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HOUSE OF ASSEMBLY

Tuesday 19th October, 1948.

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

Present.

His Honour Mr. J. E. T. BRANCKER (*Deputy Speaker*), Mr. L. E. SMITH (*Chairman of Committees*), Dr. H. G. CUMMINS), Messrs. D. A. FOSTER, M. E. COX, R. G. MAPP, F. L. WALCOTT, A. E. S. LEWIS, H. D. BLACKMAN, C. E. TALMA, K. N. R. HUSBANDS, H. A. DOWDING, V. C. GALE, S. A. WALCOTT, F. D. McD. SYMMONDS, and D. D. GARNER.

Prayers are read.

Dr. WILSON enters the House and takes his seat.

MINUTES

The Minues of the special meeting which was held on the 30th. September, 1948, and of the meeting which was held on the 12th. October, 1948, having been circulated are taken as read and confirmed.

ORDERS WITHDRAWN

Dr. CUMMINS: Mr. Deputy Speaker,—Before I proceed to lay the Papers I am asking leave to withdraw Orders Nos. 34 and 35 and the Regulations relating thereto, standing in the name of the honourable junior member for St. John. The reason is that I have new sets of Traffic Regulations to introduce.

Mr. DEPUTY SPEAKER: Will the honourable member state the date on which the new sets of Regulations were approved and sanctioned by the Governor?

Dr. CUMMINS: The date, Mr. Deputy Speaker, on which the new sets of Regulations were approved and senctioned by the Governor is the 16th of October, 1948.

There being no objection, the honourable member is granted leave to withdraw Orders Nos. 34 and 35 and the Regulations relating therto and he withdraws them.

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

PAPERS LAID

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

Message No. 28/1948 from H. E. the Governor inviting the attention of the Honourable the House of Assembly to the paper entitled "Fiscal Survey of Barbados—second Intermin Report on the form of the Budget Estimates of the Government of Barbados" by Professor C. G. Beasley, and informing the Honourable House that the Governor-in-Executive Committee proposes to frame the Estimates for the financial year 1949-50, now in the course of preparation, in accordance with the suggestions contained in the report unless the House indicates that the proposed form is not acceptable.

The Parking and Restricted Places Regulations, 1948.

The One-way Traffic Regulations, 1948.

Statement showing amounts advanced by the Government of Barbados and the amounts received from H.M. Government in the U.K. under the provision of the C.D. and Welfare Act for period ended 30th June, 1948, in respect of the several schemes sanctioned by the legislature.

Eighteenth Annual Report of the Executive Council of the Imperial Agricultural Bureaux 1946-47.

Conference on the Closer Association of the British West Indies—Part 2—Proceedings.

Annual Report on Barbados for the year 1947.

Mr. WILKINSON enters the House and takes his seat.

NOTICES

Government Notices are given as follows:—

Mr. BLACKMAN: Resolution to approve the Regulations entitled "The Parking and Restricted Places Regulations, 1948" made by the Director of Highways and Transport on the 15th October, 1948, under the provisions of section 7 of the Motor Vehicles and Road Traffic Act, 1937, as amended by sections 41 and 42 of the Department of Highways and Transport Act, 1945, and approved and sanctioned by His Excellency the Governor on the 16th October, 1948.

Mr. BLACKMAN: Resolution to approve the Regulations entitled "The One-way Traffic Regulations, 1948", made by the Director of Highways and

Transport on the 15th October, 1948, under the provisions of section 7 of the Motor Vehicles and Road Traffic Act, 1937, as amended by sections 41 and 42 of the Department of Highways and Transport Act, 1945, and approved and sanctioned by His Excellency the Governor on the 16th October, 1948.

Dr. CUMMINS: Resolution to place the sum of £1,194. 4. 9. at the disposal of the Governor-in-Executive Committee to make *ex gratia* grants to the persons set out in the first column of the schedule to the resolution of the amounts set out in the second column of the said schedule.

Dr. CUMMINS: Resolution for £100 (to be subsequently refunded as a free grant under the provisions of the C. D. and Welfare Act) to meet the expenses incurred by the Girls' Industrial Union in connection with evening classes.

Dr. CUMMINS: Resolution for £38 (to be subsequently refunded as a free grant under the provisions of the C. D. and Welfare Act) to meet the cost of the subsistence allowance of a Barbados candidate attending a 6 months' course in Domestic Training at the Housecraft Centre.

Dr. CUMMINS: Bill to amend the Sugar Industry (Rehabilitation, Stabilisation and Labour Welfare) Act, 1947.

Dr. CUMMINS: Of my intention to move the House into Committee of Supply at the next meeting to consider the money Resolutions of which I have just given notice.

Other Notices are as follows:—

Mr. DOWDING: Of the following Address:—

The House of Assembly
To
His Excellency the Governor

The House of Assembly respectfully draw Your Excellency's attention to the fact that several shopkeepers in this Island have got no quota for rice and are therefore unable to get any for sale.

That in the above circumstances these shopkeepers are greatly handicapped in their trade and suffer severe financial losses.

The House therefore ask Your Excellency to take the necessary steps to ensure that a quota for rice is given to each and every bona fide shopkeeper.

QUESTIONS.

Dr. WILSON: To enquire from the Senior Member of the Executive Committee present in the House at their next meeting:—

1. Is Government aware that the site which has been selected for the erection of the fish shed at Martin's Bay, St. John, has not met with the approval of the fisher folk?

2. If the answer to the above be in the affirmative, will Government take steps to endeavour to acquire a site which will be more generally acceptable to the people directly concerned?

Mr. HUSBANDS: To enquire of the Senior Member of the Executive Committee present in the House at its next meeting:

1. In view of the expected heavy crop next year, will the Government take immediate steps to make some extra preparation for the extra amount of motorized traffic that will be passing over the Round-the-Town bridge in Speightstown during the next crop season owing to the destruction of the Warleigh and Salt Pond bridges by the recent heavy rainfall in September of this year?

2. Will the Government consider re-construction of the Salt Pond and Warleigh bridges of a nature calculated to be of more lasting duration than those types of constructions hitherto used formerly on these bridges?

3. Will the Government consider the advisability of importing into this island emergency (landing) bridges of the type used in the last World War to serve the country in case of emergency arising from hurricane or severe flood that may cause any of our bridges to be temporarily put out of use?

Mr. SYMMONDS: To enquire of the Senior Member of the Executive Committee present in the House at the next meeting:

Is Government aware that there is a great need of fire-hydrants in the thickly populated districts of Ellerton, Workman's, and Green's, St. George?

In view of the availability of water in these and other areas of St. George and the lack of fire-protection experienced by residents in these areas, will Government take immediate steps to instal fire-hydrants in such populous districts of St. George where water-mains are already laid down?

BILLS READ A FIRST TIME.

On the motion of Dr. CUMMINS, seconded by Mr. BLACKMAN, a Bill to amend the Sugar Industry (Rehabilitation, Stabilization, and Labour Welfare) Act, is read a first time.

THE CONTROL OF LAND (DIVISION AND SALE) BILL.

Mr. DEPUTY SPEAKER: The first Order stands in the name of the honourable senior member for St. Thomas,—second reading of a Bill to provide for the division and sale and the division and letting of land in lots for the regulation of tenantries.

Dr. CUMMINS: Mr. Deputy Speaker,—The provisions of this Bill are the same as those which exist at present in the Public Health Act, 1908—8 and the Public Health (Amendment) Act, 1945—21, both of which will be repealed by the passing of the Public Health Bill which is, at present, under consideration by this House. The provisions which this Bill seeks to re-enact should be more appropriately dealt with in the Housing and Town and Country Planning Bill but it is felt that until that Bill is considered and passed, this Control of Land (Division and Sale) Bill should be passed separately, so that the provisions of the 1908—8 and the 1945—21 Acts relating to the divison and sale and the division and letting of land in lots and to tenantries can be carried out. If and when the Housing and Town and Country Planning Act is passed, the provisions of this Bill will be incorporated in that Act. The only change which this Bill seeks to effect is the transfer of the powers hitherto conferred on the General Board of Health and the Commissioners of Health under the Public Health Act, 1908, to the Director of Medical Services and the Sanitary Authorities respectively. I do not think I need say anything further and I beg to move that this Bill be now read a second time.

Mr. BLACKMAN: I beg to second that.

Mr. MOTTLEY: Mr. Deputy Speaker,— The necessity for this Bill in this community must be evident to honourable members. Its provisions have been in operation for a period of twenty years and while they could have been modified and amended during the period of operation, nevertheless they served their purpose in this island. But Sir, now that new legislation dealing with public health is about to be enacted I would have thought that the Government would have seen it fit to include in this Bill provisions which are

absolutely necessary and which must be applicable to local conditions. I say that for this reason: Although this Bill only seeks, as the introducer of it said, to re-enact the provisions of sections 52 and 53 of the existing Public Health Act, yet it contains amendments vesting the powers of the Board of Health in the Director of Medical Services—in my opinion a very correct thing to do—and giving the Director or anybody appointed by him, power to see that the plans and specifications in respect of the dividing and selling and the dividing and letting of land in lots are carried out—which, in my opinion, is also the correct thing to do. In this Bill are also incorporated the provisions of the 1945 (Amendment) Act but, in my opinion, there are further amendments which are necessary and I will refer to them now on the second reading for the benefit of honourable members, more particularly the honourable introducer of the Bill. Take, for instance, the question of the scales of the plans to be prepared by a sworn surveyor. I would have thought that they would have been amended. Experience has shown that if these scales are allowed to remain as they are, the Director would have to have a table as big as this Chamber on which he could place the plans in respect of areas which, we envisage, would have to be developed sooner or later. As I have said, I thought that the Government would have seen the necess ty for amending these scales. Further in the Bill provision is made for the division and letting of land for the purpose of agriculture only and for the periodical inspection of land to ascertain whether it is being used for the purpose of agriculture. Well, it has been my experience and the experience of other honourable members who have had to deal with the Board of Health that this provision has been observed in the breach rather than in the fulfilment of it through no fault of the people and the Government usually had to wink its eyes at the existing conditions. Rather than allow such a state of affairs to continue, surely there should be an amendment to the Act which would prevent the observance of this provision in the breach. But, Sir, it is not good enough that provision should be made only for the division and letting of land for purposes of agriculture. I would have thought that the Government would have seen fit to insert an amendment in this Bill which would enable owners or possessors of land also to divide and sell land for purposes of agriculture only. In view of the fact that it has been argued over and over again on the floor of this House by members who think that agricultural land should be more evenly distributed among Peasants than at present the case, one would have thought that provision would have been made in this Bill so that land could be divided and sold for poses of agriculture. In this age of machinery—it happens after every war—people are not going to work as laboriously as they have done in the past and anyone who goes about the country will see acres of land abandoned because it is impossible to get people to head canes and bring other produce over long distances in hilly districts to-day despite the fact that in many instances such land is more fertile than land in the metropolitan parish. There are honourable members of this House who are members of the Board of Health and they will bear me out when I state that on several occasions persons have made applications to the Board for permission to divide and sell land for purposes of agriculture and have had to be refused. In a small community such as this, in which every square inch of land is valuable, rather than have land abondoned through the provisions of an Act such as this, something should be done to encourage persons who are willing to cultivate such land to buy it. Someone may argue that it makes no difference if land is only divided and let for purposes of agriculture because the person who rents such land is going to work it; that may be all well in theory but not in practice. What I am driving at is this: Honourable members will appreciate that it is invariably the desire of persons who are in possession of lands to live on those lands and according to this Bill, no person who rents land that is divided and let for purposes of agriculture will be able to erect his home on that land. I repeat that this is not good enough and I think that honourable members appreciate the point that I making. We must take into consideration local conditions. Do not think of the conditions under which local peasants live in the same terms as you think of the conditions under which peasants in England or the U.S.A. live. Is it right and proper that a peasant who rents an acre of land in this island should not have the right to live on that land simply because it has been let to him for purposes of agriculture? I repeat that that is not good enough. I feel that we should insert an amendment which would bring the Bill up to date in this respect rather than wait until we come to consider the Housing and Tow and Country Planning Bill. No one would expect—and this was pointed out to me by the late Chief Medical Officer—that in the dividing and letting of land for purposes of agriculture, let us say, in St. Andrew or St. Joseph or St. James, the conditions would be the same as those to be applied to areas in which houses are to be built, and, consequently, persons who rent land for agricultural purposes should be allowed to use that land as peasant proprietors.

There is a Sub-clause in this Bill—Sub-Clause 8 of Clause 3—which states clearly that the Director of Medical Services may make regulations concerning the laying out and dividing of lands, the width and making of roads, gutters or trenches and levels, the provision for the supply of water, the provision for necessary sanitary arrangements, and all matters and things which he may deem necessary or proper for giving effect to the provisions of this clause. Well, Sir, the Board of Health is given similar powers and after twenty years, no such regulations have been made up to the present time. I hope that twenty years from the passing of this Act, people who divide and sell and divide and let land in lots will not have a similar experience and that regulations governing the laying out and dividing of lands will be made, so that people will not be left to the whims and fancies of any individual. There is one further suggestion I am going to throw out for the consideration of honourable members. If this Act is passed, you will be giving a certain amount of power—and rightly so—to the Director of Medical Services.—power which up to the passing of the Act is vested in the Board of Health,—and under the Act, a person is given the right to appeal from a decision of the Director to the Governor-in-Executive Committee. Now, without attempting to offend anybody I want to say that I cannot agree, in view of the constitutional set-up as it is in Barbados and in the absence of Responsible Government, that this House should enact any legislation giving the right to appeal from the decision of an official to the Governor-in-Executive Committee. I say that the appeal from an official should be made to the Judiciary. People must feel that any appeal from the decision of an official to the Governor-in-Executive Committee is like appealing from Caesar to Caesar. The judiciary of any colony is set apart and has no political leaning; so that all and sundry would be more satisfied to go before a Court of Law for an interpretation of the law as it is in this Act. Mr. Deputy Speaker,

I should like to point out that the Director of Medical Services will not be having powers plenipotentiary; he will be having powers subject to regulations which must be made and which, Mr. Deputy Speaker, unlike other regulations, will not have the force and effect of law until they are approved by the Governor-in-Executive Committee, sanctioned by the two Houses of the Legislature and published in the *Official Gazette*. In the case of other regulations which are made under other Acts, they have the force and effect of law as soon as they are approved and sanctioned by the Governor-in-Executive Committee but that is not the case in this particular instance and, if that is so, is it not wiser and fairer that a person who is dissatisfied with the decision of the Director of Medical Services, should be given the right to go before a person who is trained in the interpretation of laws rather than to go before a body of laymen? I throw that out for the consideration of honourable members. It might well be argued that some of these sections to which I refer have been in existence for some time but this is the first opportunity that has been offered honourable members to review the situation. Although, up to the present time, the occasion has not arisen when there has been an appeal from the decision of the Board of Health, that is no reason for saying that it will never arise and there is no knowing, with the present influx of officials in this island, what type of official might be appointed to the post of Director of Medical Services. We do not know if we will get a man from South Africa who might feel that he would be dealing with natives and who might even refer to us as being untamed. I appeal to honourable members not to look at the enactment of legislation of this sort which is for the benefit of the people of this island as a Party issue. Look at it impartially, take it seriously, weigh it carefully and consider whether or not the suggestions which I have put forward are not in the interest of the community as a whole. Consider whether there is not less possibility of harm being done to all parties concerned, if an appeal from the decision of the Director of Medical Services is made, let us say to the Chief Judge of this colony rather than to persons who cannot get away from the taint of politics. The only real way of having an issue of this sort settled is not by any Attorney General who can merely give an opinion which may be upset by a Judge but by the decision of the Head of the Judiciary in a Court of Law. As I have said, this Bill is absolutely necessary. There are honourable members of this House who, as members of the Board of Health, have had experience about the division and letting of land only for agricultural purposes and knowing conditions in this island as well as I do I suggest that people should be given the right to divide and sell as well as to divide and let land in lots for agricultural purposes and that the persons who purchase or rent such land should have the right to live on it. As regards the provision that the plan must be drawn to a scale not smaller than forty feet to one inch in respect of any land which shall comprise less than five acres, anybody could imagine what size a plan would be if that provision was strictly adhered to and I feel that there should be some amendment to alter that. The most important amendment, in my opinion, which has, so far, been made is the one which provides that the Director or any person or persons appointed by him shall have the right to visit and inspect, at least once in every month, all lands for the division of which into lots, plans and statements have been approved, in order to ascertain whether such plans and statements are being or have been complied with; that, in my opinion, is the most important condition which has been inserted in this Bill but the honourable introducer of the Bill may have forgotten to mention it.

Mr. COX: Mr. Deputy Speaker,—I am indeed glad to see this Bill before this House to-day because I feel that a Bill such as this has to do with the welfare of the community in general and not of a few individuals. It will be remembered that sometime in 1945, owing to the behaviour of some persons who were selling land in Carrington's Village and the Kensington areas respectively, the House of Assembly was constrained to pass a Bill to curtail the activities of those persons but through no fault of ours, some of those individuals were able to get around that Act, with the result that many people suffered greater hardships after the passing of the Act. Well, now that we are about to pass this Bill I would suggest that certain amendments be made before it is passed. It is true that the senior member for St. Thomas has stated that further amendments which honourable members consider to be necessary can be made when the Housing and Town and Country Planning Bill is under consideration by the House but a long time will expire before that Bill is dealt with by the House and during the interim this Act will be in operation; that is why I am suggesting that certain amendments be made to this Bill to-day. Now, Sub-Clause 3 of Clause 3 makes provision for the appointment of persons to appraise and value land that is to be divided and sold in lots. It will be remembered that in Carrington Village certain valuations were made which were far in excess of the price at which the owners were selling before that Act was passed and when the Governor-in-Executive Committee had a second valuation of that land which was allowed under the Act, what did we find? We found that these valuers put the price 30 per cent. higher than that of the first set of valuers and the first set of valuers had fixed it 60 per cent. higher than what the owners were prepared to sell for! The result was that the owners circularized the prospective purchasers of the land stating that they were selling it at a cheap price but the Government had fixed the price which they were subsequently demanding. That could not have been true and if the particular section had been read carefully, persons would have been able to see that that statement was not true. On the other hand, Kensington area was valued by valuers appointed for the purpose and the result of their valuation was that the price of certain lots which were sold at 40c. per square foot was reduced to 17c. per square foot. I feel that that happened because the names of those valuers were published in one of the local newspapers and that is one of the amendments which I would like the senior member for St. Thomas to insert in this Bill, so that the people would know the gentlemen who are entrusted with the valuing of various areas of land to be divided and sold in lots. As I have already pointed out, there is a sub-clause in this Bill—sub-clause 4 of clause 4—which gives the Governor-in-Executive Committee the power to appoint a second set of valuers, if he considers that the valuation which has been returned to him is not fair and reasonable. I appreciate that there must be some finality in a matter of this sort but I still consider that there should be an amendment to the effect that if the second set of valuers valued the particular land at a greater price than the first valuation, then the price at which the owners originally intended to sell shall be the price of that land. Mr. Deputy Speaker, I am serious about this phase of the matter because I know the suffering which has been brought upon the many people who live in those areas. I know the manoeuvring and the trickery that went on to make people believe that the Government was re-

sponsible for putting up the prices of those lots. But no intelligent person could believe that because he would appreciate that if the land was not being sold too dear, the Government would not have brought in a Bill to control the price; but some clever people managed to get around the Act and went ahead and sold at the higher price. As I have said, Mr. Deputy Speaker, I know the sufferings of those people who live in those areas. I know the exorbitant prices which were asked for these lands and I know that many persons were asked to quit because they could not pay for the lots on which they lived; some of those persons have not yet been able to put their houses intact. For those reasons I feel that people should be protected and now that this Bill is before us, I consider that this is a golden opportunity to put it into proper shape. It has been said on many occasions that the Bill is useless; with that I agree in part and when it comes to the question of persons being able to get around the Act and defeat its object, then I say that the section or sections which they are able to get around should be amended in order to protect the poor unfortunate people who happen to inhabit such areas. There is a further point. There are some people who own an acre of land each and who would sometimes like to sell ¼ acre of their land to purchase some of the necessities of life such as food and clothing; but in order to sell that land, they have to go through the regular channel as if they were dividing and selling 50 acres or 100 acres in lots. Well, perhaps we may not be able to enact class legislation but at the same time it can be argued that the selling of a portion of such a small area of land does not necessarily convert it into a tenantry. I do not know if anything can be done but if something can be done it should be done to assist poor individuals who may want to sell a portion of small areas owned by them. I repeat, Sir, that I should like to see an amendment to this Bill which will afford relief to many persons who thought that they would have been relieved by the 1945 Act. The blame has been laid on the shoulders of honourable members of this House, including myself, and now that the opportunity has presented itself I would suggest to the senior member for St. Thomas to insert an amendment in this Bill which would prevent unscrupulous landlords from getting around the Act and impose greater hardship upon an already oppressed people.

Mr. GALE: I have been a member of the Board of Health for the past four years and that Board has dealt in many instances with applications for leave to divide and sell and divide and let land in lots. This Bill is a corallary to the new Public Health Bill which has not yet been passed and I think that it would be very unwise to make any further amendments to it. The Bill is word for word from the Public Health Act of 1908 and the Public Health (Amendment) Act, of 1945 and is practically the law governing the division and selling and the division and letting of land in lots to-day. The only change is that it proposes to vest in the Director of Medical Services the powers which are now vested in the Board of Health and that is done to bring it into line with the new Public Health Bill if and when it becomes law. This Bill is a stop-gap, so to speak, to enable these provisions to be carried on until the Housing and Town and Country Planning Act comes into operation and, as I have said, I think it would be very unwise for us to hold it up because if the Public Health Bill is passed this Bill must go along with it. The amendments which have been suggested by certain honourable members are not such amendments as can be easily drafted by laymen. A person has to have a legal training when it comes to the drafting of amendments to deal with the dividing and selling and the dividing and letting of land in lots; that was my experience when the 1945 (Amendment) Act was passed and I would counsel honourable members to pass this Bill as it stands. When the House comes to consider the Housing and Town and Country Planning Bill, it can insert in that Bill all the amendments which honourable members think are necessary.

Mr. TALMA: I rise merely to throw out a hint or warning to honourable members, especially in view of the fact that the session is quickly drawing to a close and we have at least five important Bills to deal with. If honourable members would read the Objects and Reasons of this Bill, they will see that it is only a temporary measure. This is just a corollary to the Public Health Bill and that has been said so often that anybody should be able to understand it as such. We are having members telling us about amendments and none of them seems to be able to draft those amendments. Where are we?

Mr. HAYNES: We all know the history of this legislation which deals with the dividing and selling and the dividing and letting of land in lots. Bills were introduced for the purpose, first in 1928 and then in 1945. We all know why the Bill was rejected in 1928. The idea at that time was that everybody should become voters, and people who at that time thought that they would be able to control the voters' lists conceived that Bill in 1928; it was then known as the Bill to control all voters in the island of Barbados. As regards the other Bill which was passed in 1945, I once heard the senior member for St. Joseph describe it as "The Carrington's Village and Kensington Bill." That Bill was also evilly conceived; nevertheless, in these days when people have to be protected against themselves and for the benefit of others, a Bill of this sort is in a way essential. We are told that this Bill is only of a temporary nature; that means nothing to me. If it is only for a month, if it is only for ten months, if it is only for ten years, the Bill should be passed in a workable form. My honourable friend on my right,—the senior member for the City,—has dilated very ably on two of the most important and weakest links in the chain. I shall not go over what he has said but I am appealing to the members of this House, when they go into Committee on this Bill, to make it their business to amend those two sections, especially the one dealing with the division and letting of land for purposes of agriculture. Now, Sir, if a person can let a piece of land for agricultural purposes, why should he not be able to sell a piece of land for agricultural purposes. A person need not make provision for water and roads in connection with land for agricultural purposes; he need not put his house on that land either. There are several peasants who own several spots of land but they cannot live on all of them at the same time; they live on one spot and work or rent the others and there is no reason why a provision should not be inserted in this Bill, stating that land may be divided and sold for agricultural purposes only, in the same way as it makes provision for the division and letting of land for agricultural purposes only. As the senior member for the City has pointed out, there are many pieces of land about this island which would make agricultural labourers happier if they could buy them for agricultural purposes. The next point which has been raised by the honourable member is the question of appeal against a decision of the Director of Medical Services and I quite agree with him that a person should be given the right to

appeal to a legal tribunal and not to a body that is dictated to by the so-called Party that may be in power. We all hope that our legal establishment will be free, for all time, from any political bias and what can be better for us than to have the type of arbitration of that sort in this matter? I am hoping that when this Bill reaches the Committee stage, honourable members will support the amendments which will be put forward along those lines,—amendments which will result in making people in Barbados not only more independent but happier and better citizens.

Mr. MAPP: While I do not want to delay unduly the passing of this Bill—and that consideration will direct the length of my remarks—I must say that it seems to me that to pass this Bill as it stands for the reasons given by some of the honourable members on my left, would be quite unwise and unjustifiable. While it is true that the Bill is a stop-gap, yet it should be as good a stop-gap as possible and not a stop-gap with many gaps in it. Surely the argument about dividing land for agricultural purposes, while it may be a good argument, applies to housing and town and country planning and not to public health and this Bill is a corollary to the Public Health Bill, as the junior member for St. Michael rightly said. It may be a wise policy to divide and sell and divide and let land so as to ensure the best use of the land but that applies more to housing and town and country planning than to public health; for that reason we should not delay the passing of this Bill. The only profound reason I can see for holding up the Bill is the reason given by the senior member for St. Michael. Clause 3 is the clause of this Bill with the meat on it. Anyone who reads sub-clause 3 of clause 3 will realize that the attempt by the Government to control the state of affairs had led to serious inflation, as far as the dividing and selling of land in Bridgetown is concerned; that attempt was neither fish, fowl nor good red herring. How does that sub-clause read? "Any owner or possessor desiring to divide and sell any such land shall upon receipt of a certificate from the Director make application to the Governor-in-Executive Committee who shall, within fourteen days of the said application, appoint five persons to appraise and value the said land and determine the maximum price at which the said land may be sold, provided always that in arriving at such valuation the said valuers shall take into account any costs already incurred in providing such water, roads and necessary sanitary arrangements as may be required by this section . . ." That is all the safeguard the public had in this section. No basic figure is stated by the controlling factor, beyond which the appraisers could not go. The appraisers may fix any price for the land—they may, for all one knows, be mixed up in the racket—taking into account the costs incurred or to be incurred in providing such water and necessary sanitary arrangements as may be required. The section could be stretched to a degree and the purchaser would have to pay a heavy price for the land. I do not care how any honourable member may twist and turn the wording of this section and try to draw a red herring across the trail. This is the fundamental clause of this Bill and it is only because of this clause that I would agree to the postponement of this Bill.

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

On the motion of Dr. CUMMINS, seconded by Mr. TALMA, Mr. DEPUTY SPEAKER leaves the Chair and the House goes into Committee on the Bill, Mr. SMITH being in the Chair.

Clause 1 is read and is agreed to.

Mr. CRAWFORD enters the House and takes his seat.

Clause 2. In this Act the expressions "Director" and "Sanitary Authority" have respectively the same meaning as in the Public Health Act, 1948.

Dr. CUMMINS: It has been drawn to my attention, Mr. Chairman, that there is no Public Health Act, 1948, in the Statute Books of this island; consequently, I ask leave to postpone the consideration of clause 2.

There being no objection, the honourable member is granted the leave for which he asks and the consideration of clause 2 is accordingly postponed.

Clause 3. (1) There shall not be any division and letting in lots or any division and sale in lots of any land until there shall have been deposited with the Director by the owner or possessor of the land a plan in duplicate prepared by a sworn surveyor, drawn to a scale not smaller than forty feet to one inch in respect of any lot or division which shall comprise less than five acres of land and not smaller than one hundred feet to one inch in respect of any lot or division which shall comprise five acres or over of land, and showing the situation, quantity and boundaries of the land, and the number and size of the lots into which the land is proposed to be divided, the position and width of the roads or streets and of the gutters or trenches for taking off water to be made or constructed over and through the land, and the levels for surface drainage, together with a statement describing the proposed provision for the supply of water for the consumption and use for domestic purposes of the persons who may become dwellers on the land, and the proposed provision for necessary sanitary arrangements; and such owner or possessor of the land shall also set forth such further particulars, either on the plan or in the statement aforesaid, as the Director may from time to time prescribe by regulations. Provided that where provision for the supply of water for the purpose aforesaid is made by piping for a supply from the Waterworks Department a statement and plan descriptive of the proposed provision shall be submitted to the Waterworks Department and approved by the same.

(2) The Director or any person or persons appointed by him shall visit and examine the said land, and the Director shall consider such plan and statement within thirty days after the receipt thereof by him and shall give notice of his intention to consider the same to the owner or possessor of the land to which the said plan and statement relate, and request and permit him to attend and lay before him or explain any facts relating to the matter, and when such plan and statement are approved the Director shall forward one copy thereof to the owner of the land to which it relates with a certificate that the plan and statement have been approved by him, and another copy to the Governor-in-Executive Committee; but if the Director shall not approve such plan and statement or either of them, he shall forthwith communicate his decision in writing to the owner or possessor, who may within seven days after the receipt of such communication appeal to the Governor-in-Executive Committee, whose decision shall be final.

(3) Any owner or possessor desiring to divide and sell any land shall upon receipt of a certificate from the Director make application to the Governor-in-Executive Committee, who shall, within fourteen days of the said application, appoint five persons to appraise and value the said land and determine the maximum price at which the said land

may be sold, provided always that in arriving at such valuation the said valuers shall take into account any costs already incurred or to be incurred in providing such water, roads and necessary sanitary arrangements as may be required by this section and the said valuers shall within thirty days of their appointment make a return of their valuation of the said land to the Governor-in-Executive Committee, who shall, within fourteen days of an application being made to him, grant a license for a sale of the said land in the form set forth in the Schedule to this Act. Provided always that the Governor-in-Executive Committee shall notify the person making such application of the names of the said valuers within seven days of their appointment, and such person shall have the right, within seven days of such notification, to object to not more than three of the said valuers, and on such objection being made, the Governor-in-Executive Committee shall within seven days appoint the required number of persons in the place of the persons so objected to. Any person dividing and selling such land without first obtaining such licence or otherwise than in accordance with the terms of such licence shall be liable on summary conviction before a Police Magistrate to be imprisoned for any term not exceeding twelve months with or without hard labour.

(4) All works required and contemplated by any plan and statement shall be completed within a period of twelve months of the date of the giving of a certificate of approval by the Director, provided always that before any sale or letting shall take effect either the said works required and contemplated by the said plan and statement shall have been completed or such sum as the Director shall deem sufficient for the said purposes shall be deposited with the Colonial Treasurer, the same to be repayable on the giving of a certificate by the Director that the said works and requirements have been completed to their satisfaction.

(5) If the owner or possessor shall fail to complete the works required by the plan and statement within the time and in the manner prescribed, then the Director may execute or cause to be executed the said works or any part thereof which may not have been executed or which may not have been executed in accordance with the plan or statement or the Regulations made by the Director; and the expenses incurred by the Director in executing any such work shall be repaid or drawn from the sum deposited with the Colonial Treasurer for that purpose on the certificate of the Director.

(6) It shall be the duty of the Director or of any person or persons appointed by him to visit and inspect at least once in every month all lands for the division of which into lots, plans and statements have been approved, for the purpose of ascertaining whether such plans and statements are being or have been complied with, until he becomes satisfied that such plans and statements have been fully complied with. And where provision for the supply of water is made by piping for a supply from the Waterworks Department, it shall be the duty of the Waterworks Department to cause an inspection to be made by one of their officers for the purpose of ascertaining whether the statement and plan respecting water supply have been complied with.

(7) Any person dividing and letting any land in lots or dividing and selling any land in lots before such plan and statement have been approved as aforesaid, or otherwise than in accordance with such approved plan and statement, and any person renting or purchasing any piece of land so divided and let or so divided and sold before such plan and statement as aforesaid have been approved, or otherwise than in accordance with such plan and statement, shall be liable to a penalty not exceeding five pounds for every day or part of a day in which the aforesaid provisions or any of them have not been complied with.

(8) The Director may make regulations concerning the laying out and dividing of lands, the width and making of roads, gutters or trenches and levels, the provision for the supply of water, the provision for necessary sanitary arrangements, and all matters and things which they may deem necessary or proper for giving effect to the provisions of this section. Any regulations so made shall be approved by the Governor-in-Executive Committee, sanctioned by the two Houses of the Legislature and published three times in the Official Gazette, before the same shall have the force and effect of law.

(9) Any piece of land shall be deemed to divided at one and the same time or at different times within a period of twelve months into more than two parts of which two at least are let or sold or offered to be let or sold.

(10) No lot so let or sold as aforesaid shall be of a smaller area than twenty-four hundred square feet.

(11) In any case where an owner or possessor of land on whom any duties or obligations are imposed by any of the provisions of this section is absent from the Island, the attorney or agent of such owner or possessor acting for him in any matter within the scope of this section shall be subject and liable to the same duties, obligations and penalties as the owner or possessor himself.

(12) The provisions of this section shall not apply to any division and letting of land for purposes of agriculture only: provided that before any such division and letting takes place the owner or possessor of such land shall have procured from the Director a certificate authorising such land to be divided and let for the purpose of agriculture.

(13) It shall be the duty of the Director to forward a copy of every certificate granted in accordance with the provision of subsection (12) of this section to the Sanitary Authority for the Parish in which the land in respect of which such certificate has been granted is situate.

(14) If land in respect of which any such certificate has been granted be used for any purpose other than agriculture the landlord and lessee of such land shall each be liable on summary conviction before a Police Magistrate to a penalty not exceeding fifty pounds.

(15) It shall be the duty of the Sanitary Authority to make a periodical inspection of land in respect of which any such certificate has been granted for the purpose of ascertaining whether such land is being used for the purpose of agriculture.

(16) All certificates given or things done by the General Board of Health and all licenses issued by the Governor-in-Executive Committee under the provisions of section fifty two of the Public Health Act, 1908 shall notwithstanding the repeal of that Act, continue to be valid and effectual and shall be deemed, as the case may be, to have been given or done by the Director or issued by the Governor-in-Executive Committee under the provisions of this section.

(17) Where anything has been commenced by the General Board of Health under the provisions of section fifty two of the Public Health Act, 1908, but has not been completed, the same shall be completed by the Director in like manner as if the Director had commenced it, and the provisions of this section shall have effect accordingly.

Provided that nothing in this section shall be construed as authorising the Director to cause any variation of any plan or statement already approved by the General Board of Health in such a way as would involve the owner or possesor of the land to which such plan or statement relates in any expense which he would not otherwise have incurred.

(18) All Regulations made by the General Board of Health under subsections (1) and (8) of section fifty two of the Public Health Act, 1908 shall be deemed to have been properly made by the Director under the corresponding provisions of this section and shall continue to be of full force and effect unless and until they shall be amended or revoked by Regulations under this section.

Dr. CUMMINS: I beg to move that that be clause 3 of the Bill.

Mr. TALMA: I beg to second that.

Mr. GARNER: Mr. Chairman,— I think it would be a very bad state of affairs if sub-clause 12 was allowed to remain as it is. The only way in which I can interpret this particular sub-clause is by saying that the people who thought of it do not intend that the inhabitants of this colony, especially the poor ones, should own any land and in view of the fact that people who form the principal part of the Government are supposed to be Labourites. I see no reason why this sub-clause should have been inserted in this Bill. It says:— "The provisions of this section shall not apply to any division and letting of land for purposes of agriculture only; provided that before any such division and letting takes place the owner or possesor of such land shall have procured from the Director a certificate authorizing such land to be divided and let for the purpose of agriculture." If that is to be so, how do we expect the poor people to own land in this country? If the Address on the Order Paper—No. 12 under Private Members' Business, notice of which I gave on the 7th October last year,—is to be a step forward, then this provision in this Bill is a retrograde step because you cannot introduce legislation to prevent persons from owning land. According to this sub-clause, a person who is renting land cannot purchase it—that is what it says—and I think that something should be done about this. Another point is this: If land is let for agricultural purposes, the occupier or renter of that land cannot put his house on it. Well, Sir, we may have good ideals but those ideals should be practical. We know our Barbados but I am afraid that we are trying to live in the Moon or on Mars. We are making laws and doing things which may be all right in advanced countries but in this little 2 x 4 island, these things are not practical. A man may be renting an acre of land for agricultural purposes and living on another piece of land somewhere else; but if he is desirous of living on the acre which he is renting in order to be near to it he cannot, according to this Bill, move his house to that land. That, in my opinion, is not practical politics. This sub-clause will be observed more in the breach than in the fulfilment of it and what is the use of putting on the Statute Book a law which is absolutely unworkable? I see no point in making a law stating that a person who rents an acre of land for agricultural purposes cannot put his house on the land, even though he may be living at a far distance from the land which he is renting. I counsel honourable members to be practical. It may be all right to have good ideals but your ideals must come within the orbit of reason. We, I repeat, know our Barbados and it is no use for Barbados to try to advance to American or English heights because England and America have the economy and the wealth to do what they like. In this little island I think we are attempting to go forward without proper reasoning and proper thought.

Mr. MOTTLEY: Now that the Clerk has read Clause 3 I think honourable members will appreciate the suggestion which I have made in respect of the scale to which a plan must be drawn. The honourable introducer of the Bill has intimated to me that the scale will be changed in the Housing and Town and Country Planning Act and I have accepted his intimation. I, therefore, will not move any amendment in that direction. Now, as regards Sub-Clause 2 of Clause 3 I beg to move that the words "Governor-in-Executive Committee" in the penultimate and last lines be deleted and the words "Assistant Court of Appeal in its Appellate Jurisdiction" substituted therefor. Honourable members will observe that I suggest the substitution of the words "Assistant Court of Appeal in its Appellate Jurisdiction" because that, in itself, does not entail any expenditure which a man of average means could not bear. On second thought, I have suggested the Assistant Court of Appeal rather than the Chief Judge because everybody may not be able to go before the Chief Judge, and I am even going to suggest that the words "whose decision shall be final" be left in the Bill. Surely the decision of two Judges who must be trained lawyers and their interpretation of the Act in a matter of this sort should be final!

Mr. HAYNES: I beg to second the honourable members's amendment.

Mr. COX: I cannot agree to that amendment. In my opinion it is safer to have the decision of persons who we are more or less chosen by the people than of somebody who is more or less handpicked. I think that the Executive Committee, more especially the members selected from this House, are more acquainted with the conditions existing among the people than any judicial officer. As a matter of fact, in my opinion he owes no allegiance to the people; he is paid for doing his work and does it as he likes. I feel that it would be safer to leave this question of appeal to the Governor-in-Executive Committee than to the Assistant Court of Appeal in its Appellate Jurisdiction and for that reason I am not going to support the amendment.

Mr. MAPP: Mr. Chairman,—I would counsel this Committee not to accept this amendment. After all, the Court is to determine how the laws are to be interpreted and this is not a matter of legal definition or legal interpretation. What is the argument? The fact that there may be Responsible Government, the fact that there may be Ministers in charge of the several Government Departments, and the fact that you may not be able to trust those people——

Mr. MOTTLEY: On a point of explanation. I did not suggest any such thing and unless the honourable member has a warped mentality he could not have attributed any such statement to me. In this Act you are giving the Director of Medical Services the right to make regulations governing the division and sale and the division and letting of land in lots; those regulations are to become law as soon as they are approved by the Houses of the Legislature and if the Director does not approve of a plan and statement or either of them under the Act, then I say that rather than appeal from Ceasar to Ceasar, let the dissatisfied person appeal to the Judiciary for an interpretation of the Act.

The CHAIRMAN: The honourable member is making a speech, not an explanation, and I will have to rule him out of order.

Mr. MAPP: This Sub-Clause says nothing about regulations and the interpretation of them. It provides that the Director or any person or per-

sons appointed by him shall visit and examine the land and shall consider such plan and statement within thirty days after the receipt thereof by him and shall give notice of his intention to consider the same to the owner or possessor of the land to which the said plan and statement relate. If the plan and statement is not approved by the Director, then an appeal may be made to the Governor-in-Executive Committee—nothing, as I have said, about regulations and the interpretation of them! The whole point of my argument is this: The moment you come to the interpretation of regulations, the matter should be referred to the Court but this Sub-Clause does not concern the making of regulations nor the legal interpretation of them. In this island we do not yet have Responsible Government, so there can be no question of appealing from a Minister to other Ministers; the appeal will be made to a body of people who comprise the Government itself. I repeat that there is no question of interpretation in this matter. A person who is desirous of dividing and selling or dividing and letting land in lots shall submit a plan and statement and if the Director of Medical Services disapproves of the plan and statement, the person is given the right to appeal to a body of laymen like himself.

Mr. TALMA: I should like to throw a little light on this matter. The question of the interpretation of law does not arise; it is a question of fact, pure and simple, and I see no point in providing that an appeal from the decision of the Director of Medical Services should be made to a Court of Law.

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

SUSPENSION OF RULE 61 (A)

On re-assembling,

Dr. CUMMINS: Mr. Deputy Speaker,—I ask leave to move the suspension of Rule 61 (a) in order to proceed with Government Business.

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

Dr. CUMMINS: I beg to move that Rule 61 (a) be now suspended.

Mr. TALMA seconded the motion which was agreed to.

Mr. DEPUTY SPEAKER: On the adjournment for lunch the House was in Committee on a Bill to provide for the division and sale and the division and letting of land in lots and for the regulation of tenantries.

CONTROL OF LAND (DIVISION AND SALE) BILL.

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

Mr. CHAIRMAN: When we were in Committee on this Bill before the adjournment for lunch, Clause 3 was being considered and the honourable senior member for Christ Church was speaking.

Mr. TALMA: Mr. Chairman,—I was attempting to explain to the best of my knowledge how this Bill has worked in the past. This Bill is merely a temporary Measure which will be superseded by the Housing and Town and Country Planning Bill when that Bill becomes law. As regards the question of appeal, the honourable senior member for the City has stressed the point that this appeal should be determined not by the Governor-in-Executive Committee but by the Assistant Court of Appeal sitting in its appellate jurisdiction. One has to pay due regard to the equitable jurisdiction of the Assistant Court of Appeal which goes up to £500. The honourable member has said that the appeal should be determined by the Assistant Court of Appeal sitting in its appellate jurisdiction but any matter relating to land which has to be dealt with by that Court has to be determined in the equitable jurisdiction. What I want mainly to bring to the attention of the honourable member is that the appeal will not be made on any question of law but merely on a question of fact. When the appraisers go to value land they must have the guidance of the Director of Medical Services who will be familiar with the plan. It is not a question of appealing to the Judges of the Assistant Court of Appeal because they will know very little about the matter. The Director of Medical Services will see after the working of this Bill. In the past, as far as the division and sale of land in lots is concerned, the appraisers have been appointed by the Governor-in-Executive Committee and in this case the various matters will be carried out under the direction of the Director of Medical Services who is the Head of this Department. The appraisers will be in a position to suggest any price which is fit and proper for land. I quite agree that safeguards should be created so that owners or possessors of land may be protected and there should also be safe guards in respect of poor people who may be called upon to pay exorbitant prices for land which is far from being suitable for human habitation. While I agree with the sentiments which have been expressed by the honourable senior member for St. Michael, this is a matter which we cannot go into haphazardly and we will need some assistance so that protection will be given to the poor people who may be called upon to buy land at very exorbitant prices in some cases. Although the honourable member will not have any hand in causing anybody to suffer, since most of the tenantries fall in St. Michael, it will be said that he had a hand in the matter. The honourable member is therefore trying to straighten matters once and for all, but it must be done in a legal manner. If the Governor-in-Executive Committee in 1945 saw after the appointment of appraisers I see no reason why the Governor-in-Executive Committee should not see after that matter now; I see no reason why this matter of determining an appeal should be taken out of the hands of the Governor-in-Executive Committee. In the Assistant Court of Appeal you will have Judges who will not know anything about the land at all. As regards the question of appointing appraisers, probably some provision will have to be made whereby the owner and the prospective purchaser of land will have the right to appoint their own appraisers allowing the Governor-in-Executive Committee to appoint others. That seems to be a fair method of arriving at the correct price of land. If satisfaction is not meted out to all concerned, I do not see how we can ever hope to get two Judges sitting in the Assistant Court of Appeal in its appellate jurisdiction and knowing nothing about the land to decide the issue in a final way.

Mr. MOTTLEY: When I have made my point and the honourable member appreciates it he will be man enough to say that he was arguing the wrong point. As the Act now stands, if "A" desires to sell land he must prepare a plan according to Sub-clause (3) of this Bill. He must send it in duplicate together with a statement to the General Board of Health and then what that Board does to-day will be done by the Director of Medical Services. There is no question of appointing any appraisers now: the appraisers never come in until the certificate is granted by the Director that the plan and statement have been ap-

proved by him. I contend that the Governor-in-Executive Committee should be the people to appoint the appraisers; but what I am saying is this: As the position is today, the law says that the General Board of Health shall make Regulations but for 20 odd years there were unwritten laws. Under this Bill you must comply with your plans, they must be in perfect order and the Director of Medical Services shall visit the land or send somebody to visit it and shall continue to see that the specifications are carried out. You cannot divorce the Regulations from what I am speaking about. Sub-clause (8) begins by saying that the Director may make Regulations concerning the laying out and dividing of lands and so on, and that Sub-clause should have been put first; because if you do not have Regulations you cannot have any plans. These Regulations are to be made but they must become law only with the sanction of the two Houses of the Legislature; nothing can be done until the Regulations are sanctioned by the Legislature. We are now dealing with a Bill which is an amendment to the Public Health Act and the honourable introducer has told us that this Bill hinges on the Public Health Bill. For the edification of honourable members who are opposing this amendment without any reason, I would remind them that every Clause in the Public Health Bill dealing with Rules and Regulations where there is any question of an appeal, the appeal is to be made not to the Governor-in-Executive Committee but to the Assistant Court of Appeal sitting in its appellate jurisdiction. The honourable Leader of the House agreed that the proper place for dealing with appeals under the Public Health Bill is the Assistant Court of Appeal but here there is a hybrid. Under the Public Health Bill the same person will be making the Regulations as in the Bill which is now before us and I maintain that the appeals should be determined by the Assistant Court of Appeal. In the day when this Act was passed I did not have the opportunity of opposing it otherwise I would have done so; and I am not accusing honourable members who accepted the position as it is. I repeat that in every Clause under the Public Health Bill where objection is made to the Regulations the appeal is to be made to the Judiciary, not the Governor-in-Executive Committee, and that is correct. In case a person makes an application for the division and sale or the division and letting of land and he does not agree with the Director as to the carrying out of the Regulations, is it suggested that we should sit here and enact legislation in which the only redress for that person is an appeal from the Director of Medical Services to the Governor-in-Executive Committee? That is something which is unheard of. Because such legislation has been enacted here it does not mean that it is correct. I appeal to the sound reasoning of honourable members; are they going to say that this is the only Clause in which appeals should be made to the Governor-in-Executive Committee? There is only one Clause in the Public Health Bill which gives the right to the Governor-in-Executive Committee for making Regulations and that is the Clause in connection with impervious steening of walls for sewage disposal. I have been reminded that in the Housing and Towning and Country Planning Bill the appeal is made to the Chief Justice. It only remains for me to press my amendment; I am convinced that where an appeal is made from any Regulations, as long as those Regulations are to be enacted by Statute and they become operative with the sanction of the Legislature, it is the duty of the judiciary to determine that appeal. The latter part of Sub-clause (2) says this:

"But if the Director shall not approve such plan and statement or either of them, he shall forthwith communicate his decision in writing to the owner or possessor, who may within seven days after the receipt of such communication appeal to the Governor-in-Executive Committee, whose decision shall be final."

The appraisers do not come in here and the Governor-in-Executive Committee is nothing to do with the matter until you have the certificate from the Director that the plan and statement have been approved by him. The Director may turn down both the plan and the statement; he may be a man who, rather than stay in his office and do his work, will be in parlours. I am saying that according to this Sub-clause, if the Director turn down your plan or statement or both of them, you must appeal to the Governor-in-Executive Committee; but this is the only Clause in which the appeal is made to the Governor-in-Executive Committee; the Governor-in-Executive Committee must actually interpret the Statute law if there is a difference of opinion! Such an interpretation should be left entirely in the hands of the Judiciary. If we pass Regulations relative to the Transport Board and there is any difference of opinion as to the Regulations or something arises which requires an interpretation, to whom will the appeal be made? I do not think it is necessary for me to argue this matter any longer; this Bill is not in keeping with the Public Health Bill which we have practically passed and in which there is the right of appeal and that appeal has to be made to the Assistant Court of Appeal. An individual will be more satisfied with the legal atmosphere when his appeal is dealt with than the political atmosphere. I cannot see why I should withdraw my amendment and I am therefore pressing it even if it is lost.

Mr. F. L. WALCOTT: I will not keep back this Committee as long as the honourable member who has just sat down. I believe that I have a clear distinction in my mind as to where an appeal should be made in so far as the Court and the Governor-in-Executive Committee are concerned. I do not agree with the honourable senior member for the City who refers to the Governor-in-Executive Committee as a Party organisation. The Governor-in-Executive Committee is supposed to be in its functions one of the highest Bodies in the land, and there is no use in making any derogatory remarks or insinuations about the composition of the Governor-in-Executive Committee. There is no political issue in so far as this matter is concerned. You have a Director of Medical Services who is a Civil Servant and his actions are controlled by the Governor-in-Executive Committee. The honourable senior member for the City has argued, and his argument falls to the ground, that it is wrong to pass this Sub-clause as it is because a political body has to give a decision in this matter. If we have reached that stage in our public conduct then we are very lacking in honesty. In England there are hundreds of cases in which appeals are made to the Ministers; there are specific things in respect of which you appeal to Parliament but there are a thousand and one things relative to which you appeal to the Ministries. What compares in Barbados with the Ministers in England is the Governor-in-Executive Committee and decisions must be ratified by the Governor-in-Executive Committee. If honourable members have been paying any attention to what is going on in England they will know that appeals are made to the Ministries and there are extreme cases in which you go further. The object of an appeal Board is to have a decision made where something is inherently wrong and where you feel that you will not get justice otherwise. We

have to be specific about what we are debating and not go off talking about other Acts. The honourable senior member for the City spoke about this Bill being a hybrid and referred to the fact that the Regulations come after the question of appeal; but the whole thing is embodied in the Act. Because the Regulations come after the question of appeal that does not mean that there is anything wrong, and there is the necessary safeguard that this House must approve the Regulations. I do not support the amendment which has been moved by the honourable senior member for the City because nothing has been debated to show that something is inherently wrong, and I am not convinced that this is a matter where a legal technicality will arise and therefore a legal interpretation will be required. I believe that many honourable members come to this House without reading their Bills and when an honourable member gets up and talks around a question, people are led to believe that there is something in it. I have taken time off to read this Bill and I say that whenever I oppose anything I do it wilfully. There is no evidence that this amendment is going to make the Clause more workable.

Mr. TALMA: I want to draw this point to the attention of the honourable senior member for the City. In the first place, a new Department is being created and the Director of Medical Services will be the Head of this Department. There is, for instance, no appeal to the Assistant Court of Appeal from any decision of the Director of Education; (A MEMBER: That is a different matter). Matters are dealt with by the Director of Education and in case that any matter is beyond him, it is decided by the Governor-in-Executive Committee whose word is final. The honourable senior member for the City shifted from Sub-clause (2) to Sub-clause (8) at regular intervals during his speech and he forgot to read Sub-clause (14). Under this Sub-clause proceedings can be taken if land in respect of which a certificate has been granted under Sub-clause (12) is used for any purpose other than agriculture and the landlord or lessee is liable on conviction before a Police Magistrate to a fine not exceeding £50. Because under the Public Health appeal are to be made to the Assistant Court of Appeal it does not mean that appeals relative to the laying out of land for letting or sale should be made to the Assistant Court of Appeal and not to the Governor-in-Executive Committee. These appeals will be appeals on questions of fact, not on questions of law. The Director of Medical Services will have matters as to the laying out of land at his finger tips and appealing to the Assistant Court of Appeal will only be an absolute waste of time and expense. It will mean that lawyers will be employed to argue points of fact without even seeing the plan, because very few lawyers will take the trouble of going to the Director of Medical Services so as to see the plan and matters will be delayed for months before the end is reached.

Dr. CUMMINS: I see that the forces are well marshalled against me but I want to say this. This is purely an administrative matter and I cannot see where the question of law comes in at all. The Director of Medical Services will make Regulations and those Regulations will have to be approved by the Legislature and published in the *Official Gazette* before they become law. If any person submits a plan and statement to the Director and the Director does not approve them, to whom should an appeal be made but the Governor-in-Executive Committee? I repeat that this is entirely an administrative matter.

The question that the words proposed to be deleted stand part of the Bill was put and resolved in the affirmative, the following division being taken:—

Ayes: Dr. WILSON, Messrs. SYMMONDS, HUSBANDS, F. L. WALCOTT, COX, MAPP, TALMA, BLACKMAN and Dr. CUMMINS—9.

Noes: Messrs. HAYNES, CRAWFORD, GARNER, MOTTLEY, DOWDING, GALE, S. A. WALCOTT and WILKINSON—8.

Mr. MOTTLEY: As regards Sub-clause (12), I believe that I have actually intimated in my opening speech that this Sub-clause should be amended. This Sub-clause gives the right to the Director of Medical Services to grant a certificate for the division and letting of land for the purpose of agriculture. Honourable members will appreciate that there is the probability of people renting land for agricultural purposes and——

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

ADDRESS *RE* APPOINTMENT OF JANITORS TO ELEMENTARY SCHOOLS.

Mr. DEPUTY SPEAKER: The first Order of the Day under Private Members' Business stands in the name of the honourable senior member for St. Peter:—To move the passing of an Address to His Excellency the Governor relating to the appointment of Janitors to the Elementary Schools.

Mr. F. L. WALCOTT: Mr. Deputy Speaker,—This is a simple Address relating to the appointment of Janitors to the Elementary Schools of this island. It reads as follows:—

The House of Assembly
To
His Excellency the Governor

The House respectfully request Your Excellency to send down legislation having for its object the appointment of Janitors to the Elementary Schools.

This Address has been on the Order Paper for nearly three years and I am glad for the opportunity of discussing it now. To begin with, I believe that we are at the stage in our history of education when some attempt should be made to raise the level of education in every possible branch; and the appointment of janitors is something which is necessary not only for the cleanliness of the schools but in keeping with modern practices. There are some schools of thought which maintain that a child at school should do certain things in the school and I am in favour of that. I should like to say that anything which forms a part of the curriculum of the school should be a part of the child's duties, but the things which are nothing to do with the curriculum of the school and which fall into the category of employment should be left to the proper sources. Things like gardening and cleaning the school desks are things which children should do; but I do not think that children as a whole should be called upon to do any sort of manual work which should be done by adults. I feel that taking a school child and sending it out to buy lunch for a teacher is not any part of the curriculum of the school; a child does not go to school to be taught to buy lunch in a busy street or to sweep the school which has nothing to do with the curriculum of the school. I feel therefore—and the amount of money involved will be very small—that these are things for which the Government should make provision by the employment of part-time people. I know that many teachers cannot call upon children from certain homes to do these things and the position can be very embarrassing for these teachers. When children possess the snob value at an early stage that is bad for the

community as a whole. Children are called upon to do certain jobs about the elementary schools which should better be left to adults to do. At no secondary school in this island whether it is Combermere, Harrison College, Queen's College or Lodge, will you find masters or mistresses calling upon children to sweep the school or the gutters; honourable members of this House would object if they went to Harrison College or Queen's College and found their children sweeping at the gates. I believe that that would be a case of a forthwith withdrawal of their children from these schools. I do not think that children who come from poor homes should be called upon to do things which are not any part of the school's life. Primary education is the beginning of education for every human being and I quite agree that anything that can add to the school's life and which forms part of the school's curriculum should be done by the child but I am against the employment of children to do things which should be done by adults. I believe that the time has come when this House should give to the Executive a very clear indication of their feeling in this matter. There are 126 elementary schools in this island and the cost of providing janitors would be very small. The work of the teachers has been increased and they have to do now certain things which should be done by other people. To my mind, it is a waste of a lot of the teachers' time to have to measure out milk for the children. It is not any part of the school's curriculum to have a teacher looking after milk being measured for a large number of children; all that should be done by janitors. The schools should be cleaned before the children enter them; the children should not be kept back to clean the schools; they should be kept back for the purpose of doing school work or playing or doing anything that would educate them, anything which has to do with the organisation of the school. It was not the purpose of education to take a child out of a school and put it to do things which should be done by somebody else; I have much pleasure in moving the passing of this Address.

Mr. MOTTLEY: I rise to second the motion for the passing of this Address and I do so with a full sense of responsibility. From my experience I feel that the appointment of janitors for elementary schools is long overdue. However, I view this matter from a point of view different from that of the honourable mover in that I do not lay so much stress on children having to do some manual work at school. I myself have been brought up in that direction; at one time I had to do some sort of manual work at school. I should like to say here and now that I do not find it in all cases so derogatory to have children actually assisting in sweeping the school. Speaking from experience, my own children feel that they should be allowed to sweep the school occasionally. Honourable members will recall that there is in the Public Health Bill with which we have dealt, a Clause which makes provision for the headteachers of the schools to be responsible for the cleansing of all sanitary conveniences and if, with the progress of things, we are going to provide the water-borne system at the elementary schools it must be obvious that there will be the necessity for adults to carry out the work of cleansing these sanitary arrangements. With the improved conditions and the advent of the nutrition scheme in the schools it is necessary to have janitors at these schools. I do not lay too much stress on not allowing children to do some sort of manual exercise around the schools because I think that some children are the better for it; but I do not think that any one type of child should be selected to do this work. This should be voluntary work; where children want to do any such work they should be allowed to do it; but I repeat that with the improved sanitary conditions janitors should be appointed for keeping the schools clean and assisting with the nutrition scheme. I have much pleasure in seconding the motion for the passing of this Address.

Mr. HUSBANDS: I intended to second the motion for the passing of this Address but that has been ably done by the honourable senior member for the City. However I want to support the motion for the passing of this Address. As a former teacher, as one who has had some experience in teaching in elementary schools, I must say that it is quite necessary to have janitors at these schools. I know how delicate it is for the teachers to be able to use the services of children in ways that are not approved by certain parents. Duties such as sweeping and scrubbing are not always relished by parents of a certain type and nothing but the astuteness of the teachers save them from getting into undesirable positions. Parents have approached me on the question that they do not entertain the idea of their children having to sweep the schools and I have pointed out to them that the only way in which they could eradicate that difficulty was to discuss the matter with their representatives in the House. I am very glad that the time has come when the matter has been taken up by the representatives of the people in this Chamber. I can tell this House, if I am allowed to do so, of the case of a teacher who lost his school, his popularity and his future as a teacher by carrying out minutely the instructions of the Education Department. This particular teacher was told that he should not in any way discriminate in selecting the children who were to perform these duties, so he stuck to the letter of the regulations of his Department until his school became almost empty and he suffered the consequences. That was a man who stuck to the letter of the law in carrying out the regulations of his Department and he discovered that he had no school. His salary went down and everything suffered. I do not think that we should have a repetition of that state of affairs. Although some people do say that you have to teach children how to be clean, I fail to see that you have to teach them to be clean by putting them to clean the schools. I do not think that a child should be put to imbibe the dust that is found in public institutions such as schools. In many cases schools are used as places for public entertainment and when the children go back to these schools they not only suffer delays because the schools cannot begin at normal times, but they have to undo the damage which has been done by people who have had the schools for their pleasure. This is really a serious affair and it should not be taken lightly. Again we have to face this position; we are considering the question of adult education and when we proceed with our programme of adult education the schools will be used after the normal closing hours. Therefore, honourable members will see that under the present conditions children will be asked to keep clean these institutions which are serving very wide public purposes, and it is unfair to ask them to do such things as sweeping and scrubbing. There are certain duties which children pursue because they get something out of them. Exception has been taken in some instances but I do not think that children should be called upon to keep an institution, whether it be a school or otherwise, clean by way of sweeping and scrubbing. The teacher has to be very clever so as to know which child he must call upon to do the sweeping. I have had to supervise some of these cases and it is a very difficult business.

You have to be very friendly with some of these children so as to be able to call upon them to perform these duties; and if you are not a man of experience you are liable to fall into error and share the fate which befell that teacher who conformed to the regulations of the Education Department. I have much pleasure in supporting the motion for the passing of this Address and I hope that it will meet with favour in the proper quarters.

Mr. SYMMONDS: I, too, want to support the motion for the passing of this Address. In a country like this where there is so much real unemployment when we are compelling children to do work like sweeping the schools, that is not only unnecessary but it is preventing many able-bodied men or women from getting a job to which they are entitled. I feel that the Government ought to pay janitors for keeping the schools clean. I have some experience in this matter and I want to say that it is unfair to the children to compel them to sweep the schools at an age when their bodies are not strong enough to throw off the various microbes of disease which live in dust. I think that an advantage has been taken, and up to now is being taken, of the children of the poorest people who are invariably selected to do the sweeping in the schools. In addition to sweeping, children are very often sent to do scrubbing and that very often without a proper supply of soap and they come into contact with typhoid germs. This is a very serious matter. I am told that you do not get typhoid in that way but I know that you get typhoid by eating it. I do not want to dilate on the matter because the honourable senior member for St. Thomas is here and he will put any honourable member right; but when children are sent to scrub in latrines and lavatories and they are not supplied with a proper amount of soap their activities in respect of this scrubbing invariably open them to the possibility of being infected. There is nothing wrong in the case of an adult who knows that he has to wash his hands before he eats; but it is unfair to send children, as I know it is done in respect of gardening at the schools, to get supplies of manure. It is an advantage which is being taken of children at an age when they are not discreet enough to take proper care of themselves. That is something which should be done by older people who know how to take care of themselves. In addition to what I have said, much time is lost by teachers and pupils alike in connection with the distribution of the milk and biscuits and the washing which follows. That is all work which janitors should do leaving the children free to pursue their studies. Quite a lot is wrong with the present system in respect of education in this island not the least being this lack of janitors for the elementary schools. I want to commend the action of the honourable mover of the passing of this Address and I want most heartily to support it.

Mr. COX: I believe that this is one of the questions agitating the mind of every member of this House and I should like to compliment the honourable senior member for St. Peter for having brought this Address before the House. I have thought of this matter for years and I have always felt that school children should be prevented from sweeping and scrubbing the schools. If some of the children's time in the schools is taken up in doing this type of work there will not be sufficient time left for study. I think that the Government should adhere to the wishes of honourable members and employ janitors at these schools whereby people will get employment and at the same time the children will be able to go along the streets clean for more than two days a week. Another point is that some children do not scrub and a sort of snob is created; some children feel better than others and they feel that they should not be called upon to scrub or sweep. That is a danger which should be removed. I highly commend the passing of this Address and I hope that the Government will act on it quickly.

Mr. MAPP: There is one aspect of this matter to which I would like to refer and it is this: I think that the most vicious thing about this practice in the schools is the way in which it is carried out by certain headteachers. I know that when I was a teacher children from certain homes said that they could not sweep or dust the school and teachers were not allowed to ask these children to do that. On the other hand, children from different homes would be told to sweep the school whether they liked it or not. I remember quite well that that policy was severely attacked, the mass of opinion being against it. If you make one child perform the duty of sweeping the school, all the children should be made to perform that duty. You do not want a child to feel that it is degrading for him to clean his desk, but on the other hand he is called upon to do many degrading things which he should not do. Both extremes are bad to my mind. A child should not be called upon to clean the toilet and things like that, but we have to avoid the danger of going to the other extreme. I used to do certain things at home and that did not make me any worse than or inferior to anybody else. I do not think that we should go to the extreme of telling children that they should not do anything at all. I hope that the changes which the honourable mover contemplates in this Address will be made.

Mr. DEPUTY SPEAKER: The question is that this Address do now pass. Honourable members in favour of that will please say "Aye," those against will please say "No." I think the "Ayes" have it. I will ask the honourable senior member for St. Peter to present this Address.

Mr. F. L. WALCOTT: As Your Honour pleases.

ORDER NOT PROCEEDED WITH

Mr. DEPUTY SPEAKER: The next order of the Day under Private Members' Business stands in the name of the honourable senior member for St. Philip:—To move the passing of an Address to His Excellency the Governor *re* the Prorogation of the House.

SUSPENSION OF RULE 60

Mr. CRAWFORD: Before the House gets any thinner, many honourable members have signified their intention to leave shortly, I am asking leave to move for the suspension of Rule 60 in order to proceed with Order No. 93 on the Order Paper as the next Order of the Day. That order is a Bill to amend the Customs Tariff Act. I should like to say that the purpose of this Bill is to assist in the relief which is coming to this colony from America. Several known Organisations and individuals are at work in the United States endeavouring to collect food and clothing and other articles of necessity to be sent to deserving people in this island and in other West Indian Colonies. These Organisations are experiencing some difficulty in sending aid for the suffering people in this colony because of the fact that contributors complain that the rate of duty on articles sent here is higher than the actual value of the articles. Within recent weeks a very comprehensive Committee has been set up in New York under the Chairmanship of the Rev. Dr. Durant who was recently here and this Committee is making a very big drive for sending large-scale relief to this colony in time for Christmas. The Committee has written to

ask me to get this Bill through the House so as to enable contributions for the relief of the people of this island to come in free of duty. Before I sit down I should like to say that we have been told that Antigua has taken similar steps and it is also true to say that the European countries which are getting relief from America have also adopted legislation of the sort which is proposed here. In view of the urgency of the matter, I am asking leave to move the suspension of Rule 60 so that this Bill may be taken as the next Order of the Day.

Mr. DEPUTY SPEAKER: The honourable member has set out very fully the reasons for which he is asking leave to move the suspension of the Rule so that Order 93 may be taken as the next Order of the Day. If there is no objection, leave will be granted the honourable member to make the motion (After a pause). There being apparently no objection, the honourable member is granted leave to make the motion.

Mr. CRAWFORD: I beg to move that Rule 60 be now suspended.

Mr. GARNER seconded the motion which was agreed to.

CUSTOMS TARIFF (AMENDMENT) BILL

Mr. DEPUTY SPEAKER: The next Order of the Day therefore stands in the name of the honourable senior member for St. Philip:— Second reading of a Bill to amend the Customs Tariff Act, 1921 (1921—3). Before the honourable member proceeds I should like to say that it might be recalled that when notice of this Bill was first given I was asked if such a notice was in accordance with the Rules of this House. I have given the matter very careful consideration in the light of Sections 4 and 6 of the Executive Committee Act, and I think that this Bill is in order. In fact I have discovered two precedents in this House, one in 1922 and the other in 1929, in which similar matters were introduced and dealt with. The honourable member may proceed.

Mr. CRAWFORD: I have made enquiries myself and I have discovered that there could not be any objection by anybody, who knew what he was doing, to my proceeding with this Bill. This Bill is self-explanatory. I think it is a matter for some gratification that natives of this colony who are living abroad should so practically concern themselves with the plight of their relatives at home. We know that the abnormally high cost of living and the rampant unemployment in this island have made the economic condition very serious for a great section of the population. It is therefore a source of satisfaction to know that Barbadians abroad are mindful of the position in which their kinsfolk at home find themselves to the extent of providing them with practical assistance and relief. Some honourable members at least are aware that for the last year or so there has been a steady stream of food, clothing and money coming into this colony from the United States of America. People from Organisations in the United States have been sent down to investigate the conditions at first hand and the reports which they have carried back have had the effect of intensifying the efforts of those who were previously concerned in the matter. The only obstacle in the way of greater assistance being given in this cause has been the fact, as I said earlier, that contributors complain that very often when they send small packages to their relatives here, the duty on the articles is more than the cost of the articles themselves. The suggestion has been advanced therefore that if the duty on these articles could be removed entirely, the result would be a great increase in the contributions which would come here from people in America. The Committee which has been set up in New York and which has been very active in the matter, has asked that this legislation be passed if possible and it has also said that it has been assured by a prominent member of the Leeward Islands Legislature that similar legislation has been passed in Antigua in order to assist in the flow of relief from the United States to Antigua. It is common knowledge that the European countries which are being assisted by America have almost without exception permitted relief of this sort to come into their territories completely free of duty. This Bill proposes to amend Table "B" of the Customs Tariff Act by adding at the end thereof the following:

"All articles, except intoxicating liquor and articles prohibited to be imported by any Act of this Island, which shall be imported into this island and shall be proved to the satisfaction of the Comptroller of Customs to have been sent to this island to any society, association or company approved by order made under this Act by the Governor in Executive Committee as *bona fide* gifts for distribution to poor persons in this island."

And Clause 3 of the Bill says this:—

"It shall be lawful for the Governor in Executive Committee to declare by order to be published in the Official Gazette a list of societies, associations and companies which are approved for the purpose of receiving and distributing articles sent to this island as *bona fide* gifts for distribution to poor persons in this island."

In other words, if this Bill is passed, it does not mean that any individual or any so-called association will be entitled to set up itself and say that it is a distributing centre for articles coming from America and it is therfore entitled to receive contributions free; under this Bill a list of the societies, associations and companies which are approved for this purpose will be published in the *Official Gazette* by the Governor-in-Executive Committee, and in addition, the same Authority will list the type of articles which are allowed to come in duty free. I believe it will be readily agreed that legislation of this sort will serve an extremely useful purpose especially at a time like this when relief of any sort from any source is very, very greatly needed in this island. I therefore beg to move that this Bill be now read a second time.

Mr. GARNER: I have great pleasure in seconding the motion for the second reading of this Bill for many reasons. It is very befitting that people who live in America, the land of plenty, should be so generous to their kinsfolk over here in this semi-benighted island, this poverty-stricken place, as to extend their sympathy to them by sending gifts. I say that that is very befitting indeed. Most of us around this table have sprung from the common stock and we should take pleasure in seeing that a Bill of this sort is put on the Statute Book. Most of us know the suffering which the people of this island have to undergo; we know that a false economy has just been built up because of the War years and gradually we are beginning to go back to the Barbadian way of living. If this Act is put on the Statute Book, no one can tell to what extent the people in America will give assistance to the residents of this colony. I cannot see that there will be any dissentient voice in relation to this Bill. As the honourable proposer has said, no makeshift or irresponsible organisation can claim to send parcels here without first being registered; in other words these organisations must have some credentials and they will be known for what they are worth. Apart from the legal technicalities, this is a forward and progressive step. It is a very kind thought and it shows that backward as we were at one time we are beginning to think in

terms of our community as a whole; we are not living selfishly, so to speak. Those of us who make good in other lands wish us, because of our economy and our poverty-stricken way of life to share some of the benefits which they are enjoying in the bigger countries. I have lived in America myself and I know that there are some very useful Organisations there. The spirit of greater help and assistance among the negro people is evinced there more than it is evinced here, and I take it that that great seed which was sown so many years ago by the illustrious Marcus Garvey is now bearing fruit. If those of us who are mindful of each other will spread the good news it will not be long before we can rise to the occasion and acquit ourselves as human beings. I repeat that this is a step forward. The more fortunate human beings are willing to see that their less fortunate brethren share in some of the joys of this world. I hardly think that there is one honourable member sitting around this table, who has any spark of gratitude in his breast, would say one word against this Bill. I hope that this Bill will be passed very quickly so that those associations which want to pass on some of the good things of the other lands to their less fortunate brethren over here will be allowed to do so free of duty and as soon as possible.

Mr. TALMA: I rise to heartily endorse the remarks of the previous speakers in this matter. One can quite see that a great deal of suffering and starvation can be avoided if a Bill such as this is put on the Statute Book. This island has always owed a debt of gratitude to the United States of America and other places like Panama and Cuba. We have never really lived on the economy of this island but on an economy based on various gifts whether they be money, food or clothing which have been sent here mainly from the United States and that has stood the of time. If we have a Bill such as this on the Statute Book, a Bill whereby greater facilities will be extended to the poor and needy in this colony, it means that the standard of living will be improved and less hardship, suffering and starvation will be in our midst. The generous and sympathetic spirit which is being shown by these associations should be readily appreciated and all the necessary encouragement and facilities whereby this assistance can be given to people so as to help their relatives here should be granted. I hope that this Bill will see the light of day in another few minutes and that it will be dealt with in the proper quarters and given full sanction and approval.

The question that this Bill be now read a second time was put and resolved in the affirmative without division.

On the motion of Mr. CRAWFORD, seconded by Mr. GARNER, Mr. DEPUTY SPEAKER left the Chair and the House went into Committee on the Bill, Mr. SMITH being in the Chair.

Clause I was read as follows:—

1. This Act shall be read with the Customs Tariff Act 1921 and may be cited as the Customs Tariff (Amendment) Act, 1948.

Mr. CRAWFORD: I beg to move that Clause I stand part of the Bill.

Mr. GARNER: I beg to second that.

Mr. LEWIS: I should like to ask if this Clause is worded correctly. I suggest that the word "together" be inserted after the word "read" in line 1.

Mr. CRAWFORD: That is splitting hairs.

Mr. LEWIS: It is not a question of splitting hairs: I want the wording to be correct so that the Bill will not have to be sent back to this House.

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

Clause 2 was read and passed.

Clause 3 was read as follows:—

3. It shall be lawful for the Governor-in-Executive Committee to declare by order to be published in the *Official Gazette* a list of societies, associations and companies which are approved for the purpose of receiving and distributing articles sent to this island as *bona fide* gifts for distribution to poor persons in this island.

Mr. CRAWFORD: I beg to move that Clause 3 stand part of the Bill.

Mr. GARNER: I beg to second that.

Mr. MAPP: When moving the second reading of this Bill the honourable mover mentioned that there was some difficulty in——

Mr. CRAWFORD: The motion for the second reading of the Bill has been passed long ago.

Mr. MAPP: The honourable member said when moving the second reading of the Bill that there was some difficulty experienced in sending parcels to poor people in this island because the duty on the articles was higher than the cost of the articles themselves. I only wanted to know if this Clause will help these associations to distribute articles to poor people on a wide scale. I wanted to know how this Clause will help the individual persons to whom the honourable member has referred.

Mr. CRAWFORD: I did not suggest that we should help individual persons because that would be a very difficult job. The purpose of this Bill is to entitle organisations set up for the purpose of receiving and distributing articles sent to this island to receive them free of duty. Gifts which are sent to individuals will be sent on the same basis as before. I do not think that we can reasonably interfere with that at this stage.

Mr. LEWIS: I notice that certain information like the lists of medical practitioners, valuers and people like that, is published annually in the *Official Gazette*. What I am suggesting is that if this information in respect of these societies, associations and companies is published annually that will serve for the next 300 or 400 years. I think that this information should be published annually so that if any new approved association is added to the list, the persons who will have to pass these articles will be fully acquainted with it as being one of the associations which receive articles for distribution. I beg to move that the word "annually" be inserted after the word " published" occurring in line 2 of this Clause.

Mr. COX: I beg to second that.

Mr. CRAWFORD: I accept that amendment but I sincerely hope that even within the next 10 years, much more 300 years, the economic position of this colony will be so much improved that we will not have to depend upon charity from America. After all, we ought to be ashamed of ourselves that we are in this position to-day and I hope that in the next 10, 15 or 300 years from now we will not be in such a pauperised position that we will have to depend upon the charity of people in America.

The question that Clause 3 as amended stand part of the Bill was put and resolved in the affirmative without division.

Clause 4 was read as follows:—

4. This Act shall come into operation upon such day as the Governor shall notify by proclamation.

Mr. CRAWFORD: I beg to move that Clause 4 stand part of the Bill.

Mr. GARNER: I beg to second that.

Mr. LEWIS: This is not the form in which we pass a Clause of this sort. As this Clause reads

now, you do not know what sort of proclamation is to be made. This Clause should read that the Act shall come into operation upon such day as the Governor shall appoint by proclamation in the *Official Gazette*. I beg to move that the word "appoint" be substituted for the word "notify" in line 2 of this Clause and that the words "in the *Official Gazette*" be added at the end of the Clause.

Mr. COX: I beg to seond that.

Mr. CRAWFORD: I accept that amendment.

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

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

Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

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

CHRIST CHURCH (COMMISSIONERS OF HIGHWAYS) LOAN BILL.

Mr. TALMA: I ask leave to move the suspension of Rule 60 in order to proceed with Order No. 86 as the next Order of the Day. That Order is in respect of the raising of a loan for the purpose of purchasing a Diesel Motor Road Roller for the parish of Christ Church.

Mr. DEPUTY SPEAKER: I think Rule 60 has already been suspended.

Mr. TALMA: I beg to move that Order No. 86 be taken as the next Order of the Day.

Mr. COX seconded the motion which was agreed to.

Mr. DEPUTY SPEAKER: The next Order of the Day stands in the name of the honourable senior member for Christ Church:—Second reading of a Bill to authorise the Commissioners of Highways for the parish of Christ Church to raise a loan not exceeding £2,500 for the purpose of purchasing a Diesel Motor Road Roller.

Mr. TALMA: This is the usual type of Bill which comes before this Chamber. It seeks permission for the Highway Commissioners of Christ Church to raise a loan not exceeding £2,500 in order to purchase a heavy Diesel Motor Road Roller. At present there is no heavy road roller suitable for doing a certain type of work, and with the big plans relative to the repair of the tenantry roads it can be very well realised that there is the need for a roller of the heavy type so that the repair of these roads can be effectively carried out. I beg to move that this Bill be now read a second time.

Mr. COX: I beg to second that.

Mr. CRAWFORD: Before the question is put, I should like to say that £2,500 is a lot of money to pay for a road roller. The work of the repairing of roads in the various parishes has to be done and the only way in which you can repair the roads is to get the necessary equipment. I presume that this roller is coming from England and that is why the cost of it is so excessive. This means that the poor taxpayers in Christ Church are going to be taxed to the tune of $12,000 so as to pay for a roller when you can get a roller which is similar in quality very much cheaper. I may point out to the Highway Commissioners of Christ Church that there is in Trinidad a "Huber" road roller which is practically new. It has been used by the Americans in constructing their base in Trinidad and that roller can be obtained for less than one-half of this £2,500. I think that the Parochial Authorities of Christ Church will be well advised to get in touch with the Trinidad Government and ask them to use their good offices with the American Authorities in Trinidad and enable them to acquire this roller. As a matter of fact, there are two rollers which are for sale—a large one and a small one—both of them are practically new and both of them can be landed in this colony for less than £2,000. This roller which is going to cost £2,500 is no better in quality than one which can be obtained from America or Canada for perhaps less than one-half this amount of money. I think that the appreciable difference in cost should be seriously considered.

The question that this Bill be now read a second time was put and resolved in the affirmative without division.

On the motion of Mr. TALMA, seconded by Dr. CUMMINS, Mr. DEPUTY SPEAKER left the Chair and the House went into Committee on the Bill, Mr. SMITH being in the Chair.

On the motion of Mr. TALMA, seconded by Mr. Cox, the Preamble was postponed.

The four Clauses of the Bill were read and passed.

The Preamble was read and agreed to.

On the motion of Mr. TAMMA seconded by Mr. Cox, the CHAIRMAN reported the passing of the Bill in Committee.

Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

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

ORDER WITHDRAWN

Mr. LEWIS: I ask leave to withdraw Order No. 92 standing in my name on the Order Paper —a Resolution relative to the Bridgetown (Parking) Regulations and the Bridgetown (One-Way Traffic) Regulations—in view of what took place earlier to-day.

There being no objection, the hon. member was granted leave to withdraw the Order.

THE ORDER PAPER

The Order Paper under Government Business having been fixed,

Mr. GARNER: I ask leave that Order No. 7 standing in my name on the Order Paper under Private Members' Business—an Address relating to efforts being made by the Government for the return to Africa of persons of African descent who desire to return there—be made as Order No. 1 at the next meeting of the House.

Mr COX: I object.

Mr. GARNER: I beg to move that Order No. 7 be made Order No. 1 at the next meeting.

Mr. MOTTLEY: I beg to second that.

The question that Order No. 7 be made Order No. 1 at the next meeting of the House was put and resolved in a "tie", the division being taken as follows:—

Ayes: Dr. WILSON, Messrs. SYMMONDS, CRAWFORD, MOTTLEY, GARNER, DOWDING and S. A. WALCOTT—7.

Noes: Messrs. SMITH, F. L. WALCOTT, Cox, LEWIS, TALMA, BLACKMAN and Dr. CUMMINS—7.

Mr. DEPUTY SPEAKER: The question has resulted in an equality of votes, seven hon. members voting "Aye", and seven honourable members voting "No." In view of the fact that if no motion had been made the Order Paper would have remained as it is, I give my casting vote with the "Noes".

THE ADJOURNMENT

Dr. CUMMINS: I beg to move that this House do now adjourn to this day week the 26th day of October, 1948, at twelve o'clock noon.

Mr. TALMA seconded the motion which was agreed to.

Mr. DEPUTY SPEAKER accordingly adjourned the House to Tuesday next, the 26th day of October, 1948, at twelve o'clock noon.