

THE

House of Assembly Debates

(OFFICIAL REPORT).

SESSION 1947—48

HOUSE OF ASSEMBLY

Tuesday, 22nd June, 1948.

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

Present:

His Honour Mr. G. B. EVELYN, Dr. H. G. CUMMINS, Messrs. F. L. WALCOTT, L. E. SMITH, R. G. MAPP, K. N. R. HUSBANDS, D. A. FOSTER, A. E. S. LEWIS, C. E. TALMA, G. H. ADAMS, B.A., J. A. HAYNES, B.A., H. A. DOWDING, V. C. GALE, and M. E. COX.

Prayers are read.

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

MINUTES.

The Minutes of the meeting which was held on the 15th June, 1948, having been circulated are taken as read and confirmed.

Mr. MOTTLEY enters the House and takes his seat.

INDISPOSITION OF THE DEPUTY CLERK.

Mr. SPEAKER: Before we proceed to the business of the day I have to inform the House that the Deputy Clerk has written me stating that he is not well. He has asked to be excused from to-day's meeting and that Mr. J. C. Armstrong be allowed to act for him.

On the motion of Mr. ADAMS, seconded by Mr. TALMA, the Deputy Clerk is granted leave of absence from to-day's meeting.

APPOINTMENT OF ACTING DEPUTY CLERK.

On the motion of Mr. ADAMS, seconded by Mr. TALMA, Mr. J. C. Armstrong is appointed to act as Deputy Clerk at to-day's meeting.

DOCUMENT.

Mr. SPEAKER: I have the honour to inform the House that I have received a Statement of

Revenue and Expenditure from the Commissioners of Highways of the parish of Christ Church for the half year ended 31st March, 1948.

PAPERS LAID.

Mr. ADAMS: Mr. Speaker,—I have the honour to lay on the table of the House the following Papers:—

Statement showing the amounts advanced by the Government of Barbados and the amounts received from His Majesty's Government in the United Kingdom under the provisions of the Colonial Development and Welfare Act for the period ended 31st March, 1948, in respect of the several schemes sanctioned by the Legislature.

Report of the Barbados Publicity Committee for the year 1947-48.

NOTICES.

Government Notices are given as follows:—

Dr. CUMMINS: Resolution to place a sum not exceeding £328 at the disposal of the Governor-in-Executive Committee to meet the cost of the engagement for two periods of three and six weeks, respectively, of a Fire Brigade Officer from Trinidad.

Dr. CUMMINS: Resolution to place the sum of £425 at the disposal of the Governor-in-Executive Committee to meet the cost of sending an officer from the Labour Department to attend a Colonial Service Training Course for Labour Officers in the U. K., and to pay the salary of the Officer's locum tenens during his absence from the Island.

Mr. WILKINSON enters the House and takes his seat.

Mr. ADAMS: Bill to amend the Diplomatic Privileges Act, 1947 (1947-32).

Mr. ADAMS: Of my intention to move the House into Committee of Supply at the next meeting to consider the money Resolutions of which notice has just been given.

QUESTIONS.

Mr. F. L. WALCOTT: To enquire of the senior member of the Executive Committee present in the House at the next meeting:

How many applications were received for the posts of Vice-Principal and Women's Tutor of Erdiston Training College which were advertised in December last?

2. Did any of the applicants possess the qualifications set out in the terms of the advertisement?

3. If the answer to No. 2 is in the affirmative; will the Government take immediate steps to fill the vacant posts?

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

1. In view of the accidents occurring with strangers who obtain licences to drive and drive cars in less than five hours after their arrival, will the Government consider the advisability of fixing a definite period of say, three months or so which such strangers should reside in the colony in order that they may become fully acquainted with the roads before acquiring licences to drive?

2. If the answer is "no", will the Government state fully their reason?

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

1. In view of the fact that playing fields or recreational centres for the masses of the people are conspicuous by their absence, will the Government take steps to ensure that the K.G.V.M. Park, St. Philip, be restored at the earliest possible date, as a rural playing field and recreational centre, thereby enabling the people of the parish and of the island once again to enjoy the amenities which it provided.

BILL READ A FIRST TIME.

On the motion of Mr. ADAMS, seconded by Mr. TALMA, a Bill to amend the Diplomatic Privileges Act, 1947 (1947-32) 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.

RESOLUTION OF SYMPATHY WITH ST. LUCIA'S GOVERNMENT AND PEOPLE

Mr. ADAMS: I ask leave, Mr. Speaker, to give notice of, and to deal with before the Orders of the day are entered upon, a Resolution expressing our sympathy with the Government and people of St. Lucia in the terrible disaster by fire which has occurred in Castries.

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

Mr. ADAMS: Mr. Speaker,—I beg to move the passing of this Resolution:—

"Resolved that the House of Assembly of Barbados desires to express its heartfelt sympathy with the Government and people of St. Lucia in the terrible disaster by fire which has occurred in Castries."

The simplicity of the language which I have used is not original; it is more or less the same language which the House used at the time of the earthquake and fire in Jamaica in 1907,—probably the greatest calamity, apart from the present one, within the past century or two in the West Indies,

as distinct from calamities such as hurricanes that may have taken place in the earlier days. I do not think it is necessary, Sir, to say much, except to be thankful that the calamity—perhaps this is a poor way of expressing it—did not descend on Bridgetown and that we are not the actual sufferers. But, although we are not the actual sufferers, such are our ties that, even apart from the human sympathy one person would feel with another in an unforeseen matter of this sort and one community would have with another, we in the West Indies who are endeavouring to come closer and closer to one another must feel as self-conscious of the terrible nature of a disaster of this sort as a member of a family would feel if anything took place with a relative. Our ties with St. Lucia are many and are of long standing. The number of Barbadians who go to St. Lucia and the number of St. Lucians who come to Barbados for trading and other purposes are great; apart from that, the fact that we chose St. Lucia as the scene of our attempt in recent years to have colonization outside Barbados, is further proof of the ties between the inhabitants of that island and the inhabitants of Barbados. The Executive Committee, in an informal way, has decided to come before this House with a proposal to give a more potent sign of the sympathy of the Government of this country. No formal meeting of the Executive Committee has yet taken place for the purpose but we propose, at the present moment, to come to the House at its next meeting and ask for a sum which will not be less than £5,000 to be placed at the disposal of the Executive Committee for the purpose of rendering aid to the people of St. Lucia. The decision as far as that proposal is concerned is this: The Government proposes to make available to St. Lucia such provisions, foodstuffs and other supplies as, we feel, would be helpful immediately. There must be so much confusion in St. Lucia that the first offer of flour by this Government was not unloaded at the port of Castries and came on to Barbados. But inasmuch as another shipment of flour for this colony was due to arrive at St. Lucia yesterday, we again cabled to say that they can take 1,500 half bags of that shipment. Honourable members will have seen in the newspapers that other supplies have been sent and what the Government proposes to do is to take money voted by the Legislature of this island and pay for the supplies that it may deliver to St. Lucia,—supplies that they are mostly in need of. There is no sense in sending money to them. It is far better to send supplies in the usual way and instead of the Government of St. Lucia paying for those supplies we should use the money to buy further supplies and put them back into our local stocks. I am sure that other West Indian colonies have the same feeling of sympathy with this neighbouring colony of St. Lucia and that we in the West Indies will consider, when calamities of this sort overtake us, that acts of this nature are not just gestures but that they spring really and truly from the hearts of all of us, inasmuch as we have reached the stage when we feel that we are brothers and that the calamity of one is the calamity of all. I beg to move that the Resolution which I have already read do not pass.

Mr. GARNER enters the House and takes his seat.

Mr. WILKINSON: Mr. Speaker,—I second the Resolution with a feeling of considerable sorrow, because a calamity such as the one which has befallen a small town like Castries is indeed a terrible one. I have the pleasure of knowing Castries and a good many people who live there and I can envisage the

damage which has been done. We, in Barbados, as the honourable member has said, are fortunate that the calamity is not ours. Although Castries had—I am sorry to have to use the past tense—some substantial buildings, as some honourable members know, there was a large number of wooden buildings between those substantial buildings and as far as I can gather from the telegrams the fire has exterminated all those buildings. Any calamity, I agree with the honourable member, that affects St. Lucia affects us; we should join in their sorrow as well as in their joys. I think it is very wise on the part of our Government to enquire from the Government of St. Lucia what they most urgently need and I am very glad to hear that the Government has taken steps to find out the best use to which any money we vote here may be applied. I, Sir, beg to second the Resolution.

Mr. LEWIS: As the only member of this Assembly who has had the experience of visiting the ruins about which we are to-day expressing our sympathy I feel it incumbent upon me to say a few words. I can assure honourable members that their sympathy is needed and any material assistance that can be given will be appreciated. I am very glad to hear the senior member for St. Joseph say that the relief will be sensibly given because from what I could gather on the scene, the relief will have to be organized or the friends of St. Lucia will make confusion more confounded. I am wondering, Sir, if the honourable member would accept the addition of a few words to the Resolution, thereby not leaving it as a bald Resolution of sympathy detached from a promise of assistance, although he mentioned the assistance in his speech and I was glad to hear him say that a monetary gift will not be made in preference to goods. I would like to know if the honourable member would add these words to the Resolution “and assure them that we are ready and willing to render whatever assistance we can.” I would like, Sir, the actual Resolution of Sympathy to contain for the records the expression of our readiness and willingness to assist.

Mr. CRAWFORD: Before you put that question, Sir, as a human being and a West Indian it would be impossible not to be very sympathetic with the people of Castries in the calamity which has befallen them for the second time in less than a quarter of a century. I was privileged to see the results of the fire around 1928 and if as the reports say, the results of this fire are even more disastrous I can readily conceive what the situation must be like. I am in very deep sympathy with the people of St. Lucia, just as deeply in sympathy with them as I am, Sir, with the relatives of the British Guiana workers who were shot down on the estates last week while endeavouring to have their wages and conditions of work improved.

The SPEAKER: I think it would be well if the honourable member would confine his remarks to the Resolution of sympathy with the people of St. Lucia. I do not see any reason why the honourable member should bring in what happened in British Guiana; it has nothing to do with what has occurred in St. Lucia.

Mr. CRAWFORD: I was just trying to express the generality of my sympathy towards the people of the West Indies and British Guiana as a whole whenever calamity befalls them.

Mr. SPEAKER: Yes. I think all honourable members feel that way about it but we are dealing now with this specific Resolution.

Mr. CRAWFORD: I merely said that, in passing. But while I am in profound sympathy with other

West Indians, both those who are the victims of the fire and those who are the victims of gun-shots, and while I endorse wholeheartedly the attempt of this Government to send relief to the sufferers in St. Lucia I really cannot help wondering whether it is going to take a fire in Bridgetown before the hungry people in this country get immediate relief. If the finances of our colony were not in the condition which they are, irregardless of how deep-felt is our sympathy we could not afford to give £5,000 to St. Lucia and the fact that they are so healthy as to permit this justifiable gesture means that if our charity begins at home, as it should, we can also afford some amount to establish soup kitchens to supply free food to some of our hungry people in this colony.

Mr. SPEAKER: I think the honourable member is going outside the scope of this Resolution altogether. It is a Resolution of Sympathy with the people of St. Lucia. It is not a general Resolution of Sympathy with the whole universe and, therefore, I think the honourable member should confine his remarks to St. Lucia and its people.

Mr. CRAWFORD: I am merely expressing my opinion with regard to the fact that we are digging our hands into the Treasury and affording relief to people who need it and all I am doing is going on to state that we have people who also need relief. but I appreciate your Honour's ruling and I do not want to labour the point. The only thing I would like to add is that a sum of £5,000 would give a hot meal, every day for two months at least, to about 4,000 people. I repeat that if this calamity had not occurred this money would be lying in the Treasury and although I would be the first to admit that the conditions which give rise to it would justify us, even at some sacrifice, in making a gift to St. Lucia, yet we must bear in mind the fact that while we are contemplating extending practical sympathy to our brothers outside our shores, we should also extend some sympathy to our suffering brothers at home.

Mr. TALMA: Mr. Speaker,—Before you put the question I would merely like to say that with a catastrophe of that nature all thinking individuals would naturally have to extend sympathy and that is what we are attempting to do to-day. I am saying, Sir, that in this epoch when Closer Union and Federation are being developed, sympathy which would be extended on an occasion like this would be expressed in a more humane and practical manner than in the days past when each colony regarded itself as a separate unit and when West Indians failed to know one another as well as they do to-day. To-day, we in this Chamber regard the calamity which has befallen Castries as almost a calamity which affects us, a calamity which has brought a great deal of damage, destruction, privation and ruin to our brothers and sisters in St. Lucia.

Mr. ADAMS: I would like to say, in answer to the suggestion of the junior member for the City, that inasmuch as we have, in a practical way, already sent aid to St. Lucia I do not think it necessary to state in the Resolution that we are going to give practical aid. I would just like to add this: The Government proposes to start a general fund in order that those who may be unable to give as much as they would like to give in the way of foodstuffs or clothing may be able to contribute a sum of money with which the Government would provide such supplies as the St. Lucia Government may tell us they desire most.

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

INCREASED SALARIES FOR OFFICIAL REPORTERS.

Mr. SPEAKER: The next Order stands in the name of the honourable senior member for St. Joseph,—To move the passing of an Address to His Excellency the Governor relating to the increase in salaries of the Official Reporters of the Legislature.

Mr. ADAMS: Mr. Speaker,—I have much pleasure in moving this Address. Although I was not present at the meeting of the Debates Committee when this decision was arrived at, yet I think that it is of sufficient importance that anybody in my position in this House should move the passing of an Address which embodies it. We, as members of the House of Assembly, do feel that the extra work which the Reporters have had to do in the recent past,—even if there were no other obvious reasons such as, for instance, the increased cost of living,—justifies us in taking steps to have their salaries increased. I am moving this Address as it has been handed to me but I would like to say that I agree with those who feel that instead of perpetuating the cost of living bonus which is not likely to be perpetuated for Civil Servants generally, it may be better to put these salaries on an incremental basis and give each of the present holders of these offices his maximum salary. I understand that some other honourable member is going to move an amendment to that effect and I would be perfectly willing to accept an amendment along those lines. The Official Reporter of the Other Place has been put on a level with the junior Reporter of the House of Assembly because the work which he has to do in the Other Place is not of the same amount as that which the senior Reporter of the House of Assembly has to do. I have much pleasure, Mr. Speaker, in moving that the following Address do now pass:—

*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. Callendar £200 per annum substantive salary plus £70 per annum Cost of Living Bonus.

Mr. TALMA: I beg to second that.

Dr. CUMMINS: Mr. Speaker,—I am in agreement with all that the senior member for St. Joseph has said but I want to make a few amendments, which I hope he will accept as far as the salaries are concerned. My reason for so doing is this: Not so long ago I visited the home of one of these Reporters in my professional capacity and I was convinced, from what he showed me, as to the magnitude of the work they have to do. It is not only a matter of attending the meetings of this House, taking verbatim notes of the proceedings and then returning home and transcribing those notes. They actually do, for the records, the indexing of all the subjects which are discussed and the speeches which are made. I can assure you, Sir, that from what I have seen for myself I am satisfied that theirs is a big task. I, therefore, beg to move that the salary of the senior Reporter of the House of Assembly be £325 rising by £25 to £400 per annum, that the salary of the junior Reporter of the House of Assembly be £200 rising by £25 to £300 per annum and that the salary of the Official Reporter of the Legislative

Council be the same as the salary of the junior Reporter of the House of Assembly.

Mr. COX: Mr. Speaker,—I rise to second the motion made by the senior member for St. Thomas. We all know, Sir, that since 1944 the Reporters of this House have had quite a lot of work to do and I believe the work must have been increased ten times as much. Although we are trying to do justice to them by giving them salaries mentioned by the senior member for St. Thomas I can well envisage that in the near future, when we shall have to sit at least twice a week, we shall have to further increase these salaries. They are very faithful workers and they deserve every penny we are prepared to vote for them. There is only one thing I should have liked to hear the senior member for St. Thomas say, that is, that each of these Reporters should receive his maximum salary which should be retrospective from the 1st April, 1948. Any Reporter who is appointed subsequently should be paid on the incremental basis.

Mr. ADAMS: I accept the amendments, and as I said before if it is the feeling of the House we can let it be known that the present occupants of these posts should get their maximum salaries and that they should be retrospective from the 1st April this year, inasmuch as it is almost a foregone conclusion that any change in the salaries of Civil Servants will be retrospective too.

Mr. MOTTLEY: Are these salaries inclusive of Cost of Living Bonus?

Mr. ADAMS: They are consolidated.

Mr. MOTTLEY: I do not agree with these salaries if they are not exclusive of Cost of Living Bonus. Again, I do not quite appreciate the distinction between the senior and junior Reporters of this House. In my opinion, Mr. Maynard is referred to as the senior Reporter because he has been here longer but from my experience of the work which both Reporters do, I do not think that there should be a difference of £100 between the two salaries.

Mr. SPEAKER: Perhaps it would be well to tell the honourable members the procedure which is now adopted. The senior Reporter takes notes from the commencement of the proceedings until the adjournment for luncheon at 2 o'clock. The junior Reporter takes up on resumption after luncheon and carries on until 5 o'clock. If after that hour, the House is still sitting, the two Reporters divide the remainder of the work between them.

Mr. CRAWFORD: One final observation, Sir. I think I am somewhat inclined to agree with the remarks of the last speaker. The House has to bear in mind that the work is now more or less evenly distributed, although we have to make allowances for the fact that the senior Reporter is senior in years, service, and experience. But this argument also applies to the Reporter of the Other Place, Mr. C. B. Rock. I am inclined to the view, Sir, that a case has been made out for lessening the gap between the salaries of the senior Reporter and the junior Reporter of the House and I am also in favour of increasing the salary of the Reporter of the Other Place, on condition that he comes to the House and relieves the two Reporters of the House of some of the work they have to do. The proceedings of the Other Place are begun at 2 p.m. while the proceedings of this House are begun at 12 noon; so that the Reporter of the Other Place can do the work of the House from 12 noon to 2 p.m. and leave the two Reporters of the House to share the remainder of the work between them; in other words, let all three share the work of the House and the Reporter of the Other Place would be solely responsible for the work of the Other Place. I want to make the suggestion

that the salaries of Messrs C. B. Rock and E. Callendar be £250 rising by £25 to £350 each per annum, on the condition, Sir, that the Reporter of the Other Place be asked to participate in the taking of Debates of this House during the first part of the sitting of the House.

Mr. S.A.WALCOTT: I cannot exactly agree with what the last speaker has said. I do not think it would be right to mix up the duties of the Reporters but I thoroughly agree with the suggestion that the junior Reporter of the House should start at £250 and rise by increments of £25 to £350 per annum and I hope that the mover of the Address will accept that amendment. I think, Sir, that in view of the comparatively small difference between the work which the two Reporters of this House have to do, a difference of \$40 per month in the salaries is too big a consideration. I do not agree with the suggestion that the Reporter of the Other Place should come here and take part of the proceedings of this House. However, I beg to move as an amendment that the salaries of Messrs C. B. Rock and E. Callendar be £250 by £25 to £350 per annum each.

Messrs Garner and Symmonds enter the House and take their seats.

Mr. GALE: I beg to second the amendment of the senior member for St. James. I intended to make a different motion because in my opinion the two Reporters of the House do practically the same amount of work. However, I am not pressing that point. I quite agree with the senior member for St. James that it would not be a good thing for the Reporter of the Other Place to have anything to do with the reporting of the proceedings of the House of Assembly.

Mr. GARNER: Inasmuch as the mover of the Address does not seem inclined to accept the amendment of the senior member for St. James I will try to use my influence in getting honourable members to vote for it. It is true that we have great respect for the seniority and, perhaps, the experience of Mr. Maynard but that is not all. There is the economic point of view to be also considered. Both of these Reporters are here for the same employment and I take it that the junior Reporter is as qualified as the senior Reporter otherwise he would not be here. This is not work that everybody can do and while it is true that the senior Reporter has more experience, yet it must be borne in mind that the junior Reporter also has to live up to a proper standard. We, in Barbados, are too prone to think of people who are in the upper position. You just want to hear the word "upper" and at once you want to remove the fellow in the upper position from the other fellow below. That idea is becoming habitual in high places as well as in low places. I think that a case has been made out for giving the junior Reporter the salary which has been proposed by the senior member for St. James. I have never known him to omit anything I said from my speeches and I think that that can be said of all of us and it is true that at one time he had more work to do than the senior Reporter. We should get rid of that idea of thinking only of the fellow at the top and, whatever the circumstances might be, of giving him a lot more than the fellow who happens to be junior. I am not associating myself with that school of thought. I believe that if a man is qualified to do a job he should be given a proper remuneration for doing that job and with those few remarks I beg to support the amendment that the salary of the junior Reporter be £250 by £25 to £350 per annum.

Mr. F. L. WALCOTT: I never intended to take part in this debate but I should like now

to make a few personal observations in this matter. I do not agree with any of the speakers as far as the appointment of the two Reporters of the House is concerned. The terms senior and junior, so far as these posts are concerned, only relate to one man having been appointed sometime before the other but I look upon these posts just as I look upon the posts of Judges of the Assistant Court of Appeal. One is junior to the other only in the matter of years. If these two Reporters are called upon to work for the same number of hours and are required to have the same basic qualification then there is no justification for a differentiation in the salaries, based on the pretext that one is senior and the other is junior. There is no question of seniority as far as qualification is concerned. I cannot subscribe to the idea that the Reporter of the Legislative Council should be placed in the same category, for obvious reasons. The Reporters of this House have to come here nearly every Tuesday in the year and they have to attend at 12 noon. The same is not the case with the Reporter of the Legislative Council and I further contend that the duties of both Chambers should be kept separately. My personal opinion is that the two Reporters of the House should have the same salaries and we should regard one as senior from the point of view of years only. The principle should be one of equal pay for equal work, irrespective of when they were appointed to the posts.

Mr. ADAMS: Mr. Speaker—

Mr. SPEAKER: I am afraid that the honourable member has already exercised his right to reply.

Mr. ADAMS: I want to ask the leave of the House to reply because on the occasion to which Your Honour refers I rose simply to accept the amendments of the senior member for St. Thomas. (Leave having been granted). I do not believe that the honourable member who has just sat down would really, on second thought, subscribe to what he said. The analogy of the Judges of the Assistant Court of Appeal is not appropriate. If there are two clerks in the Petty Debt Court, one of whom was appointed last year and the other in 1930, is the honourable member going to suggest that because the two make the same entries, issue the same number of complaints and receive the same amounts of money, they should be paid the same salaries? It was with that object that the senior member for St. Thomas put these salaries on an incremental scale and not on a fixed basis. I think the House generally agrees that the amount of work done by the Reporter of the Other Place is not as great as the amount of work done by the Reporters of this House but the Reporter of the Other Place was appointed in 1936 and it is reasonable to give him his maximum salary. On the other hand the junior Reporter of the House of Assembly was appointed in 1946 and are you going to give him his maximum also? On second thought, I do not think so, because if you do that, you will be saying "it does not matter how long a man may be in the Service; so long as he is doing the same amount of work he should receive equal salary." That is what the argument of the senior member for St. Peter amounts to. The honourable junior member for St. Lucy made a remark which, I do not think was intended to reach the ears of the House but, from the honourable member's remark, this is entirely a matter for the House. The House can say what it likes and the Government will send it down as long as the amount is within reason; what we do with our officers is purely a matter for us. I want to get the feeling of the House clear in my

mind as to whether it feels that a Resolution should come down for a sum to put all three of these Reporters at their maximum salaries. Mr. Maynard was appointed in 1942 and Mr. Callendar was appointed in 1946. Are we going to put them both at the maximum or are we going to put Mr. Callendar on the basis that will enable him eventually to reach his maximum? It is a matter for the House and whatever the majority says I would agree to.

Mr. LEWIS: I am surprised that a matter of this sort should be so controversial to-day because I expected the Debates Committee went into it and came to a decision. So far as I am aware, there is no such designation as senior Reporter or junior Reporter. Three Reporters are employed by the Legislature and as far as seniority in service is concerned, the Reporter of the Other Place is far ahead of the Reporters of this House. I am going to move that the House go into Committee and thresh the matter out. My next point is this. It is not stated clearly in the Address if the minimum salary would be regarded as having taken effect from the time the person accepted the appointment and, therefore, if his years of service put him to the maximum he would automatically get it. If a Reporter has been appointed two years ago, he would be regarded as having had two years in the service and two increments would be added to his minimum salary. I feel that the House should express itself more clearly on these points. You are asking for money to employ three Reporters and you pay them what you like. That is how it is stated in the Estimates. The Estimates state "Three Reporters, one at £250 and two at £150 a year each," presumably with cost of living bonus. Another point is this. In considering a matter of this sort, you should not only be increasing the salaries but you should be reviewing the whole matter in order to get the debates of this House presented to it more quickly,—in fact the whole organization should be reviewed. There is something lacking, something to be desired. If a member of the House of Assembly wants a Resolution or an Address to His Excellency the Governor typed, I understand that the Clerk has to send outside and ask a typist in some other office to type it. Why can't the House of Assembly of Barbados employ a typist, so that the Reporters can dictate from their shorthand notes to her? You are paying out more money because of increased work and the increased cost of living; let us facilitate at the same time the presentation of the Debates of the Legislature. I can only say that as far as the Address is concerned, it does not convey what the House of Assembly wants. One will have to read the speeches to know what the House wants.

Mr. BRANCKER: The Debates Committee held a number of meetings to consider this matter and I, as one of their number, presented their Report which has been embodied in this Address. You know, Sir, that honourable members may desire to be reminded that the Debates Committee is comprised of Your Honour, the Deputy Speaker, the senior member for St. Joseph, the junior member for St. James and the senior member for St. Philip. This comes as a recommendation from the Debates Committee who went into this matter very carefully. Of course, this may be regarded as only representing the point of view of these five honourable members who comprise the Debates Committee and present this Report to the House for its consideration. It does look to me as if this is a matter which the House may prefer to refer to a Select Committee or on which

the House should go into Committee because nearly every member seems to have a different view as to what should be exactly the salaries that should be paid. In view of the apparent disagreement on the part of so many honourable members in respect of the recommendations of the Debates Committee I think that it would be appropriate to refer this matter to a Select Committee and I beg, Sir, to move that this Address be now referred to a Select Committee of this House.

Mr. SYMMONDS: I beg to second that.

Mr. WILKINSON: Honourable members, in ventilating this matter, have expressed their views and I am wondering whether we are doing right to do away with the principle of a cost-of-living bonus. We seem to be anticipating what is likely to happen in the future. When it comes to giving the junior Reporter of the House of Assembly and the Reporter of the Other Place the same salary I cannot agree. I cannot visualize the amount of work which the Reporter of the Other Place has to do as being the same as the amount of work which the junior Reporter of the House has to do. I am moving, as a further amendment, that Mr. A. Maynard's salary be £325 by £25 to £400 per annum, that Mr. E. Callendar's salary be £250 by £25 to £350 per annum, and Mr. C. B. Rock's salary be £200 by £25 to £300 per annum.

Mr. DOWDING: I beg to second the motion of the junior member for St. James and in doing so I should like to say that I sincerely hope that we will not debate this matter at any further length or refer it to a Select Committee, otherwise we might have eventually to import an expert and pay him £1,000 to settle it.

Mr. S. A. WALCOTT: I ask leave to withdraw my motion.

There being no objection, the honourable member is granted leave to withdraw his motion and he withdraws it.

Mr. LEWIS: Mr. Speaker,—

Mr. SPEAKER: I am reaching the point where I find that practically every member of the House has already spoken and, therefore, I am going to put the question.

Mr. LEWIS: I rise, Mr. Speaker, to point out that I am entitled to speak on the motion of the junior member for St. Lucy. I am merely asking your permission to speak on it because I feel that an injustice is being done.

Mr. SPEAKER: Do I understand the senior member for St. Joseph to accept the amendment of the junior member for St. James?

Mr. ADAMS: Yes, Sir.

Mr. LEWIS: Does the acceptance of that amendment preclude an honourable member from speaking on the motion that this Address be referred to a Select Committee of this House? I should like to point out that we are making a distinction between the two Reporters of the House on the question of seniority; it has not been so stated but that is what is in our minds. When it comes to the Reporter of the Other Place who has probably double the length of service that the Reporters of the House have given, we are relegating him to the junior position. That is what the motion of the junior member for St. James amounts to. If you can justify a difference between the salaries of the Reporters of this House on the grounds of experience and years of service—and it has been said that the work has been divided equally—I cannot for the life of me see how you can relegate the Reporter of the Other Place who was

appointed years ago—I do not remember how many years—to the junior position. We are placing ourselves in a very awkward position. Mr. Speaker, so far as I am concerned, he is the Reporter of the Other Place and the more meetings we hold here and the more things we consider, the more meetings the Other Place will have. I do not see how you can divide the work of the House equally among the two Reporters of the House and still pay them higher salaries than you pay the Reporter of the Other Place. I am afraid that I cannot accept that amendment.

The question that the Address be referred to a Select Committee is put and resolved in the negative, the division being as follows:—

Ayes: Messrs. SMITH, SYMMONDS, BRANCKER, HUSBANDS, FOSTER, MAPP, LEWIS, BLACKMAN, and CRAWFORD.—9.

Noes: Dr. CUMMINS, Messrs. F. L. WALCOTT, TALMA, ADAMS, GARNER, MOTTLEY, HAYNES, DOWDING, GALE, S. A. WALCOTT, and WILKINSON.—11.

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

Mr. SPEAKER: The honourable senior member for St. Joseph moved the Address and I take it that he will present it to His Excellency the Governor.

Mr. ADAMS: As You Honour pleases.

PUBLIC HEALTH BILL

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

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

THE CHAIRMAN: When the House was last in Committee on this Bill, Clause 50 re-numbered 48 was passed.

Dr. CUMMINS: In view of the re-numbering of previous Clauses I ask leave to amend sub-paragraph (c) of Clause 51 by deleting the words "fifty-two" in the last line and substituting there for the word "fifty."

There being no objection, leave is granted and the Clause is amended accordingly.

On the motion of Dr. CUMMINS, seconded by Mr. BLACKMAN, Clause 51, re-numbered 49, stands part of the Bill.

Dr. CUMMINS: I beg to move that Clause 52, re-numbered 50, stand part of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. LEWIS: Mr. Chairman,—I would like to enquire the reason why the clauses of the Bill are not read. The Rule says that every clause of the Bill must be read unless the Rule has been suspended.

Mr. ADAMS: It says nothing of the sort. It says "shall be considered."

The CHAIRMAN: The House has decided that every clause should be taken as read but that if any honourable member wants a particular clause read, it should be read.

The question that Clause 52, re-numbered 50, stand part of the Bill is put and resolved in the affirmative without division.

Clauses 53 to 55 inclusive, re-numbered 51 to 53 respectively, are agreed to.

Dr. CUMMINS: I beg to move that Clause 56, re-numbered 54, stand part of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. S. A. WALCOTT: I beg to move that the words "or a Judge thereof" in lines 15 and 16 of sub-clause (1) of this clause be deleted and the words

"in its appellate jurisdiction" substituted therefor; also that the words "the Parochial Treasurer of their Parish" in line 6 of sub-clause (2) be deleted and the word "them" substituted therefor; and also that the words "or a Judge thereof" in line 14 of the same sub-clause 2 be deleted and the words "in its appellate jurisdiction" substituted therefor.

Dr. CUMMINS: I accept the amendments.

The question that Clause 56, re-numbered 54, as amended, stand part of the Bill is put and resolved in the affirmative without division.

Clause 57, re-numbered 55, is agreed to.

Dr. CUMMINS: I beg to move that Clause 58, re-numbered 56, stand part of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. MOTTLEY: I notice that in lines 2 and 3 of sub-clause (1) of this clause is stated "for inspection by any person at all reasonable hours free of charge." Do not honourable members think that that is too wide and that the inspection should be confined to a parishioner or taxpayer? Perhaps it may be argued that counsel might want the necessary particulars for the purposes of a case, so I am not moving an amendment but am only throwing out the suggestion to the honourable member in charge of the Bill. I think myself that it should be confined to a parishioner or taxpayer.

Mr. LEWIS: I wonder if my colleague has in mind the Secretary of State for the Colonies, for instance, because I notice that he has taken the opportunity to coerce the House of Assembly to pass this Bill. I would like to say here and now that I definitely resent any comment on the health of this colony as being the reason for this Bill being before the Legislature and if my colleague has in mind getting the Secretary of State to come to Barbados and undertake these things I would like to say that it might be a good thing for him. I feel that it should be as wide as possible. Somebody may be interested in buying a property to become a ratepayer and it would not be a bad idea for him to be able to see where these drains and sewers are located. I am serious about this matter because I feel that it is entirely unfortunate that the comment of the Secretary of State for the Colonies on the health of this community should have been mentioned in this House during the consideration of this Bill. It makes me feel that there is something in this Bill in which the Secretary of State for the Colonies may be interested, such as the giving up of some right or some power of the people's representatives in this island; it looks that way to me and it makes one doubtful that one is not doing something wrong in passing this Bill.

Mr. MOTTLEY: I do not know what my colleague is talking about. I have not used any pressure to get this Bill passed but I have given every co-operation in the consideration of it. I have devoted a great deal of my time to the study of the Bill and wherever I feel that an amendment is necessary I get up and make it or wherever I feel that a suggestion should be made I get up and throw it out. I am certainly anxious that the Bill should go through. The honourable junior member for the City should have been told that the House decided that the clauses would be dealt with separately but would not be read unless an honourable member ask that a particular clause be read. As to his remarks about the Secretary of State for the Colonies, my colleague would, owing to his position, know more about that than I do; at least he ought to. I can only say that this is a long Bill and it takes time to read it. It takes something more than time; it takes some knowledge in your head to understand it.

Mr. LEWIS: I do not understand what my colleague is talking about at all—

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).

REPLIES LAID

On re-assembling,

Dr. CUMMINS: Mr. Speaker,—I beg to lay on the Table of the House the replies to questions No. 53 standing in the name of the honourable junior member for St. Lucy.

SUSPENSION OF RULE 61 (A)

Mr. ADAMS: I ask leave to move for the suspension of Rule 61 (a) so as to resume Government business.

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

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

Mr. TALMA seconded the motion which was agreed to.

Mr. SPEAKER: When the adjournment for lunch took place, the House was in Committee on the Public Health Bill.

THE PUBLIC HEALTH BILL

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 in Committee on this Bill before the adjournment for lunch, Clause 58, re-numbered 56 was being considered.

Dr. CUMMINS: In answer to the honourable senior member for the City I should like to say as regards the point about inspection, that although the wording of the Sub-clause does appear to be wide and it may affect people who are not residents of the parish or parishioners, some question may arise where it may have to be applied.

The question that Clause 58, re-numbered 56, stand part of the Bill, was put and resolved in the affirmative without division.

Clause 59, renumbered 57:—

57. (1) Subject to the provisions of this section the owner or occupier of any premises, or the owner of any sewer, shall be entitled to have his drains or sewer made to communicate with the Parish sewers of the Sanitary Authority of the Parish in which his drains or sewer shall be situated, and thereby to discharge foul water and surface water from those premises or that sewer:

Provided that nothing in this sub-section shall entitle any person—

(a) to discharge directly or indirectly into any parish sewer—

(i) any liquid from a factory, other than domestic sewage or surface or storm water, or any liquid from a manufacturing process; or

(ii) any liquid or other matter the discharge of which into any such sewer is prohibited by or under any enactment (including any enactment in this Act); or

(b) where separate parish sewers are provided by a Sanitary Authority for foul water and for surface water to discharge directly or indirectly—

(i) foul water into a sewer provided for surface water; or

(ii) except with the approval of such Sanitary Authority, surface water into a sewer provided for foul water; or

(c) to have his drains or sewer made to communicate directly with a parish sewer provided for the overflow of storm water.

(2) The owner or occupier of any premises may break open any street for the purpose of exercising his rights under this section and for the purpose of examining, repairing and renewing any drain or sewer draining his premises into a parish sewer.

(3) The provisions of section forty-five and forty-six of this Act shall apply with regard to the exercise by any person of the rights conferred on him by subsection (2) of this section as they apply with respect to the exercise by a Sanitary Authority of the rights conferred upon them under subsection (1) of section forty-five of this Act.

(4) A person desirous of availing himself of the foregoing provisions of this section shall give the Sanitary Authority notice of his proposals, and at any time within twenty-one days after receipt thereof the Sanitary Authority may by notice to such person refuse to permit the communication to be made if it appears to them that the mode of construction or condition of the drain or sewer is such that the making of the communication would be prejudicial to their sewerage system, and for the purpose of examining the mode of construction and condition of the drains or sewer they may, if necessary, require it be laid open for inspection.

(5) Any question arising under subsection (4) of this section between a Sanitary Authority and a person proposing to make a communication as to the reasonableness of any such requirement of the Sanitary Authority, or of their refusal to permit a communication to be made, may on the application of that person be determined by the Assistant Court of Appeal or a Judge thereof.

(6) Where a Sanitary Authority do not under section sixty-one of this Act elect themselves to make the communication, the person making it shall, before commencing to work, give reasonable notice to any person directed by such Sanitary Authority to superintend the execution of the work and afford him all reasonable facilities for superintending the execution of the same.

(7) Any person causing a drain or sewer to communicate with a parish sewer without complying with, or in contravention of, any of the provisions of this section, or before the expiration of the period mentioned in subsection (4) of this section, shall be liable to a fine not exceeding twenty pounds and, whether proceedings have or have not been taken by them in respect of that offence the Sanitary Authority may close any communication made without compliance with or in contravention of any of those provisions and recover from the offender any expenses reasonably incurred by them in so doing.

Dr. CUMMINS: I beg to move that Clause 59, re-numbered 57, stand part of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. MOTTLEY: As regards Sub-clause (1) of this Clause, I am wondering if we should not insert the word "attorney" in line 2. I imagine hearing it argued that such and such a person is not the owner of a premises either in equity or in law, and I think that we should make some provision for that and insert the word "attorney" or "agent" in this Sub-clause. There are a lot of properties owned by absentee proprietors and they have agents appointed. Similarly as regards Sub-clause (2); if the breaking

open of a street is done by an agent, it can quite well be argued that it is not the owner there. I therefore beg to move that in line 2 of Sub-clause (1) the word "agent" be inserted after the word "owner"; and in line 1 of Sub-clause (2) the word "agent" be inserted after the word "owner." I have had experience in dealing with sanitary and other matters affecting local administration and there are cases where a person may not be an owner or occupier although he may be an agent and he may have a Power of Attorney. You must have somebody with whom you can deal; a Sanitary Authority might find themselves in difficulty in connection with what I have mentioned and in order to simplify matters I think that we should insert the word "agent" according to the amendments which I have moved. As regards Sub-clause (5) I beg to move that the words "or a Judge thereof" be deleted and the words "sitting in its appellate jurisdiction" be inserted. I appeal to honourable members to see the necessity for these amendments; although it may be argued by the legal brains that the insertion of the word "agent" is unnecessary, we want to simplify matters for the average layman without his having to get any legal opinion in connection with them.

Mr. ADAMS: What the honourable member has suggested is something which has happened much to the delight and financial benefit of lawyers. A layman inserts a word in a section of an Act because he thinks that it will make the position clear or give his interpretation of something. It is a simple proposition of law that whoever does anything by another person does it by himself. This Clause entitles a person to write to a Sanitary Authority and tell them "I want to link my sewer with yours." A solicitor can write and say that the owner of a plantation desires to link up his sewer with that of the Sanitary Authority and I would point out that the honourable member's suggestion would be making an agent of a premises. I would drink in all that the honourable member would say about real estate and I ask him to accept the principle that an owner of a premises can write by his agent, attorney or solicitor. The owner of a premises can appoint an agent who can write to a Sanitary Authority and say: "On behalf of my principal I ask you to connect his sewer with the parish sewer." It is a dangerous thing to put in a word which, far from simplifying matters, does not make sense.

Mr. S. A. WALCOTT: I should like to point out that in lines 1 and 2 of Sub-clause (3) the words "forty-five" and "forty-six" should be altered to "forty-three" and "forty-four"; in line 6, the word "forty-five" should be altered to "forty-three" and in line 2 of Sub-clause (6) the words "sixty-one" should be altered to "fifty-nine." I beg to make those amendments.

Mr. TALMA: I hardly think that the insertion of the word "agent" is necessary, and the Sub-clause would have to be read "agent of the owner" if the honourable Senior member for the City wants to make the position doubly clear. But all attorneys stand in the shoes of the owners. As long as an agent or attorney has been duly authorised by the owner to do anything, he can do whatever the owner himself can do. The honourable member's amendment will have to read "agent of the owner" otherwise there can be any agent and that will not make any sense.

Mr. MOTTLEY: Although my amendment has not been accepted I cannot accept the suggestion of the honourable senior member for Christ Church. Despite what the honourable senior member for St.

Joseph has said, I am seeing things as a layman and the majority of the people who are running these Boards and those who are making applications are laymen. I still think that my amendment is necessary and when the honourable senior member for St. Joseph convinces me of anything I will be convinced. There are premises here of which there is no actual owner in law and must there not be an agent or attorney of the owner? How often do you see property actually pass into the Provost Marshal's office due to the fact that there is no agent or attorney of the owner, and sold out for non-payment of taxes? And there are several premises which have no occupiers. If I had been convinced in this matter I would say so.

Mr. ADAMS: I am sorry that I have to speak again and I am sorry to think that it should be necessary to repeat what should be obvious to all honourable members. Who is the person entitled to this right?—The owner or occupier of any premises and he can have a solicitor or anybody as agent. You are not giving the agent this right Under this Clause an owner or occupier can break up a street for the purpose of examining, repairing and renewing a sewer, and can we picture the honourable member breaking up the street himself? No, he is going to send his servant to do that. What the law allows you to do it allows you to do it through your agents or servants. Logically when you come to Sub-clause (2) a servant is going to break up the street. This Bill is taken from the present English Act of 1936 which is a consolidation of a series of Public Health Acts. As regards this particular Clause, I have traced it back to the Public Health Act of 1875 in England; millions of Sanitary Authorities have acted under these Acts over periods of years and the cases in connection with them are legion. When a man has properties in about half-a-dozen counties in England he has an attorney looking after them. I suggest that if we go interfering with this Clause by putting in words which are absolutely unnecessary, it is bound to be sent back here by the Other Place. If you leave in the words "owner or occupier" you leave the Clause as wide as possible. A servant is not an agent and I should like to point out that even the changing of a comma will give a different interpretation of the law.

Mr. LEWIS: My trouble is in connection with the word "occupier." I take it that we are conscious of the fact that we are giving the occupier of a man's premises permission to apply to have his sewer linked with the parish sewer. I take it that the House is cognisant of the fact that that is being done, so that if I rent a house from you and start off a soap or rum factory without your knowledge I can apply to the Sanitary Authority to have a sewer connected with the parish sewer for discharging water and the imposition of a fine may result.

Mr. GARNER: I beg to second the amendment of the honourable senior member for the City; there is some truth in what the honourable member has been trying to point out. Sometimes laymen have a lot of foresight. (Mr. ADAMS: Without them the lawyers would not live) and I do not see that any harm would be done if the amendment is accepted so that the position can be simplified.

Mr. ADAMS: I do not know if the honourable member will accept this suggestion, but I suggest that we can go back to the definition Clause before we finish the Bill and put in a definition of the word "owner" saying that it shall include "attorney" or "agent." I suggest that in answer to what honourable members call the layman's point of view, it is better to put in a definition of the word "owner" than to make an amendment whenever we come to the word. (Mr. MOTTLEY: Will you do that?) I am not

such an idiot as to agree to that because it is unnecessary. I hope His Honour the Speaker will forgive me for saying this but if solicitors or any of the honourable member's friends tell him that the use of the words "owner or occupier" will cause trouble because the word "agent" or "attorney" is not in the Clause, they want to get a fee from him: I repeat that an elementary principle of law is that if a person does anything by an agent he does it by himself, and you do not have to put that in an Act. As regards the word "occupier" a person might lease a premises for three or five years or he might rent it for a short period; he might need a drain and he will make application therefor. What I think the honourable junior member for the City has in mind is the possibility of an occupier putting something over an owner; but he must be a poor sort of owner in a small place like Barbados to have a premises where a tenant is making drains or sewers and calling upon the Sanitary Authority to have them linked with the parish sewers and that owner does not know about it. Every owner should be extremely glad for a tenant who, at his own expense, will improve a premises by making a proper drain and attaching it to the parish drains. I cannot see an owner objecting to an occupier doing that because it improves the premises.

Mr. TALMA: It appears to me that an occupier would be a reasonable person and he would not take such steps as have been mentioned unless he had the approval of the owner of the premises.

Mr. MOTTLEY: The latter suggestion made by the honourable senior member for St. Joseph will save the situation. Although he says that as far as the legal brains are concerned, it is unnecessary, it will satisfy the laymen. It is through the mistakes made by laymen that the lawyers live and therefore we should satisfy the laymen. The honourable member has suggested that we should re-commit the definition Clause and put in a definition as to the word "owner" and that will simplify the matter, because the word "owner" occurs all through the Bill. Although the honourable member has suggested that some solicitors have suggested something to me, I know that there has been some argument as to what is included in the word "owner".

Dr. CUMMINS: I am not a lawyer and I do not see the argument of the honourable senior member for the City which has been supported by the honourable junior member for St. Philip. However if what has been suggested will satisfy those honourable members I will agree to that.

Mr. MOTTLEY: With that undertaking, Mr. Chairman, I ask leave to withdraw my motion relative to the insertion of the word "agent".

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

Mr. MOTTLEY: The only other amendment is the deletion of the words "or a Judge thereof" occurring at the end of Sub-clause (5) and the insertion of the words "sitting in its appellate jurisdiction."

Dr. CUMMINS: I beg to accept that amendment and the amendments of the honourable senior member for St. James.

Mr. LEWIS: I would like to draw to the attention of the honourable member in charge of the Bill that there are some figures in the Clause which need to be altered.

Dr. CUMMINS: They have already been altered.

The question that Clause 59, re-numbered 57 and amended stand part of the Bill was put and resolved in the affirmative without division.

Clause 60, renumbered 58:—

58. (1) Subject to the provisions of this section the owner or occupier of any premises and the owner of any sewer shall have the like rights with respect to drainage into any parish sewer of the Sanitary Authority of any Parish other than the Parish in which his premises or sewer shall be situated as he would have had under section fifty-nine of this Act if his premises or sewer were situated within their Parish, and the provisions of that section shall apply accordingly:

Provided that, without prejudice to their right to enforce compliance with the provisions of sub-section (1) of section fifty-nine of this Act (which prohibits the discharge of certain liquids or other matters into their sewers or into some of their sewers) or to refuse to permit a communication to be made on the ground of the defective construction or condition of a drain or sewer, and to require the drain or sewer to be laid open for inspection, the Sanitary Authority may, in the case of a drain or sewer from premises outside their Parish, refuse to permit a communication to be made except upon such reasonable terms and conditions including the making to them of a reasonable payment or reasonable periodical payments, as they think fit.

(2) If a person is aggrieved by any terms or conditions which a Sanitary Authority seek to impose under sub-section (1) of this section, the reasonableness thereof may on his application be determined by the Assistant Court of Appeal or a Judge thereof, or he may require it to be referred to arbitration, in which event the decision of the arbitrator shall be final.

(3) Where a person avails himself of the provisions of this section, the Sanitary Authority of the Parish in which his premises or sewer are or is situate may, if they think fit, defray, or contribute towards, any expenses incurred by him for the purpose, or any payment which he is required under this section to make to the other Sanitary Authority.

Dr. CUMMINS: There are a few consequential amendments which I ask leave to make to this Clause. In Sub-clause (1) lines 6 and 11 the words "fifty-nine" should be changed to "fifty-seven", and in Sub-clause (2) line 5 the words "or a Judge thereof" should be deleted and the words "sitting in its appellate jurisdiction" inserted in place thereof.

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

Dr. CUMMINS: I beg to move that Clause 60 re-numbered 58, stand part of the Bill.

Mr. BLACKMAN seconded the motion which was agreed to.

Dr. CUMMINS: I have been advised, and I think quite correctly, to make a motion to the effect that wherever consequential amendments as to renumbering Clauses appear in the Bill, they be inserted as well as wherever the words "or a Judge thereof" occur referring to the Assistant Court of Appeal, these words be deleted and the words "sitting in its appellate jurisdiction" be inserted. I therefore beg to make that motion.

Mr. ADAMS seconded the motion was agreed to. Clause 61, re-numbered 59, was passed.

Clause 62, re-numbered 60:—

60. It shall be the duty of the Sanitary Authority to cleanse and empty all parish sewers in their respective parishes.

Dr. CUMMINS: I beg to move that Clause 62, re-numbered 60, stand part of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. MOTTLEY: I would like to have an explanation of this Clause.

Dr. CUMMINS: It is quite all right.

The question that Clause 62, re-numbered 60, stand part of the Bill was put and resolved in the affirmative without division.

Clause 63, re-numbered 61:—

61. (1) No person shall construct or extend any building unless the Sanitary Authority shall have accepted as satisfactory the provision proposed to be made for the drainage of such building or the extension thereto or shall be satisfied that in the particular case of such building or extension they may properly dispense with any provision for drainage.

(2) Where the Sanitary Authority to whom any application is made for the purposes of subsection (1) of this section do not accept as satisfactory the provision proposed to be made for the drainage of the building or extension thereto or are not satisfied that in the particular case of such building or extension they may properly dispense with any provision for drainage, they shall within thirty days after the receipt by them of such application give notice of dissatisfaction to the person making the same.

(3) Any question arising between any Sanitary Authority and any person proposing to construct or extend any building as to whether such Sanitary Authority ought to accept as satisfactory any provision proposed to be made for the drainage of such building or extension or to dispense with any provision for drainage in the particular case of such building or extension thereto may on the application of such person be determined by the Assistant Court of Appeal or a Judge thereof.

Dr. CUMMINS: I beg to move that Clause 63, re-numbered 61, stand part of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. S. A. WALCOTT: Under this Clause an ordinary man who is building a small house has to submit his proposal for drainage to the Sanitary Authority and it has to be accepted as satisfactory before he can build that house. I think that it would be hard on a small man if we pass this Clause as it is to-day.

Mr. MOTTLEY: I am supporting the honourable member and I ask that the Clause be read. I am wondering if this Clause should not be applied only to Bridgetown and the suburban areas.

The Clause was read.

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

Mr. ADAMS: I believe that honourable members are willing to continue with the Public Health Bill subject to the passing of the first Order of the Day under Private Members' Business. I do not know if honourable members feel that we should suspend Rule 61 (b), continue with the Public Health Bill and later on deal with the Roach Gratuity Bill which is the first Order of the Day under Private Members' Business; or if we should deal with that Bill and then suspend the Rule. Perhaps we could suspend the Rule, spend some reasonable time on the Public Health Bill and then deal with the Roach Gratuity Bill.

Mr. SPEAKER: I think it is better to proceed with Private Members' Business and then honourable members can decide what they are going to do.

SUGAR INDUSTRY AGRICULTURAL BANK (ROACH GRATUITY) BILL.

Mr. SPEAKER: The first Order of the Day under Private Members' Business is to resume Committee on the Bill to authorise the Sugar Industry Agricultural Bank to grant to the legal Personal Representatives of Norman Lisle Roach, deceased, a gratuity.

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 Clause 4 was being considered.

Mr. ADAMS: Mr. Chairman,—I had asked the introducer of this Bill to agree to its postponement because doubts were expressed as to whether the late Mr. Roach was not being put in a more favourable position than other public servants. I have gone into the matter with the Auditor General and the Assistant Colonial Secretary and their advice is that it is in order to grant this gratuity because a public officer differs from a public employee. The provision for granting a month's salary for each completed year of service is in the Police Act but this method of granting gratuities has been extended to persons who were not entitled to pensions. It is felt, and the Government will agree, that Mr. Roach was in the position of a public officer and therefore his legal Personal Representatives would be entitled, as is now being asked for, to a gratuity of a year's salary. The objections are therefor no longer tenable and I think that we can readily pass this Bill which has so long been delayed.

Mr. LEWIS: I ask honourable members to see the wisdom of granting gratuities on the basis of one month's salary for each completed year's service. I remember one day that this House granted a gratuity of one year's emoluments under the 1925 Pension Act to someone who was not entitled to a pension and who had given 32 years' service; and on the same day, if I remember correctly, another person who had given 14 years' service was given one year's emoluments. In the same way if Mr. Roach had worked with the Sugar Industry Agricultural Bank for a period of 22 or 25 years, he would not have got a gratuity of one cent more. That is not the case with people who are pensionable and the matter has now been corrected in the new Pension Bill. Any part of a year's service will now be compensated for. I consider that we will be doing wrong to pass this Bill as it is; we are now giving someone for 7 years' service what we gave somebody else for 12 years' service a few months ago. That is not correct. Mr. Roach was not entitled to a pension and this House has set the standard of giving a month's salary for every completed year's service. Under the new Pension Act one and a half month's salary is granted for every completed year's service, and why cannot that method be adopted here? As far as this House is concerned, it is entirely wrong—and it will have to be changed some day—to adopt one principle in dealing with one case and to adopt another principle in dealing with another case. In view of what the legal Personal Representatives of Mr. Roach will be receiving, I am merely calling attention to the fact that if honourable members have this matter thrown at them they will have it thrown at them consciously.

The question that Clause 4 stand part of the Bill was put and resolved in the affirmative without division.

Clause 4 was passed.

The Preamble was read.

Mr. CRAWFORD: Mr. Chairman,—Before I move that the Preamble stand part of the Bill, I merely want to say that this Bill could have been passed months ago. As a matter of fact, I think that all three of the members of the Directorate of the Sugar Industry Agricultural Bank present in the House have endeavoured whenever this matter came before the House, to explain that the Bank was doing nothing wrong to grant to the legal Personal Representatives of Mr. Roach a gratuity of an amount not exceeding one year's salary. But merely for political purposes both in the House and elsewhere, an attempt has been made to make it appear that I, personally, was in favour of picking up the whole Treasury and giving it to the dependants of Mr. Roach because he was a white man. Now we find that the same people are saying that the Bank was right, and for months this Bill has been lying down here when the people concerned could have had their money if there had not been opposition to the Bill merely for the sake of opposition. I beg to move that the Preamble stand part of the Bill.

Mr. ADAMS: I beg to second that. I should like to say that if any of us had this Bill to look after, he would have done what I only now have done, and that is to get in touch with the Auditor General and the Colonial Secretary in connection with it and there would not have been two minutes of debate.

Mr. F. L. WALCOTT: I am one of those who opposed this Bill and if the introducer had taken any care to acquaint himself with the measure before putting it before the House, it would have been passed expeditiously. But the honourable member could not give any valid reason as to why a gratuity of a year's salary was being asked for in the Bill in view of the fact that this House had turned down people for whom more than a month's salary for each completed year's service had been asked. We said that Mr. Roach's legal Personal Representatives were getting 12 month's salary but he had not done 12 years' service; we had to treat him in the same manner as anybody else. Mr. Roach was not pensionable; Bills have come before this House granting pensions to people and we have agreed to amounts on the basis of the length of service which has been done. In one case the Government did not even see its way to increase a man's amount on the basis that he had been employed after he had reached 65 years of age; and we opposed this Bill on the ground that other people were not treated similarly. The honourable senior member for St. Philip has said that some honourable members opposed the Bill for political purposes; but I want to say that apart from what I have already said, politics have caused us to be here. This is no scientific laboratory or anything like that; this is a political Assembly and it is stupid for people to talk about others opposing anything for political purposes. Nobody is more in opposition for political purposes than the honourable senior member for St. Philip.

Mr. COX: When this Bill was first before the House I opposed it because we have adopted the principle of giving public employees gratuities based on a month's salary for every completed year's service, and in this case we were treating this officer differently.

Mr. CHAIRMAN: I do not want to interrupt the honourable member but the Preamble of the Bill is now being dealt with.

Mr. COX: The Preamble says this:—

WHEREAS The Sugar Industry Agricultural Bank (hereinafter called "the Bank") hath by its petition to the Legislature set forth that Norman Lisle Roach had been a Clerk in the service of the Bank for seven years, during which time he had faithfully performed the duties of his office; and that he had died on the Twenty-third day of December One thousand nine hundred and forty-six while in the service of the Bank; and praying that the Bank be authorised to grant to the legal Personal Representatives of the said Norman Lisle Roach from the funds of the Bank a gratuity of an amount not exceeding one year's salary, being the sum of Four hundred and fifty Pounds AND WHEREAS it is deemed expedient to grant the prayer of the said petition:

BE it therefore enacted by the Governor, Council and Assembly of this Island, and by the authority of the same, as follows:

You will see, Mr. Chairman, that Mr. Roach has only given seven years' service which would not have entitled him to the receipt of a pension; therefore it will be left to the Government or the Sugar Industry Agricultural Bank to grant him a gratuity. It is clear that Mr. Roach has given only seven years' service and we have established a principle that even if it happens to a porter with whom we are dealing, we will give him a gratuity of a month's salary for every completed year's service. If we are dealing with a clerk or any other employee we will treat him in that way. I have always stood up to that principle and I say now that I am not voting for this Bill for the simple reason that we are making chalk of one person and cheese of the other. I am sticking to the principle which this House has established. I am not satisfied that this gentleman should be treated in a different manner from other people even although he was a clerk and somebody else might be a porter. I repeat that the same principle which obtains in the case of a labourer or a porter should obtain in the case of this gentleman. He has given seven years' service and I think that he should be entitled to seven months' salary as a gratuity for that service. I want it to be clearly understood that even although the honourable senior member for St. Philip spoke in the manner in which he spoke, when I speak in this House I speak on principles and it is immaterial to me whether he is satisfied or dissatisfied. I am sticking to the principle which we have established and I say that whether this gentleman was white or of any other colour he should not be treated in a different manner from other people. The honourable senior member for St. Philip has said that because this gentleman was white it was thought that he was trying to give his legal Personal Representatives the Treasury; but other honourable members have equal say in the voting of money. I should like to say that on the last occasion if the honourable senior member for St. Philip had realised that, as the introducer of this particular measure, he was responsible to the members of this House for supplying information relative to the measure—

Mr. CHAIRMAN: The honourable member is straying from the Preamble of the Bill.

Mr. COX: If the honourable senior member for St. Philip was alive to his duty he would have given us information on the last occasion as to why the Bill—

Mr. CHAIRMAN: The honourable member must deal with the Preamble of the Bill.

Mr. COX: I am dealing with that. This gentleman has given seven years' service and he should be given seven months' salary. I am not satisfied that he should be given twelve months' salary and I am prepared to vote against this Bill.

Mr. MOTTLEY: I seconded the motion for the second reading of this Bill and I say that every honourable member is entitled to his opinion. The argument has been advanced that everybody should be treated in the same way whether he be a Government employee or Government servant. I am replying now to the honourable senior member for St. Peter who has said that the matter was not properly explained. I explained exactly what the honourable senior member for St. Joseph explained to-day; I gave an explanation similar to that which the Leader of the House has given. I quite agree that all public employees should be treated in the same way. The honourable junior member for St. John said on the last occasion that he could not agree with this Bill. When the honourable senior member for St. Michael raised his question I pointed out that the particular Section of the 1925 Act would have to be applied in the circumstances. It would seem necessary for the Act to be amended so that everybody should be treated alike, but it is unfair to say that the matter was not explained. It is unfair to say that we are taking this gentleman and treating him in a different manner from somebody else. This gentleman's legal personal representatives are entitled to one year's pensionable emoluments.

At this point the CHAIRMAN called for order.

Mr. MOTTLEY: That is quite all right, Mr. Chairman; I represent the City and I am accustomed to making speeches in Cat's Castle and I am at home when honourable members get on in that way. I repeat that I explained the matter in the same way as the Leader of the House explained it to-day. Everybody will agree that one person should not be treated in one way and another person treated in another way; but in the circumstances we cannot do any better. I feel that this Bill should be passed; I really got up to remind the honourable senior member for St. Peter that even if the honourable senior member for St. Philip had not explained the position, I explained it and gave the facts and anybody who did not understand the position did not want to understand it.

Mr. CRAWFORD: On the first occasion when this Bill was postponed the Directors of the Bank said that they would refer the matter to the Bank's Solicitors and they did so. I made a plain statement of the facts on the second occasion even recalling that Mr. Roach died in December, 1946, before the amendment to the Pension Act was passed and therefore this Bill could not have been based on an Act which was not in existence. It is not my fault if honourable members like the honourable senior member for St. Peter are unable to understand anything which is said on the floor of this House, anything which might involve the slightest amount of mental effort. Therefore I can be justified in saying that the business of the House was unduly delayed and the legal Personal Representatives of Mr. Roach have been unnecessarily detained out of the money to which they are entitled purely because of unnecessary and unjustifiable opposition.

Mr. BLACKMAN: I happen to be one of those honourable members who do not consider that Mr. Roach's Representatives are entitled to this money. I find it very difficult to accept the position as it has been explained to me to-day. I do not see why Mr. Roach who was not a Civil Servant

should be treated in one way and another person who is not a Civil Servant should be treated in another way. I do not object to the Representatives of Mr. Roach getting this money on any question of colour or anything like that; and I do not understand why we should have to go to anybody so as to get him to tell us which of two public employees should be treated as a clerk in the Civil Service. I do not see why one person should be treated as a Clerk in the Civil Service and another person should not be so treated. I do not understand the position and I shall vote against the Bill.

Mr. GARNER: I did not want to say anything in connection with this matter but the honourable junior member for St. John has made a statement which brought me to my feet. Imagine a member of the Government saying that the Government does not understand the Government! (Mr. ADAMS: It is not the Government). Members of the Government are objecting to certain things when they could have spoken with the Leader of the House and got the law amended.

Mr. CHAIRMAN: What is before the Committee is the Preamble of this Bill; it is not a matter of any Government.

Mr. GARNER: What I am saying is in connection with the Preamble of the Bill; it is a question of the legality of granting to Mr. Roach's Representatives one year's salary as a gratuity or only seven months' salary. If there is anything wrong in the law it is a matter for the Government to rectify it. The law should be repealed if there is anything wrong, but it should not be made to appear as if somebody wants to do something more for somebody else when in truth and in fact the whole matter rests with the Government. I say; let the law be amended so that everybody will be considered on the same basis. If the honourable senior member for St. Philip has done what the law permits then he has not done anything wrong. He has acted within the ambit of the law, which I repeat, should be amended if there is anything wrong in it.

Mr. ADAMS: I hope that the House will bear with me in making a few remarks as regards the legal position. Let me tell the honourable member who has just sat down that all these matters to which attention has been drawn will be gone into. We have expressed the view that some people should not be treated in a manner different from others; at one time a gratuity of a year's emoluments is being asked for and at another time it is a question of a month's salary for each completed year's service. When you introduce a measure dealing with one class of person you forget that you are doing an injustice to another class of person. When you think of a public officer you think of the clerical and the white collar type of person and you think of the other type of person as a public employee. Under the 1925 Pension Act, a public officer is different from a public employee in that the former is eligible for a pension and a gratuity, a gratuity of one year's emoluments in case of death, while a public employee is only eligible for a pension. That is why in the case of a public employee we have to come to the House and ask for a gratuity because he is not entitled to it. The 1925 Act sets out how public employees are entitled to pensions on the same basis as public officers and in the Schedule to the Act those who are public employees are set out. They are: Artisans, Caretakers, Cleaners, Crews of Harbour Craft, Gardeners, District Foremen, Labourers, Lorry Drivers, Meter Inspectors, Porters, Range Wardens, Scrubbers, Turncocks and Watchmen. In the case of Mr. Roach, he could not

have fallen within the category of a public employee; he was on the clerical side. I answer now the honourable member on my left, the honourable junior member for St. John. As long as there is this distinction, Mr. Roach was on the clerical side and therefore it is reasonable to ask for a gratuity of a year's salary. You are either in one category or in the other. Where a policeman dies before he has given ten years' service, the Act says that his representatives are entitled to a month's salary for every year he has served. Sometimes a gratuity for a public employee is based on that method and sometimes a year's salary is given. Honourable members are perfectly correct in saying that in the case of public employees we have sometimes given a year's salary and at other times we have given a month's salary for each completed year's service. I should like to say that for anybody to suggest that this Bill was being wilfully held up or that aspersions have been cast on anybody is absolutely unfair, to use the mildest adjective that I can think of. The Executive Committee has already decided that in so far as pensions or gratuities are concerned, public officers and public employees are on the same basis. On the whole, the Executive Committee has agreed or will agree—it has tentatively agreed on a suggestion made on the floor of this House—that instead of having these wrangles, a sum of money should be voted every year and have these people put under some basis where they can be dealt with. The Executive Committee will compute the amounts and the Auditor General will pay them instead of our having to come before the House today for a gratuity in respect of one person and to-morrow in respect of somebody else in case of people who might not be pensionable.

The Preamble was agreed to.

On the motion of Mr. CRAWFORD, seconded by Mr. GARNER, the CHAIRMAN reported the passing of the Bill in Committee.

Mr. SPEAKER resumed the Chair and reported accordingly.

On motions of Mr. CRAWFORD, seconded by Mr. MOTTLEY in each case, the Bill was read a third time and passed.

ORDER NOT PROCEEDED WITH.

Mr. CRAWFORD: I beg to move that Order No. 84 under Private Members' Business be taken as the next Order of the Day. That Order is the Bill to enforce the Wage Rates for the Sugar Industry for the year 1948—49.

Mr. SPEAKER: The honourable member will have to move the suspension of Rule 60 so as to deal with that Order.

Mr. CRAWFORD: I ask leave to move the suspension of Rule 60 so as to proceed with Order No. 84 as the next Order of the Day.

Mr. SPEAKER: The honourable member is asking leave to move the suspension of Rule 60 so as to deal with Order No. 84 as the next Order of the Day.

Mr. WILKINSON: I object.

Mr. SPEAKER: An objection having been taken, I will put the question. The question is that leave be granted the honourable member to move the suspension of Rule 60. Honourable members in favour of that will please say "Aye", those against will please say "No". I think the "Noes" have it.

The following division was taken:—

Ayes: Messrs. BRANCKER, HUSBANDS, CRAWFORD and GARNER—4.

Noes: Messrs. SMITH, F. L. WALCOTT, FOSTER, LEWIS, COX, ADAMS, BLACKMAN, HAYNES, DOWDING GALE, S. A. WALCOTT, WILKINSON, MOTTLEY and Dr. CUMMINS—14.

Mr. SPEAKER: The question has been decided in the negative, four honourable members voting "Aye" and fourteen honourable members voting "No."

SUSPENSION OF RULE 61 (B)

Mr. ADAMS: I ask leave to move the suspension of Rule 61 (b) so as to revert to Government Business.

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

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

Mr. Cox seconded the motion which was agreed to.

Mr. SPEAKER: When Government Business was last being considered, the House was in Committee on the Public Health Bill.

THE PUBLIC HEALTH BILL

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

Mr. CHAIRMAN: When we were last in Committee on this Bill, Clause 63, re-numbered 61, was under consideration.

Mr. S. A. WALCOTT: As this Clause reads, if a person wishes to erect the smallest house in the country, he has to apply to the Sanitary Authority for leave to do so. I am saying that this country is not Demerara where there are swamps and I consider that this provision is absolutely unnecessary in the country districts. I suggest that this Clause be postponed so that it can be worded differently; it should concern the City and suburbs but not the country as a whole. If this Clause is passed as it is you will have on the Statute Book another Act like that for the insurance of workmen because that is an Act which is not in force. Nothing is being done in respect of that Act. If we pass this Clause as it is we leave it open for small tenants to be prosecuted for removing their houses or adding to them. If a small man wants to add a bedroom to his house, the Sanitary Authority have to give him permission to do that under this Clause. When you come to the City and suburbs this provision is necessary because you cannot expect to erect any kind of house in certain districts and in the City it is a question of the use of galvanise as against that of shingles. This question of drainage should concern the City and suburbs. I beg to move therefore that this Clause be postponed so that it can be worded differently.

Mr. MOTTLEY: I beg to second that, I am sure that the honourable member in charge of the Bill cannot tell us off-hand what are the Regulations as applied to the present building areas under the Bridgetown, Hometown and Speightstown Act. I am supporting the motion for the postponement of this Clause so that when honourable members have expressed their views we will be able to get Regulations to apply as near as possible to the existing Regulations. Under the Public Health (Amendment) Act it is necessary, whenever anybody wants to erect new buildings, for him to show the proposal for drainage on the plan. If you want to sell land for the purpose of building you must show the proposal for drainage on your plan. That is all well and good as far as the Bridgetown, Hometown and Speightstown Act is concerned. As the position is today, if you are going to construct a building it is necessary within certain limits for you to show to the Board of Health the proposal for drainage, but not if you are extending a building. If this Clause is to be applied to all the areas in the island, bearing in mind the economic condition of the people, if a Sanitary Authority want to enforce this Regulation the position will be made

very difficult for the people. Therefore I suggest that this Clause be postponed and we can see if it is possible to draft an amendment which would apply only to the City areas. Even the most ambitious of us will realise that if you want to improve housing conditions, you cannot start in a comprehensive way. These matters are all bound up with economics and under this Clause if a peasant proprietor wants to erect a building on a piece of land in one of the hilly districts of the island he will have to satisfy the Sanitary Authority as to drainage. The Sanitary Authority might want to enforce the letter of the law and I am wondering if it is really necessary at the moment to have this Clause applied to other than the City and suburban areas. I am supporting the motion for the postponement of this Clause so that the honourable member in charge of the Bill can give an expression of opinion to the Legal Draughtsman of the Government so that he will be able to see if the Clause cannot be amended to suit the conditions in the colony, taking into account the economic position of the people who will be affected in the areas outside Bridgetown, Hometown and Speightstown. A peasant proprietor may own two or three acres of land and he might want to live on that land for the purpose of cultivating it and the Sanitary Authority might tell him that he has to go in the middle of the land. Under the existing law, the Board of Health must demand certain regulations for drainage; and there you may have land being wasted, land which might be developed for agricultural purposes or otherwise and you cannot attempt to erect a house on it. There might be several people in the same position at the same time.

Dr. CUMMINS: The whole idea of this Bill is to improve the standard of sanitation and the standard of health throughout the island, but now I have been told that the Bill should apply only to Bridgetown, Hometown and Speightstown.

Mr. MOTTLEY: Who told the honourable member so? I am surprised at what the honourable member has said. What I have suggested is that this Clause should be postponed so that the honourable member can consult the Legal Draughtsman, bearing in mind the local conditions, and bring forward an amendment to suit such conditions.

Dr. CUMMINS: I admit that the honourable member was speaking under very peculiar circumstances. He was being reminded of something or other by the honourable junior member for St. Philip and that might have affected him and he might have said something quite unconsciously; but the honourable member did say that it would be a good idea to start off in the City, Hometown and Speightstown, that it was a question of economics and that the proposal should not be applied to the whole island. This Bill is for the purpose of improving the standard of sanitation in the island as a whole. We all know that when we go about this island we see small houses dotted here and there and there is no idea of drainage. I myself have often wondered what people were thinking of when they put houses in certain places. We have to save people from themselves and we have to think of the health of the island. Reference has been made to the small man in connection with the erection of his house; but it does not cost these people anything to refer matters to the Sanitary Authority. They simply have to ask permission to put their houses on particular spots; the Sanitary Authority will visit these spots and decide as to whether or not they are proper spots on which to put houses having regard to drainage. If the Sanitary Authority decide that a spot is not a proper one on which to put a house because of drainage, a person will not be allowed to put his house there. As regards the matter of health, what affects a member of a family may affect the

people in the whole area. If the Sanitary Authority feel that a site is all right from the point of view of drainage, they will give permission for the erection of a house there. I feel that this Clause is necessary having regard to the health of the island. It will not inconvenience anybody; it is not a question of putting people to any expense if they have to apply for permission to put their houses on certain spots. I do not see whence the honourable senior member for St. James got the idea of removal.

Mr. SYMMONDS: I want to support the motion for the postponement of this Clause because it is going to be a nuisance to hundreds of poor people in the country districts. I quite agree with provision being made for drainage in relation to the erection of a new house but not in a case where a person has been living on a spot for about 25 or 30 years and he wants to add a shed-roof to his house because his family has increased. Because of some newly discovered defect as regards drainage that person has to ask the Sanitary Authority for permission to add his shed-roof; he might be debarred from doing so and it is said that he has the right of appealing to the Assistant Court of Appeal. I would like to know who is going to pay the cost of that Court. I am told that the lawyers must live but I do not see why, in this matter, poor people should be put to the inconvenience of having to employ lawyers. I am asking honourable members to view this matter in the light of ordinary common-sense. I agree with this application having to be made in respect of the construction of new buildings, but not where a building has been in existence for about 25 or 30 years, nothing can be proved to have happened affecting the health of people living there and the owner of that building wants to extend it. I say that this is a nuisance Clause and I shall support the motion for the postponement.

Mr. DOWDING: As I understand the position, this Bill is based on the English Act and I believe that there must be some Clause with regard to built-up areas. I am perfectly certain that none of the things which we have heard to be existing in the rural areas exists in England, at least not the parts which I have visited. I feel that under this Clause there will definitely be a heavy restriction on all small owners throughout the island, peasant owners in particular, at any time they want to extend their small buildings.

Mr. CHAIRMAN: The honourable member must stick to the question of the postponement of the Clause.

Mr. DOWDING: I will not be speaking much longer, Mr. Chairman. I think that a hardship will be created on small owners under this Clause. I feel that it should be postponed and let the matter be clarified as between a built-up area and a rural area.

Mr. GALE: There is no doubt that there will be some difficulty in carrying out these Regulations if we pass them as they are today. People will have to remove chattel houses from one place to the other if they have to make application to the Sanitary Authority for extensions as well as people who are constructing new buildings. I think the difficulty is in respect of a Housing and Town Planning Act.

Mr. CHAIRMAN: I am asking the honourable member to speak on the question of the postponement of the Clause.

Mr. GALE: I am showing why it should be postponed. If we had a proper Housing and Town Planning Act people would not be able to put houses in places which are not properly drained. We would not have to be considering the question of drainage now because an area would have had to be properly drained before a house could be put in it. I think that the operation of this Clause will cause a certain

amount of hardship and the Sanitary Authority will have a tremendous number of applications in respect of chattel houses which have to be removed.

Mr. ADAMS: I am surprised at the remarks of the honourable member who has just sat down although I am not surprised at those of some other honourable members. If this Clause is postponed for a week or for ten years, we are coming back with it as it is. What is the earthly good of saying that we owe our good health to the Trade Winds or the Almighty rather than our own efforts, and then when we have a proper Public Health Bill before us for the benefit of the whole island, we say that it should apply only to St Michael? The Sanitary Authorities in the rural areas in England which the honourable senior member for St. George has visited act with common-sense and I take it that the Vestries of this island will do the same. The honourable junior member for St. George comes in here with a prepared speech—

Mr. SYMMONDS: I must object to that statement, Mr. Chairman.

Mr. ADAMS: Well, the honourable member comes in unprepared and says what he has to say. He does not always see that what he has to say does not fit in with what is before us. The object of the latter part of Sub-clause (1) is to cover cases in which (10 x 8) houses are erected and where all the water is thrown into the land. In those cases people are not forced to provide drains; but where, as regards the first part of the Sub-clause, a man has a kitchen and washhouse and he does not provide a drain, the Sanitary Authority say that he must provide a drain and lead the water into the land. To talk about peasant proprietors is absolutely beside the point. Nobody has said that a cement drain must be provided. In the rural areas in England the housing is the same as in Barbados except that they use bricks and we use lumber; but the conditions are about the same—one-room buildings with half-a-dozen people sleeping in them. Under this Clause the Sanitary Authority have to visit premises and in the case of a small house they will tell the owner: "Your house is too small and you need not worry with digging any drain." As regards the remarks of the honourable junior member for St. George, it now occurs to him that expenses will be incurred in dealing with the Assistant Court of Appeal; but we have Regulations even in the Divorce Court under which poor persons are given free representation and similar Regulations can be made in this case. I appeal to honourable members to see that the provisions of this Clause will not create any hardship on people. Can it be said that a hardship is created on a person where a Sanitary Authority say that that person must provide a gutter to dispose of water instead of its being left on the premises to breed mosquitoes? If we come back with this Clause within a week's time we are going to say that that is the Government's considered opinion and we are not changing it; and honourable members can make an amendment if they like. The honourable senior member for the City was feeling his way in this matter; he was not in his usual speech-making attitude. I see that there are three Sanitary Commissioners on my left; the honourable junior member for St. Philip is the Chairman of the Sanitary Board in his parish and therefore he is even more responsible than the others for the good health of his parish. How can you amend this Clause so as to provide for proper drainage for one type of house and say that in the case of the others the owners can do what they like? They can allow water to accumulate anywhere and you will not worry about them! As regards the argument about peasant proprietors, that can be carried too far. This Bill is not for the rich people;

it is for the express purpose of seeing that one careless poor man does not start an epidemic against his equally poor neighbours who might be very careful about their drains. I repeat: if honourable members want to amend this Clause, let them make their amendment.

The question that the consideration of Clause 63, re-numbered 61, be postponed was put and resolved in the affirmative.

A division was taken as follows:—

Ayes: MESSRS. SYMMONDS, BRANKER, CRAWFORD, GARNER, MOTTLEY, HAYNES, DOWDING, GALE, S. A. WALCOTT and WILKINSON—10.

Noes: MESSRS. HUSBANDS, F. L. WALCOTT, MAPP, COX, LEWIS, ADAMS, BLACKMAN, DR. CUMMINS and MR. SPEAKER—9.

Clause 61 was postponed.

Clauses 64, re-numbered 62 and 65, re-numbered 63 were passed.

Clause 66, re-numbered 64:—

64. (1) If it appears to a Sanitary Authority that the drainage of any land is insufficient they may by notice require the owner of such land to make such sucks, wells and drains as shall be sufficient effectually to drain such land, and properly to fence all wells and sucks so made.

(2) The provisions of section one hundred and ninety-five of this Act with respect to appeals against, and the enforcement of, notices requiring the execution of works shall apply in relation to any notice given under this section.

Dr. CUMMINS: I beg to move that Clause 66, re-numbered 64, stand part of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. MOTTLEY: This is a very admirable Clause but there is no regulation authorising the Sanitary Authority to defray any of the expense of making these sucks, wells and drains, and a hardship might be effected on some owner or occupier. I suggest to the honourable member in charge of the Bill that an amendment be made to the effect that the Sanitary Authority will bear some portion of the expense where persons are called upon to make these sucks, wells and drains. Honourable members will appreciate that hardships will be experienced in such cases.

Dr. CUMMINS: I ask leave to postpone this Clause. I will bring the matter before the Executive Committee.

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

Clause 66, re-numbered 64, was postponed.

Clause 67, renumbered 65:—

65. (1) No person shall construct or extend any building unless the Sanitary Authority shall have accepted as satisfactory the provision proposed to be made in respect of such building or the extension thereto for sanitary conveniences, soil pipes, cesspools and sewer or shall be satisfied that in the particular case of such building or extension they may properly dispense with any provision for the same.

(2) Where the Sanitary Authority to whom any application is made for the purposes of sub-section (1) of this section do not accept as satisfactory the provision proposed to be made for sanitary conveniences, soil-pipes, cesspools and sewers or are not satisfied that in the particular case of the building or extension they may properly dispense with any provision for the same, they shall within thirty days after the receipt by them of such application give notice of dissatisfaction to the person making the same.

(3) Where it appears to the Sanitary Authority that any building or extension thereto is likely to be used as a factory, workshop or workplace in which persons of both sexes will be employed, then

any closet accommodation proposed to be provided in respect of such building shall not be deemed satisfactory unless either it is proposed that sufficient and satisfactory separate closet accommodation for persons of each sex shall be provided in respect of such building or extension thereto or such Sanitary Authority shall be satisfied that in the circumstances of the particular case they may properly dispense with the provision of such separate closet accommodation.

(4) Any question arising between any Sanitary Authority and any person proposing to construct or extend any building as to whether such Sanitary Authority ought to accept as satisfactory any provision proposed to be made for sanitary conveniences, soil-pipes, cess-pools or sewers or to dispense with any provision for the same or any of the same may on the application of such person be determined by the Assistant Court of Appeal or a Judge thereof.

Dr. CUMMINS: I beg to move that Clause 67, re-numbered 65, stand part of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. DOWDING: I ask that this Clause be read. The Clause was read.

Mr. MOTTLEY: I beg to move that the word "thirty" occurring in line 8 of Sub-clause (2) be deleted and the words "twenty one" be inserted in place thereof. As regards Sub-clause (3) I think that the word "school" should be inserted before the word "workshop" occurring in line 3. I beg to make that motion also.

Mr. ADAMS: I am hoping that honourable members will not support the latter amendment here because if it is sent to the Secretary of State for the Colonies he will send back the Bill to us. It is a cardinal rule that everything dealing with a particular matter should be put in the particular Clause in which the matter is dealt with. If, for instance, we are dealing with the Clause relating to drains and we want to make an amendment, we make the amendment there. There is a part of this Bill dealing with schools; I am in agreement with what the honourable member wants to be done but it should not be done under this Clause. I ask the honourable member to allow the amendment to remain over until we come to the Clause which deals with schools.

Mr. MOTTLEY: I ask leave to withdraw my latter motion.

Dr. CUMMINS: I accept the amendment that the word "thirty" be deleted and the words "twenty-one" be inserted in place thereof.

Mr. LEWIS: I would like to say that I have been reliably informed that on the passing of this Bill in relation to sanitation in factories, the persons who will be responsible and the authorities connected with it will have become so many that it will be absolutely impossible to bring a prosecution against anybody. I am told that it is difficult at present to prosecute anybody under the Act and when this Bill is passed it will become even more complicated. I believe that I mentioned this matter on the second reading of this Bill and I am asking the honourable senior member for St. Joseph to look up the Factories Act, at least in so far as sanitation is concerned, and do not let us have any confusion.

Mr. ADAMS: As regards what the honourable junior member for the City has just said, under the Factories Act the Factory Inspector can prosecute but in this case it does not say that the Sanitary Authority must prosecute. In any case, if three or four persons are given the authority to prosecute,

a prosecution will be secured much more quickly than in the case of one person having this authority.

The question that Clause 67 re-numbered 65 and amended stand part of the Bill was put and resolved in the affirmative without division.

CHAIRMAN REPORTS PROGRESS

Dr. CUMMINS: I beg to move, Mr. Chairman, that you do now report progress and that the Committee have asked for leave 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 Thursday next, the 24th day of June, 1948, at twelve o'clock noon. In fact, there is the feeling that we should meet in the afternoon and I therefore beg to move that we meet at two o'clock in the afternoon instead of twelve o'clock noon.

Mr. BLACKMAN: I beg to second that.

Mr. WILKINSON: I beg to move that the words "Thursday next, the 24th day of June, 1948, at two o'clock in the afternoon" be deleted in order to insert the words "Tuesday next, the 29th day of June, 1948, at twelve o'clock noon."

Mr. GALE: I beg to second that.

Mr. GARNER: Perhaps I may be labelled as trying to hold up the work of this House, but I honestly cannot attend the House on Thursday, because I have to attend to some Vestry work. I am therefore supporting the amendment moved by the honourable junior member for St. James.

Mr. SPEAKER: A motion has been made that this House do now adjourn to Thursday next, the 24th day of June, 1948, at two o'clock in the afternoon. An amendment has been moved that the words "Thursday next, the 24th day of June, 1948, at two o'clock in the afternoon" be deleted in order to insert the words "Tuesday next, the 29th day of June, 1948, at twelve o'clock noon." The question is that the words proposed to be deleted stand part of the motion. Honourable members in favour of that will please say "Aye", those against will please say "No". I think the "Noes" have it.

The following division was taken:—

Ayes: Messrs. SMITH, HUSBANDS, F. L. WALCOTT, COX, MAPP, LEWIS, ADAMS, BLACKMAN, and Dr. CUMMINS—9.

Noes: Messrs. HAYNES, SYMMONDS, BRANCKER, CRAWFORD, GARNER, MOTTLEY, DOWDING, GALE, S. A. WALCOTT and WILKINSON—10.

Mr. SPEAKER: The question has been decided in the negative, nine honourable members voting "Aye", and ten honourable members voting "No." The question now is that the words "Tuesday next, the 29th day of June, 1948, at twelve o'clock noon" be inserted in the blank created. Honourable members in favour of that will please say "Aye", those against will please say "No". I think the "Ayes" have it.

The question that this House do now adjourn to Tuesday next, the 29th day of June, 1948, at twelve o'clock noon was put and resolved in the affirmative without division and Mr. SPEAKER adjourned the House accordingly.