THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1947—48

HOUSE OF ASSEMBLY

Tuesday, 15th 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*), His Honour Mr. J. E. T. BRANCKER (*Deputy Speaker*), Dr. J. A. LeV. WILSON, Dr. H. G. CUMMINS, Messrs M. E. COX, K. N. R. HUSBANDS, F. L. WALCOTT, G. H. ADAMS, B.A., C. E. TALMA, H. D. BLACKMAN, D. A. FOSTER, J. A. HAYNES, B.A., V. C. GALE, and E. L. WARD.

Prayers are read.

Messrs. S. A. WALCOTT and CRAWFORD enter the House and take their seats.

MINUTES

The Minutes of the meeting which was held on the 8th June, 1948, having been circulated are taken as read and confirmed.

DOCUMENTS

Mr. SPEAKER : I have the honour to inform the House that I have received the following :—

Colonial Treasurer's Financial Report for the month ended 31st May, 1948.

Statement of Revenue and Expenditure from the Commissioners of Highways of the parish of St. John for the half year ended 31st March, 1948.

Messrs. MOTTLEY and MAPP enter the House and take their seats.

PETITION

Mr. CRAWFORD : Mr. Speaker,—I beg, on behalf of the honourable junior member for St. Philip, to present a petition from the Vestry of the parish of St. Philip praying the House to pass a Bill authorizing them to borrow a sum not exceeding £300 for the purpose of installing a Diesel Lighting Plant at "Stirling", the residence of the Parochial Medical Officer. The petition is respectfully worded and I beg to move that it be taken as read.

The petition is taken as read.

NOTICES

The following Notices are given :—

Mr. CRAWFORD (On behalf of Mr. Garner) : Bill to authorize the Vestry of the parish of St. Philip to raise a sum not exceeding £300 for the purpose of installing a Diesel Lighting Plant at "Stirling", the residence of the Parochial Medical Officer.

Mr. BRANCKER : Of the following Address :—

The House of Assembly
To
His Excellency the Governor

The House of Assembly respectfully request Your Excellency to take the necessary steps to have the salaries of the Official Reporters of the Legislature increased as follows :—

Mr. A. Maynard £300 per annum substantive salary, plus £95 per annum Cost of Living Bonus.

Messrs C. B. Rock and E. Callender £200 per annum substantive salary each, plus £70 per annum Cost of Living Bonus each.

Mr. CRAWFORD : Of the following Address :—

The House of Assembly
To
His Excellency the Governor

The House of Assembly has noted with considerable apprehension and dissatisfaction the apparent hostility with which the United Kingdom Government views the arrival in Great Britain by the S.S. "Empire Windrush" of 500 skilled West Indian workers seeking to find employment and simultaneously to assist in relieving the current labour shortage in Britain, as evidenced by the statement reported to have been made in the House of Commons by the Minister for Labour, Mr. George Isaacs, on Tuesday, June 8th.

2. The House of Assembly respectfully informs Your Excellency of its conviction that an attitude of this sort is not calculated to promote loyalty and feelings of affection on the part of British subjects in the Caribbean.

3. In view of the fact that conflicting statements are reported to have been made in connection with the expected arrival of these West Indian technicians by

responsible spokesmen in the Colonial Office and the British Parliament, the House is of the opinion that His Majesty's Government would be well advised to issue an accurate declaration of policy with regard to the matter, since, apart from consideration of all the other factors involved, it is manifestly unjust, at a time when the West Indian economy and West Indian living standards are being sacrificed on the altar of British economic recovery to refuse to assist the West Indian peoples to obtain employment and to maintain an already pitifully low level existence.

Mr. WILKINSON enters the House and takes his seat.

QUESTIONS

Mr. COX : To enquire of the senior member of the Executive Committee present in the House at its next meeting :—

1. Is the Government aware that the number of stands allotted to cars plying for hire on the Pier Head has been reduced from 45 to 18 ?

2. If the answer is "Yes", will the Government, in view of the fact that the number of hired cars is on the increase, state fully its reason for the reduction ?

BILL READ A FIRST TIME

On the motion of Mr. GARNER, seconded by Mr. CRAWFORD, a Bill to authorize the Vestry of St. Philip to raise a sum not exceeding £300 for the purpose of installing a Diesel Lighting Plant at "Stirling", the residence of the Parochial Medical Officer, 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.

COUNCIL'S AMENDMENT TO EMERGENCY POWERS (HURRICANE AND EARTHQUAKE) BILL

Mr. SPEAKER : The first Order stands in the name of the honourable senior member for St. Joseph, —To move the consideration of the amendments of the Honourable the Legislative Council to the Bill to make provision for the welfare and safety of the community in cases of Hurricane and Earthquakes.

Mr. ADAMS : Mr. Speaker,—The Other Place has returned the Hurricane and Earthquake Bill to us, after re-inserting the clause which this House deleted,—the clause which provides that when a proclamation is made declaring that a state of emergency exists, the occasion should be forthwith announced to the Houses of the Legislature and if the Legislature is then separated by adjournment or prorogation as would not expire within five days, then a proclamation should be issued for the meeting of the Legislature within five days and the Legislature should accordingly meet and sit upon the day appointed by that proclamation and should continue to sit and act in like manner as if it had stood adjourned or prorogued to the same day. I endeavoured to point out, without any success, that far from taking away a privilege of the House that clause is devised with the object of making the Governor-in-Executive Committee cause the Legislature to be summoned as quickly as possible so that the Executive Committee would not, for a longer period than five days, act as if it were the Legislature. The same thing takes place in England in the case of an emergency. No Executive Committee ought to be given powers, except in grave emergency, to legislate No Executive Committee ought ever to be allowed to legislate but if there is an insurrection, civil war, or foreign invasion, provision is always made for the Executive Committee forthwith to deal with the emergency. The recognized principle is that the Executive Committee merely carries out the wishes of the Legislature and if it has to do anything in the case of emergency it must immediately bring the Legislature into being so that they can confirm what it has done. It is true that Your Honour has the normal power under the Rules of the House to summon the House earlier than the date to which it has been adjourned but this clause, I repeat, is devised to compel the Governor—in England to compel the King—to bring the Legislature into being within five days after a proclamation has been made that a state of emergency exists. God forbid that in the case of an emergency Your Honour should depart from this mortal life or the Deputy Speaker; but it is conceivable that both may and in that case, a provision of this sort would be necessary. Suppose the Governor or the Colonial Secretary or the Chief Justice were to perish in a hurricane, there must be provision for somebody else to carry on the government of the colony, somebody who would have the power to summon the Legislature in order to say whether the acts of the Executive Committee during the five-day period should be confirmed or not. Under the provisions of this Bill, when an emergency exists the Executive Committee will have power to make orders which will have the force of law; it may say that whoever leaves his house shall be put before a Police Magistrate and sent to jail and the whole object of this clause is to have the Legislature summoned within five days to say whether such an order should be approved by them or not . I regret that I did not make it clear to the House when this Bill was first before the House, that you are giving no more power to the Governor-in-Executive Committee than already exists in the case of a general strike or riot. As has been pointed out in the Other Place this clause is line for line, word for word, comma for comma as the law in Barbados in respect of a general strike or a riot. In 1939 we passed an Act which provided that if in the case of an emergency there is the possibility of interference with the efficient distribution of food or the efficient working of transport is such that it may appear to breakdown — to use the language of the herd rather than the language of the lawyer — then the Governor-in-Executive Committee may do so and so. This clause, I repeat, is exactly word for word, comma for comma, line for line, as that legislation which the two Houses of the Legislature deemed necessary in order to prevent the Executive Committee from going on to pass orders which are law for a longer period than five days. I must apologize to the House for not having made that clear to honourable members. I believe that if I had made it clear, when I first introduced this Bill, that the power given to the Executive Committee by this clause is merely the same power which is given in England, the clause might not have been deleted. Just as the Speaker of the House of Commons may summon the House whenever he likes but. nevertheless, there is provision in the law to compel the King to summon the House of Commons within five days in the case of an emergency —so in Barbados Your Honour has the power to summon this House earlier than the date to which it has been adjourned but nevertheless it is thought that

it is only reasonable to pass legislation compelling the Governor-in-Executive Committee to summon the House of Assembly within five days in the case of an emergency. In short, Mr. Speaker, this, as I said in my opening sentence, is not to curtail the power of the House but to prevent the Executive Committee from encroaching for a longer period than five days on the prerogative of the Legislature to make laws. I hope, therefore, that the House will see that this clause is no breach of its privileges nor any curtailment of Your Honour's power to summon the House but is really expressing in law what is the fundamental principle of Representative Government, namely, that the Executive Committee shall not be able to make laws unless the Legislature says to it "you have the right to make such laws." Just as in an Act you say that the Governor-in-Executive Committee has the right to make regulations but that those regulations must be laid on the table of the House for its approval and if not approved shall not have the force of law, just as any delimited authority you give to the Executive Committee must have the approval of this House and the Other Place, so this clause provides that although you are giving the Governor-in-Executive Committee power to make orders which have the force of law in times of emergency—general strike, ordinary community life breaking down, hurricane, earthquake — although you give it that power yet you preserve the right of the Legislature to say whether they approve of what has been done in the exercise of that power and you preserve that right by saying that he must summon them within five days to approve or reject such measures as it may make. I again remind the House that orders which are made by the Executive Committee under this Act may provide for the trial by Courts of summary jurisdiction, of persons guilty of offences against the orders, and the maximum penalty which may be inflicted for any offence against any such order shall be imprisonment with or without hard labour for a term of three months or a fine not exceeding £100 or both such imprisonment and fine, together with the forfeiture of any goods or money in respect of which the offence has been committed. Honourable members can see, therefore, what is the object of saying that the Governor-in-Executive Committee must summon the Legislature within five days. There is an earthquake; the Executive Committee meets and makes an order stating that whoever goes in the area of the earthquake shall be guilty of an offence and shall be tried by the Police Magistrate of the District. The Executive Committee may make an order stating that a man who merely leaves, out of curiosity, his house to go and see where damage by the earthquake has been done, shall be guilty of an offence and be liable to a fine not exceeding £100 or to be sent to prison. That is great power and it is necessary sometimes to give somebody great powers but the theory of martial law is that it has to be the act of the Legislature. If martial law is declared, the General in charge of the troops can do whatever he likes but even in martial law the Legislature has to approve of the orders made by the General. He may declare such an such acts to be done; he even has the right in martial law to declare that people are liable to be shot. Therefore, I suggest to honourable members that they should approve of this amendment for the very reason that it seeks to secure for the Legislature the right to compel the Executive Committee to have the Legislature in being within five days so that they may approve of the acts of the Executive Committee in an emergency. I hope the House will pardon me for saying this for the fourth time: The King has this power in England, although the Speaker of the House of Commons has the same powers as Your Honour has in similar circumstances to summon the House of Commons. What we are saying by this clause is that the Governor-in-Executive Committee must summon the Legislature within five days in the case of an emergency. It is no disrespect to the Speaker of the House of Commons or the Speaker of this Assembly; it is merely preserving the legislative form which is fundamental to Representative Government, namely, that the Executive Committee shall not have the power to legislate unless the legislative assembly says so. I, therefore, beg to move, Mr. Speaker, that this amendment be now read a first time.

Mr. TALMA : I beg to second that.

Mr. SPEAKER : I should like to point out that this is similar to a motion for the second reading of a Bill. Therefore, if there is to be any debate on it, it must take place now.

Mr. WILKINSON : I must thank the senior member for St. Joseph for his lucid explanation but I think that the point which was raised by the junior member for the City was that this clause infringes the power of the Speaker to summon the House of Assembly. I consider the honourable member's explanation a very good explanation but still I do not see the necessity for giving the Governor-in-Executive Committee power to summon the House of Assembly when it is adjourned. Further, I do not see the necessity for the words "adjournment or" in the amendment of the Other Place because if the House is adjourned the Speaker has the power, or the Deputy Speaker through the Speaker has the power, to call the House together immediately if a state of emergency is proclaimed. To me, there will be an infringement of the Speaker's right if those words are left in the Bill. I do not know if the honourable member would accept an amendment from me to the effect that the words "adjournment or" in lines 4, 9 and 10 respectively of the amendment of the Other Place be deleted. We should not permit any infringement of the rights of the House or the Speaker. It is suggested that if we have a hurricane we might be so unfortunate as to lose both the Speaker and the Deputy Speaker and it is quite possible that we might lose the members of the Executive Committee too. But we do not anticipate that things would be as bad as that. I beg to move that the words "adjournment or" in lines 4, 9 and 10 respectively of the amendment of the Other Place be deleted.

Mr. BRANCKER : I second that motion of the honourable junior member for St. James. I think we should guard very jealously the powers entrusted to Mr. Speaker, — powers which this House approved of on the 25th February, 1941, when we incorporated that Rule 292 in our Rules and Orders, namely that the Speaker shall have power to summon a meeting of the House whenever he is satisfied that the public interest requires that the House should meet and if it should happen that the Speaker and the Deputy Speaker were killed in a hurricane or an earthquake then the Chairman of Committees would fall into line if he is able to function. It may also happen that the hurricane or earthquake may destroy all the responsible members of the administration too—the Governor, the Colonial Secretary, the Chief Justice and so on. I think those are contingencies that are hardly likely to arise and I feel that the amendment of the junior member for St. James should be supported. There is

another aspect of the matter and it is this. If we pass a Measure in this Chamber, even though it may not be by the unanimous vote of the House, the question arises whether we should allow the Other Place to side apparently with the minority in this House and send back the Measure to us. Honourable members, no doubt, observed what has happened recently in the Imperial Parliament in respect of that Bill dealing with Capital Punishment. You noticed how it was passed by the House of Commons and was then sent to the House of Lords and the Lords rejected what the majority of the Commons had passed. Now it goes back to the House of Commons for them to say whether they would stand by their former decision,—the decision of the majority who voted for it as well as of the minority who voted against it. So I am supporting the amendment which has been proposed by the junior member for St. James on those grounds. We have our Rule 292 and I think that that is sufficient. Personally I view with disfavour any attempt by the nominated Chamber to force us to do their will in connection with a matter which is passed by this House, even though it may not be passed unanimous y. They have sent this Bill back to us apparently in the hope that they will be able to force our hands in this matter.

Mr. SYMMONDS enters the House and takes his seat.

Mr. MAPP : Mr. Speaker,—On the last occasion when this Bill was before the House I voted for it as it stood and I am still of the opinion that we should vote for the amendment of the Other Place in spite of the constitutional argument of the last speaker. After all, the Other Place still retains power as a revisory body and we must expect them to remind us, at times, of mistakes which we may make. If in our wisdom we feel that we should change an opinion which we held, we are at liberty to do so. It seems to me that if we were to delete the words "adjournment or", we would be straining at a gnat and swallowing a very big camel, for this reason. If we bear in mind the principle which has been enunciated by the Leader of the House, namely, that the Executive Committee should not make laws without the sanction of the Legislature, then I think it is very wise to allow these words "adjournment or prorogation." to remain in this clause. If the House is adjourned at the time of an emergency the Executive Committee is not compelled to come to this House and seek authority to pass a law or to place a law on the Statute Book; it can proclaim that law. We may not be summoned by Your Honour or His Honour the Deputy Speaker and the Executive Committee will derogate to itself all this authority and power which we have at present; therefore, I cannot see why we should continue to strain at the gnat that Your Honour and nobody else must summon meetings of this House and swallow the camel of allowing the Executive Committee to lay down the law without our approval or sanction. I think that the motion to delete these words is a reactionary move and in my view we would be acting unwisely if we deleted them just to show that we have a little wisdom. The senior member for the City and myself, among others, voted for this clause as it was worded originally and I think we should vote for it again. If the House of Commons in its wisdom, and after all these years of traditional custom, can retain a proposal like this for the purpose of an emergency I do not see why we should fight a clause like this and say that it violates our constitutional rights and privileges when in reality it does not. I think we would be just headstrong and we should re-insert this Clause which we deleted at first.

Mr. CRAWFORD : I do not propose to prolong the debate but I do not think that I agree with the re-insertion of the sub-clause. As far as I have been able to ascertain, even if the apprehensions envisaged by the junior member for St. Thomas and the senior member for St. Joseph were to become a reality, the Governor already has the power, under the Royal Prerogative, to summon a meeting of the House. If the Speaker was so obtuse as to refuse to summon a meeting of the House, the Governor already has it within his power to prorogue the Legislature and re-summon it; therefore, I do not see that any reasonable necessity exists for giving him this additional power and I am going to vote against the re-insertion of the sub-clause.

Mr. ADAMS : As far as the Executive Committee is concerned, it does not matter twopence. All I am pointing out to this House is that far from this sub-clause being an infringement of any right of the House, it is an enactment confirming what is the normal constitutional practice, that is, that only the Legislature shall legislate. By inserting the sub-clause you are saying that the Executive Committee has the right to legislate for only five days; that is all that it amounts to. The Executive Committee should not be allowed to go on making orders to lock up and fine people for a longer period than 5 days. Within five days it has to summon the Legislature and let the Legislature approve of what it has done. The Executive Committee may make an order stating that whoever is found on Broad Street after 5 o'clock in the afternoon shall be liable to imprisonment for two months and all this sub-clause says is "you have the right to do that for only five days. You must summon the Legislature within five days to say whether they approve of that or not." Can't honourable members see that far from taking away powers from the Legislature, it is compelling the Executive Committee to put its cards on the table before the Legislature within five days of making an order? I repeat that it is absolutely immaterial to the Executive Committee. What the Executive Committee is proposing is done from the House of Commons down to the smallest Legislature of any colony that has any representative government, except in the little island of Carriacou where the Administrator is the Legislature; there is no Assembly there and he passes all the laws. But in any colony which has a semblance of representative government only the Legislature can pass a law affecting a person's pocket, that is to say, how much he is to be fined or stating whether he should be sent to prison; therefore, from the Legislature's point of view, the House would be far from asserting its privileges and would be giving a lot of power to the Executive Committee if it did not agree to this sub-clause. I am perfectly certain that Your Honour would not take amiss what I am now about to say; it is purely for the purpose of argument. Suppose we had a reactionary Speaker, the House was adjourned for three weeks, the House was predominantly Labour and the Executive Committee was more conservative than otherwise. All the Speaker would have have to do is to sit down for three weeks without summoning the House and let the Executive Committee, for three weeks, pass laws to lock up all its opponents and the House could not do anything because the Speaker would have failed to summon the House during those three weeks. The Executive Committee would have been allowed to pass any orders it likes during that three-week period, lock up

all its enemies for those three weeks, fine them heavily and the Legislature could say nothing because the Speaker did not summon the House earlier. I repeat that the whole object of the sub-clause is to preserve the fundamental constitutional principle that you do not give to somebody else other than yourselves power to make laws except on grave occasions. Do honourable members forget that the War was not run by the Field Marshals of the Army but by the House of Commons? That even in time of War the Army does nothing unless Parliament approves of it? Even matters of policy were done by Mr. Churchill and his Cabinet. Field Marshals Eisenhower and Montgomery had to carry out the policy of the House of Commons. The elected members of Parliament say what is to be the policy of the country in peace or war. Parliament may make certain concessions; it may say that the country is under martial law for a limited period and during that period the General in charge of the troops in the area may be permitted to do certain things but if he is brought before the Law Courts, it is possible for the Chief Justice to say that he exceeded his authority and is guilty of murder in ordering the execution of a man charged with murder. Honourable members need not be lawyers to know that if an officer is in charge of a regiment and he gave certain orders which resulted in the death of another person and which a law Court may afterwards say were wrong, the man who carried out the order could be guilty of murder and he could not use as a defence that he carried out the order of the officer. The Civil Authority—the Legislature—always has the last word; therefore, this sub-clause merely confirms the right of the Legislature to say as early as possible whether they approve of the acts of the Executive Committee or not. Do honourable members think that after centuries of fighting against Kings, Barons and other warlike people, the British people would put this in the law of England, although the Speaker of the House of Commons has the same right as Your Honour, if they felt it was curtailing the power of the elected members of the House of Commons? It is not curtailing that power; it is emphasizing it because it is saying to the King of England and to the Governor of Barbados "You cannot make laws for a longer period than five days. Even though the Speaker has the right to summon the House, we make it compulsory that you come before us—Parliament—and let us say whether we approve of the orders you made or not." I make this final appeal to honourable members : Do honourable members seriously think that the King, through the Prime Minister, does not immediately confer with the Speaker of the House of Commons in the case of an emergency? Of course, he does. Can any honourable member imagine that if an earthquake takes place in this island, the Governor would not immediately get in touch with the Speaker to see what is the earliest date on which the House could be called together? If a state of emergency is declared in England, the Prime Minister has a conference with the Speaker of the House of Commons as to a suitable date for summoning the House. The Speaker tells him "Monday is a more suitable day than Friday because some of the members of the House of Commons are away in Scotland and elsewhere, so let us summon the House for Monday." Do honourable members think that the same procedure would not be adopted here? What we are endeavouring to put back in this Bill is already the law in the Emergency Powers Act of 1939. That Act is confined materially to the case of a General Strike but does this House imagine that if a hurricane or an earthquake takes place, the Governor of this colony would summon the House of Assembly without reference to the Speaker? Let me remind honourable members that if at any time it appears to the Governor-in-Executive Committee that any action has been taken by a body of persons that is of such a nature or is on so extensive a scale as is calculated to interfere with the supply or distribution of food, water, fuel or light and other necessities, the maintenance of the means of transit and of any other purposes essential to the public safety and the life of the community the Governor-in-Executive Committee may by proclamation declare that a state of emergency exists. In short, if the Barbados Workers Union were to call a strike and tell the waterfront labourers not to handle foodstuffs that have come to this island, the Governor-in-Executive Committee, under this Act of 1939, can declare a state of emergency and anybody who interferes with the landing of food supplies, after that, can be locked up. It may be a harsh thing to do but it would be a necessary thing to do. Suppose the Barbados Workers Union calls a strike at the Electric Company, straightway the Governor can declare a state of emergency and the strikers may be liable to be sent to jail; it may be a harsh thing to do but it may be a necessary thing to do. Because the Executive Committee may be inclined to hit back at a Trade Union or at somebody whom it does not like, the House must come together, being the people's representatives, and say whether they approve of its action or not; that is all that this sub-clause provides, nothing else. The Emergency Powers Act of 1939 refers only to strikes. All this Bill is saying is that the same power which the Executive Committee has and the same duty of summoning the Legislature are to be applied in the case of a hurricane or earthquake. Honourable members are not giving up rights; they are preserving their rights by this Bill and are forcing the Governor of this colony to do what the King himself has to do in England, that is, to see that the Legislature come together as quickly as possible in a state of emergency. I repeat, Mr. Speaker, that it is inconceivable that any Governor would act under this Bill without promptly conferring with Your Honour in order to decide on a suitable date and then leave it to Your Honour to summon the House of Assembly. As regards the amendment of the junior member for St. James I will say this : No Speaker has the right, if the House is prorogued, to re-summon it. The House is prorogued by the Governor and only on an adjournment of the House has Your Honour the right to summon the House. As regards what the senior member for St. Philip said, the latter part of his remarks is correct, not the first. If the House was adjourned and the Speaker did nothing, the Governor could prorogue it and then re-summon it, if he likes, on the following day; he could prorogue it at 10 o'clock and re-summon it at 2 o'clock the same day; that is commonsense. But is it not better if he has five days in which to re-summon it? I hope honourable members will realize that this sub-clause does not take away any right of the House but is simply observing the cardinal constitutional rule that the Executive Committee has no right to pass laws without the Legislature being speedily summoned to confirm or reject them.

The question that the words proposed to be deleted from the amendment stand part of the amendment of the Other Place is put and resolved in the affirmative, the division being as follows:—

Ayes: MESSRS. SMITH, HUSBANDS, F. L. WALCOTT, COX, FOSTER, MAPP, TALMA, ADAMS, BLACKMAN, MOTTLEY, HAYNES and GALE—12.

Noes: Dr. WILSON, Messrs. SYMMONDS, BRANCKER, CRAWFORD, GARNER, S. A. WALCOTT, WILKINSON, and WARD—8.

The question that the 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.

COMMITTEE OF SUPPLY

Mr. SPEAKER : The next Order 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.

WORKS TO BE CARRIED OUT BY THE GOVERNOR-IN-EXECUTIVE COMMITTEE.

Mr. TALMA: The next Resolution, Sir, is for the sum of £158,190 to meet the cost of the various works and for the purposes described in the schedule to the Resolution. It is a means whereby this substantial sum of money will be placed at the disposal of the Governor-in-Executive Committee to undertake certain essential works which are very much needed and which will serve the very useful purpose of granting facilities in many parishes of this island. It is the first time that capital works of such enormity have been set out in the schedule to a Resolution and I hardly believe that in view of the many thousands that are unemployed in this island, a single person will be found to view with disfavour a resolution such as this. I have no doubt that I shall hear expressions to the effect that this is an elaborate programme but let me tell the House that this will only go half of the way, although we should very much like to be able to go the whole way. This will provide employment principally for certain artisans but labourers will also be granted a certain measure of relief. The various items in the schedule are those for which the Planning Architect has completed the plans and which can be dealt with immediately. Those items which are 13 in number are: Occupational Therapy Sheds at the Mental Hospital; Extension to St. James Mortuary; Erection of new St. Leonard's Girls' School which will accommodate 720 girls; Erection of new Parry and Coleridge School which has been needed for many years now; Completion of Teachers' Training College; Housing Scheme at Pine Plantation, a scheme whereby workingclass folk who live in small houses in very bad conditions would have the opportunity of enjoying fresh air and of being able to raise their standard of living; Erection of Police Station and Sub-Post Office at Eagle Hall; Alterations to buildings at Seawell Airport; Alterations to Law Courts; Repairs to Wharf Wall; Design for new Victoria Bridge; Alterations to Speightstown Library and Post Office; and Repair and conversion of Barrack buildings, St. Anne's Fort, for use as flats. Those are some of the projects which can be started without undue delay and I would like to say, that now that a Labour Government has some say in matters governmental I am looking forward to the day when, as far as the last mentioned project is concerned, these buildings would be put at the disposal of all types of persons in the community and not only the special few to whom these buildings are rented at a nominal figure. Those days are past and I, as a member of the Executive Committee, shall leave no stone unturned to see that the government buildings at the Garrison are put at the disposal of anyone as long as he knows how to behave himself. About sixteen members of this Chamber claim to represent Labour. (Voices : All). I know that all have the interest of the community at heart and anyone who is found delaying this Resolution to-day is just an enemy of Labour. I beg to move that this Resolution do now pass.

Mr. ADAMS : In seconding the motion I would like to emphasize what the honourable member has said because at the time when he was making the most important announcement, most honourable members were talking to their neighbours. While it is true that there are other projects of A1 priority, yet for obvious reasons they cannot be started at once. For instance, I would like to assure the junior member for St. Philip that it is the earnest hope of the Executive Committee that the improvements to the Government Industrial Schools would be started immediately but the Architect and Planning Officer has so much to do that he was asked to hurry up with the plans of those projects which he started before. The plans for Dodds and Summervale are practically finished at the present moment he is actively engaged on preparations for the new Borstal Institution in connection with Dodds and Summervale in the way in which the Committee which sat on the Government Industrial School have recommended. So I wish to assure the honourable member that the Government has not forgotten the Government Industrial Schools. The Government knows that the two members for St. Philip are its greatest critics; therefore, it would not be displaying ordinary commonsense if it could do something in St. Philip and did not do it. Far from forgetting the Industrial Schools, the Architect is actually working on the plans for the Borstal Institution but rather than wait until he is finished the Government is going ahead with these. If there is anything further which honourable members would like to know, not whether we intend to use pitch pine here or some other material there, we shall be happy to give the information we have in our possession.

Mr. SYMMONDS: Mr. Chairman,—I am very pleased to see that the Government has at last seen fit to wake up and do something about relief works in this island. It has been a long time in coming and I am very glad to see that some attempt has been made to put it into effect. This sum of £158,000 will go a certain part of the way; to my mind it just touches the fringe of the problem. I see provision is made for works to be carried out in St. Peter; these works will also affect St. Lucy and I suppose that the honourable members for those parishes are feeling quite pleased to-day. I also see that some work is to be done in the parish of St. Philip but I want to draw seriously to the attention of the Government the fact that there are over 500 children from the parish of St. George who day after day attend private secondary schools in St. Michael's parish and I am hoping that the Government will do something to relieve the large number of parents in St. George who have to pay bus fares to St. Michael by establishing

before long at least one secondary school in St. George. I want to commend the Government for taking this action; my only criticism is that it took too long to put it into effect.

Mr. CRAWFORD: At this stage I should like to make a few observations on the Resolution before us. I think I am correct in saying that nearly all, if not all, of these items were mentioned when we were passing the Estimates earlier this year and some of them have been on the tapis for a long time. The new St. Leonard's Girls' School, the Parry and Coleridge Schools, the Teachers' Training College—these, for instance, have been before us since the time of the Hayden Report, entitled "A Policy For Education in Barbados." We are, therefore, more or less justified in thinking that some attempt should be made to implement the majority of these proposals. But it must be borne in mind, Sir, that almost all the projects outlined here are works which will provide employment only for artisans—skilled workers; they are nearly all construction works and the only unskilled workers who will be employed in connection with them are a few mason attendants and a few labourers on excavation work. There is no provision here to absorb the large number of unskilled workers throughout the colony, the large majority of whom are starving from day to day and who have no hope of obtaining a livelihood. At present in the agricultural districts of the island, the workers are getting only two days' work a week; in some cases, none at all and not one of them can find employment in any of the projects mentioned here. At Seawell, for instance, it is proposed to do some work on the aerodrome. We made provision for that in the Estimates some months ago and I am actually glad to think that some masons and carpenters in Christ Church and St. Philip will get a little work to do. A fair lot of building by private enterprise is going on and I repeat that it is satisfactory to note that we are going to give some work to artisans. But what would assist a large number of unskilled workers in Christ Church and St. Philip would be work on the runway and not on the buildings; what would assist a large number of unskilled workers in St. Michael would be work on the Constitution Swamp, the equipment for which has been lying and rusting for some months now and is not used for any justifiable reason. When the question of the Constitution Swamp came up for discussion last year we were told that the rainy season was on and the work could not be started. This was over eight months ago and the Constitution Swamp would provide employment for a large number of the unskilled workers who roam about the streets daily and can find no work to do. I repeat that this is an attempt by the Government to start work on certain projects but this attempt does not include, as a result, those workers who unfortunately have no skilled trades. There is also this to be borne in mind: It is customary every year for the Government to undertake a certain number of capital works and the projects listed here are more or less comparable to similar works which have been undertaken from time to time by previous Governments. But we cannot allow ourselves to forget that we are faced to-day with a greater number of unemployed than possibly at any period within the recent past and merely to expend an amount on capital works which will approximate amounts we have expended within the last two years cannot be enough. This is a year in which there are abnormal conditions and, therefore, we have to take abnormal steps to cope with the abnormal situation and the amount of money which it is customary for the Government to spend in any given year on public works, such as building schools, repairing wharf walls or extending institutions, will not and cannot be enough this year. Now, a further point is this: On the erection of most of these projected buildings I imagine that the workers will be employed under the auspices of the Public Works Department. The junior member for St. Lucy, along with his colleagues, have been very persistent in the House for a long time with regard to the conditions of work and the wages paid to members of the Public Works staff—established or unestablished. It has been reported to me by some of these men that the institution of the 44-hr. week is made contingent upon the payment of less money than they received for the 48-hr. week. I have not had the chance to go into the matter as yet with the Colonial Engineer and I am relying on correspondence received from the people involved but I see no justification for a reduction of the wages of people employed by the Public Works Department because of the institution of the 44-hr. week. In other words, they are expecting the same wages for a 44-hr. week as they received for the 48-hr. week. Moreover, in my opinion, the Government will be well advised to see that public works employees who are engaged on the construction of public buildings or public projects are, if a bankholiday intervenes, paid for the bankholiday: it is no fault of theirs when a bankholiday intervenes. If you employ domestic servants, if you are engaged in business of any sort and are paying your employees by the week or month, naturally you pay them for bankholidays and I do submit, Sir, that the Government should see to it that it adopts the policy of paying workers attached to the Public Works Department for all bankholidays and that they receive no reduction of their present wages in the week in which there is a bankholiday or of any increased wages to which they may be entitled as the result of the report of the Civil Service Commissioner. Finally, Sir, we have had the painful experience on many occasions of placing large sums of money at the disposal of the Government for relief works and of finding months succeeding one another with the money still lying in the Treasury. A few months ago we provided £75,000 for relief works and of that amount only £25,000 has, so far, been spent. The senior member for St. Joseph himself, during the consideration of the Estimates, said that the Government had spent only £25,000—just one-third of the amount. Well, I am making this observation now. We are making this £158,000 available with the understanding that the works mentioned in this schedule will be commenced at once. We are not making this money available merely because we have the opportunity of coming here and voting it; we are doing it with the view that the work will be put in hand and that there will be no undue delay in putting people to work on these projects. I emphasize, before I sit down, that we have made no provision for the large number of unskilled workers and we owe it to them to do so with the minimum of delay.

Mr. ADAMS: I am asking other honourable members to give way at this point in order that I may stop certain arguments which seem likely to be used. I entirely agree, and I think I can speak for the other members of the House who are members of the Government, with the point made by the senior member for St. Philip about paying labourers for bankholiday. The Barbados Labour Party has been preaching that for years and is entirely in agreement with it. If the honourable member's criticisms were entirely of that constructive nature, they would help us very much. I have been preaching the payment to workers for bankholidays for ages. I will preach it until I die

and I think that the other members of the Government agree to it. You employ a cook and give her a day off but you do not pay her for a week of six days instead of seven, and why should not the Government pay its workers for a bankholiday? Nobody differs from that; all of us, even the most reactionary amongst us, are really anxious to try and get something done to relieve unemployment and the Government invites criticisms and suggestions to that end. I have said already in this House that Mr. Winston Churchill reached the position which he attained in his old days because when he was a youngster with no thought of being a member of the Cabinet, he used to read a memorandum on this or that subject and would press the then Prime Minister with the suggestion that he did so and so. May I suggest to the senior member for St. Philip to do likewise? All the brains are not confined to the Executive Committee; so if you have any suggestions to make, make them. But it is not helpful to tell us what we know and what everybody knows, that is, that this vote, unfortunately, helps masons and carpenters principally. Do not suppose that the Government does not know that. The Government is most actively engaged at the present moment in finding occupation for people other than masons and carpenters—unskilled workers—and is considering questions such as the digging of wells for the Waterworks, the establishment of minor industries,—the manufacture of tiles which I thought the honourable member would have mentioned and so on,—all matters which would provide work for persons other than masons and carpenters. This Resolution comes before the House because all the plans for these projects are absolutely made, down to the last detail. As regards agricultural labourers, the Government has under active consideration the question of extending the Agricultural Station, the question of extending facilities for animal husbandry, vegetable gardens and so on. The House has to remember that Dr. Saint is, perhaps, the most overworked man in this island and some of the plans for that type of labour are not ready just because he has too much to do. We have always to fall back on his expert opinion on this or that plan. It is a matter for the senior member for Christ Church to reply to the criticisms that have been made but I want to point out that the Government is just as conscious as other honourable members are that mostly masons and carpenters will benefit from the execution of these projects although it is actually working on schemes which will provide work for unskilled and agricultural workers who may not be able to get work with private employers. As a matter of fact there is to be a meeting of the Employment Committee tomorrow afternoon at 2 o'clock, specifically to try and get before the Government detailed plans for just that type of labour. I got up to say that we have not ignored that type of labourer. We realize that these projects are very much on the side of artisans but it is easier to plan for the building of a school, for instance, than for the establishment of an agricultural project. The senior member for the City has suggested that I should speak on the Constitution Swamp I say again that we have obtained advice which makes it necessary for us to start with the Victoria Bridge and that is why we have included in this amount the sum of £250 for a "design for new Victoria Bridge", the idea being to get a plan for a new Victoria Bridge. When that is done, the draining of the Constitution Swamp could easily be undertaken; that is the explanation in regard to the Constitution Swamp.

Mr. CRAWFORD: I think, Sir, that the honourable member would have to be possessed of a very defective memory to accuse me of not making suggestions to the Government. I am tired of making suggestions. Not only do I make suggestions but I even march (Cheers), Sir, in an attempt to get the Government to do something. The people are unemployed and I am tired of hearing that the Government has these things under active consideration. It takes too long for the Government to consider these things. People have to eat every day and all the months the Government takes in active consideration playing politics, the people are starving. For instance, about four weeks ago we suggested to the Government that, if it wants to put unskilled workers to profitable employment immediately, it should utilize all available mains and start to extend the water mains, that is to say, stop allowing private property owners to have the use of these mains to take water to their properties and itself embark on the extension of water mains and thus provide employment for hundreds of people.

THE CHAIRMAN: I hate to interrupt the honourable member but let us stick to the Resolution.

Mr. CRAWFORD: In accordance with your guidance, Mr. Chairman, I will endeavour to stick to the Resolution (Cheers) and I will go on to say that if the Government wants a further suggestion for providing work for these unskilled labourers, let it start with the extension of the water mains. Anybody can do excavation work; you do not necessarily need artisans to lay water mains. With regard to the explanation about the Constitution Swamp, less than a month ago, the senior member for St. Joseph——

The CHAIRMAN: Again the honourable member is straying from the Resolution. The Constitution Swamp does not come under this Resolution.

Mr. CRAWFORD: You will see in the schedule to the Resolution "Design for new Victoria Bridge, £250." The senior member for St. Joseph said that the Government is asking for this £250 to get this design because of the fact that it has been advised to start the draining of the Constitution Swamp from that end. My answer to that is that the senior member for St. Joseph also said, less than a month ago, that the advice with regard to the possible interference with the Victoria Bridge by the drainage of the Constitution Swamp has since been superseded by other advice ——

Mr. ADAMS: The honourable member has it the exact reverse. I said that the advice of starting at the Constitution end was superseded by the advice to start from the Victoria Bridge.

Mr. CRAWFORD: The hon. member quoted from the Ten-year Development Plan in which the Committee stated that "the canalization and drainage of the Constitution Swamp is a subsidiary scheme which cannot be undertaken until the present Victoria Bridge has been widened so as to permit of rapid disposal of flood water" and then went on to say that that advice was superseded by other advice.

Mr. ADAMS: The honourable member will remember that what is stated in the Ten-Year Plan was what he and I signed.

THE CHAIRMAN: I do not think that we are in order to discuss the Ten-year Plan. What we are now discussing is this Resolution for £158,000. I was wrong a few moments ago when I allowed the senior member for St. Joseph to answer the question of the senior member for the City about the Constitution Swamp. I am not going to entertain any

further discussion about the Constitution Swamp while we are considering this Resolution.

Mr. ADAMS: If that is your ruling, Sir, I bow to it.

Mr. CRAWFORD: I think that this is a very serious occasion, not an occasion for making fun. If the senior member for St. Joseph says that the Government wants suggestions, at least, Mr. Chairman, you will have to permit suggestions that are outside the scope of this Resolution.

THE CHAIRMAN: I am not allowing any suggestions that have no connection with this Resolution.

Mr. CRAWFORD: In other words, we cannot make suggestions and the unskilled unemployed must go on starving. What I am saying in a nutshell is this: This Resolution is not sufficient to cope with the situation and what I am also saying is that we should have had before us, simultaneously with this Resolution, a Resolution for a large sum of money, which would result in putting a larger number of people in work and we would not have to wait on Dr. Saint's schemes, extending facilities for animal husbandry. After all, you cannot increase the acreage of Barbados. The land will be cultivated by a number of agricultural workers whether or not it is under the control of the Agricultural Department or private employers. The mere extension of the Agricultural Station cannot in itself provide increased work for people and even plans for extending facilities for animal husbandry cannot provide immediate work for people. Where are you going to get the animals from? These are schemes which in themselves are very essential but they cannot, by their very nature, remedy the situation we have before us to-day and the Government has not displayed any vision and outlook in tackling this problem. We are tired hearing the remark "under active consideration." What we want to see is practical results springing from this "active consideration" and I repeat that it is time we give the community what it is entitled to.

Mr. GALE: I am glad to see that at last a Resolution is before this House for the extension of public works and I should not like to be a party to the delaying of the passing of it. I welcome this Resolution. There is a certain amount of truth in the remarks of the senior member for St. Philip because there is not a great deal for unskilled workers in these projects; but I am very pleased to see that at last we are going to have something done. I am glad to know that the building of the new combined Parry and Coleridge School is about to be commenced. My only regret is that the new school for Christ Church Foundation Boys and Girls is not included in this schedule and I hope that that will soon be dealt with because the staffs and pupils of these schools are very hard pressed for accommodation and proper facilities to do their work. The junior member for St. George talked about the number of children who have to travel from that parish to Bridgetown to school and there is no doubt about it that with the combined Parry and Coleridge School and the bringing of the Christ Church Foundation Schools up-to-date, a lot of the congestion in the schools in St. Michael will be relieved; so I hope that the Christ Church Foundation Schools will be dealt with shortly. No doubt, all Governments are criticized but I think that all the members in this House to-day should welcome this Resolution. It has been a long time coming down but we can see that at last something is being done. I think that if critics of the Government want to be honest to themselves and want to see something done, they will pass this Resolution in the speediest manner possible.

Mr. MOTTLEY: At least honourable members should appreciate this effort. It is really nothing new to us because mention was actually made of these schemes in an appendix to the Estimates which we passed a few months ago; therefore, we were aware that sooner or later schemes such as these would come before us. But I must associate myself with the criticism of the senior member for St. Philip when he said that it is regrettable that projects which would relieve unemployed unskilled labourers are not included in these schemes. That, I take it, is a criticism which the Government will appreciate and a criticism like that is very constructive. On the other hand I can also appreciate the statement by the spokesman of the Government that the difficulty in connection with some of these projects is the completion of the plans. May I suggest that in future, the Government should not wait on plans from the Planning Officer to implement some of these schemes! The situation is such that it merits the Government getting other persons who are capable of drawing plans to do so. I appreciate that you cannot go ahead without plans but you should not wait on the Planning Officer and at the same time allow hundreds of people to suffer. Right here in Barbados you have qualified engineers whose services you can use in this respect, and that is a suggestion which I am throwing out to the Government. The Resolution asks for £158,000 and if one goes through the schedule one is bound to appreciate that the schemes are distributed over the entire island. There is the point which the senior member for St. Philip has made in respect of the alterations to the buildings at Seawell Airport and I associate myself with his remarks. I too would have preferred to see the repair and extension of the runway started first because many more unskilled workers would find work on the runway than on the buildings. What is the use of our being here if we are not to offer constructive at Seawell Airport. Now, Sir, there are a few other items in the schedule with which I should like to deal. I notice, for instance, that £240 is to be voted for an extension to St. James Mortuary—

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).

SUSPENSION OF RULES 61 (A) AND 61 (B)

On re-assembling,

Mr. ADAMS: Mr. Speaker,—I ask leave to move the suspension of Rules 61 (a) and (61) (b) so as to resume Government Business, namely, to finish the Resolution with which we were dealing before the adjournment for lunch and to resume consideration of the Public Health Bill.

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

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

Mr. TALMA seconded the motion which was agreed to.

Mr. SPEAKER: On the adjournment for lunch the House was in Committee of Supply.

RESUMPTION OF COMMITTEE OF SUPPLY

Mr. SPEAKER left the Chair, and the House resumed Committee of Supply, Mr. SMITH being in the Chair.

COST OF VARIOUS CAPITAL WORKS.

Mr. CHAIRMAN: When the House was in Committee of Supply before the adjournment for lunch, we were considering a Resolution to place

the sum of £158,190 at the disposal of the Governor-in-Executive Committee to meet the cost of the various works and for the purposes described in the Schedule to the Resolution. The honourable senior member for the City was speaking.

Mr. MOTTLEY: As I was saying, Mr. Chairman, the Schedule to this Resolution shows that under 13 Heads the Government proposes to spend £158.190. As I have already said, it will be readily agreed that the criticisms offered by the honourable senior member for St. Philip are rather constructive, suggesting that something at least should be done so as to give more relief to casual labourers. It is recognised by all that with our redundant population the great majority of those who are unemployed are drafted from among the casual and agricultural labouring classes through no fault of their own, and it would be well if in any plans which are formulated in respect of capital works a certain measure of relief could be given to casual labourers. I think I have already said that under the abnormal circumstances the Government should try to get the assistance of people who are capable of giving assistance. The honourable senior member for St. Joseph has referred to the question of getting plans; we have the talent in Barbados and I am sure that there could be seconded for duty persons who would be able to produce plans and so forth. Before I deal with any items in the Schedule to this Resolution I should like to say that I think it is but fair for those of us who are outside the Government to offer criticisms or observations which, if they are worth anything, the Government should consider. In my travels around the country I have observed that there is a lot of unemployment. One scheme on which the Government has already embarked is that of the repair of tenantry roads, and I feel sure that a measure of relief could be offered to casual labourers if, rather than continuing to use the stone-crushing machine, in parishes like St. Lucy, St. Peter and St. John where actual road repairs are being done, large stones could be placed alongside the road and much-needed relief could be given to casual workers by allowing them to break stones. It is a question of getting people employed; I am sure that if the Government take seriously into consideration that among the majority of the unemployed are people of the casual labouring class, they will take heed to the suggestion which I have made and include it among other suggestions which will be made to the Department of Highways and Transport and which will relieve a number of these unemployed people. I know that honourable members have been in contact with several persons who have made application for work of any nature; and if the Government were to embark on a scheme such as that I have suggested, a lot of the criticisms which might be made to the effect that they are not doing anything, could not very well be levelled against them. It is true that you will find some people who will say that they are not willing to break stones, but if a man is broke and he can make $6 or $7 a week by breaking stones and does not do that, then he cannot very well lay any blame at the feet of those who have been elected to this Chamber. It is not merely a question of laying blame for anything at the feet of the members of the Government; it is the responsibility of all of us to bring to bear any constructive suggestions which will help the unemployed. The honourable senior member for St. Joseph referred to the plans in respect of the Victoria Bridge and to the fact that something has to be done there before the draining of the Constitution Swamp can be embarked upon. Mr. Chairman, I crave some elasticity from you in this matter because you cannot very well dissociate unemployment from this scheme, and on that ground I crave your permission to make a few suggestions to the Government. Suggestions have been made from the engineering point of view that plans must be obtained before you can make a definite approach to the Constitution Swamp; but I say this: I am not an engineer but I know the Constitution Swamp and I know that there are a lot of trees, weeds and so on up there. I challenge any honourable member to say, whatever might be your plans for canalizing or draining this swamp, that you cannot immediately embark on the work of clearing these trees and so forth. It is not merely a question of giving a man a dollar a day for cutting down trees but we do not want to dole out money. Suppose you took about 60 of the unemployed and started to clear away the trees and so on! And are you suggesting that we have not got the engineering skill to suggest the ways and means by which we can relieve unemployment? Cannot some sort of foundation be laid down leading up to the draining of the Swamp? If you spend £1,000 until that time comes that will be a means of relieving unemployment. I do not criticise the Government but I offer a suggestion that will help; and when a suggestion is offered it is the duty of the Government to think of it. I, personally, feel that anything like stone breaking in the various parishes would prevent a lot of the people in the country from coming into St. Michael, not only looking for work but lining up at the Churchwarden's Office. One honourable gentleman has said: "The price of my popularity is that my office is kept as an unemployment agency." Twenty-five out of every 30 people you meet ask you for work. I have offered some suggestions to the Government and I hope that they will work on them. I appreciate the fact that this Resolution will afford relief to carpenters, masons and skilled workers, but it does not go far enough. It is no secret that the hopes of many people are shattered as regards emigration to the United States of America; it is apparently public property that negotiations as regards that emigration scheme have broken down. With the knowledge that it is really known by the people that the negotiations have broken down I strongly suggest that we start on any scheme which will relieve more casual labour. As regards Item 13, "Repair and conversion of Barrack buildings, St. Anne's Fort, for use as flats", the note says: "These buildings were formerly used as flats and it is proposed to reconvert them into 18 flats for which an economic rent will be charged." I hope that this economic rent will not be the rent charged before the War; I hope that these flats will not be rented to selected people, that they will not draw any line in respect of certain people or that there will not be any racial discrimination shown in this respect. I want the Government to know that it is the tendency in this country to put all imported officials in these flats and many Barbadians have charged that while they must contribute necessary taxation they have never been given an opportunity of getting one of these apartments at a reasonable rental. I feel that while this work will relieve some of the unemployment, it would be much better if a start is made in another direction. As regards Item 6 "Housing Scheme at Pine Plantation," the information is that it is proposed to build 40 terrace houses at the Pine in accordance with the recommendation in paragraph 22 of the Report of the Pine Utilisation Committee. I am wondering if I am in order in suggesting that we are straying from the custom of allowing members of this House to see the sketch plans of these houses which, from the figures in front

of us, will cost £800 apiece, which, at 4%, will realise a little over $12 a month rental. This programme of capital works was set out in an Appendix to the Estimates but I would still like a further explanation as to this item. I am wondering whether at least some of the sketch plans of these houses should not have been laid before the House so that honourable members could see them. What are these terrace houses? (Mr ADAMS: Houses on terraces). I know that is what is meant but it is very questionable as to how it has been put here;I should like to know more about the matter and I challenge any honourable member to tell me that he understands what it means. Honourable members are saying "Yes, we understand," but they cannot tell me what it means. I should like to hear more about the matter from the honourable introducer of the Resolution. Finally, let me say that I hope that the observations as have been made by honourable members on this side of the Table will be taken seriously into consideration and that very shortly the Government will come down with a scheme which will relieve more of the unskilled labour in this country.

Mr. HAYNES: There are several matters in this Resolution which I think need some explanation. The first thing that strikes me as a member representing a country parish is that nothing is being done in the out-parishes; most of the work is to be done in the show window of Barbados—St. Michael. During the consideration of the Estimates I mentioned in respect of a school which it was contemplated to build that that would never bear any fruit and I am afraid that my prognostications are becoming true. I regard this Resolution as one for the relief of unemployment and unemployment is not in one or two parishes; it is island wide and it can only be effectively relieved if various public works are carried out in various parishes. I am afraid that that is a criticism of this Resolution which the Government will find it very hard to answer unless they are going to change their minds. Like the honourable senior member for the City, I am a bit hazy about Item 6 of this Resolution. It says that the estimated cost of these 40 terrace houses is £32,000, and I think that a house which costs £800 is a very expensive one except you are catering to the middle classes. I would like to know if that is an economic proposition for the type of person whom we want to remove out of these overcrowded places in St. Michael. I think that £800 is too much money to be spent on a house for this type of person;I consider that this money should be spent in such a way as would increase the number of the type of persons whom we want to help. I have seen the plans for this settlement; the scheme is an admirable one but what is worrying me is—I think I have had it from the architect—that the type of house is too expensive for the type of person whom we are helping. I would prefer to see this amount of money spent in the building of more houses. In connection with Item 13, "Repair and conversion of Barrack buildings, St. Anne's Fort, for use as flats," I think that the time has come when other people should be given the first refusal of these buildings when they are reconditioned. At present these flats are rented to nice, old people, but people who are not of much practical value at the present moment.

Mr. S. A. WALCOTT: I am pleased to see that the Government has sent down this Resolution. but I am not as optimistic as the honourable junior member for St. George. He thinks that if we vote this money everything will be satisfactory. We have voted several amounts of money in this Chamber and I hope that the Government will turn over a new leaf really and truly and that something will be done to relieve unemployment. In this Resolution there is practically nothing for the ordinary labourer who is suffering much more than the artisan and who eats the same amount of food. I can assure the Government that the labourers in parishes like St. Lucy and St. Philip are in a miserable condition; the ground is so hard that the labourers cannot get employment even if it is there. I suggest to the honourable senior member for St. Joseph — and he agrees that more roads should be repaired — that St. Lucy and St. Philip could supply the other parishes with the necessary stone for doing this work. I find that money is being expended in foreign material instead of labour: I speak from experience and I say that for the last 15 or 20 years work has been properly done with stone. If you spend £500 where stone is concerned, it will be spent in supplying something for the poor people to do; but where you spend £500 in oil you can hardly find what has been done. I say that the Executive Engineer should see after more construction work and leave the Highway Commissioners to handle the tenantry roads. I consider that this Resolution is for the relief of only one class of worker and the Government should not relieve only one class of worker in this community. There are about 50 labourers to one carpenter or mason in need of employment and I suggest that the Government should move quickly so that the poor, unfortunate labourers can find some work to do. The honourable senior member for St. Philip has suggested that we should get pipes and lay them. That is another wrong; if the Government lay the pipes I will not leave them in peace until they get the water in those pipes. Dr. Senn says that the water is there and it is the business of the Government to lay down the pipes This is one of the most serious times through which the island is passing; and it would seem that some of the people in town do not know what is happening in the country. I see that the honourable senior member for St. Michael is laughing but he will laugh on the wrong side of his face if something is not done quickly.

Mr. WARD: I feel that the Government must be given some credit for the step which they have taken because we were expecting something to be done a very long time ago. At any rate, we can say that some fruit has been borne. I do not think that there is very much to be said on this Resolution now because most of the points which needed to be made so as to give a certain amount of information to the Government have been covered. We can see that this Resolution is a means of supplying work only for artisans. It is true that the work will not be done all over the island but one can travel by bus or bicycle so easily today that I feel that when this work is being done artisans will be employed from various parts of the island. I feel that the Government will see that people from all parts of the island are given some temporary employment by the carrying out of these schemes. As I have already said, this Resolution is only for the relief of a very small section of the community which is really in need of work so as to be able to sustain itself daily. I think that the Government would be well advised to provide employment for the casual and agricultural sections of the community. We must bear in mind that when these schemes are put into force, the type of worker who we all know is generally unemployed, will feel jealous and he will say: "These members whom we elect to represent

us in the House are looking out for only one section, of the community, and they care nothing about the other section, because they have not done anything to provide us with employment." I would like the Government to put themselves in the position of that type of worker and I know that they would feel similarly. I think that we should make an effort to give some relief however small to the unskilled section of the community. Sometime ago when the Estimates were being considered it was represented that nothing was being done for the unskilled labourer and I recommended that we should have a few more reservoirs. Some honourable members are in favour of that recommendation and others are not in favour of it; but I think that we should have more reservoirs so that if a pump should break down would have some water stored up and we would be able to carry on during the dry seasons. I am one who can speak with authority on this matter because I have not seen any water flow from my pipes since the 2nd of February. I can tell honourable members that it is all right for them to laugh but when people leave their work on afternoons they cannot get any water for their use. Although the lorry is at present supplying water in certain districts, every individual does not always get water; one person may get about four or five buckets full and another may not get any at all. Some people may have to go to bed without washing their faces or getting any water to drink. There is no joke about it; some people have cried because others who were probably stronger than they are, have pushed in and got water and then they had to walk for about two miles so as to get water. I know that the Government is doing everything in the matter but I feel that since we know that we are going to run mains in certain districts in connection with the new water scheme, the people are suffering, we have the money in the Treasury and we should start and do some of that work now. We have had a serious drought, the estates are not employing as many people as they used to employ because the grass is not growing as fast as before and if the Government would start to lay down the water mains that would relieve the unemployment existing among some sections of the people of this island. They may employ one man in a family and that would make that family feel that is not exactly on the road to starvation. I know what I am speaking about; I have the honour to represent one of the poorest parishes in the island and the honourable members for St. Philip should know from experience what people in the dry districts have experienced. We must not consider the question of unemployment in the parish of St. Michael alone; the honourable senior member for St. Andrew has said that the parish of St. Michael is the show window of Barbados, but if you consider relieving unemployment in St. Michael only then you will have people coming in this parish from the country and you will have a problem when you want to get them back in the country. I think that the Government should find employment for every type of worker, and this is not intended to be destructive but constructive criticism of the Government because it is clear that four or five persons cannot consider all schemes for the relief of unemployment. In the very near future we should try and relieve unskilled labourers in the various parishes especially those in parishes like St. Lucy and St. Philip and some parts of Christ Church. The rains have not fallen, these parishes have been hard hit and there are people who are unemployed and who would be glad to do some work if it was given to them to do. I commend the Government for what they have done here and if they can bring forward a scheme like this, they will also be able to do something to relieve unskilled labourers in the various districts. I feel that the Government are doing their best. (A MEMBER: Thank you). I feel that as Labour members they should be considerate to everybody. I have been told that the scheme for emigrating people to the United States of America has been held up and it would seem to me that there is something in what I have been told; because we have heard about this emigration scheme and nothing more has been said about it. If something is mooted and it is a fact it lies dormant; but it may erupt like a volcano one of these days. I am supporting this Resolution and I again ask the Government to do something for the unskilled labourer who is very hard hit at the present moment in so far as obtaining work is concerned.

Mr. MAPP: No reasonable-minded member of this House would fail to praise the Government for the effort which they have made here. I do not regard this scheme as merely a scheme for the relief of unemployment, but a scheme for doing necessary works for which the Government saw fit to make provision in the Estimates and they have now brought forward the Resolution to carry out those works. This scheme will afford much-needed relief to the unemployed chiefly among artisans. One happy point which was stressed by a member of the Executive is that these works should be started simultaneously, because if that is not done the full benefit which should be derived from the Resolution will not be derived. I know as a fact in the case of the Resolution for £75,000 which we passed for the repair of the tenantry roads that that money has not been utilised to the best advantage and indeed I was surprised today to hear a member of the Opposition talking about the repair of the tenantry roads. That same member happens to be a member of the Vestry of St. Thomas and I know that the amount of money spent on the tenantry roads in that parish is far below that which has been spent in other parishes. I say that the best use has not been made of the money provided for the relief of unemployment and I am hoping that that member of the Opposition instead of doing nothing to help in the repair of the tenantry roads, will use his influence—I know he has some influence—on the Vestry and get behind those persons who have reached the retiring age and who are not spending any money and make them spend some money. I hope that the honourable member will use his influence in seeing that more money is spent on the tenantry roads up there. I repeat that the best use has not been made of the money which has been voted for carrying out schemes in the past and I hope that these schemes will provide relief for the unemployed at all possible points. There is one other matter which I would like to be assured about and it is that this work will not be done by contract but that it will be done departmentally. I think that that is a very important point for the Government to consider. When work at the Mental Hospital was being done many complaints came to me that on account of the work being done by contract the relief afforded people was not as extensive as it should have been. (Mr. MOTTLEY: That work was done departmentally). That might have been so but several things were done by contract and as many people as possible did not get relief from that scheme. One person concerned with the building scheme was in favour of the work being done by contract and it has been represented to me that if work is done departmentally it will spread employment over a wider area than if it is done by contract. I hope that the Government will see that this work is done departmentally and that it will

spread over as wide an area as possible. I do not want to be parochial in my views but I should like to point out that in this scheme when work is being done in certain districts workers will come in from other districts to compete with the workers in those districts if the Government does not provide work in the districts which are not provided for in this Resolution. I would like to see more schools like St. Leonard's being built and more libraries established in the rural parishes; that type of school supplies a long-felt want in this community. If you build schools of that type simultaneously in certain areas that will prevent people coming from those areas or districts to compete against workers in the districts which are provided for. I hope to see the scheme extended so as to give relief to people in the rural districts. As regards community centres I say that such a scheme is necessary for the rural areas. As far as housing is concerned, I would like to enquire from the honourable member in charge of the Resolution if provision is being made for ensuring that when houses are removed from the slum areas landlords will not be able to remove houses which are unfit for human habitation to those spots from which houses have been removed to the Pine. I know that some years ago houses were removed from certain spots and very soon other houses which were unfit for human habitation were placed on those spots. I am told that such provision has been made but I hope the Government will see that this provision is enforced. I do not think that there is anything more that I can say in connection with this Resolution since many points have already been covered; but it must be stressed that this Resolution simply makes provision for undertaking capital works as have been set out in an Appendix to the Estimates and later on we hope to have before us a special Resolution relative to projects for the relief of unemployment both in the urban and rural areas.

Mr. BRANCKER: This Resolution is to be deprecated only on the ground of inadequacy, and it is to be observed that it embraces a thirteen-point programme of capital works. In considering this programme, one cannot attempt to divorce it from the question of the relief of unemployment because that question is one which is uppermost in the mind of every legislator and every public-spirited person. Whether we refer to capital works or not, we must regard this programme from the standpoint of the relief of unemployment. In looking over the thirteen points in the programme it will be observed that nine of the projects are applicable to the parish of St. Michael, two to the parish of St. Peter, one to the parish of Christ Church and then there is one very, very small project—an addition to the Mortuary in the parish of St. James. Therefore the parish of St. Michael receives magnificent treatment and St. Peter comes next to the metropolitan parish. Of course one can see that there is the necessity for more capital works to be done. As regards item 4 which relates to the building of a new combined Parry and Coleridge School, I would like to say that it is proposed to erect that building in St. Peter on a site chosen by the Department of Education with the approval of the Governing Bodies of the two schools; and the labour employed in the erection of this school must be supplied from the parishes of St. Peter and St. Lucy and not only from the parish in which the school is being erected, otherwise a terrible row will be made about it. As regards item 9, "Alterations to Law Courts (Town Hall)", the note says that the proposed improvements include an extension to the Clerks' office and so on; but I would recommend that out of the £10,000 which is proposed to be spent under this item provision be made for an adequate shelter for persons who have been summoned to attend the Law Courts and who, when a heavy shower of rain falls, have no means of obtaining shelter. If they leave the premises so as to obtain shelter somewhere else and their names are called, they do not hear and a warrant may be issued for their arrest. I am also advocating of course that adequate sanitary convenience be provided; that is something of which we do not seem to think in this country. Even in the case of certain Judges there is no sanitary convenience other than that of the most antiquated type, and it seems as if that is never given a moment's consideration. I am advocating here that litigants and other persons attending the Courts should be provided with these shelters with sanitary conveniences and with a certain amount of seating accommodation. If you have to attend the Court at 10 o'clock in the morning and you have to be there until a quarter to four in the afternoon, there is no shelter and no seating accommodation. see if any provision had been made for an alteration in respect of St. Lucy's Post Office. A question relative to this matter was raised by me in October last year and the Government replied that no decision had been reached in respect of it. I hope that when they have reached a decision in the matter they will consider that this Post Office occupies at present a site which is unsuitable for it; it is far from being central and satisfactory. The sponsors of this Resolution say that the projects set out in the Resolution will be immediately started, but they have given little hope that another resolution will be sent down in the near future; obviously they cannot be satisfied with this Resolution alone The question as to whether the work should be done by contract or departmentally is one which has been raised and you Mr. Chairman, in your wisdom allowed the question of the 44-hour working week to be discussed. If the Government is doing this work I advocate that it should allow its employees to work at such hours as will be an example to private employers in this island which should be equally as advanced as New Zealand which has the most advanced labour legislation in the Commonwealth. I do not see why, in this programme of capital works which must be considered as a programme for the relief of unemployment, people should be worked to an excess. The honourable and learned member for St. Joseph has observed in reply to the honourable senior member for St. Philip that we are all agreed as to a 44-hour working week and that he has always preached that; well, it would be better for us if we have less preaching these days and more practice. Not only do we want to continue the preaching but we should like to see something tangible done; we want to pay these people their weekly wage and give them the benefit of any half-days or Bank Holidays that might intervene. When you treat people shabbily, when you do not give them the benefit of any holiday that might intervene you cannot very well grumble when they do not give as good work as they might give I repeat that we cannot divorce this programme of capital works from unemployment and we should make provision for the employment of hundreds of people instead of for only a few. The suggestion about allowing people to break stones in parishes like St. Lucy and St. Philip as a means of relieving unemployment is a good one. My colleague has made another suggestion about the provision of reservoirs and he says that he has not seen water flowing from his pipes since the 2nd of February. Even although my colleague might be able to do without water because he has

another liquid on his premises, there is no water in certain districts in St. Lucy apart from what has been brought into those districts; and if a reservoir was provided you would be able to get water in those hilly districts when the drought sets in. The excuse has been made that agricultural labourers have not been employed because of the drought; but what stopped them from being employed was the increased wages of $1 a day which employers were required to pay. The next Resolution which comes before us must be supplementary to the Resolution before us and it must ask for a substantial amount so as to provide employment for other than skilled workers. I hope that the members of the Government will listen to the various points which have been made and we look forward to the supplementary Resolution being introduced at the next meeting of the House.

Mr. HUSBANDS: I take it that this Resolution is for the purpose of carrying into effect certain projects for which provision has already been made in the Estimates. At the same time I would like to make it clear that I am just as much in sympathy with unemployment relief works as any other member of this House, but I do not join with some other honourable members in criticising the Government. I must say that in the expenditure of this money some considerable measure of relief will be given to skilled workers. As regards item 4, "Parry and Coleridge School", I am glad to see that provision has been made for the erection of a new combined secondary school. These two schools have served the northern parishes of this island with great results and I hope that the proposed new school will recapture some of the old glory which belonged to the two schools and which made them the pride of the northern parishes. With regard to item 12, "Alterations to Speightstown Library and Post Office". I have made it my business to pay a visit to the premises and I was made acquainted with all the alterations that are being considered. It appears that the idea of a community centre has crept into the minds of those who are making this provision, and the first floor of the building is now converted into a lecture room; but I am sorry that a more elaborate enterprise was not thought of if they were considering the question of providing a community centre for Speightstown. For instance, the yard of the present building is supposed to be converted into a sort of garden where those who use the Library may read; and some addition is to be made by the purchase a small piece of adjoining land so as to provide accommodation for those who collect in Speightstown to hear concerts by the Police Band. I do not think that that area is sufficient for the purpose. I am sorry that there was not some larger site proposed and I think that much discomfort will be experienced by the present incumbent of the Post Office owing to the proposed alterations. I hope that when this project is being worked on, some consideration will be given to this lady so that she will not suffer any personal inconvenience. I hope that honourable members will find it possible to pass this Resolution knowing that most of those projects have been under consideration for a long time now.

Mr. COX: This Resolution is one which we are all glad to see come before the House. In this Resolution it is proposed to spend £158,190 on items which as honourable members will see, we have discussed for the most part when the Estimates were before the House. Honourable members have spoken about the repairs to the tenantry roads and I regret that now there is so much unemployment in this country a dislocation in the repairs of the tenantry roads has come about over a month and half ago. We all know how essential it is to have decent roads so that people can pass over them and I regret that the Government has not seen its way to continue with the repairs of these roads. Some five roads in the parish of St. Michael were completed about six weeks ago and since then nothing more has been done. I am asking the Government to speed up with the repairs of these roads. In the first place this work will provide employment for people, and secondly the rain has set in and in many districts the roads will be in a very bad condition. I should very much like to see the repairs to these roads continued. I am hoping that just as speedily as we have had this Resolution placed before us today, a Resolution for the repair of the tenantry roads will be placed before us as soon as next Tuesday.

Mr. ADAMS: I beg to move that the question be now put.

Mr. GARNER: I am voting for this Resolution but I believe that it is going to suffer the same fate as many others which have been passed before. Mr. Chairman, this Resolution is lacking in many ways. I think that underneath all of this ink you can read clearly what it is all about, and perhaps I can condense it in two words—vote catching. There is nothing tangible in this Resolution at all. Unfortunately the number of the items in the Resolution is 13 and that number bears a bad omen. I introduced a Resolution with just three or four items and it suffered an ill fate. (A MEMBER: An abortion). It suffered an abortion as somebody says. As regards the present Resolution, the first thing we will hear is that the Government has acted in good faith, but we cannot get any materials. Very soon you will hear that one-half of the items in this programme cannot be touched because there is no material in the island. I am in duty bound to vote for this Resolution but it is only a farce so that it can be said that the Government has tried to do something; one half of the items cannot be carried out because, I repeat, there is no material with which to carry them out. What were proposed from this side of the House — the canalisation of the Constitution Swamp, the extension of the runway at Seawell and the construction of the East Coast Road—are not in this programme because they came from a different Party and therefore they cannot be implemented. Mr. Chairman, this is now the month of June and somebody has got to show something for the time that he has been in office, and this programme is what he will present to the public. If these schemes are not carried out it is not because something did not appear on paper; but the practical things which have been put forward by the Congress Party cannot be implemented because it must not be said that the Congress Party did these things. The construction of the East Coast Road and the extension of the runway at Seawell would provide a lot of employment for people. In connection with item 8, "Alterations to buildings at Seawell Airport," the note says: "It is proposed to make alterations to the terminal buildings so as to improve the facilities for passengers arriving and departing. It is also proposed to convert three of the buildings previously occupied by the military authorities for use as living accommodation for officers working at the airport." The amount proposed to be spent on this item is £3,000 and that money could be spent on the extension of the runway so as to give casual labourers some employment. We have voted money for the construction of the East Coast Road and for the extension of the runway at Seawell but the Government does not see fit to be advised by members of a different Party;

therefore it does not implement these proposals. The kudos must go to the Government. I have to speak these things and I say that the present experiment is bad one. If you had a mixture of the various Parties what one Party lacks, another would bring to light; but when you have all the members of the Government working in one direction, you cannot get that cohesion which you would get if there was a mixture of all the Parties. I say with all due respect to those who are leading the Government now, that they need a little mixture. They must learn that their way of thinking is not the best and when Addresses are passed in this House Resolutions should be sent down to implement those Addresses and the work carried into effect. I must speak what is in my mind in connection with these matters. These present schemes will employ carpenters and masons mainly but we also want to absorb a certain percentage of the unemployed who have been thrown out of work because of the use of machinery. I feel that the Government should still find some work for those who are not skilled workers. If this Resolution had provided work for casual or agricultural labourers we would welcome it wholeheartedly; but it does not go far enough. I hope that by next Tuesday a Resolution will be sent down so that we can pass it and say: "At last this Government is listening to the Opposition" and let them take the wind out of our sails.

Mr. S. A. WALCOTT: The honourable junior member for St. Thomas has made a statement to the effect that the parish of St. Thomas has spent less on the repair of tenantry roads than any other parish. I would like the honourable member to know that St. Thomas has spent over £20,000 on the repair of tenantry roads and they started at a very early period even before the present scheme was begun. I am not a member of the Road Board, but I can still find out how much money they have spent. I do not know if I have made a proper exp'anation or if the honourable member is incapable of understanding me; but my argument is that when you spend an amount of money in oil that same amount of money will repair quite an appreciable amount of road and provide employment for people. I do not know if that explanation satisfies the honourable member.

Mr. TALMA: I believe that each and every honourable member who intended to speak in connection with this Resolution has done so. I thought that many honourable members would have refrained from speaking because they have all agreed that something should be done. I should like to draw to the attention of the honourable junior member for St. Philip the fact that we are now implementing the scheme of capital works which was set out in the Estimates; so that it is not a question of bringing forward anything new. We have the interest of the unskilled labourers at heart just as much as anyone else, but owing to the manner in which the first £25,000 was spent in the repair of the tenantry roads, a Committee has been set up to enquire into the expenditure. We want to have the roads repaired and not merely to have money spent. When the next instalment of £31,000 is allotted, the unskilled labourers will be given some employment. I approve the remarks made by honourable members relative to the erection of secondary schools; I have not been able to get one of them erected and it was not for the lack of trying to do so. This Resolution should have been passed within half an hour and I am hoping that a similar Resolution will be passed within five minutes.

Mr. CRAWFORD: I apologize for speaking after the honourable member in charge of the Resolution but something which I heard within the last half an-hour had me very much perturbed. As I said earlier, almost this entire programme before us calls for building and people who know about the matter have assured me that there is hardly any building material in the island. Almost all the essential material for doing construction work is not in the island so that we can really see how much relief this Resolution will afford the situation today.

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

The Resolution was passed.

On the motion of Mr. ADAMS, seconded by Mr. TALMA, the CHAIRMAN reported the passing of one Resolution in Committee, the postponement of four and that the Committee had asked for leave to sit again.

Mr. SPEAKER resumed the Chair and reported accordingly.

On motions of Mr. TALMA, seconded by Mr. ADAMS in each case, the Resolution passed in Committee was read a first and second time and agreed to.

THE PUBLIC HEALTH BILL.

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

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

Mr. CHAIRMAN: When the House was last in Committee on this Bill we had passed Clause 43.

Dr. CUMMINS: Mr. Chairman, there were a few Clauses which were postponed, namely, Clauses 24, 36 and 41. Meanwhile I had a talk with the Attorney General in connection with Clause 41 which was amended to read as follows: "A Sanitary Authority shall be a body corporate with perpetual succession and may sue and be sued in the name of the Clerk." As a result of that amendment consequential amendments were required and I referred them to the Attorney General for his consideration. In view of the information which I received from the Attorney General I beg to move that Clause 19 be be re-committed.

Mr. BLACKMAN seconded the motion which was agreed to.

Dr. CUMMINS: I beg to move that in Sub-clause (1) of Clause 19 the words "a Sanitary Authority" be deleted and the following words substituted therefor "a body corporate by the name of the Sanitary Authority with a Common Seal and with perpetual succession.

Mr. BLACKMAN seconded the motion which was agreed to.

Clause 19 as amended was passed.

Dr. CUMMINS: I beg to move that Clause 38 be re-committed.

Mr. BLACKMAN seconded the motion which was agreed to.

Dr. CUMMINS: In consequence of the amendment to Clause 19, I beg to move that Sub-clauses 5 and 7 and the last eleven lines of Sub-clause 6, commencing from the words "and the Parochial", of Clause 38 be deleted. Prior to this amendment the Sanitary Authorities were empowered to buy land and vest it in the name of the Parochial Treasurer.

Mr. ADAMS: I beg to second that. This is a purely consequential amendment. The Act now gives power to the Sanitary Authority to hold land as a body corporate and therefore it is unnecessary to say that the land shall be vested in the name of the

Parochial Treasurer. We therefore cut out the parts of the Clause which deal with the Parochial Treasurer.

Clause 38 as amended was passed.

Dr. CUMMINS: I beg to move that Clause 40 be recommitted.

Mr. ADAMS seconded the motion which was agreed to.

Dr. CUMMINS: In view of the amendment to Clause 19, Clause 40 is no longer required and I beg to move that it be deleted.

Mr. ADAMS seconded the motion which was agreed to.

Dr. CUMMINS: I beg to move that Clause 41 be re-committed.

Mr. ADAMS seconded the motion which was agreed to.

Dr. CUMMINS: In consequence of the amendment to Clause 19 making the Sanitary Authority a body corporate, Clause 41 is no longer necessary. I beg to move that Clause 41 be deleted.

Mr. ADAMS seconded the motion which was agreed to.

Clause 42, re-numbered 40, and Clause 43, re-numbered 41, were passed.

Dr. CUMMINS: I beg to move that Clause 44, re-numbered 42, stand part of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. ADAMS: In sub-paragraph (2) (a) of this Clause the words "Sections forty five and forty-six of this Act" appear. I should like to point out that those figures will now have to be altered.

The words "five" and "six" were deleted and the words "three" and "four" inserted in places thereof.

The question that Clause 44, re-numbered 42, as amended stand part of the Bill was put and resolved in the affirmative without division.

Dr. CUMMINS: I beg to move that Clause 45, re-numbered 43, stand part of the Bill.

Mr. BLACKMAN seconded the motion which was agreed to.

Clause 46 renumbered 44:—

"If a Sanitary Authority open or break up any street or bridge or any sewer, drain or tunnel, without giving notice as provided in section forty-five of this Act, or in a manner different from that which shall have been approved of or determined as provided in the said section, or without making temporary or other works as provided in the said section when so required, except in the cases in which the Sanitary Authority are authorised to perform such works without any superintendence or notice, or if the Sanitary Authority make any unnecessary delay in completing any such work, or in filling in the ground or reinstating or making good the street, bridge, sewer, drain or tunnel so opened or broken up, or in carrying away the rubbish occasioned thereby, or if they neglect to cause the place where such street or bridge has been broken up to be fenced, guarded and lighted, or neglect to keep the street or bridge in repair for the space of three months next after the same is made good, or such further time as aforesaid, the persons having the control or management of the street, bridge, sewer, drain or tunnel in respect of which such delay or omission shall take place may cause the work so delayed or omitted to be executed, and the expense of executing the same shall be repaid to such persons by the Sanitary Authority."

Dr. CUMMINS: I beg to move that Clause 46, re-numbered 44, stand part of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. ADAMS: In passing this Clause we ought to pass it with the necessary amendment. I beg to move that the word "five" occurring in line three be deleted and the word "three" be inserted in place thereof.

Dr. CUMMINS: I accept that amendment.

Clause 44 as amended was passed.

Clause 47, re-numbered 45, was passed.

Clause 48, re-numbered 46, was read as follows:

"Whenever any persons having the control or management of any street in, under or over which lies any parish sewer shall intend to raise or lower the surface level of such streets such persons shall give to the Sanitary Authority fourteen days' notice in writing of their intention to do so and whenever such person shall so raise or cause to be raised or so lower or cause to be lowered the surface level of such street such Sanitary Authority may raise or lower the level of any parish sewer in, under or over such street and recover the cost of so doing from such persons:

Provided that no alterations shall be required or made which would necessitate such an alteration in the level or course of any sewer as would prevent the water from flowing therein as freely and conveniently as usual."

Dr. CUMMINS: I beg to move that Clause 48, re-numbered 46, stand part of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. MOTTLEY: I do not think it is right for the Sanitary Authority to raise or lower the level of a sewer and recover the cost of so doing from people. That might be all right in a big country where there is a big sewerage system and large commercial areas and so on; but here I do not see why the Sanitary Authority should collect from an individual the cost of raising or lowering any sewer in any street of which the individual has control. You might have a parish sewer running through a private road, not necessarily a highway. It might be that a sewer runs through a person's property, and he has to raise or lower a street as the case may be on the advice of his engineers and he may call upon the Sanitary Authority to raise or lower the sewer; why should you collect the cost of doing that from him? This Bill applies to the whole island, not merely the parish of St. Michael or the City. I repeat that a person might have on the advice of his engineers to raise or lower a street and if a sewer runs through his property I do not see why he should have to pay for raising or lowering it. Is that not a matter for the Sanitary Authority?

Mr. ADAMS: The honourable member is right as regards the first part of his objection, namely, that a street is not necessarily a highway. A street may not be a thoroughfare, but if I have a private road and the Sanitary Authority has gone to the expense of putting down a sewer in my road and I want to alter the road in such a way as to cause the Sanitary Authority to shift their pipe — I agree that a street is not confined to a thoroughfare. but I do not agree that if a private individual cause the Sanitary Authority to have to shift their pipe, he should not pay for it. A Sanitary Authority have no means of preventing a man from lowering or raising the level of his road if he wants to do so. A sewer might be placed one foot from the surface of a person's road and the person might expose the sewer; should the Sanitary Authority be called upon to bear the expense of lowering it?

The question that Clause 48, re-numbered 46 stand part of the Bill was put and resolved in the affirmative without division.

Clause 49, re-numbered 47:—

"A Sanitary Authority may alter the size or course of a parish sewer, or may discontinue or prohibit the use of any such sewer, either entirely, or for the purpose of foul water drainage, but before any person who is lawfully using a parish sewer for any purpose is deprived by such Sanitary Authority of the use of the parish sewer for that purpose, they shall provide a sewer equally effective for his use for

that purpose and shall at their expense carry out any work necessary to make his drains or sewers communicate with the sewer so provided."

Dr. CUMMINS: I beg to move that Clause 49, re-numbered 47, stand part of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. ADAMS: This Clause is the reverse of the preceding Clause. This is a case where the Sanitary Authority want to change the size or course of a sewer, which is being used by any person, to suit theirs. In this case the expense of changing the sewer has to be met by the Sanitary Authority.

The question that Clause 49, re-numbered 47, stand part of the Bill was put and resolved in the affirmative without division.

Clause 50, re-numbered 48, was passed.

Mr. MOTTLEY: I beg to move that Clause 48 be re-committed.

Mr. ADAMS seconded the motion which was agreed to.

Clause 48:—

" (1) No person shall erect a building or any extension of a building over any sewer or drain which is shown on the map of sewers required by this Part of this Act to be kept deposited at the office of such Sanitary Authority unless he shall have obtained the consent of the Sanitary Authority so to do and shall have complied with the requirements, if any, attached by such Sanitary Authority to such consent.

(2) Where the Sanitary Authority to whom any application is made for the purpose of subsection (1) of this section have determined to withhold consent or to make their consent conditional upon compliance with certain requirements they shall within thirty days after the receipt by them of such application give to the person making the same notice of disapproval or dissatisfaction as the case may be; and any notice of dissatisfaction shall specify the requirements upon compliance with which consent will be granted.

(3) Any question arising between a Sanitary Authority and any person proposing to erect any building or any extension of a building as to whether the site on which it is proposed to erect a building or an extension of a building is over any such sewer or drain as is mentioned in subsection (1) of this section or as to the reasonableness of any requirements which the Sanitary Authority propose to impose may on the application of that person be determined by the Assistant Court of Appeal or a Judge thereof."

Mr. MOTTLEY: Sub-clause (2) of this Clause says: "Where the Sanitary Authority to whom any application is made for the purpose of subsection (1) of this section have determined to withhold consent or to make their consent conditional upon compliance with certain requirements they shall within thirty days after receipt by them of such application give to the person making the same notice of disapproval or dissatisfaction as the case may be. . . ." I think that a period of thirty days after an application has been made to the Sanitary Authority is too long a period before a person can receive notice of disapproval or dissatisfaction. I suggest that the word "thirty" be deleted and the word "fourteen" inserted in place thereof. Why should an applicant be held up in his work for thirty days after he has made his application? Hon. members do not seem to be in favour of making the period fourteen days and therefore I beg to move that the word "thirty" be deleted in order to insert the words "twenty-one" and that a comma be inserted between the words "same" and "notice". The reading will not make sense without the comma.

Mr. ADAMS: This is a matter for the hon. senior member for St. Thomas but if the Sanitary Authority have to tell a person: "We do not approve of your building over our sewer", you must give them some time because they have to call in an architect or somebody else to give them advice. In giving a person notice of disapproval the Sanitary Authority have to tell him in what respect they want him to build over their sewer.

Dr. CUMMINS: After all, when a person is going to build he has to prepare his plans and those plans will have to be submitted to the architect. However, I am quite willing to make a compromise in the matter and I accept the amendment.

Mr. MOTTLEY: As regards sub-clause (3), unless I can be assured by the hon. senior member for St. Thomas that an applicant will have the right of appeal, I propose to make an amendment. If you appeal from the decision of the Sanitary Authority to the Assistant Court of Appeal there is no further appeal and your hands are tied. There is no appeal to the Court of Error; it has been hinted to me that you can only appeal to the Court of Error on a point of law but I am wondering if it is fair to allow the decision of the Assistant Court of Appeal to be final in matters pertaining to this Bill. I am wondering if the hon. member in charge of the Bill can show reasons as to why a person should not go any further than the Assistant Court of Appeal in a matter of this sort. This is an important Bill and large sums of money might be involved in a case of this sort and why should people not be given the right of going to the highest Court as they will have under any statute? I feel that a person should have the right to go to the Court of Error under this Bill as he has under any statute. There might be great difficulties involved; and under this Sub-clause the matter will be determined by a Judge of the Assistant Court of Appeal in the Original Jurisdiction, not even in the Appellate Jurisdiction, and why should his decision be final under this statute as against anything else in the island? I feel that a person should have the right to go before the highest Court in the island. This Sub-clause gives the right to a Judge of the Assistant Court of Appeal to give a final decision whereas he has not got that right under another jurisdiction. Under this Sub-clause a person makes an application to the Sanitary Authority for permission to erect or extend a building over a sewer; twenty-one days afterwards the Assistant Court of Appeal will set down the case for hearing six months from that date, and meanwhile the business which the applicant is carrying on is held up. I feel that a person should have the right of appeal to the highest Court in the island and a limit should be fixed within which a case is to be heard. I beg to move that this Clause be postponed so that the hon. senior member for St. Thomas can be able to say what the position is.

Mr. GARNER: I beg to second that.

Mr. ADAMS: If the hon. senior member for the City would pay more attention to this matter he would not press his motion. I may say that I propose to build or extend my building and I am not sure whether it is going over a sewer or not; or I may say that my building is being made of such material that it will not break through the earth between my foundations and the sewer. The Sanitary Authority have a difference of opinion with me as to that matter; they say that the building is going over the sewer and I say "No". Under Sub-clause 3 of this Clause, that question has to be decided

upon and the Chief Justice is not in any better position to decide the question than the Judge of the Assistant Court of Appeal. The Sanitary Authority may say that I cannot erect such a heavy building on the site. I repeat that the Chief Justice is not in any better position than the Judge of the Assistant Court of Appeal. The Chief Medical Officer might have been put in here but you give a person a sense of justice by allowing him to go before the Assistant Court of Appeal—in England you appeal to the Ministry of Health—and you make him feel that there is the Court of Appeal which he can trust. It is not a matter of law so that you can talk about going before the Chief Justice, or the West Indian Court of Appeal or the Privy Council. Imagine a person wasting the Chief Justice's time in saying that the Judge of the Assistant Court of Appeal had evidence that the Sanitary Authority brought in surveyors to show that the sewer ran across a particular site! You cannot appeal from the Chief Justice's decision to the West Indian Court of Appeal in the case of a controverted election, for instance; whether the Chief Justice is right or wrong, that is an end of the matter. There are certain matters about which there must be some limitation, and there are others in which a subject may feel that he has the right to go to the highest tribunal. Besides the reasonableness of the requirements why should the Chief Justice be worried about such matters? This is entirely a matter for the Committee to decide, but it is not a matter in which a person is going to be deprived of a decision. If you say that the Sanitary Authority have to tell a private owner what he has to do and you do not give that owner the right of appeal, then you take away the man's right. A Sanitary Authority may tell a person that he is building over a sewer and that person may refuse to hear the Sanitary Authority; when the matter is taken to the Judge of the Assistant Court of Appeal and the Judge decides in favour of the Sanitary Authority, are you giving the other man the right to waste the Chief Justice's time in going over the matter again? You are merely giving a person the assurance the Sanitary Authority are using brains other than their own in saying whether they are right or wrong.

Mr. MOTTLEY: What is set out here cannot be right. The Sub-clause speaks of the reasonableness of any requirements which the Sanitary Authority propose to impose. The Sanitary Authority might suggest anything and you might object to it. I should like to say that the idea of wasting the Chief Justice's time is preposterous; you cannot waste the Judge's time. You often look at a person and say that he is foolish to appeal in such and such a case, but it satisfies him to know that under British law he can appeal. The suggestion has been made that the words "or a Judge thereof" occurring at the end of the Sub-clause be deleted and I think that that is a good suggestion.

Mr. ADAMS: I beg to move that the words "or a Judge thereof" occurring at the end of Sub-clause (3) be deleted and the words "sitting in its appellate jurisdiction" be inserted.

Dr. CUMMINS: I accept that amendment.

Clause 48 as amended was passed.

CHAIRMAN REPORTS PROGRESS

Dr. CUMMINS: Mr. Chairman,—I beg to move that you do now report progress with leave for the Committee to sit again.

Mr. BLACKMAN seconded the motion which was agreed to.

The CHAIRMAN reported and Mr. SPEAKER resumed the Chair and reported accordingly.

THE ADJOURNMENT

The Order Paper having been fixed,

Mr. ADAMS: I beg to move that this House do now adjourn to this day week, the 22nd day of June, 1948, at twelve o'clock noon; and I propose to ask honourable members to meet on the 24th day of June as well.

Mr. TALMA seconded the motion which was agreed to.

Mr. SPEAKER accordingly adjourned the House to Tuesday next, the 22nd day of June, 1948, at twelve o'clock noon.