treated these people unfairly; I do not think that anyone else would have done that because ordinary decency and morality would lead anyone to give his servant a decent notice, let alone people who are paying, because without these people there would not be any need for a Director of Transport. I feel that the Director should have been decent; if anything was wrong he should have called up these gentlemen,—allowed them to give evidence and state their case and give them a proper notice. If an allegation has been made against people, they must be given the right to defend their case; but at 3.30 o’clock yesterday afternoon a messenger is sent to tell these people who have been operating buses on this route for between 18 and 25 years, “I do not require you any longer!” I say that those days are gone. These people are not the Director’s servants; they are his masters and I repeat that they should have been treated with decency.

Mr. DOWDING: I must profess amazement at the vast knowledge of the last speaker as to the General Motor Bus Company. With those remarks I shall ignore what he has said. I am not in agreement wholly with either the Address or the amendment. I think that if we passed an Address to His Excellency asking for the appointment of a Commission to enquire into the mentality of those who gave one man so much power, that would be much more to the point. (Laughter). This one man is completely a dictator in his sphere. I am not saying that the present incumbent of the post acts as such or that he does not act as such, but it is wrong for any one man to be given this power.

Mr. SPEAKER: As I have already said, that is not the question before the House; all we are debating is this Address relative to the setting up of a Committee to enquire into the working of the Department and to make recommendations. We cannot now question the power of the Director.

Mr. DOWDING: I am hoping that when we have got a little further we will be able to make an amendment to the Address.

Mr. SPEAKER: All I am asking is that the debate be kept to the question of dissatisfaction on the part of concessionaires.

Mr. DOWDING: I shall try to do what Your Honour has asked. I do not agree that all concessionaires are dissatisfied with the present situation. Personally, I think that before this House passes an Address of this sort it should definitely know the facts on both sides. And this House does not know if all concessionaires are dissatisfied.

Mr. CRAWFORD: I hate to interrupt the honourable member, but this Address does not say so. It says that there is general dissatisfaction on the part of concessionaires.

Mr. SPEAKER: The dissatisfaction is not universal but it is general.

Mr. CRAWFORD: One or two concessionaires are satisfied.

Mr. DOWDING: I do not think that all concessionaires are dissatisfied. I feel that the action taken in this instance necessitates some kind of review; to give notice to any individual, company or otherwise to terminate a concession only 24 hours or less than that is something which is quite beyond my imagination. I am hoping that the honourable mover of the passing of this Address and those who support it will stress their dissatisfaction in a way other than a general way, and by so doing bring to the notice of the powers that be, that it is not right to put so much power in the hands of one man.

Mr. F. L. WALCOTT: I do not intend to be as lengthy in speaking as some honourable members have been in connection with this question; I do not think that that is necessary. I should just like to draw to the attention of the House what can easily happen in any country if people are not alert and aware of the actions of others. To say the least of it, no man with any social conscience or sense of justice, even with the reason given for the notice of the cessation of the concession, could agree that the right thing was done. It shows a lack of human feeling, elementary psychology and common decency. For an individual to decide that he has power, that something is wrong and he has not got that amount of common courtesy as to call a person and make him understand what the position is, but to give him a notice at half-past three terminating his concession at mid-night — that is only a relic of the feudal times which honourable members should be aware that some people in this community are still willing to perpetuate. I hope that this discussion this afternoon will bring certain honourable members to their real senses in this hour of grace and let them see that this is only a example of what can happen. If we look back we will see that certain people have been persistently troubled with their buses while others have not been so troubled. As the honourable senior member for St. George has said all concessionaires could not be dissatisfied; obviously the concessionaires in respect of the Leeward and the General Motor Bus Companies are satisfied because there are those in this island whose influence and affluence mean much in the conduct of certain people. It is for that reason that when any wrong is done to the poor and seemingly defenceless people you will find it difficult to defend them. We are glad today that despite the arrogance of some honourable members there are certain things on which we cannot be divided. This is one of them. It shows clearly whenever there is a grave injustice done to the poor people who will defend them and who cannot take shelter. These concessionaires must thank their stars that there are people in this Assembly who cannot hide or do like the ostrich. I take this opportunity of letting honourable members see that certain will have to be silent on a matter like this or talk with our tongue in our cheek. As to the question of too much power being given to people, I say do not let us excuse ourselves because the Director has been given this power; he must have some power but it is a matter as to how he uses that power. There must be some degree or sense of proportion in the use of power. Parents have jurisdiction over their children, but some cruel parents carry that jurisdiction too far and they are carried into the law Courts, but it would be futile or ludicrous to say that you are not giving any power to the Head of a Department. I have no grouse about giving power to any individual but it is a question as to how he uses that power. I should like to point out that I am not accusing the Director of any particular action for any particular purpose because, unfortunately, I do not know sufficient of this individual's history to be able to give an accurate account of it, but I do know from the facts of this case that there is nothing to justify the action taken by the Director. We have to stop the action of people who can retaliate and hit back at the poor and the defenceless. That is what has brought me to my feet because there are still those who will not mind an injustice being done to other people but when the slightest thing happens to them they want to bring down the wrath of the Almighty upon people. Think of the plight of these

people who received notice yesterday afternoon that that their concession would cease at midnight last night. The honourable junior member for St. James has said that the Director has to think of the travelling public; we must think about the travelling public but we must also think of the concessionaires because they have to operate for the convenience of the public in this matter of transport. We have no Public Utility Board to deal with transport and it must be realised that some of these people had a hard time in keeping their buses on the road. I feel that while there might have been some short-coming on the part of those concessionaires they have not committed such an atrocious crime that would justify the treatment that was meted out to them yesterday afternoon. I agree with this Address; I agree that the matter should be brought to the notice of the Administration because there is an alarming amount of misinformation as to who is responsible for matters such as these. The public must realise that the representatives of the people in this House could not have prevented what took place; it was done by the civil administration. Now that we know something about it, it falls within our ambit to correct a grave injustice which one with a social conscience and a sense of elementary justice could not have committed.

Mr. BRANCKER: This Address is particularly welcome and I think that it is as well that I begin by referring to certain observations which have been made by honourable members on the opposite side of the House. The honourable junior member for St. James has pointed out that the Director's duty, or what he should regard as his duty, is to protect the large travelling public; but his notion of protecting the large travelling public strikes one as peculiar. We are told how unsafe it is to travel by motor lorry; time and again bus owners seek to obtain permits in order to transport excursion parties and they have been refused except in the case of two Companies. This Address deals with the general dissatisfaction on the part of concessionaires with regard to the general operational policy of the Department of Highways and Transport and I say that the general operational policy of this Department in so far as the granting of permits is concerned is to put every possible difficulty in the way of certain bus owners and to make the matter as easy as possible for two Companies who seem to be always in the good graces of this particular Department. I have my information from a good source. Possibly the dissatisfaction is not universal but it is general in that there are only two Bus Companies who are not dissatisfied. I can prove that to the hilt. All of the other concessionaires are completely disgusted because they feel that the operational policy of the Department is to try to put them out of business so that these two Companies will be able to operate on all routes.

Mr. SPEAKER: I think we should have evidence that that is so.

Mr. BRANCKER: The Address refers to the general dissatisfaction on the part of concessionaires with regard to the general operational policy of the Department and I say that this dissatisfaction exists in the case of all the concessionaires except in the case of two Companies, and the reason for the dissatisfaction is that they feel that the policy of the Department is to get them out of business.

Mr. SPEAKER: People think and feel certain things but I do not think that that sort of argument should be used.

MR. BRANCKER: It is a matter for honourable members as to how much or how little weight they attach to it; but I have obtained the views of all the concessionaires with the exception of two Companies and each one of them tells me that he feels that the intention of the Department is to run him out of business. Anybody can prove that by enquiring of these concessionaires. There is complete unanimity of opinion among the concessionaires that they have not got too long to last if the present policy of the Department is allowed to continue. The honourable junior member for St. James has said that permits are given very liberally; well, I agree with that statement in respect of two Companies but they are given extremely sparingly in the case of other concessionaires. I think the honourable senior member for the City was very active in getting permits granted to small concessionaires for the transport of excursion parties on one occasion. These concessionaires had buses to spare and it was not until gesticulations were made that the permits were granted. The buses were needed for the travelling public. I will say that I do not intend to speak continually in this House in respect of matters relating to this Department and do nothing more; on the next occasion I will introduce an Address to be transmitted to the Secretary of State for the Colonies asking that we get rid of the Head of this Department, because I feel that that is the only way in which we will be able to handle this situation. We are now trying to obtain ministerial responsibility and meanwhile I submit that in the operational policy of this Department we must not be subjected to the whims and caprices of the Director; he must be told by the members of the Executive Committee what policy he must follow.

MR. SPEAKER: That is not the matter of this debate.

MR. BRANCKER: One of the reasons why there is so much dissatisfaction on the part of concessionaires with regard to the operational policy of this Department is because the policy is apparently not coming from the Minister in charge of matters relating to the Department, but from the autocrat, the tyrant, the dictator or whatever one likes to call the person who has the misfortune to be the Head of this Department. The honourable senior member for St. Michael has referred to the fact that this particular Company which has brought this matter to a head, had been prosecuted and no conviction was secured against the persons involved. The Head of this Department has prosecuted these people and having lost the case against them, he exercised his power otherwise. I know of another instance in which the Department had lost a case and the concessionaire was asked to bring in his concession to be altered. I know that a concessionaire was prosecuted at the instance of the Department for charging a fare different from that allowed by the concession and he won his case. The concession was about to expire and that concessionaire was asked to bring in his concession to be altered in accordance with what the Director wanted the fare schedule to be. A new concession was provided in accordance with what the Director wanted; but the matter was not allowed when it came before the two experienced Judges of the Assistant court of Appeal. Referring again to this matter of protecting the travelling public, I know that a bus operating along a certain route broke down and a concessionaire operating on another route was asked to put a spare bus on the route so as to protect the travelling public; that concessionaire did so and he was prosecuted because he did not get the time to go to the Department and ask for a permit which might or might not have been granted. One

wonders if the policy of the Department is to protect the public or to run down the small concessionaires. It is felt that the transport of people on excursions is more than what the small concessionaires should have and that the more the big Companies have, the more they must get. Someone has assured me that he has seen representatives of the two big Companies filling up their own permits, and other people cannot get permits even when they have buses which they can spare, buses which are not in use in so far as the operation of their concession is concerned. The operational policy of the Department is weeding out the small concessionaires; the Hillaby route has been taken away from those who had been operating there, Mrs. Weatherhead was out-manoeuvred and a lot of us had to expend a lot of energy in seeing that she got back her concession. As regards the Hillaby route a certain Company was allowed to operate there, but the concession was eventually given to another Company. That is the operational policy of this Department. I think that this Address has everything to commend it and I am sure that the travelling public will welcome it. We are bringing to the notice of the Government that all is not well with the running of this Department. I feel that the present operational policy of the Department is to make things difficult and uncomfortable for the small people. The ultimatum given to the Blades Hill Bus Company to give up their concession was 8½ hours and even Hitler in his ultimatum to Poland and Czechoslovakia gave a longer period. That treatment of these people ill befits the Head of a Department. His method of running this Department is something which we cannot tolerate and honourable members should not hesitate to support the recall of the Director if he does not alter his present policy. (Cheers).

MR. SMITH: I do not want to be long in dealing with this matter. I want to draw to the attention of honourable members some of the hard and fast rules that are being carried out by this Department. The honourable junior member for St. James—I am sorry that he is not in his seat—has said that the Director is there to protect the travelling public; but imagine that if a concessionaire wants a permit to transport the travelling public he has to give seven days' notice in writing before the Director or his Clerk can consider granting that permit! There are people in the country—it has happened in St. Joseph—who would like to attend funerals in parishes outside that in which they live; they are not in a position to hire motor cars, they have to hire buses and get them filled so that they can attend these funerals cheaply. But the bus concessionaires are denied permits for taking people to funerals! That is one of the hardships from which people in the country are suffering. I am sure that honourable members will agree with me that there are many poor people in this island; there are more poor people in the island than there are rich people and it is not every person who can hire a motor car to attend a funeral.

MR. SPEAKER: The honourable member cannot blame the Director for that.

MR. SMITH: Well, I am sorry for those members who made such rules.

MR. SPEAKER: The honourable junior member for St. Lucy has told me that that is not the case.

MR. SMITH: Otherwise I would say that they have no right warming seats in this House. People have been called upon to scrape the paint off their buses and paint them afresh so as to please the Director. Paint is very expensive nowadays and some of the concessionaires cannot even paint their houses. I had a soft spot in my heart for the Director but it seems

to me that he is hardening it. Some people in St. Joseph had an outing; the bus concessionaires in the parish had their buses locked in the garages and the General Motor Bus Company did the job of transporting the people! The people of St. Joseph wanted to go to the new Park; buses from St. Michael took them there and the buses in St. Joseph were standing idle! These rules which are being carried out by the Director are no good. The concessionaires have to give him seven days' notice so as to obtain a permit and yet they are being thrown out of business. If I am dismissing any one of my servants I have to give that servant proper notice but these concessionaires have not been treated like ordinary human beings. I am ashamed to see how the Director or who ever is responsible in this matter has treated these concessionaires. In this matter of transport I think the travelling public should be given more consideration. If a permit is given for the transportation of people by two 'buses and there are four 'bus loads, when those two 'buses are filled the people who remain over have to go back to their homes; because the 'buses cannot return for them. The 'buses have to wait for the people whom they carried until afternoon but the people who own motor cars can travel about as they like. People want transportation by 'bus, they do not like to travel by motor lorry and I think that something more should be done for the poor people in this connection. Another thing is this; imagine your being told that you must dump your machine when there is nothing wrong with it! Perhaps it is working better than a new one would work, but you must get a new one on the orders of people who have the authority to tell you to do so. And a unit costs about \$3,000. If these concessionaires had cut off the Director's head it would have been his own fault; I do not think that they could close their eyes last night. To take away a man's bread and butter so suddenly is no small matter and what would have happened if these people did not have representatives to take up the matter? Perhaps we might have heard of another murder this morning. (Laughter).

Mr. SPEAKER: I ask the honourable member to deal with this Address.

Mr. SMITH: You must pardon me, Mr. Speaker. I can only say that the Director wants to get rid of the small fellows. Imagine a man having two spare 'buses in the garage and he is not allowed to transport people to the Sports! The Director or whoever is responsible is encouraging people to commit murder because a vexed man will do anything. All the things I have mentioned are happening today. I think that the Director should be a little more lenient towards these small people and I say that when pressure is brought to bear upon a man he will scream. When we pass legislation and have somebody to whom an appeal can be made and before whom evidence can be given on both sides, then and only then will these Directors try to do what is right.

Mr. MAPP: This matter has been discussed for almost the whole afternoon and there is no honourable member who would say that the matter is not a serious one. If all the accusations which have been made against the Head of the Department of Highways and Transport are true, and the evidence produced by honourable members point to the truth of the accusations, then I say that he should not be there any longer. Certainly the manner in which these small concessionaires were given notice of the termination of their concession is, to say the least of it, an utter disregard for elementary justice and a shocking infringement of official discretion to say nothing of official manners. From that point of view

the Director entirely merited the observations made by honourable members in this debate and I say that the Government must consider the entire system by which public utilities are being run in this colony. A lot has been said of the termination of the concession which was granted to these small concessionaires. In this connection complaints were made that the service was not being run properly; the concessionaires could not get together and run the service efficiently and therefore the concession was terminated.

Mr. SPEAKER: This Address is asking for an enquiry into the working of this Department.

Mr. MAPP: A monopoly is being extended to two 'Bus Companies and that is the result of too much power having been placed in the hands of one man. I hold no brief for the small concessionaires; if they cannot run the services properly they must give them up because we must consider the travelling public; but I am branding the Director in this instance because of the manner in which he gave these concessionaires notice of the revocation of their concession. It was a wrong thing to do and the Director must be heavily censured by a responsible Body such as this House. I repeat that a monopoly is being extended to the big interests and therefore this Government should act quickly and prevent this system from coming into operation.

Mr. SPEAKER: Do not let us discuss that.

Mr. MAPP: These concessionaires were warned that they must give efficient service and then they were given notice abruptly of the revocation of their concession. The concession was extended to a big firm and these poor people have been thrown out of business. The manner in which these poor people have been treated indeed called for the severe censure which has come forth from this House this afternoon and, I do not think that it would serve any useful purpose to carry on with that part of the discussion any further. I would appeal to the honourable mover of the passing of the Address to incorporate in it the first part of the amendment proposed by the honourable senior member for St. Michael. Let us protest against the specific action taken by the Director on this occasion: it is something which calls for protest in this House. I appeal to the honourable junior member for St. Philip to let us have a comprehensive Address and avoid having two motions before the House. I think that we have been justified in our strictures this afternoon and I should like to point out that it should not appear that we are unduly censuring the Director of Highways and Transport and not the administrative set-up which should be changed so as to prevent all these happenings. I do not think that we should let it appear that we hold any brief for people who do not carry on their work properly but we will ask the Secretary of State for the Colonies to recall the Head of any Department who is not acting properly. Apart from the case before us there is the case of one Company being asked to operate a concession temporarily but when it came to the question of granting the concession, it was not awarded to the Company which was asked to carry on but to another Company. All that points to the creation of a monopoly by two 'Bus Companies in this country. I repeat that the conduct of the Director which has caused this Address to be introduced calls for the severest censure. I feel sure that the Government will take a serious note of the matter and will bring about such changes in this Department as will secure what is best in the interest of all concerned.

Dr. WILSON: Mr. Speaker,—It seems to me, in the matter of these concessionaires, that there must be serious offences committed by these men against

the highway community before they can be deprived of their privileges. When one considers the capital invested in buses, it becomes all the harder for these men who have been given short notice without any charge made against them which they can answer. The law, Sir, can never countenance such arbitrary methods in a British community. I feel, Sir, this is going too far.

Mr. MOTTLEY: Mr. Speaker,—To begin with, I say that anyone with any interest in public affairs, after hearing this debate, must come to the conclusion that the action of the Director of Highways and Transport is very unbecoming. I feel, Sir, that if ever a debate in this House has shown clearly the necessity for the appointment as soon as possible of a Public Utility Board (it is this debate to-day; it is a pointer too, that dictatorship will not be tolerated. The Address of the Junior member for St. Philip will have my support. I am going to support it because I am satisfied that a lot of the statements which we have heard are statements of facts. I have had complaints made to me by bus concessionaires but as the junior member for St. Thomas has said, this is not so much a matter of the concessionaires as it is of the general public. I have been trying really hard to convince myself that the regulations under which this notice was issued were really drawn or thought of by anybody seriously. I wonder — I think I have said this already — if, Mr. Speaker, the person responsible for these regulations realized that he was merely deleting the word "Board", so to speak, and inserting the word "Director", thereby leaving all the power in one man's hands to do as he likes; that, surely Mr. Speaker, is something we cannot tolerate to-day. These regulations, as they exist to-day, leave the Director of Highways and Transport with power plenipotentiary. The Director of Highways and Transport, even if he wanted to do otherwise, is left with such absolute power that he could hardly act differently.

Mr. SPEAKER: I do not think we should debate the power which the Director has, though we can debate the question as to how he exercises that power.

Mr. MOTTLEY: Yes, Mr. Speaker, that is the argument of the senior member for St. Peter, namely, that even if you allow his power to remain in the regulations, the question would be how he uses that power. But that is all right in theory, Mr. Speaker, not in practice. If you allow a human being to know that he has powers such as the Director of Highways and Transport has, he is bound to use them, at some time or other, to the detriment of other people; he cannot help it. I am afraid that in many instances that is the case with this Director. Now, Mr. Speaker, I am hoping that one statement which I have heard will be corrected because it is an allegation which, if proved to be correct, is a very serious one. It is true that it has been brought home to us that only yesterday notice was received by this concessionaire relative to the cancelling of his concession. That is a very wicked act and I believe that, on reflection, the person responsible is bound to regret that such a step was taken. But what I cannot get over is the statement by the senior member for St. Michael that everyone knows that other signs were printed two months ago for the Blades Hill route, which implies that arrangements were made by the Director of Highways and Transport for the taking away of the concession and for giving it to the General Motor Omnibus Company. I hate to believe it. I do not know if it is true and if the honourable member responsible for the Department cannot tell us something about it, then it is a very serious matter. I say this:

any man in the position of the Director of Highways and Transport who would attempt to do a thing of that sort should be removed from office immediately. I am saying that that is a serious charge.

Mr. SPEAKER: We are powerless to do anything in the matter and even if we were not, would not the House be taking upon itself to do something which it is asking that a Committee be appointed to do?

Mr. MOTTLEY: When statements of that nature are made they should be taken seriously and that is a serious statement which has been made on the floor of this House. If I sit here and hear a responsible member make a statement like that, it influences my vote one way or the other and if I really believed it I would stand here and say some strong things against this Department. I really do not believe it. I cannot believe it because it would be corruption on the part of this Department. The correspondence between the Department and these people shows that it has been going on since the 12th of May, relative to the taking over of this concession after the death of the concessionaire, Mr. Lucas, and that is why I am prepared to vote for the Address of the junior member for St. Philip and not the amended Address because I do not think we should take any isolated case to the Government. We should have a general and full enquiry, as the Address of the junior member for St. Philip sets out, into the running of the transport system in this colony.

Mr. SPEAKER: That is the only Address before the House. The other Address has not been seconded.

Mr. MOTTLEY: Very fortunately, Sir. Before I sit down I would say that whatever terms of reference the Committee of Enquiry may have, it would be well that recommendation be made to have these regulations so amended as soon as possible as to give the right of appeal to these concessionaires. Not only are these powers plenipotentiary but there is absolutely no right of appeal against a notice of this nature. We cannot tolerate such things to-day. I repeat that the whole fault lies, in my opinion, with the existing regulations. It may be that I am criticizing the past work of the Legislature but I feel that when these regulations are again perused it will be seen that some of them are the result of hasty legislation; they should be so amended as to take away some of the power which the Director now has and give the concessionaires the right of appeal. Finally, let me say that I am entirely in agreement with the first part of the remarks of the junior member for St. James. We are bound to view it this way: While we must take away some of these dictatorial powers we are bound to give sufficient power to the Board or the officer or whoever it is to see that the regulations are carried out and that the travelling public is properly looked after. While we have to see that the concessionaires are well protected, our chief interest is really to see that the travelling public is given proper service. We cannot make any amendments which will allow concessionaires to feel that they can do as they like; that must be sounded from the floor of this House and I entirely agree with the junior member for St. James on that score. Amend these regulations, take away some of the absolute power which the Director has, see to it that concessionaires have the right of appeal but on the other hand see to it that regulations exist which protect the travelling public in this country. I wholeheartedly support the Address of the junior member for St. Philip and

I was pleased, more than anything else, to hear that the parties have already got together to-day and that some measure of relief has been afforded this concessionaire. I am very pleased to hear that negotiations between the Government and the Transport Board went on and that some workable solution has been arrived at. That is why I say that a general investigation would be much better than to deal with any particular case. Again, I have much pleasure in lending my support to the Address worded by the junior member for St. Philip.

Mr. BLACKMAN: As a member of the Executive Committee I should be careful in taking part in a debate of this sort; in fact the members of the House who are members of the Executive Committee are to leave the Chamber when the vote is about to be taken on the question but I would like to say for the benefit of the senior member for the City that I will investigate the matter on which he laid so much emphasis, that is, the statement that other signs for the Blades Hill route were painted about two months before this concession was terminated.

Mr. TALMA: I am wholeheartedly in agreement with the terms of this Address and provided that the facts are correct, I certainly endorse everything that has been said, although more lengthily than it could have been done. I want to say this: While some of us happen to find ourselves in somewhat ministerial positions, it should not be forgotten that some of the people who occupied these positions were ardent labour members up to a short while ago—

Mr. SPEAKER: The honourable member must confine his remarks to the merits of the Address. We do not want a debate on what happened or did not happen a short while ago.

Mr. TALMA: Owing to the present set-up, the members of the House who are members of the Executive Committee must, of necessity, leave the Chamber when the vote is about to be taken on the question but when we do so, we do not want anyone to think that we are not in agreement with the Address. I make that statement, Mr. Speaker, not for your benefit because I know that you are an expert on constitutional law but I want to bring forcibly to the attention of the House that when we leave the Chamber it is not because we are in disagreement with anything that is being done in this matter but that we cannot pass an Address to ourselves. We are in entire agreement with what has been said and what is being done.

Mr. ADAMS: I cannot subscribe to what the last speaker has just said. Although I am in profound agreement with a lot that has been said this afternoon. But if there is one thing we should maintain, it is the dignity of the House. To curse a man when he cannot reply is the act of a coward. If the Director of Highways and Transport has been guilty of half the things that have been said about him, he ought not to be occupying his present position. It should be the duty of the senior member for St. Michael to prove to a Commission of Enquiry that the Director has had painted two months ago some new signs because he intended to give this concession to another Company.

Mr. COX: I object to that statement. I said that I was informed that signs marked "Blades Hill" were painted two months ago. I am not prepared to disclose at this time the source from which I got my information but I did not say that the Director knew anything about the painted signs. I do not know whether he knows or not; for all I know he does not know.

Mr. ADAMS: I am appealing to the members of this House. We will never make any headway in constitutional development if we forget that we are not to attack people who have no chance of defending themselves. If you are dissatisfied with the working of any department, give notice to the member of the Government in charge of the particular department or to the Government itself beforehand of the extent of, and the cause for, your dissatisfaction. If you have certain accusations to bring, the least you could do is to give the persons involved the opportunity to say whether the accusations are true or not. What reasonable individual would dream for a minute, of allowing this Director to remain as Director if that is the way in which he is conducting the affairs of the Department of Highways and Transport? And when the junior member for St. Lucy talks about departmental policy, would he say of the Colonial Postmaster that his policy is to help his friends to get stamps while others wait outside the Post Office? If you go to the General Hospital and want a bed, would you get the Medical Superintendent to turn out a patient and give you the bed? If I were the junior member for St. Philip and the things which were told to him were told to me, no language would be too strong for me to use if they were true but to assume that so and so is so and so is worse still. Put forward specific instances that can be proved and I, let alone my position, will do my utmost to see that the allegations are properly threshed out. Ever since the debates took place on the Estimates I drew to the attention of the Governor-in-Executive Committee that serious allegations have been made and are being made by the senior member for St. Michael and other honourable members about the Department of Highways and Transport. Investigations have been made from time to time and the Director have had opportunities to give his reasons for things which he has done. When honourable members go on at the rate they are going to-day, all I can say is that it is far better to do more acting and less talking. I take no credit for doing what I did this morning. I felt it my duty to the individual to do what I did this morning. When I was informed about the matter last night and was handed the letter from the Director I made what enquiries I could then. I went along with the junior member for St. John who is in charge of the Department of Highways and Transport in this House to the Colonial Secretary who telephoned for the Director who didn't get there until 11 o'clock and we left after 1 o'clock. Where is the truth of the allegation that the concession for this route has been granted to the General Motor Omnibus Company? The Company was asked to help temporarily until the concession was granted. Only some of the facts of this matter have been given and by that statement I do not mean to say that the concessionaire has held back anything. This matter was put before the Acting Attorney General who gave an opinion on it. The position was this. This was a joint concession between the late Mr. Lucas and Mr. Hinds trading as the Blades Hill Bus Company. Mr. Lucas died in November last year and his widow became the administratrix of his estate. She approached the Director asking that her dead husband's interest in the concession be granted to her son or herself. The Director obtained an opinion from the Acting Attorney General as to the position and it was then discovered that all these years this was not, in effect, a legal joint concession. One was running on Route 9 and the other on Route 9(a) and there was no joint responsibility in respect of breakdowns on either route. It, therefore, became necessary to regularize the matter. I am merely putting the facts as I have known them this morning. I

agree with anybody who says that short notice was given, but I do not contend that, diabolically, the Director waited until three o'clock in the afternoon to give it, in order to be wickedly cruel. I did not ask him the reason but knowing what it is to be having a mass of applications coming to him I did not necessarily jump to the conclusion that he diabolically waited until three o'clock to issue the notice to this concessionaire. The licences for motor vehicles, as we all know, expired on the 31st May; new licences to run the buses would have to be taken out by June and, therefore, it became necessary to give the notice by the 31st May. It appears to have happened in the same way as counsel deal with litigious matters concerning their clients at some times. Counsel has to file a notice of appeal on behalf of his client; he waits until the last possible moment, then rushes to the Clerk of the Court of Appeal and asks him to get the notice of appeal in for him. The Director forgot that the licences would expire on the 31st May and so he had to give this short notice. I agree with anybody who suggests that the giving of such a short notice is wrong and I agree with anybody who says that in cases of this sort, persons should have the opportunity of appealing. I have fought for that principle years in and years out, namely, that no person should ever be penalized without having the opportunity of appearing himself or by his counsel and threshing out completely the charge that may be brought against him. If the Lucases and Mr. Hinds had been unable to show to the Director the possibility of making an arrangement between themselves and had satisfied the Acting Attorney General that a real joint concession could not be worked by them, then and only then, should the concession be taken away from them. I may say, by way of an explanation given to the Colonial Secretary by the Director, that the Director has been following precedent—with which I do not agree—in cancelling concessions without drawing to the notice of the concessionaires that such would be done. Honourable members will remember that I fought for the establishment of the principle that schoolteachers should not be required to appear before the Education Board to answer charges made against them without being represented by counsel if they desire to have counsel. I agree that it is un-British that a man should be penalized in that way. Let me repeat. It is not true that this concession has been cancelled and awarded to a new Bus Company. Right and left, there was talk about driving the small man out of this business and giving a monopoly to two Bus Companies. I have been only a Barbadian all my life and I am as well aware as any other honourable member of the tendency on the part of big men in this island to monopolize businesses and squeeze out the small men but you do not help a good case by some of the language that has been used to-day and some of the things that have been done. When the junior member for St. Lucy, for instance, likened this act of the Director to an ultimatum of Hitler, I say again that every chance should be given to the person charged to appear and answer the charge. Honourable members on my right know that the Barbados Workers Union have fought for that principle in all forms of employment. No employee should be dismissed from his job without having been given the opportunity to defend himself and I am merely endeavouring to point out to honourable members that when they have good cases they should not spoil them by cowardly attacks. When you have a good case you do not improve it by cursing somebody else. I repeat that nobody should be dismissed from a job, either by the Government or a private employer,

unless he has a chance of defending himself, not necessarily by himself but by counsel or solicitor or an agent on his behalf. No person should be allowed to abuse his position, especially the Head of a Government Department; that I agree with. But to have these things up your sleeve—things which no Government should tolerate—and not bring them into the light with witnesses, so that the Government may be in a position to say whether or not the Head of the particular department has betrayed his trust, is not playing the game. The Head of the Department of Highways and Transport comes under the Colonial Office regulations just as any other colonial official. Your Honour has had occasion, more than once during this debate, to remind honourable members that, in effect, they are breaking the rules as regards attacking this Director. This House passed this Act as recently as 1945. This House said in 1945 that the Director shall have all these powers which the Board originally had and when we hear all this talk about regulations I should like to ask this question: how are these rules and regulations made? They are made under section 7 of the 1937 Act,—regulations as regards forms to be used, construction, fittings and painting too of buses—in this connection let me say that I was a bit hurt to hear my colleague from St. Joseph. I have never seen him in a murderous mood before but he was certainly in one this afternoon—the conductors' uniform, specified routes, the time-table, the issue of permits for the use of special buses on bank-holidays, the taking up and setting down of passengers,—every possible thing as regards motor omnibuses. These regulations were to be submitted by the Advisory Board to the Governor-in-Executive Committee for its approval and sanction and as soon as they were approved and sanctioned by that body they were submitted to both Houses of the Legislature and were also approved by them. The regulations have been amended from time to time. Any member who comes into this House, who remains in it for a certain number of years and does not know that he can alter or repeal anything that affects the highways, is not doing his work (Voices: You cannot repeal regulations). Honourable members move Addresses and the adjournment of the House for every conceivable purpose on earth. What are honourable members doing to-day but calling on the Government to do something which they themselves cannot do? The same thing applies to these regulations; that is all I am saying. I shall end as I began. I well know and appreciate that time after time the senior member for St. Michael has drawn attention to the working of this Department,—as a matter of fact it is chronic with him, as far as this department is concerned. The Government has been reconsidering these regulations and the Acting Attorney General has been working on them. By a coincidence I saw the present Attorney General yesterday afternoon and he, too, was working on these regulations; that was before I knew anything about the Lucas affair. I repeat that the Government is working on these regulations because there is a number of anomalies in them and I expect that in not less than two Tuesdays from to-day, they will come down to the House in an amended form. (Cheers). I do not blame honourable members; they are not mind readers and cannot see into the minds of the Government but the Government has decided that these regulations should be altered and they are being altered. I should like to read this because it is official and it was agreed between the Colonial Secretary and myself that it should be given to the concessionaires. A copy was given to the senior member for St. Philip. Although on this

occasion the honourable members on my right did not read the minds of the Government, yet the Government has read the minds of the two honourable members for St. Philip and the Government knew that they were coming in this afternoon with this Address and would be moving the adjournment of the House at half past three o'clock to consider it.

Mr. CRAWFORD: I have been listening very quietly to a lot of what has been said and I said nothing at all but I do object to that statement. The Government could not read my mind. This morning I got in touch with the Colonial Secretary on this matter and I told him that unless proper action was taken on it we intend to raise it in the House to-day. He told me that he would endeavour to communicate with me before two o'clock and let me know what the position was. At half past one o'clock he sent me this. It is not a case of his having read my mind.

Mr. ADAMS: If the honourable member did not take himself so seriously he could not possibly have made that interruption. One does not have to read the honourable member's mind; his running to the senior member for St. John is an indication that out is coming this Address.

Mr. CRAWFORD: And the Colonial Secretary was not here to see that.

Mr. ADAMS: I had no information from the Colonial Secretary when I went to him that the senior member for St. Philip had previously been to him. I promised the concessionaire last night—the honourable on my immediate left and the senior member for St. Thomas were with me at the time—that at the earliest available hour we would have the matter settled with the Colonial Secretary. It is pointed out in this document that the cancellation had to date from midnight on the 31st May for the reason I have just given; that the Director should get in touch with the representatives of all the parties concerned and that if within a reasonable time they could put forward an arrangement which is satisfactory to all concerned, a concession will be granted accordingly. The reasonable time, the concessionaires were to be told, would be two weeks. They should be able, with legal assistance, to do it in that time. The present arrangement is not a legal joint concession and the Acting Attorney General, when it was brought to his notice, pointed that out. (Mr. MOTTLEY: Wrong!) Well, the Acting Attorney is a lawyer and the senior member for the City is the senior member for the City. (Laughter.) In short, the licence which was given temporarily to the other Company has been withdrawn and the concessionaires—they never may—will be operating again on their routes; they already have had a certain amount of legal advice as to the arrangements they may make in order to comply with what the law would call a joint concession. So I ask honourable members to accept that as the true position, —although it is customary with some honourable members when anything is done to say: "I thought of it first; if I had not said so or if I had not drawn it to the notice of the Government or if I had not raised it in the House or if I had not marched to Government House nothing would have been done." (Laughter.)

Mr. GARNER: I am not going to say very much. I can only liken the attitude of the senior member for St. Joseph to that of Nero fiddling while Rome was burning. While people are suffering he is making fun. This is a serious matter and I do not think that any honourable member—I do not care how exalted his position may be—should make light of it. I was very annoyed about this matter from yesterday afternoon when it was brought to my notice by the concessionaires. They were at my home

up to a late hour last night and this morning before I was out of bed they were back at my home; and so I view the matter very seriously. What the honourable senior member for St. Joseph said about people wanting to get kudos is out of the question. I happen to be the representative of the parish living in the parish and these people located me, and being willing and energetic I went about their bidding. When I came into the Public Buildings Yard earlier to-day I had already been to the Director to interview him in the matter. Unfortunately he said that he had an interview with someone else already and he went on to the Colonial Secretary's Office; but I assured him before I left that I would be back again. I was not mincing matters. I do not happen to be the member for St. John. I am Garner from St. Philip. There is no political stunt about this matter; it is a serious matter and I would have gone back to the Director, had it not been for the fact that my colleague called up the Colonial Secretary who informed him that he would see what he could do about it and at 11 o'clock some communication was sent here. I am surprised to see that the Leader of the House is not fighting the people's battles to-day. It is all right when you are not a member of the Government but when you become a member of the Government, it is a different matter altogether. I am surprised to see him making jokes about these people whose livelihood depends on this bus service. Who is the Director but the servant of us? Who is he? We are not afraid of the Director. If we have given him powers which are too wide and his power is too vast, we should come together now and amend the Act. The senior member for St. Joseph knows that that is what should be done and instead of getting up as Leader of the House and saying, "I have listened to all you have said. You have definitely made out a case against this official and as soon as I go to Government House I will see that your wishes are carried out," he, in his usual style, in his ingenious manner, twists around the matter. I am not a legally trained man but I have commonsense. I have intelligence and know when a person is twisting things.

Mr. ADAMS: I object to the honourable member accusing me of twisting anything. It is dishonest to accuse me of twisting anything. I went and got this matter settled and yet it is being suggested that I am laughing at these people. I go further and say that I have given them legal advice as to what they should do.

Mr. GARNER: I had a chat with the honourable member about this matter earlier in the day and at that time he was a most serious man but now in the House he is in a jocular mood. That is what I am saying. Before the crowd he was a most serious man and now I am surprised to see his attitude; he wants it to appear that he is defending the Director.

Mr. SPEAKER: We are getting nowhere in this debate. The whole point is whether this Address should be passed or not.

Mr. GARNER: The honourable member took time off to explain the fallacy of this Address and to suggest that it should be brought by another member, when in truth and in fact he knows that it was my intention to move the Address. The honourable member is adopting that attitude from the political point of view. As a matter of fact, he sent two men up there last night to use their influence to get me out of the House but he has not succeeded because I have got my Address in first.

Mr. SPEAKER: The honourable member is doing something which he has no right to do.

Mr. GARNER: It is a fact.

Mr. SPEAKER: That has nothing to do with this Address.

Mr. GARNER: You do not know what is going on, Sir. Behind the scenes there is a lot of political moves. You do not know, Sir. Anyhow, this is what I am saying. The concessionaires came to me with their case and I had to see after their business because they have confided in me. They have sent me to this House and I intend to do my job. I have not got to go to any particular member of the House, whether he is the leader or what-not, to approve of my action in moving this Address because to me it is a serious matter when people's bread and butter is at stake. I have done my best to show that the Director has done wrong. Even if there were charges against the concessionaires, the notice which he gave them was too short; in fact, he gave them no time to put their house in order. And what is worse is that he did not have the decency to mail the notice; he sent it by a porter.

Mr. SPEAKER: I do not think that that is disputed.

Mr. GARNER: Yes, Sir, but certain things have been said to make it appear as though we are rubbing it in unnecessarily. The Leader of the House tried to do that. I am very glad, Mr. Speaker, that the matter has come to an end and I know that this Address will pass because it is an instrument by which we will put a stop to such dictatorial methods, not only in the Department of Highways and Transport but in other departments whose Heads have similar ideas; they will call a halt when they find out that we are not going to tolerate such conditions in the carrying out of Government business.

The question that this Address do now pass is put and resolved in the affirmative without division.

Mr. SPEAKER: I will ask the senior and the junior members for St. Philip to be so good as to present the Address to His Excellency the Governor.

Mr. CRAWFORD: As Your Honour pleases.

APPOINTMENT OF SELECT COMMITTEES.

Mr. COX: Mr. Speaker,—Before we adjourn I want to move for the appointment of a Select Committee to probe into the Report of Mr. Adams, the Civil Service Commissioner. I am not breaking any new ground. We did it when the Report on the Police Department was presented to this House and even if I am breaking new ground it would make no difference. I think that a Select Committee should be appointed to go into this Report in order that members of this House may have the opportunity to discuss its phases with some of the people involved.

Mr. SPEAKER: The honourable member should give notice of his intention to move for the appointment of a Select Committee for the purpose he has mentioned.

Mr. COX: I beg to give notice of my intention to move for the appointment of a Select Committee at the next meeting of the House to consider the Adams Report.

Mr. ADAMS: I ask leave to move for the appointment of a Select Committee to prepare a Reply to His Excellency's Message No. 6/1948 relating to the repatriation of distressed West Indians. It is a matter of some urgency and I would be glad if a Select Committee is appointed so that its Report could be dealt with as the first Order on Tuesday next.

There being no objection the honourable member is granted leave to proceed.

Mr. ADAMS: I beg to move that a Select Committee be appointed to prepare a Reply to His Excellency's Message No. 6/1948.

Mr. TALMA: I beg to second that.

The question that a Select Committee be appointed to prepare a Reply to His Excellency's Message No. 6/1948 is put and resolved in the affirmative without division.

Mr. SPEAKER: Subject to the approval of the House I appoint the following members a Select Committee for the purpose:—The junior member for St. James (Mr. Wilkinson), the junior member for St. John (Mr. Blackman), the junior member for St. Michael (Mr. Gale), the junior member for St. George (Mr. Symmonds), the junior member for St. Thomas (Mr. Mapp) and the junior member for St. Peter (Mr. Husbands).

Mr. ADAMS: If I am in order I should like to put the Report of this Select Committee as the first Order on the Order Paper for the next meeting.

Mr. SPEAKER: You will be in order if the Report is handed in at the next meeting and I shall consider you very fortunate if you can get this Select Committee to sit. I have summoned Select Committees during the last two to three weeks and I cannot get them to sit.

THE ADJOURNMENT.

On the motion of Mr. ADAMS, seconded by Mr. TALMA, the House is adjourned to meet on Tuesday, 8th June, 1948, at 12 o'clock noon.