

THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1950—51

HOUSE OF ASSEMBLY

Tuesday, 23rd January, 1951.

Pursuant to adjournment, the House of Assembly met at 3 o'clock, p.m., today

Present:

His Honour Mr. K. N. R. HUSBANDS (*Speaker*),
His Honour Mr. A. E. S. LEWIS (*Deputy Speaker*)
Mr. L. E. SMITH (*Chairman of Committees*),
Dr. H. G. H. CUMMINS, M.D., C.M., Messrs. D. A.
FOSTER, F. E. MILLER, R. G. MAPPE, T. O. BRYAN,
M. E. COX, G. H. ADAMS, B.A., H. A. DOWDING, F. C.
GODDARD, J. H. WILKINSON, O.B.E., and W. W.
REECE, K.C.

Prayers were read.

Mr. F. L. WALCOTT entered the House and took his seat.

MINUTES

Mr. SPEAKER: I have the honour to inform the House that the Minutes of the meeting of the 16th of January, 1951, are not yet ready for confirmation.

DOCUMENT

Mr. SPEAKER: I have the honour to inform the House that I have received the Financial Report of the Colonial Treasurer for the month of December, 1950.

GOVERNMENT NOTICES

Government Notices were given as follows:—

Mr. ADAMS: Resolution to place the sum of \$16,800 at the disposal of the Governor-in-Executive Committee to supplement the Estimates 1950—51, Part II—Capital, as shown in the Supplementary Estimates 1950—51, No. 38, which form the Schedule to this Resolution.

Mr. ADAMS: Of my intention to ask the leave of the House to move for the suspension of Rules 88 and 89 in order that I might proceed with that Resolution in all its stages today.

Mr. F. L. WALCOTT: Bill intituled an Act to make provision for the Registration and Supervision

of Quarries and for the safety of workers employed therein.

Mr. F. L. WALCOTT: Bill intituled an Act to amend the Supervision of the Weighing of Sugar Canes Act, 1939.

BILLS READ A FIRST TIME

On the motion of Mr. F. L. WALCOTT, seconded by Mr. Cox, the Bill intituled an Act to make provision for the Registration and Supervision of Quarries and for the safety of workers employed therein was read a first time.

On the motion of Mr. F. L. WALCOTT, seconded by Mr. Cox, the Bill intituled an Act to amend the Supervision of the Weighing of Sugar Canes Act, 1939 was read a first time.

SUSPENSION OF RULES 88 AND 89

Mr. ADAMS: Mr. Speaker,—I am asking the leave of the House to move for the suspension of Rules 88 and 89.

Mr. WILKINSON: Mr. Speaker,—The honourable member knows very well that all of us do object to measures being hurried through this House. However, he has assured some of us that this Resolution which has just been laid on the Table of the House is an urgent one. I appreciate the necessity for dealing with this Resolution today and there I do not object to its being dealt with today.

Mr. ALLDER entered House and took his seat.

Mr. ADAMS: I wish to say that I more than appreciate what the honourable member has said. I think I gave the House the assurance that I would not, on behalf of the Government, ask the House to consider a money Resolution on the same day on which notice of the Resolution was given. I regret that so early this year I have had to go back on that assurance. If the honourable member so desired, he could have made a fuss about this matter and pointed out that the Government had gone back on its word. I therefore wish, from the bottom of my heart, to thank the honourable member for his co-operation in the matter. This property has been offered to the Government; it has been impossible to come to the House earlier and actually the option granted the Government to purchase the property has already expired by a few days. The matter needs the decision of the Legislature and we are asking the House to deal with this Resolution in all its stages today, to get this matter through as quickly as possible so as to enable the Government to purchase this property. Again I wish to thank the honourable junior member

for St. James for his co-operation in this matter.

There being no objection, leave was granted the honourable member to move for the suspension of the Rules.

Mr. ADAMS: I beg to move that Rules 88 and 89 be now suspended.

Dr. CUMMINS seconded the motion which was agreed to.

COMMITTEE OF SUPPLY

Mr. ADAMS: I beg to move that Committee of Supply be the first Order of the Day.

Dr. CUMMINS seconded the motion which was agreed to.

Mr. CRAWFORD entered the House and took his seat.

Mr. SPEAKER: The first Order of the Day stands in the name of the honourable senior member for St. Joseph—To move the House into Committee of Supply to consider the grant of sums of money for the service of the Colony.

Mr. ADAMS: I beg to move that Your Honour do now leave the Chair, and the House go into Committee of Supply.

Dr. CUMMINS seconded the motion which was agreed to.

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

ADDITIONAL ACCOMMODATION FOR THE POLICE BAND AND FIRE BRIGADE

Mr. ADAMS: Mr. Chairman,—I think that all honourable members are aware—nearly every Barbadian is aware—of the fact that the Fire Brigade is in very cramped premises. The men are cramped in the building, extremely cramped in their sleeping quarters and cramped in the street in which they find themselves. The building is one of the narrowest in Bridgetown, not, of course, situated in so much of a busy thoroughfare. It is only our good fortune, I suppose, that has caused us to be very unlike some of our neighbours in the Caribbean area who have suffered from disastrous fires. However, we have had a certain measure of bad luck as regards reforming the bad conditions that exist in that respect; that is to say, although we have had the benefit of one who has been said to be the greatest expert in the British Empire as regards advising as to the placing of fire stations, we have been unfortunate in not being able to get through the Secretary of State for the Colonies, a Fire Officer to carry out the suggestions of Major Cox, the expert to whom I have just referred. The present Commissioner of Police has advised the Government that not only is that an urgent matter, but that the Fire Brigade should be removed from its present quarters because of the difficulty which is experienced when it begins to practice on mornings.

It is on two grounds—removing the Police Band and having a site for the Fire Station—that the Government has proceeded. Honourable members are aware of the fact that the Government obtained what I will call the Probyn Street property opposite the Empire Theatre because it was advised that it would be a good site for a central Fire Brigade Station. Major Cox came here and advised us that instead of having one large central Fire Brigade Station, we should have, say, three Fire Brigade Stations scattered about Bridgetown. That advice seemed to the Government to be sensible and the Government marked time with regard to the erection of a single Fire Brigade Station in Probyn

Street. The Government feels that if it accepts Major Cox's advice, it is reasonable to accept the Passage Road site as one of the three sites for Fire Stations; that is implied in accepting Major Cox's advice. Honourable members are entitled to be told why they have had this matter presented to them and debated in a single session. As I have told the House, there was an option granted to the Government to purchase this property, and naturally there is a time limit to that option. It was impossible to conclude the negotiations with the vendor before last Thursday, the day on which the Executive Committee met. Many matters arose for discussion. The Committee will readily see that the question of the Government purchasing new property which it had already earmarked cannot arise. I have already said that although the Probyn Street property had already been earmarked, Major Cox gave us advice and the Government had to consider other sites in addition to the Probyn Street site. I regret that the honourable senior member for the City is not in his place; he seems to be outstanding in this island as a real estate expert and he would be in a position to tell us that we have been lucky. This property is in Bridgetown; it comprises two acres of land and a house and it has been offered to the Government for £3,500. I am told that many real estate agents want you to put down £3,500 before talking to you. We consider not only that this is a low price to pay for this property, but we would be extremely stupid not to accept this offer seeing that the property could be used as a Fire Brigade Station plus quarters for the Police Band. We are told that the sum of £3,500 is about one-third of what some people in Barbados who get properties bought and sold, would be likely to have offered the Government for this property if it came into their hands as agents.

I do not think it is necessary for me to say anything more on this matter except that the honourable junior member for St. Philip will probably speak on the matter and I would just like to remind him and other members of the Committee that in October answers were given to questions which were addressed to the Government by the honourable junior member for St. Philip about the discomfort experienced by members of the Fire Brigade in Coleridge Street. The honourable member asked:—

"Is the Government aware of the acute discomfort experienced daily by members of the Fire Brigade at Coleridge St., in consequence of structural and other defects in the building which they occupy?"

2. Does the Government propose to construct and equip a new Fire Brigade headquarters?"

3. Arising out of the fact that the Probyn Street site long regarded as the likely area for a new Fire Brigade headquarters has now been converted into a central 'bus terminus, if the answer to Question No. 2 be in the affirmative, will the Government please state the proposed locale of the new Station?"

The replies given by the Government were:—

"The Government is aware of the unsatisfactory condition of the barracks occupied by members of the Fire Brigade.

2. The construction of a new Fire Station has been deferred pending the selection of a Fire Officer by the Secretary of State, who has been asked to expedite the matter.

3. The site of the new station has not been decided because the Government is awaiting the expert advice of the Fire Officer, particularly as to whether there should be one station in Bridgetown or a number of stations."

The last of these replies might give the impression that the Government has not made up its mind as to whether we would have one or three

stations. It would be more accurate to say that the Government has made up its mind to accept Major Cox's advice, unless the new Fire Officer comes and advises the Government that, in spite of Major Cox's world reputation, we should accept the new Officer's advice. I do not know whether that will be made any debating point; however, that is the attitude of the Government as to the erection of a new Fire Station, and now that this offer has come along, the Government feels that here is a property going cheaply and considers that it is its duty to accept the offer. I am informed that the owner of this property is out of the island and he is anxious to sell this property; that might be the cause of his selling it cheaply. He has been informed by cable of the Government's decision that the Executive has agreed to recommend to the Legislature that this property be purchased, and he has been reminded that, with the constitution in Barbados, it is impossible to do anything until the Legislature votes the money. The Executive has said: "Yes, we will buy the property, but we can only buy it when the House says: 'We will vote the money'." We will send down a Resolution on Tuesday and the owner of the property will be informed as to whether the Resolution has been accepted by both Houses of the Legislature." That is the position, Mr. Chairman; we know no reason why the owner of this property should not accept us as the purchasers with the information that the Executive has approved of the purchase and the Legislature is being asked to approve of it today. I am therefore asking honourable members to agree to this Resolution for the purchase of this property so as to provide additional accommodation for the Fire Brigade and the Police Band. I beg to move that this Resolution to place the sum of \$16,800 at the disposal of the Governor-in-Executive Committee to supplement the Estimates 1950-51, Part II—Capital, as shown in the Supplementary Estimates 1950-51, No. 38, which form the Schedule to the Resolution, do now pass.

Dr. CUMMINS: I beg to second that.

Mr. BETHELL came into the Committee and took his seat while Mr. ADAMS was speaking.

Mr. REECE: Mr. Chairman,—I am glad to see that the Government has decided to accept the advice of Major Cox and that they do not propose to have one Fire Brigade Station to serve the needs of this entire community. When the population of this colony was in the vicinity of 150,000 souls, we then had more than one Fire Brigade Station, and it is within the knowledge of many of the members of this House that, at that time, there were Fire Stations at the Reef, Bay Street and Probyn Street. Three Fire Stations served the needs of the population of 150,000 souls, but some expert who knows about everything came along and advised the Government that there was no need for three Fire Stations, and they could accommodate the Fire Brigade in what is a hovel in Coleridge Street. There never was made a greater mistake. The housing conditions obtaining at that place are appalling; in former days owing to its proximity to a stable, the smell of the place in which the men were required to sleep was noxious. There is the absolute lack of a living room and little or no recreation space is provided for these men. All those things made the life of a fireman at the Central Fire Brigade Station absolutely unbearable, and therefore it is a pleasure to learn that the Government has at long last decided to change those conditions for the benefit of the firemen. I do not think that we should continue to have one fire station, but rather we should have two or three fire stations about the City of Bridgetown. I congratulate the Government on having decided to purchase this property where a fire station will be placed and which will not only house

the men but will also provide them with recreation grounds. But while this decision of the Government is all very well, it has not gone far enough; because in the last 20 years the population has not only developed in St. Michael but in Christ Church, St. Peter and other parts of the island. I am therefore asking this Government to look after the needs of other parts of the island. We all know that under the laws of this colony the Police are supposed to carry out Firemen's duties; but it is absolute folly to expect a man who is trained in Police duties to discharge the duties of a fireman. The time has come when that state of affairs should be abandoned; we need a number of firemen in the Speightstown, Holetown and the Oistin's areas.

If you will allow me to say this, Mr. Chairman, the periodical fires which take place at this time of the year cannot be dealt with by the Fire Brigade. As long as there is a Barbados, we are likely to have cane fires no matter what legislation is put on the Statute Book; if we increase the number of firemen, these fires will still occur. But in view of the fact that people in the country districts are called upon to pay taxes, I certainly think that they are entitled to protection from fire. I counsel the Government to follow the advice of Major Cox; do not let us have one fire station to serve the entire community, but let us have three or four fire stations in different parts of the island. Let the Fire Brigade be able to cope with fires which might arise in different parts of the island. I think that the Government has acted wisely in their decision to purchase this property at the low figure of £3,500 and I hope that the money which has been saved will be utilised in making a proper Fire Station. Before I take my seat, I would like to inform the honourable senior member for St. Joseph that we, on this side of the Table commend the Government for the action which they have taken in this matter; but we also urge them to take the advice of Major Cox, who is the greatest living expert on matters of this sort, and improve the fire protection of this island.

Messrs. MOTTLEY and GILL came into the Committee and took their seats while Mr. REECE was speaking.

Mr. MILLER: In connection with the Resolution before the Committee at present, I believe that all honourable members are satisfied that the building which is now occupied by the Fire Brigade is outmoded, and that a proper building should be obtained for the Fire Brigade. I must agree with the honourable junior member for Christ Church that the conditions under which the Fire Brigade now exist are lamentable; but as regards the number of fire stations, in a little City like this, I do not know that we should recommend two or three fire stations. I think that with the modern equipment which the Fire Brigade now have, a central fire station at Passage Road could very well serve the needs of the parish of St. Michael. I would like the Government to know that they will have obtained a bargain by purchasing "Club Willow" for \$16,800.

Mr. CRAWFORD: I do not profess to know very much about the real estate business in this colony, but I know sufficient about it to know that this place has been a white elephant for years. It was acquired about four or five years ago by a Chinese gentleman of Trinidad for about £2,000 and since then it has been in the market. At one time the owner of this property had great difficulty in collecting the rent or hire which accrued to him from making this place available for dances and what not, and out of dissatisfaction he was prepared to sell it for what he gave for it. I know sufficient about this property to say that there is not a single person in the colony who would pay

£3,500 for it today. The house is an old one and despite the fact that it stands on two acres of land, it has been closed from time to time. One or two rooms have been tenanted for a long period, but no purchaser could be found nor could anybody be found to rent or lease this property on any long term basis. Therefore when the honourable introducer of the Resolution says that the Government is fortunate because if they were in other hands it might cost them three times the price, that is amusing. Anybody who knows anything about this property in Passage Road would know that the owner has been simply begging to get rid of it for the last two or three years. The owner of this property paid £2,000 for it, he is now getting £3,500 for it, and we are asked to believe that we are getting a bargain at this price. That is absolute rot. There is nothing desirable about this property; as I have already said, the house is an old one and when work on it has been actually started, I am sure that we are going to be presented with another Resolution in order to assist in the extremely large amount which the conversion of this place must and will cost.

We are told in this Resolution that this is a question of capital expenditure, and it obviously is, and we have also been told in this House by the Government Spokesman on a number of occasions in the recent past that the Government does not propose to embark in this fashion on capital expenditure. Now there is absolutely nothing in the acquisition of this property which can be called an emergency; this property could have been acquired at any time within the last year or two, and if the Government does not buy it now, it will remain there for another year. There is no justification for the presentation of this Resolution today and for our being asked to deal with it without any previous notice or consideration whatever. One is quite willing in case of a definite emergency to agree to vote sums of money to meet that emergency, but certainly by no stretch of the imagination could this matter be regarded as an emergency requiring the expenditure of \$16,800. In addition to that, Mr. Chairman, the Government itself does not apparently know what it intends to do about this question of the provision of new Fire Brigade quarters; from what is stated in the addendum to this Resolution, if the new Fire Brigade Officer comes here and condemns the proposition to transfer the Fire Brigade Station to this building, we shall have acquired the building merely for the accommodation of the Police Band. I would not at all be surprised if they have to pull down the whole building before they can use it; it is comprised of a labyrinth of small rooms close one on the other.

I shall refer to this question of providing additional accommodation for the Fire Brigade. Reference has already been made to the questions which were asked last year about providing new Headquarters for the Fire Brigade. The Government was reminded of the unsuitability and the unsatisfactory condition of the present Headquarters in Coleridge Street, and it was queried as to whether it proposed to utilize or not utilize the Probyn Street area for new Fire Brigade Headquarters. As late as October last year when the Government replied to the questions, the House was informed that the policy of the Government in so far as the erection of new Fire Brigade Headquarters was concerned, was to await the arrival of the Fire Officer. The general policy of the Government as foreshadowed by the replies was that they were "awaiting the expert advice of the Fire Officer particularly as to whether there should be one Station in Bridgetown or a number of stations." Well, that was their policy in October; three months later they have apparently decided to accept the suggestion of

Major Cox and are arranging to have a number of fire stations in Bridgetown, provided that the new Fire Officer agrees to that proposal. In other words, we are agreeing to have three or four Fire Brigade Stations in Bridgetown because Major Cox says so, because we want to buy this property in Passage Road; but if when the Fire Officer comes and he does not agree with the proposal to have three or four fire stations, we may not have these fire stations, but we will already have acquired Club Willow where the Police Band will enjoy themselves happily. It seems to me that this whole affair is highly amusing; this is an emergency Resolution to acquire a white elephant which has been in the market for sale for years — something which every single real estate agent in Bridgetown has refused to handle. Nobody wants this property, but the Government comes along like a good Samaritan and not only relieves the owner of the burden of having it but agrees to pay him handsomely for it. Without any previous consideration, without any chance of discussing the matter outside, and without any chance of getting any opinion on the matter, at a moment's notice we must sit here and vote this \$16,800. The only way in which this property would be acquired overnight and the Government miss the chance of getting this good bargain, is if another Chinese gentleman who does not own anything in Barbados, came along and this property is forced upon him. I am suggesting to the Committee that we postpone the further consideration of this Resolution and at least allow members of the House outside the Government, who have not made themselves *au fait* with the position as regards this property within recent weeks or months as the Government apparently have done, to make a few enquiries about the matter. We might be able to save the Government some more money in that way. The Government are of the opinion that they are making a big bargain and therefore they are willing to pay this \$16,800 for this property; but I think that on a little more mature consideration they will realise that they are not making such a bargain. They will also realise that the Chinese gentleman who owns this property is so glad to dispose of it that he would be willing to let it go for the price which he paid for it. I do not see why he should not do that. People do not throw away money like this; the owner of this property should be so glad to get it off his shoulders that he should pay the Government a commission for buying it for what he gave for it. I want to submit that in view of the circumstances surrounding the matter, and in view of the special decision with regard to the final formulation of the Government's policy which is to await the arrival of the Fire Officer, there is no justification for rushing pell-mell into the acquisition of this property to-day. There are sufficient sites in St. Michael today, which are just as desirable or suitable for this purpose and which are available to the Government; there are places in King Street, Pinfold Street, White Park Road and Bank Hall which are just as desirable and just as suitable for this purpose as this property in Passage Road. There is nothing to be gained—there is the taxpayers' hard-earned cash to be lost—in rushing through this matter to-day, and I therefore beg to move that the further consideration of this Resolution be postponed.

Mr. WILKINSON: Mr. Chairman,—Unlike the last speaker, I think that the price of \$16,800 for this property is today a very reasonable price. The last speaker thinks that the price of this property is an excessive one; there are just over two acres of land attached to the house which has an entrance in Passage Road and one in King Street, and I consider that the price which has been asked for this property is a fair and reasonable one. Again, unlike the

honourable member, I did not frequent "Club Willow".

Mr. CRAWFORD: I must correct the honourable member on that point. I never said that I frequented the place; on the few occasions on which I went there I went on business. I knew the agent very well and I had a chance of seeing the property.

Mr. WILKINSON: I am glad that the honourable member went there on business; he has been there on a few occasions. Well, Sir, I have been there some years ago and that was when the Manager of the Bank of Commerce lived there; but I still think that a property of this sort is worth £3,500 to-day and I intend to vote for this Resolution. As regards the use to which this property will be put, the honourable senior member for St. Joseph has informed us that the Fire Officer is likely to come out here in the near future—I believe within the next six or seven weeks—and I do hope that when he arrives he, along with the Commissioner of Police and the Executive Committee will go thoroughly into the question as to the right place for putting the Fire Brigade. I still think that we should have the Fire Station in Probyn Street where the Fire Brigade can get in and out quickly; but I think that the Government is doing the right thing to purchase this property at this price. I have not seen the building for many years but I think it must be in proper condition so that some use can be made of it.

The honourable junior member for Christ Church naturally has an interest in the people of that parish in asking that more attention be paid to the various districts as to protection against fire and I quite agree with him. As you know, Mr. Chairman, if a fire takes place outside the City limits the Commissioner of Police has to get permission to take the Fire Brigade beyond the City limits. It is very distressing that there is no Fire Brigade in crowded districts like St. Lawrence, Oistins and Speightstown. I agree that we have a one-horse show, as you might call it, in Speightstown; but, in my opinion, in case of a serious outbreak of fire, that is not of very much use. I intend to support this Resolution, as I said earlier in the day, I am opposed to dealing with items which are laid on the Table as soon as we come into the House; but the honourable senior member for St. Joseph has assured us that he will never have a recurrence of such a thing, and I honestly believe that he was very reluctant in asking the House to deal with this Resolution to-day.

Mr. ALLDER: Mr. Chairman,—From time to time statements are made in this House from the Government bench, which, to a great extent, influence the decision of members on legislative matters. When I look at this Resolution I am reminded that just a few weeks ago when this House attempted to pass an Address to His Excellency the Governor in relation to something which would have incurred the expenditure of a certain amount of money, the honourable senior member for St. Joseph said that the Government did not, at that time, intend to embark upon any further capital expenditure for this financial year. It causes some confusion when inconsistent statements are made and things are done. I must say, Sir, that it is not sufficiently encouraging to honourable members when a Resolution of this sort not only asks for a sum of money to be spent by the Executive Committee, but also changes the policy which might have been put before the public. I speak of the policy of the revision and extension of the Fire Brigade machinery in this colony. As regards the location which is now under consideration, I definitely feel that it is not so suitable for a Fire Brigade Station. If honourable members

can remember, in Passage Road you do not get as much traffic as you get, say, in Baxters Road or White Park Road or any of the other streets which are nearer to Bridgetown; but you get a lot of people in that congested area of Passage Gardens crossing the street going to the shops and to the standpipes and you have all kinds of congestion that one can imagine. An honourable member is questioning whether the Fire Brigade waggon does not pass through Passage Road. Of course it does, but how often does it pass through this street? Only on occasions when a fire has broken out in this street or in the adjoining village, otherwise it uses Baxters Road or White Park Road. If you were to consider the entrance to "Club Willow" from Passage Road and realise that the Fire Brigade waggon has to pass through it at a reasonable rate of speed so as to get on the scene of a fire, you can easily see the danger to which you might be exposing the people in this area. I have not heard any reason as to why the Police Band has to be removed from their present quarters; I do not know if it is to assist in filling up a larger building than would accommodate the twenty odd firemen which we have. I do feel that the Fire Brigade should be removed from the place which they are now occupying, but that does not mean that carrying them and isolating them at "Club Willow" is the best thing to do. I have seen fire stations established in areas where the traffic congestion is not as acute as it is going to be when the Fire Brigade is placed in Passage Road. If a fire were to break out in Lower Broad Street or Cheapside, it will mean that the Fire Brigade waggon will have to leave "Club Willow" and proceed down Baxters Road which is always congested and find its way through every congestion in the Milk Market area before getting on the scene of the disaster. If, on the other hand, a fire were to take place anywhere in the upper part of the City, a similar thing would happen; the Fire Brigade would have to go through Country Road and enter Roebuck Street, which is always congested, so as to get to the scene of the disaster. There are several other places around the City, which would be found more suitable for the establishment of a Fire Brigade Station, than this proposed site. However, while the Executive Committee might have been aware of the inevitable change of policy, honourable members of this House—and I speak for myself especially, have not been made aware of it; but at a moment's notice we have been asked to consider a matter of this magnitude. I do not want it to be felt that I am not in favour of removing the Fire Brigade from the building which they occupy at present; certainly they should have been removed from that place long ago, but to remove them to Passage Road would be only changing over from one evil to another, which might be greater in the long run.

It has been intimated to me that the Government intends to put several Fire Brigade Stations in the City. That decision has probably been arrived at on the recommendation of a fire chief who has been accustomed to the method adopted in larger cities; but Bridgetown is a very small City and it is the general opinion that if several fire stations were to be established in this City, the cost of running them would be too much for the amount of work which the Department is called upon to do. I share the feeling of the honourable junior member for Christ Church that the built-up areas outside the City should be given attention if any extension of the Fire Brigade services is brought about. One is reminded of the hardships which people in the country areas suffer, people who are not at all times able to get the services of the Fire Brigade when their houses are on fire,

but who, nevertheless, have to pay the necessary amount of taxes in respect of the Fire Brigade. If you take the history of fires which have occurred in this City during the past couple of years, you will readily agree that regardless of how efficient your Fire Department might be, it will not be able to stop such fires, because it did appear on several occasions as if those fires were started designedly. On the other hand, fires which are really started by accident take place at homes of people who are far from the metropolitan fire services and therefore on most occasions total losses are sustained by the householders. We have got to be rather cautious as to how we extend the Fire Department and how much such extension is going to cost us. I am hoping, Sir, that those few remarks will have some influence on the decision of the Administration in this matter; I must repeat my uneasiness over the dangerous, conflicting statements and inconsistencies which come from the Government Bench during the time when legislative matters are being considered by this House, and which might have a tendency to prevent honourable members from initiating legislation which might benefit the community.

Mr. MOTTLEY: I am going to vote for this Resolution. I am not voting for it with the idea that I have abandoned the policy which I have adopted and which I have counselled the Opposition to adopt—the policy that, in a matter of this sort, we should be given an opportunity to go more fully into it. We agree with the absolute necessity and urgency of this matter and we will abandon our right on this occasion; but I feel strongly that we should not be asked to make a decision at short notice on any matter entailing policy, which is put before us. Luckily for me, we are dealing with a matter which, I believe, I am as fully acquainted with as any other member of this House. In any democratic Assembly the Opposition should be given an opportunity to consider any matter. It is true, I understand, that the Leader of the House has communicated with the Leader of the Opposition in connection with this matter; but, I repeat, I am not abandoning my policy in respect of matters of this sort. I want to say as a real estate broker that it is within my knowledge—and I do not care who denies it—that the Administration of this colony was in touch with this matter about four or five months ago. I tell you, Mr. Chairman, that is an absolute statement of fact, I do not know if the Leader of the House is going to pretend that he did not know about it, but I can tell this honourable House that the Administration was in contact in one way or another with this matter within the last four or five months. I consider that it is the duty of the Government in making any decision of this sort, to let the House know about it.

I am going to be quite frank about this matter. It is a matter of indifference to me as to what was paid for a property some years ago; I do not see that anybody can turn back the hands of the clock. I am satisfied that the honourable senior member for St. Joseph would not sell "Tyrol Cot" to-day for what he paid for it, because I know he refused five times as much. It is my considered judgment that the sum of £3,500 is a reasonable price to pay for "Club Willow"; it is a property for which £5,000 has been asked. Every real estate agent in this colony has actually been handling this place for the owner and I know that on more than one occasion more than £3,500 has been asked. I still feel I would like to buy this property for £3,500 and make money on it; it does not matter to me what the owner paid for this place. This must be the first occasion on which you find the Government giving the price

which has been asked for, because every Barbadian is fond of cutting down. In all my experience I have never been fortunate in getting the price asked. (A MEMBER: That is when you ask too much). The honourable member had better not talk about asking too much because I might say that too much is being asked in this case. I believe that every independent-minded honourable member would agree, having had at one time or another to do with the Calver Report and the Cox Report, that it would have been so much nicer or better if we had been given an opportunity to know that this place had been offered for sale. In that case there would not have been any rush; it would not have been said that the Government had to move in this way or somebody else would get this property, because, as I have said, for the past three years it has been in the hands of every real estate agent and every solicitor's office in this City. I am not suggesting that this property could be bought any cheaper; I am suggesting that, as a matter of procedure, anyone who takes his business seriously, having had to do with the Calver Report and the Cox Report, would like to make reference to those Reports when a matter of this sort comes up. Do not let us make the mistake of believing that all the brains lie on one side of the House; I would like the Government to know that you can get advice from the lowliest person in this House. No doubt the Government will say that they were only informed about this matter a few days ago; but I will say now that more than two months ago I went in the Fire Brigade Station when I was called there to discuss this matter. (MEMBERS: Who called you?) I do not know when the matter was drawn to the attention of the "Minister" in charge of the Fire Brigade, but I do know this; papers were in this colony and instructions were actually given that the Government was actually negotiating in this matter. Let the hon. member get up and deny that: let the Secretariat say what they like I say the Government was actually negotiating in this matter. I do not blame the "Minister" in charge of the Fire Brigade because he might not have known about it then; a lot of things go on in the higher circles and they do not let some of these "Ministers" know about them. They do not let me know, but it is my business to know. You cannot accuse me of having any spies in the Colonial Secretary's Office, it is a part of my business to know what the Government is about to buy.

I am no expert as regards the erection of fire stations; but I do hope that when this expert comes to Barbados he will find that this site is the right one. I hear—I do not know if it is founded on fact—that not only will you have a fire station, but such arrangements will be made on the grounds that the Foreman or whoever in charge of the Fire Brigade can have quarters there. I am supporting the motion for the passing of this Resolution, and I again hint to the Government that it is well for them to allow us to know when they are handling matters of this sort. Let the honourable member get this straight in his head; you are not getting this place at any bargain, you are getting it at a reasonable price. I want to say in all seriousness that when I came in here and heard the debate, I had in mind asking the Opposition to give their votes *en bloc* against this Resolution, not because I felt that the price asked for this property was too high or that the Government was paying too much for it, but because of the policy which we have set up. We are a part of the Legislature and as such we should know as much about the spending of money in this colony as the Government. However, it was told to me that the Leader of the House had communicated with the

Leader of the Opposition and explained to him why the matter was being dealt with in this way. It is not that I agreed with the Leader of the House about matter, but it was intimated to me that the Leader of the Opposition had agreed to the passing of the Resolution. I maintain if I stand alone, that on occasions when matters are brought in like this, I will get up here and counsel members of the Opposition to vote *en bloc* against the expenditure of money. We are not prepared to vote for any Resolution brought up in this way unless we are satisfied that it is really a case of emergency.

Mr. ADAMS: I am not replying. Knowing that the honourable member has joined the ranks of an army on his own — and I mean no offence in saying that—I telephoned the Leader of the Opposition in connection with this matter and immediately after I telephoned the honourable member who has just sat down. The Leader of the Opposition was at home, but the honourable senior member for the City was not at home and I could not do anything more.

Mr. DOWDING: Mr. Chairman,—As long as I have a seat in this House, I shall not vote in favour of any Resolution which comes before the House in the manner in which this Resolution has come, unless that Resolution relates to a *bona fide* emergency. Sir, the first time I saw this Resolution is when the honourable senior member for St. Joseph had acceptance from the Leader of the Opposition in the matter. The fact that this property has been on the market for years and years is well known to the public; and the fact that the Fire Brigade have been in need of somewhere to expand themselves has also been known not only to this House but the public for a number of years, but here we are told that this matter is so urgent that it must be dealt with right away. I will not, on any occasion, submit to giving my vote, regardless of whoever in this House says that he will give his vote, to legislation which is railroaded in this House. It is not in the interest of the island to do so. For those reasons, Mr. Chairman, I shall vote against this Resolution. If a layman takes up a piece of paper with an addendum such as this, if he has any commonsense, what there is to guide him in this matter I fail to see. In this particular case, we have not even been given the opportunity of seeing in black and white whether this place has two acres of land attached to it, and we do not even know if the land has been surveyed; we do not know if there is any plot pertaining to it. The honourable member can interrupt as much as he likes, but I will not give my vote in support of a matter in which the House has not been given an opportunity to go into the figures and repercussions. The addendum to this Resolution only tells us what we already know. It is said that the solution to the problem in respect of the Fire Brigade is now presented; but what is the solution? I have heard the honourable senior member for St. Joseph say that this land will be purchased: but is the purchase of the land the solution to the problem? This whole addendum appears to me to be nonsensical. The honourable member himself has not shown us where the solution to the problem in respect of the Fire Brigade lies; he does not know himself whether the Fire Brigade being removed to this site will be the solution to the problem. From this addendum it would appear that it has taken somebody to go and tell the Government that "Club Willow" in Passage Road is for sale and if they purchase it, that will solve the problem in respect of the Fire Brigade. I cannot believe that. When a matter of this sort is so hastily placed before me, I must look into it carefully before I say "Aye" to it. The addendum says that the

price asked for this property is \$16,800; it does not say whether the property has been inspected, what is the condition of it or give any particulars as to whether the land contains 2 acres 1 rood 2 perches or whether it contains 2 acres exactly or anything at all. Sir, no person who is doing business would write an addendum of this sort unless he wrote it in a terrific hurry. I would like to know something about the condition of this property because this addendum says that this house is an old one, and probably it is one of these prehistoric houses in Barbados. I do not know if it is as old as Farley House or one of those other houses, but it is an old Indian house. The addendum goes on to say that the cost of converting the house into barracks is in the vicinity of \$6,000; Well, Sir, I do not know how many people are going to be put in these barracks; I do not know what sort of barracks it is proposed to have because this addendum does not say. It does not give me any information as to how this work is going to be done; it does not even tell me that the Colonial Engineer has made this estimate so that one would be in a position to say that the Colonial Engineer has made the estimate and you are secure. I am under the impression that this matter has been so hurried that this figure of \$6,000 is a mere guess. To begin with, if I am right—and I believe that I am right—this Indian house has been constructed of what is called rubble stone and if one interferes with a wall which has been constructed of rubble stone, most of that wall, if not all of it, will fall to the ground. When it has been stated that the sum of \$6,000 will meet the cost of repairing and reconstructing an ancient house of this type, I say here and now that I do not believe that, and I am certain that this House will be asked to vote more money so as to finish the work.

Now it is stated in the last paragraph of the addendum that this property is to be purchased urgently. This property has been standing there for a number of years and I am pretty certain that no repair work has ever been carried out to it for a number of years. (Laughter). This property has been standing there without any attendance and without any occupants for many years and its purchase has become an urgent matter overnight, because, as far as I can see from this addendum, the Government has been told by the owner of this property that if he sells it to them, that will solve their problem as regards the Fire Brigade. That is what it all amounts to, but I fail to see the reasoning in that part of the addendum. It is further stated in this addendum "It is unlikely that such an advantageous opportunity will arise in the near future." Is this anything advantageous? What are the advantages we are going to get from this? It would be advantageous if the Government had said that they are going into the real estate business, that they are willing to purchase this property for £3,500 with the possibility of selling it for £5,000. I have dealt somewhat at length—and I hope clearly—with this matter of rushing before this honourable House with legislation of this sort. As I said at the beginning, as long as I have a seat in this House, I will not vote on legislation of this sort—legislation which this House has not had any time to consider.

Dr. CUMMINS: I was wondering, Mr. Chairman, if we should not report progress at this stage. However, I just want to say a few words in reply to the honourable senior member for the City. He has attempted to give the impression to this Committee that the Government knew about this offer for some time, dilly-dallied with it and then at the

last moment came before the House with it. I am here to tell the honourable member that that is not so. I do not know whether the Administration knew about the matter before or not, but about the 12th or 13th December I was telephoned by the Commissioner of Police who told me about this property and asked me to meet him there and go over it with him. I would just like to remind the honourable member that there are no "Ministers" in this House. I met the Commissioner of Police at this place about the 15th December in company with the Colonial Engineer and the three of us went over the place. We were told that there was a time limit where the offer for the sale of the property was concerned; the matter was put before the Government—hence its having been brought down here. The point I want to make, is this; the honourable senior member for the City said that he knew about this matter months ago and that this matter was before the Government, later he said it was before the Administration—

Mr. MOTTLEY: On a point of order. The honourable member has recklessly misquoted me. I made the point clear that I was not saying that the "Minister" in charge of the Department knew about the matter; I mentioned the Administration, and that covers from the Head of the Police Department back up.

Dr. CUMMINS: I repeat, Mr. Chairman, that it is only since the middle of December that the Government knew about this matter.

The question that this Resolution do now pass was put and resolved in the affirmative, a division being taken as follows:—

Ayes: Mr. SPEAKER, Dr. CUMMINS, Messrs MILLER, FOSTER, MAPP, COX, ADAMS, MOTTLEY, GILL, and WILKINSON—10.

Noes: Messrs. ALLDER, CRAWFORD and DOWDING—3.

On the motion of Mr. ADAMS, seconded by Dr. CUMMINS, the CHAIRMAN reported the passing of one Resolution in Committee of Supply.

Mr. SPEAKER resumed the Chair and reported accordingly.

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

Mr. ADAMS: I beg to move, Mr. Speaker, that this House do now adjourn for half an hour.

Dr. CUMMINS seconded the motion which was agreed to, and Mr. SPEAKER adjourned the House accordingly.

REPLIES LAID

On re-assembling.

Dr. CUMMINS: Mr. Speaker—I beg to lay the Replies to Questions No. 47, standing in the name of the hon. senior member for St. John, relative to prisoners being compelled to cart block-stones from Codrington quarry to Glendairry.

THE PUBLIC UTILITIES BILL 1951

Mr. SPEAKER: The next Order of the Day stands in the name of the hon. senior member for St. Joseph:—To move the House into Committee on the Bill to provide for the regulation of Public Utilities.

Mr. ADAMS: I beg to move that Your Honour do now leave the Chair and the House go into Committee on this Bill, and that it be an instruction to the Committee to consider at the same time the next Order on the Order Paper—the Report of the Select Committee appointed to consider and report on the Bill.

Dr. CUMMINS seconded the motion which was agreed to.

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

Clause 1, the title Clause, was read and passed.

Clause 2 was read.

Mr. ADAMS: I beg to move that Clause 2 stand part of the Bill.

Dr. CUMMINS: I beg to second that.

Mr. CRAWFORD: Mr. Chairman,—I think that this Clause can be regarded as the definition Clause of this Bill. It defines the meaning of "Board," as the Public Utilities Board and it also defines the meaning of "Public Utility". It says 'Public Utility' means any person or company (including the lessee, trustee, receiver, or liquidator of such person or company) who owns or operates equipment or facilities for—

(1) the production, generation, storage, transmission, sale, delivery, furnishing or supplying directly or indirectly to or for the public, of electricity or gas;

(2) the conveyance or transmission of messages or communications by telephone;—

I want to propose an additional sub-paragraph to be numbered (3) as follows:—

"the manufacture, production, processing or refining of sugar in Barbados."

That amendment arises out of my suggestion when the Bill was first considered, that the manufacture of sugar in Barbados should be regarded as a public utility service. Hon. members will have before them the Report of the Select Committee which was appointed to go into this matter and also the Minority Report submitted by me further suggesting that the House should seriously consider the question of defining the manufacture of sugar as a public utility. We are told in the "Objects and Reasons" of this Bill that "the object of this Bill is to set up a Public Utilities Board," and further on it is stated that the Board "will act as a quasi-judicial body, enquiring into and determining impartially any matters of difference which may arise from time to time between the electricity, gas and telephone companies and the public as regards rates and service." To put it briefly, my argument is that the manufacture of sugar in this colony is a vital public service in the colony in the first place, and in the second place there is dissatisfaction on the part of cane growers over the rates charged by the sugar factories for processing canes. In other words, this Bill is designed to set up a Board which will inquire into and determine impartially any matters of difference which may arise between the companies mentioned and the public as regards rates and service. If, as I hope to convince hon. members, the rates charged by sugar factories for processing canes are unduly high, or if the prices paid for canes by the sugar factories are unduly low, it follows that the House would be justified in considering the manufacture of sugar as a public utility service. Let us consider for a moment the question as to the vital importance of sugar in the economy of the colony; the Report submitted by me summarizes the main points which I am able to put forth and briefly, they are as follows:—

1. The main industry of the colony which has a population of over 1,000 to the square mile is agriculture, the chief product being sugar.

2. Land is the basic source of the colony's wealth and sugar production monopolizes the major portion of its most fertile lands.

3. Sugar and its by-products constitute the greater portion of the colony's exports.

4. The Sugar Industry employs a greater number of workers than any other single industry in the colony.

5. Maintenance of the industry is, at the moment, vital to the welfare and prosperity of the country.

6. Sugar cane has little commercial value except it is manufactured into sugar; indeed, conversion of sugar cane into sugar is essential since it is not easily marketed otherwise and being perishable has to be processed promptly after maturity.

7. The cultivation of cane and its manufacture into sugar are inseparably related to each other and are indissolubly associated with the public interest.

8. The tremendous cost of establishing a sugar factory makes it impossible for the small farmer or peasant proprietor to erect on his holding a factory for the conversion into raw or refined sugar of the product he plants and harvests.

9. There is no legislation which regulates the terms and conditions under which sugar cane is bought and sold.

10. Little competition, if any, exists between sugar factories with regard to the price offered for sugar cane and the general disadvantageous position of the small farmer for bargaining with the factory enables the imposition of terms which are most advantageous to the latter, the former being faced with the alternative of choosing between accepting them or taking the loss of his crop.

The additional paragraphs go on to emphasize the vital position of the sugar industry and the final paragraph stresses that the factories at which sugar is processed are of such indispensable, economic and social importance to the welfare of the country that Government regulation of their operation by constituting them as Public Utilities under the Bill now before the Legislature is not only desirable but imperative. It is therefore urged that the manufacture of sugar be included in this Bill as a public utility service. I am not using the argument again to-day that we should take this step because another West Indian colony has taken it: even if there were no precedent for it, the conditions which exist in this colony are of such a nature as to warrant the Government taking a step of this sort. When the Bill was introduced in this House the honourable senior member for St. Joseph declared that in order that there might not be any misconception, he was going to say that the Government had not changed one bit its policy of nationalisation, and he further added that a Bill of this sort was not opposed to nationalisation, but was rather a stepping stone towards it. (Mr. ADAMS: I still say that) I want to take the honourable member up first and foremost on that score; the Government has not abandoned its policy of nationalisation and this Bill should be regarded as a step towards nationalisation. Well now, the honourable introducer of this Bill has publicly set himself on record as being in favour of the nationalisation of the sugar industry; as far back as 1939-40 he told the Royal Commission that he was definitely in favour of the nationalisation of the sugar industry of this colony, he told us that the Government, of which he is the Leader, has not abandoned its policy of nationalisation, and he claims that this Bill is to be regarded as the first step towards that end. If that is so, obviously there could be no objection on his part to taking the first step towards the nationalisation of the industry which he says he wants nationalised. We need not go into the mechanics of nationalising the sugar industry, because in proposing to nationalise the sugar industry, one has to be careful to say whether he wants the manufacturing end of

it nationalised or whether he wants both the manufacturing and production ends of it nationalised. Nationalising the production end would mean nationalising every piece of fertile land in the colony. That is something incidental, a matter of detail, but the point is whether or not the Government is still serious in its intention to nationalise the sugar industry. If it is still the intention of the Government to nationalise the sugar industry, what could be the honourable member's objection to including the manufacture of sugar in a Bill which the Government claims to be the first step towards nationalisation? It appears to me that on those grounds alone the position of the Government in this matter is indisputably clear.

I said that there is dissatisfaction on the part of peasant proprietors with regard to the price charged by sugar factories for processing canes, and I want to substantiate that statement by quoting one or two figures. I have before me the figures in respect of the price paid for sugar in 1948, and the honourable junior member for St. Lucy, as a result of certain questions which he tabled in this House, was able to elicit further information which gives us the total value of a ton of sugar manufactured in that year, and also further information which is of use to us in arriving at the price which should have been paid for canes bought that year to be processed into sugar. We know the price which was paid by the British Government for sugar, we know the amounts which had to be allocated to the various funds, we know what the fancy molasses cess was, we know what the Canadian benefit payment was, we know what the special certificated preference was, and I have been able to get the actual manufacturing costs of a ton of sugar for that year. The figures for recovery were also available from the Department of Science and Agriculture. All that was needed was to allow a reasonable profit per ton of sugar manufactured by the sugar factories and to allow a reasonable amount for depreciation of the machinery used in the manufacture of that ton of sugar, although, in my opinion, the case for depreciation is hardly as strong as it used to be since the sugar factories are able to get help in acquiring new machinery from the Rehabilitation Fund. The average price which was paid for canes bought in 1948 was \$9.50 per ton, but from the figures which I have in my possession I find that canes could have been purchased that year at 12.00 per ton. Similarly in 1949 we have had the figures for the preference and molasses cess; there was no Canadian benefit payment that year. We have had the manufacturing costs which have been submitted by the factories themselves, and we know that the price of canes that year, if these figures are accurate, should have been \$2.50 per ton more than what it was.

Mr. CHAIRMAN: I would be glad if the honourable member would read out those figures for us.

Mr. CRAWFORD: They are pretty long-winded. In 1948 the price paid for sugar was £27. 10s; special certificated preference, \$8.75; fancy molasses \$3.68; Canadian benefit payment, 68 cents. The recovery for all factories was 8.3 tons of canes to a ton of sugar, and the manufacturing costs—these are the figures from the factories—amounted to \$25 per ton. That is more than double the figure given to the Deane Commission by the spokesman for the factories, which was 12.00 per ton. To the manufacturing costs we have to add a certain amount of profit and a certain amount for depreciation; those figures are quite easily available to you, Mr. Chairman, and to any other honourable member of this House who cares to get them. Figures for 1949 and some for 1950 are also available. I said that the price paid for

canes in 1948 was \$9.50 per ton and from the figures which I have in my possession, I find that no less than \$12.00 per ton should have been paid for canes that year. From calculations on a similar basis, I find that for 1949 the price paid for canes should have been \$2.50 per ton more than what was paid. I mention that so as to further strengthen the argument that it is imperative that the processing or manufacture of canes into sugar be declared by the Government as a public utility service in this island. I have already tried to show that the vital service which these factories perform and the fact that they enjoy a monopoly, qualify them for inclusion under the terms of this Bill, having regard also to the reasons given by the Government itself for enacting legislation of this sort. The Government says in its introduction of this Bill that any concern which exercises monopolistic powers should have its operations curtailed or disciplined by a Bill of this sort; all I am submitting is that if there is a service which is qualified on the ground I have mentioned or on any other ground, for inclusion in this Bill it is the sugar industry. It would be very enlightening and instructive to hear arguments to the contrary. Nobody in his right senses could question the vital importance of the sugar industry to this colony; nobody could question its indispensability both to the economy of the colony and to the people who grow canes, and if logical arguments can be adduced adequately to demonstrate that the manufacture of sugar should not be defined as a public utility in this Bill, I shall be very very pleased to hear them. I therefore beg to move that the additional sub-paragraph I have mentioned be sub-paragraph (3) of this Clause. I sincerely hope that among the many honourable members present in the House, one will be found to second that motion.

Mr. LEWIS: I have listened to the honourable member with some care and I think he had promised to tell us where sugar factories have been deemed to be public utilities. Perhaps that would be good information if the honourable member would fulfil his promise to give it, and perhaps he could give us some reason why the factories were deemed to be public utilities. However, sugar factories are not immediately regarded as public utilities in the minds of some honourable members, and perhaps full-scale nationalisation might bring them under a scheme whereby the Government would be owning the means of production. I do not think that the price paid for canes by any sugar factory, the preference paid or anything like that would make the factory a public utility or would justify its being included in this Bill; if the Electric Company were nationalised at twelve million dollars or twelve hundred dollars, it would be a public utility which would spring readily to the mind. I am not impressed with the idea that sugar factories enjoy monopolies, because anybody can buy a large tract of land and set up a sugar factory. Sugar is the main and staple industry of this colony, but you cannot say that the factories manufacture the sugar for people to eat. (Mr. CRAWFORD: What do they do with it?) The people consume a comparatively small quantity of the sugar produced, and if you want to own the means of production, I think that that is an entirely different thing from putting the manufacture of sugar in a Public Utilities Bill. If the honourable member has any information on this question he can give us and it will be useful; we will have to thank him for it. The internal mechanics of the manufacture of sugar are secrets and it would be a good thing to have placed on record the figures which the honourable member has been able to secure. I repeat that the internal mechanics of the sugar industry are secrets;

outside that small clique I do not think that those secrets are so readily known. I know that the honourable member has taken a great part in the long, protracted debates in this House in respect of the price paid for canes and we ended up in more confusion than when we started, because the internal mechanics of the sugar factories were unknown to us. Therefore, if the honourable member has any further information that some place has included the manufacture of sugar in a Public Utilities Bill and gives us the reason why it was done, that information would be useful to us. I think that a little more information on this question is necessary; if the honourable member can tell us the country where the manufacture of sugar has been put in a Public Utilities Bill and the reason why it was put in such a Bill, I say again that such information would be useful.

Mr. MOTTLEY: I was a member of the Select Committee appointed to consider and report on this Bill, and along with the honourable junior member for St. James, I submitted a Minority Report. In that Report we did not agree with the suggestions made by the honourable junior member for St. Philip: I have listened to all the honourable member's arguments and I am not impressed that you can say that either the production or the manufacture of sugar is a public utility. If the honourable member has something in his mind as to the control of the sugar industry or anything like that, that would be a different matter. I felt, Mr. Chairman, that you gave a lot of latitude to the honourable member because nobody who has had anything to do with sugar could, by the longest stretch of the imagination, consider the manufacture of it as a public utility. I have just risen to confirm what was said already, and I think I am voicing the opinion of honourable members on this side of the Table, because we have given very much attention to this Bill. The honourable member's Report has not passed us unnoticed; we came to the conclusion that we could not adopt any Report which suggested the insertion in this Clause of the Bill, a sub-paragraph setting out that the manufacture of sugar should be defined as a public utility. We dealt with the matter very thoroughly and we could not consider the sugar industry as a public utility. Although the honourable member might give an answer as to where in the West Indies the sugar industry is considered to be a public utility, I feel sure that when he is finished the circumstances will be different.

Mr. ALLDER: I hope that I will not be taken as having abandoned my objection to the throwing away of the policy of nationalisation by which we, the Labour Party, have come into power; but since the House in its wisdom decided some time ago to substitute the introduction of a Public Utilities Bill for nationalisation, I want to make a few remarks on the matter. I have a tendency to be influenced by some of the points made by the honourable junior member for St. Philip; I will say for the benefit of the honourable junior member for the City that a public utility is just what a particular Government in a particular country has determined. A public utility does not mean that you have a specific service; if you feel like considering the manufacture of sweet drinks as a public utility, that is a matter for the particular legislators, but there are some facts which one has to consider. There has always been some difficulty in respect of the sugar industry; that industry definitely can be considered as having a monopoly inasmuch as there are thousands of peasants who grow canes and who cannot get any benefit from the growing of their canes unless the factories condescend

to take them. The peasants have always met with difficulty in getting what can be considered as a reasonable price for their canes, and the mere fact that the sugar industry is much to do with the general revenue of the colony and the means of the maintenance of the population, is a reason why some control should be effected in respect of the management of this industry. This industry has a monopoly, it has much to do with the economic stability of the people of this colony, and the combination that is being developed among the plantation and factory owners in this colony and the arrogant methods which they use, should force us to consider the possibility of having the public to know of their methods of running the sugar industry. The mere fact that every year there is a certain amount of uncertainty as regards what price is going to be paid per ton for canes and what wages are going to be paid to so large a percentage of the population which is employed in the sugar industry, should further prompt us to allow some administrative Board to deal with the matter. The mere fact that it has been admitted that we cannot demand so much and so much from the plantation or factory owners because we do not have a real knowledge of the running of sugar factories, shows that something should be done during the interim between the passing of this Bill and the number of years which it might take before you get the kind of persons who would usher in what is necessary to be ushered in—the nationalisation of an important industry like the sugar industry. There is the necessity for the immediate consideration of bringing about a pension scheme for those employees in the sugar industry, many of whom have become incapacitated at an early age due to the laborious task which they had to perform. All these things point to the fact that if we should do justice to ourselves, we must bring about some method of allowing some public official to know what profits are made by these sugar factories, how much they can pay and how they are run. The whole hitch in this matter is based upon our ignorance as to how the sugar industry is run, and what I have suggested is something which every trade unionist should and would appreciate, because it would prevent him from arguing blindly in the interests of those whom he represents. There has been a very marked attempt to belittle suggestions which are made and which might be considered as revolutionary in a conservatively-inclined community such as this. It is a fact that the price of canes is fixed in an arbitrary manner; when the factories begin operations one person will just say over the telephone to another; "Our price is a dollar" and everybody automatically fixes his price at a dollar. When that is done, thousands and thousands of hard-working peasants in the colony are prevented from getting the amount of profits which they deserve, and nobody can intelligently argue that they have been done an injustice because nobody knows anything and there is no law to compel the presentation of any books whatsoever, so that the Government could be armed with the necessary knowledge so as to enforce that which is for the peace and harmony of the community. I hope that my expressing these points on this matter does not convey to any honourable member the idea that I am in favour of substituting the setting up of a Public Utilities Board for nationalisation; I know that whenever it comes to the question of appointing the members of this Board, no matter how much power you give the Board, you will have to look for the commercial magnate, the sugar industrialist and the shareholders who are interested in these concerns to comprise the Board because you will say that no-

body else knows about the administration of such a Board. You are going to ask people with a common interest in these public utility concerns to sit in judgment against themselves so that your efforts must be fruitless. These are my points and I want, for the purpose of record, to state that I do not share the sympathy of people in a matter of the sort with which we are dealing. I have nothing to do with any Public Utilities Board because I feel that it will not bring the results which the community should get. I beg to second the motion made by the honourable junior member for St. Philip: I do that not out of sentiment or prejudice, but I feel that the policy, no matter how poor or small it may appear to be, or no matter what attempts may be made to belittle it, is one which any Labour or socially-inclined representative should support.

Mr. MAPP: We have listened to the unique idea of describing the sugar industry as a public utility. As the last speaker has said, the House can define anything which is utilised by the public as a public utility; we could therefore say the same thing about flour. There is no argument to show that, because sugar is a public utility, or because the sugar industry has a monopoly, it should be brought under this Bill. Transport is a public utility which is already controlled by the Government to some extent, and therefore it is not included in this Measure. I want to point out to the honourable junior member for St. Philip that the duty of a Public Utilities Board is to fix prices for the commodity. Electricity is a commodity which is consumed by people in this colony and the price of this commodity will be fixed by the Board after it has gone into books: so it is with the gas and telephone services, but it is impossible for this Board to fix the price to be paid for canes or sugar. The price of sugar is regulated by circumstances abroad; it is fixed by the Ministry of Food. The duty of a Public Utilities Board is as I have said, to fix the basic price of a commodity: here the price of sugar is fixed by certain outside markets over which we have no control. This is an industry to be nationalised; no Public Utilities Board could have any effect over a monopoly like this. An important industry like the sugar industry which has a monopoly should be nationalised, but there is no argument in saying that because the peasants are not paid a proper price for their canes, the sugar industry must be controlled by a Public Utilities Board.

Mr. CRAWFORD: The honourable junior member for the City claims that sugar factories do not exercise any monopolistic powers and he says that I have not given any reasons to support my contention that they do exercise such powers. I did not read my Minority Report in full, but even a casual perusal of the sentences in that Report would have answered the honourable member. It is pointed out in paragraph 8 of the Report that the tremendous cost of establishing a sugar factory makes it impossible for the small farmer or peasant proprietor to erect on his holding a factory for the conversion into raw or refined sugar of the product he plants and harvests. The honourable member says that anybody can open a sugar factory and I am surprised at his statement. He knows the tremendous expense involved in opening a sugar factory; Joes River has just modernized its machinery, added some new piece of equipment, and I understand that the total cost of doing that work was £50,000. That was not putting down a new factory; if the honourable junior member for the City thinks that any peasant proprietor who owns a few acres of

land can put down his own factory, he is making a mistake. The Minority Report submitted by me emphasizes that point most carefully; it is also submitted that sugar cane has little commercial value except it is manufactured into sugar, so that if the actual process of manufacturing canes into sugar is not a monopolistic process, I do not know what it is. I am not prepared to take up the time of the House to reply to the infantile argument put forward by the honourable junior member for St. Thomas; his argument is so infantile that it cannot bear reference being made to it. In reply to the honourable junior for the City as to what other colony has taken the step which I have proposed and what induced it to take such a step, I say that the reasons which induced it to take that step are precisely the same as those which have been given by him this afternoon. I also say that if any honourable member wants to see a copy of the Bill under which the step was taken, I would be prepared to show it to him; the Bill under which the manufacture of sugar in Puerto Rico becomes a public utility, is the same one under which a Public Utilities Board has been set up to control the operations of what are regarded as public utilities. The Government of Puerto Rico is, by no means, a Socialist Government; (Mr. ADAMS: They are Socialists) it does not pretend to be. It offers attractions to big industrialists from all over Europe and America, and if its strong support of capitalism in the country qualifies it for the name of a Socialist Government, I do not know what a Socialist Government is. The Government of Puerto Rico believes in free enterprise; it goes to the limit of establishing industrial enterprises and turning them over to whoever wants to buy them out. If, in order to protect the interests of the small growers and the small peasant farmers in the country, Puerto Rico has taken the step of declaring the manufacture of sugar a public utility service, how much more so should a Government, which says that it is a Socialist Government, take the same step. I am sure that if the honourable junior member for the City had carefully considered this matter, he would have come to the conclusion that the manufacture of sugar in this colony is just as much a public utility service as the gas, electricity, telephone or transport services. It has been argued that although the transport service is not a monopolistic service, it should be included in this Bill, and we have been told that some other Country which has a Bill of this sort has included the transport service. If the transport service has been included as a public utility service in other parts of the world, there is no reason why the sugar industry should not be included in this Bill as a public utility service. As regards the point about a Public Utilities Board not having the power to fix the price of sugar, and therefore it should not be called upon to interfere in the manufacture of sugar, what is that to do with the matter? We are not concerned with the actual price of sugar; we are concerned with the operation of the factories in converting canes into sugar, which is an entirely different matter. You cannot sell canes unless they are going to be converted into sugar, and the actual conversion of the canes into sugar, and the actual conversion of the canes into sugar makes such a conversion a public utility service. I can quite understand the honourable members on my left not agreeing to the proposal which I have made; they are not agreeing to it, not because they do not regard the manufacture of sugar as a public utility service, but because it is not in their interest to have the operations of the sugar factories so regulated. That is their primary consideration: but since the

personal interest of honourable members on my right are not involved in the matter, one is quite justified in expecting that at least they would view the matter impartially, and at least bring to bear upon it the sort of outlook and the sort of consideration which, I am sure, mature reflection on all the facts involved would induce. If in spite of all that I have said they still feel that the sugar factories should be left out of this Bill, they are perfectly within their rights to leave them out, and I am sure that they will earn the undying gratitude and appreciation of the representatives of the sugar factories in the colony.

Mr. LEWIS: If there is one thing for which I must thank the honourable member, it is that he has not classified my argument as being infantile. I have tried to be as generous as I could be, over the honourable member's argument; I am willing to assist him if he can convince me, but I am asking him this question: Because it cost £50,000 to remodel a factory, is he telling me that that is an argument for calling the sugar industry a public utility? (MR. CRAWFORD: Who said so?) That is what the honourable member meant.

Mr. CRAWFORD: On a point of explanation. I did not say anything that would lead anybody to the conclusion that because it cost £50,000 to remodel that factory that the sugar industry should be regarded as a public utility; I quoted that to show how impossible it is for any peasant to buy land and open a factory.

Mr. LEWIS: Would it surprise the honourable member to know that one of the greatest single producers of sugar canes does not own a sugar factory and he is in a position to put down five or six factories? The honourable member may be wrong when he gets more figures relative to the sugar industry; let us go back to the days when there were windmills in use. What was the energy used in the manufacture of sugar?—The wind, and how much did it cost to build a windmill?—Not £50,000. It is not because it costs a lot of money to put down a factory that the industry becomes a public utility; in my opinion, it is a question of getting better wages for people and a higher price for sugar canes. If we could organize the peasants of this colony, they would be able to look after that part of the business themselves. Now when you come to the Electric Company and the Telephone Company, they are readily accepted as public utilities; and it is not a matter of getting something for the people who are working with them, it is a matter of getting them to extend their services to the people—they are essential services—at reasonable rates. Can you compel a sugar factory to extend its activity? Are you going to restrict the activities of one factory by shutting it down? If the honourable member wants to get at the internal working of sugar factories, the Income Tax Department must be capable of doing that: if he means that we should take over the sugar factories, well, let us do that. I do not share the view that this Bill is a short cut to nationalisation: I believe that this short cut is cutting the guts out of nationalisation. I do not know if the honourable member's argument is an attack upon a particular person or principle; I am willing to take him up on the principle, and I say I cannot see that the operation of sugar factories should be defined as a public utility service, for the purpose of a Public Utilities Board. It is not altogether true to say that sugar cane is grown for the manufacture of sugar; that may be true today. but it may not be true tomorrow. If King Sugar dies tomorrow we may have to turn to another industry altogether.

as one honourable member has rightly said. Suppose we turn to cotton; who manufactures that?—Nature itself. The honourable member may display figures and say that Puerto Rico has set out on an extensive nationalisation and industrialisation scheme; I do not know whether the Government of Puerto Rico is a Socialist Government or not, but from the programme I have heard, they must be Socialists in that country or they are on the road to extreme Socialism. I am willing to assist the honourable member if he is willing to put forward a more convincing argument. The peasants of this colony grow as much sugar cane as any factory; they are scattered all over the island, and that is the difficulty; but the amount of sugar cane they produce would allow them to erect a factory. It is not true to say that the sugar industry has a monopoly; I cannot say that the sugar industry has a monopoly at all. It would have a monopoly if you were to prevent other people from putting down a factory or from buying a plantation. We had some 50 sugar factories here and one of these days we will have only 5. I just rose to let the honourable member know where I stand in this matter; if he can produce more argument for including the sugar industry in this Bill, I am perfectly willing to agree with him. If you want more taxation out of the industry, you have a department to deal with that; if the peasants want more money for their canes, the Government must assist them if they do not have the spine to come together and demand a price for their canes. With those remarks, I ask the honourable member not to expect any support from me in respect of his proposal unless he has more argument to put forward on the matter.

The question that the proposed sub-paragraph (3) stand part of the Bill was put and resolved in the affirmative the following division being taken:—

Ayes: Messrs. ALLDER and CRAWFORD—2.

Noes: Mr. SPFAKER, Dr. CUMMINS, Messrs. FOSTER, MILLER, MAPP, LEWIS, BRYAN, COX, F. L. WALCOTT, ADAMS, MOTTLEY, GILL, BETHELL, DOWDING, GODDARD, WILKINSON and REECE—17.

The question that Clause 2 stand part of the Bill was put and resolved in the affirmative without division.

Clause 3 was read as follows:—

3. (1) There shall be a Board, to be called "the Public Utilities Board," to be comprised of three members to be appointed by the Governor, one of whom shall be appointed as Chairman and shall be entitled to hold the office of Chairman as long as he continues a member of the Board.

(2) In the absence of the Chairman, or in case of his inability to act, or if there is a vacancy in the office, any other member may act as Chairman.

(3) Whenever it appears that a member has acted for and in the place of the Chairman, it shall be conclusively presumed that he so acted for one of the reasons mentioned in subsection (2) of this section.

(4) Vacancies caused by death, resignation or otherwise may be filled by the Governor.

(5) Two members shall constitute a quorum.

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

Dr. CUMMINS: I beg to second that.

Mr. LEWIS: I do not like to place this great responsibility on the Head of the Administration: I would like this Board to be appointed by the Governor-in-Executive Committee as it is going to be paid by the Governor-in-Executive Committee. I am asking the honourable senior member for St. Joseph whether he wants a formal motion made to that effect, or

whether he will agree with what I have suggested. If he does not agree with that I will have to put the matter to the rest of the House. I think that this Board should be appointed by the Governor-in-Executive Committee and that the vacancies caused either by death or by resignation should be filled by the Governor-in-Executive Committee. I do not think that it is very clearly defined whether the members of this Board are going to be full-time employees or not. I am of the opinion that inasmuch as the members of this House are regarded now as policy-makers, we should be able to blame them in connection with the personnel of this Board. After all, we are carrying out an experiment: we do not know exactly how it is going to work, and I want, if I have the privilege of coming here to discuss the actions or non-actions of this Board, to be able to look in this House and see at least some of the members who put Mr. So and So on this Board or who refused to put him on the Board. For that reason, I am going to move that wherever the word "Governor" appears in this Clause, it be deleted and the words "Governor-in-Executive Committee" be substituted therefor. I hope that that motion will find favour with honourable members. Unless there is any special reason for not putting this matter on a proper basis, I am of opinion that it should be done in the manner in which I have suggested.

Mr. ADAMS: We talk about self-government and putting things on an up-to-date basis. I thought I had made it clear that politicians should not have anything to do with the appointment of people to the Civil Service. What we have done in the past we have to undo. The Executive Committee is considering the terms of a Public Service Commission Bill; we are going to appoint a Public Service Commission whose duty it will be to deal with appointments, transfers and dismissals as is the case in some other colonies and all self-governing nations and communities. We can have persons who are completely disinterested, but if there is one thing that every politician should avoid, it is the danger, to put it on a low basis, of putting himself in a position where he can be accused of giving jobs to his friends politically or personally. I hope that the honourable member will see that he has made a grievous mistake in making this motion. Other Clauses of the Bill provide that the Governor-in-Executive Committee shall, at every stage, have a chance of seeing that members of the Board go right. The appointment of anybody to the Civil Service should not be in the hands of the Governor-in-Executive Committee because the members of the Executive Committee are all politicians of necessity, and I hate to think that we should go back to the stage reached in a certain parish which is so well represented by the two honourable members on my left, a parish in which if you did not help the right Party you would lose your job as assessor and so on. We have to avoid all of that. Nobody has fought more than I for building up self-government, and having the Executive Committee doing this, that and the other; but if we are becoming as up-to-date as any other colony let us render to the proper authority the things which are within the province of that authority. Let us run the legislative side of the Government and let the Governor-in-Executive Committee run the administrative side; the question of personnel should have nothing to do with politicians. I suggest to the honourable member that he should not press his motion.

Mr. REECE: I feel that the Executive Committee is a Body whose functions are particularly to advise the Government on problems which might arise, and it should have nothing to do with the making of appointments.

Mr. CHAIRMAN: I am sorry to interrupt the honourable member, but the motion made by the honourable junior member for the City has not been seconded.

Mr. REECE: I am speaking on the Clause. The honourable senior member for St. Joseph has made reference to what has happened in a certain parish; I feel sure that the honourable member will see that no such state of affairs will ever exist in the parish of St. Joseph so long as he has the honour to represent it. What I want to say is this; this Clause says that three members shall comprise the Board and I am wondering if three is the right number, or if the number should not be increased to five. Two of the members of the Board might become ill and I think we should make the number of members comprising the Board five. I am wondering if it would not be safer to make the number of members comprising the Board five instead of three.

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

Clause 4 was read and passed.

Clause 5 was read as follows:—

5. The members of the Board shall hold office for a period of five years from the date of their appointments:

Provided that—

- (a) a member may at any time by notice in writing to the Governor resign his office;
- (b) the Governor may declare the office of any member vacant on the ground that he is unfit to continue in office.

Mr. ADAMS: I am asking leave to insert immediately after the word "is" occurring in line 2 of paragraph (b) the words "from any cause."

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

Mr. ADAMS: I beg to move that Clause 5 as amended stand part of the Bill.

Dr. CUMMINS seconded the motion which was agreed to.

Clause 6 was read as follows:—

6. The members of the Board shall receive such remuneration as the Governor-in-Executive Committee shall determine.

Mr. ADAMS: I ask leave that the consideration of this Clause be postponed, because the amendment proposed in the Minority Report would have to be accepted by me if a later Clause is amended. If the payment of the members of the Board comes from the Treasury, the Legislature would have to give its approval.

Mr. MOTTLEY: The honourable member has asked leave to postpone the consideration of this Clause and he has stated that our proposed amendment would have to be accepted if the payment of the members of the Board comes out of the Treasury; but whether the money comes out of the Treasury or not, we are suggesting that payment should still be made with the approval of the Legislature. We are suggesting that even if the money comes out of the Treasury, the remuneration should not merely be fixed by the Governor-in-Executive Committee; we still feel that it should be fixed with the approval of the Legislature.

There being no objection, leave was granted the honourable member to postpone the consideration of this Clause.

Clause 7 was read as follows:—

7. (1) If in the opinion of the Governor-in-Executive Committee a member of the Board is interested in any matter before the Board, or if a member is unable to act by reason of illness, absence or other cause, the Governor may appoint a person to

act as a member in his stead for that occasion or until the termination of the disability.

(2) The Governor-in-Executive Committee may fix the remuneration of the person so appointed; and any person so appointed may complete any unfinished business of the Board in which he has taken part, even if the member in whose place he is acting has become able to act.

Mr. ADAMS: I beg to move that Clause 7 stand part of the Bill.

Dr. CUMMINS: I beg to second that.

Mr. REECE: In connection with Sub-clause (2) I take it that when a member of the Board is able to resume work, the Governor will exercise some authority to prevent him from assuming the responsibility of his office when a matter is being dealt with, because if that were not done, you will have not three, but four members of the Board. You will have a Board comprised of four members, three of whom can do a particular job, three of whom will be entitled to do any other business which comes up for the consideration of the Board. The man who is acting should be entitled to continue to deal with the business in hand, and if the other man is able to resume, then you will have a Board comprised of four members. It seems to me that this Clause needs a little clarification.

Mr. ADAMS: I do not see any danger in that. The law says that there shall be only one Chief Justice, but if the Chief Justice goes on leave or has to attend a sitting of the West Indian Court of Appeal and comes back when the Acting Chief Justice is in the middle of case, the Acting Chief Justice finishes that case. If a member of this Board has the "flu" and cannot attend to the business of the Board, you appoint somebody to act for him. If he recovers before the business in hand is completed, the person who is acting completes the business in hand. I do not see that there will be any clash.

The question that Clause 7 stand part of the Bill was put and resolved in the affirmative without division.

Clauses 8 to 10 were read and passed.

Clause 11 was read as follows:—

11. (1) Each year the expenses of the Board for the preceding calendar year shall be assessed upon and borne by the several utilities carrying on business during the whole or any part of the preceding calendar year.

(2) On or before the first day of July in each year, or such later date as the Board may determine, the Board shall assess upon each of such public utilities its just share of such expenses in proportion to its gross earnings for such preceding calendar year or part thereof, as the case may be.

(3) The amount assessed under the preceding sub-section on a public utility shall be paid by such public utility within one month after it has been notified by the Board of such amount and in default of payment, the Board may sue for and recover the same in any court of competent jurisdiction.

Mr. ADAMS: I beg to move that Clause 11 stand part of the Bill.

Dr. CUMMINS: I beg to second that.

Mr. MOTTLEY: As will be seen from the Minority Report which we have submitted, we made it quite clear that we do not think that the annual expenses of the Board should be assessed upon and borne by the several Utility Companies carrying on business during the whole or any part of the preceding calendar year. We are of the opinion that these expenses should be paid with the approval of the Legislature out of the Public Treasury on the warrant of the Governor-in-Executive Committee and therefore recommend that this Clause be amend-

ed accordingly. We, who have signed the Minority Report, have used our argument, those who have signed the Majority Report have used their argument and we have not reached any agreement. It is therefore a matter for the House to say whether or not they agree with this Clause as it stands. While this is not a Bill dealing with nationalisation, it will be the only Bill which controls public utilities, or rather the public utilities mentioned in this Bill will be the only ones which would have to pay these expenses. It is not a matter of the Telephone Company or any particular company or companies which might be considered to be public utilities, but looking at the matter from the point of view of the consumers, if the Government actually collects its taxation and makes payments from the Public Treasury, we feel that the public utilities should be controlled as a part of the Government, so to speak, and the inhabitants of the colony will be entitled to the protection and the benefits to be derived from the public utilities, so that the expenses of the Board should be paid out of the Treasury with the approval of the Legislature. If you merely assess the Public Utility Companies, you are in truth and in fact merely assessing the consumers. That is not the case in respect of the water service; you do not merely assess the people who use their own water, and you pay everybody out of the general revenue. Under this Bill, which is different from nationalisation, a private concern is still allowed to run its business and the entire profit does not go to the Government, but the Government gets profit by way of taxation; in the case of nationalisation the Government gets all the profit. We are not attempting to say that Public Utility Companies should not pay their taxation; that is far from us. Our opinion is—and we submit it to the judgment of honourable members—that if you say that the expenses of the Board should be paid by the Public Utility Companies, you are actually saying that only the people who use those public utilities must pay. If you say that the expenses of the Board are £1,000 a year, the Public Utility Companies only give that amount when they take it from the consumers. On the other hand we argue that if you have natural gas and you must run it through Bank Hall, for instance, you do not compel people to take it, but it is there for them to get the benefit of it. We do not think that only those who use the public utilities should contribute to the running expenses of the Board, we argue that the expenses of the Board should be borne by the general revenue and also that they should be paid with the approval of the Legislature. If, as this Clause says, the expenses of the Board are to be assessed upon the public utilities at the beginning of the year and you come to the House with a block vote, we will know nothing about the salaries paid to the members of the Board; these salaries will be paid out on the warrant of the Governor-in-Executive Committee. If, on the other hand, we say that these expenses are to be paid out with the approval of the Legislature, in your Estimates you are bound to say, although you propose to lay these expenses on the Public Utility Companies, that the expenses are so much and so much which the Legislature is asked to finance. I do not think it is wrong in letting the Legislature know exactly what the position is. The Government has used in respect of this Bill a similar argument to that which was used in respect of the Natural Gas Corporation Bill. I hope that honourable members will appreciate the argument which I have used in connection with asking only the consumers to pay when you are enacting legislation to control the public utilities from which the

inhabitants of the colony will be entitled to get the benefit.

Mr. MILLER: In connection with this Bill, I feel today exactly as I felt when it was first brought before the House. I am not in favour of this Bill which has been brought down instead of one for the nationalisation of public utilities; however, the majority feel it is expedient to pass this Bill, and as a democrat, I must support it. As regards this Clause, I am not in favour with the suggestion of the previous speaker that the expenses of this Board should be paid out of general revenue. In the first place, it is not democratic for that to be done. If you think of the Electric Company, there are people who never use electricity and I do not think you should ask these people to pay the expenses of a Board which controls that public utility. I think it is unreasonable to ask these people to pay for the upkeep of this Board; I think that the various utilities controlled by the Board should pay the expenses of the Board, since, for instance, there are people in certain parts of this island who have never dreamt of electricity. There are people who contribute towards the upkeep of the Anglican Church and there are others who enjoy religious refreshment from other Churches but they receive no support from the Government, and that is wrong. If you are asking every individual in the island to pay taxes for the upkeep of this Board, I do not believe that that is right. On the question of the remuneration of members of the Board, I am more or less divided in my opinion on that question; if the members of the Board got a fee of say, two guineas for attending a meeting, that would provide the Government with a wider choice of members of the Board and I do not think they should be full-time employees. I suggest to honourable members that this Clause should be left as it is; I do not think it is democratic to ask somebody who never hopes of having a telephone, to contribute to the payment of the operating costs of this Board.

Mr. WILKINSON: The honourable senior member for the City has explained so fully the views which we, who have signed the Minority Report, put before the Select Committee in connection with this Clause, that it is hardly necessary for me to repeat them. We discussed the matter at length with the members of the Government but we could not come to any agreement. We take the view that these public utilities are for the benefit of everyone, and therefore the expenses of the Board should not be borne by a few people who are at present using electricity, telephone or gas. We take the view that, as in the case of water, the expenses of the Board should be paid out of the Treasury in the ordinary way. As the honourable senior member for the City has also pointed out, we consider that the remuneration paid to the members of the Board should have the approval of the Legislature, whether the money is paid by the Public Utility Companies or out of the Treasury. I think that the honourable senior member for St. Joseph will eventually agree to that. If the public utilities are for the benefit of the entire public, then the entire public should pay the expenses of the Board.

Mr. MOTTLEY: The argument of the honourable senior member for St. George brings my memory back to the days when the Central Road Board came into being; it was the feeling then that the Highway funds which were collected should be earmarked for repairing the roads, but with the parliamentarians of that day, that was not allowed. We differ in good faith on this subject. The honourable senior member for St. George says that there are people in this island

who will never be able to use electricity, but that is the reason for this Bill because the Board will say where electricity is going to be carried. The General Hospital is nothing but a public utility service; everybody contributes to its upkeep, but you may never use it. Similarly with the water service; everybody contributes to the running of that service, but in St. Michael you hear people complain that there is no water. In Cave Hill you may hear a man say; "I contribute my taxation every year, whether direct taxation or not, and I cannot get any water." And the honourable member's argument would be that the water is there if you want it. The water might be two miles away and you can get it if you pay £1,000. If electricity or gas is two miles away you have the right to get it; and you can get it if you pay £1,000 or £2,000 to get it. The water service is on all fours with any other service for which the general public pays. If you say that everybody is entitled to the service which the General Hospital renders, will the honourable member say that, because my brother is running a clinic and my entire family will get service from that clinic, I must be exempt from taxation?—No. The Government says: "You contribute to the running of the institution and the service is there if you want it." I submit that when this Bill becomes law, the taxpayer in Boscobel will be in a similar position to the taxpayer in St. Joseph: although with regard to the water service, at one time the taxpayer in Christ Church got his service and the one in St. John got none, the latter still contributed to the running of the service. As the honourable junior member for St. James has pointed out, the remuneration of the members of this Board should be paid out of the general revenue: but whether the money is paid out of the general revenue or otherwise, I am not prepared to allow any payment to be made without the approval of the Legislature. Imagine the honourable senior member for St. Joseph agreeing to salaries being paid without the approval of the Legislature! There is the possibility of a block vote coming down and somebody saying that you are paying the members of the Board so much money and the honourable member saying "I know nothing about it." If, on the other hand, you say that the salaries should be paid with the approval of the Legislature, you have a voice in saying that you consider that the way in which things are being done is wrong.

Mr. ALLDER: Honourable members are quibbling over a small issue like this. I feel that honourable members on the other side of the House should be rather silent now that they have been successful in getting the adoption of what they wanted. I feel that they are fortunate in that this Bill is not one for the nationalisation of these public utilities. I think it is short-sightedness in their asking the Government to pay the Board.

Mr. ADAMS: I beg to move, Mr. Chairman, that you do now report progress and ask for leave for the Committee to sit again.

Dr. CUMMINS seconded the motion which was agreed to.

Mr. SPEAKER resumed the Chair and reported accordingly.

On the motion of Mr. ADAMS, seconded by Mr. BRYAN, the House was adjourned for three quarters of an hour.

THE PUBLIC UTILITIES BILL, 1951 On re-assembling.

Mr. SPEAKER: On the adjournment, the House was in Committee on the Bill to provide for the regulation of Public Utilities.

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

Mr. CHAIRMAN: When the House was in Committee on this Bill before the adjournment, Clause 11 was being considered.

Mr. ADAMS: Mr. Chairman, I hope that honourable members have been spiritually fortified so that they will give to the remaining Clauses of the Bill that critical attention which they are expected to give. As regards this Clause, I would like to put again one or two points which have been put on the Government's side. I wish to say that the honourable senior member for the City has put his point of view fairly and reasonably, but I think he made fallacious arguments in his comparison with water and a hospital: you cannot compare a public utility which might be run by a municipality with a public service such as ministering to the sick. A hospital is in relation to public service, it is not a public utility: we are asking the House to consider services which experience has shown should be, in the interest of the community as a whole, controlled by the Government. If a public utility affects the lives of the people of the community as a whole—if it makes it hard for the community—then we can well see—a Government such as ours which is a Socialist Government—that we should regard it as our duty to control that public utility, not to expropriate. This Government proposes to establish a judicial body of men to see that the community gets good service and that it does not pay too much for the service which it gets. I shall avoid repeating my second reading speech, but I should like to remind the House of what I said some months ago—in the month of July—of the sort of things that happen in the functioning of Public Utility Boards. I quoted Reports from the working of the Alberta Public Utilities Board where people complained about not having any service in a district. Sometimes complaints are made by the companies themselves and at other times they are made by customers. When you consider the things with which the Public Utilities Board will have to deal, then you can easily see why we have adopted what exists in those Statutes which we have examined and followed. We say that the expenses of the Board should be confined to the public utility companies and not be taken out of general revenue. It is perfectly true that in some provinces in Canada you will find that the expenses of the Board are taken out of general revenue, but, on the other hand we have followed what obtains in Newfoundland. The Newfoundland Act is the most up-to-date in recent legislation in Canada. We have to go to the United States and Canada for legislation of this sort; the Newfoundland legislation is only from 1949; it came about after that of Vancouver and Alberta. The earliest Act which I see is the Public Utilities Act of 1923; that is the Alberta Act. Newfoundland did not have any Act until 1949, and it is reasonable to suppose that Newfoundland profited by the experience of Alberta. We took straight from the Newfoundland Act the provision that the public utility companies should pay the expenses of the Board. I think an honourable member referred to the fact that the Waterworks Department is paid for out of general revenue; but, Mr. Chairman, there is a difference. You do endeavour to put water within the reach of everybody, but there is a vast difference between having a stand-pipe even a mile from your home and having an electric pole that distance from your home; you can walk that mile and take home a bucket of water, but an electric pole situated a mile or so from your

home does not give any electric light unless you can afford to put in that light. Following the example of Newfoundland, the Government feels that both on the general principle and as a Socialist Government, the public utility companies should pay the expenses of the Board. If these companies run their businesses properly, they can afford to pay the expenses of the Board out of their profits; and you should not ask the taxpayers, some of whom within the foreseeable future will never be able to take advantage of some of these services, to pay these expenses. Mr. Chairman, can you foresee during the lives of our children or grandchildren, every labourer putting a telephone in his house? In short, if people are asked to pay these expenses, many of them who have to pay taxes directly or indirectly would be asked to help run these public utility services, although they would not, in their lifetime, or their grandchildren, in their lifetime, be able to use them. In what country in this world is there a great proportion of people who have telephones in their houses? In short, water is used in every house in this community and in every community in the world, but it might be centuries before a telephone or gas is used in every house in the community, so there is no comparison between installing water and installing a telephone or gas. I repeat that we as a Socialist Government, feel that the public utility companies should be made to pay the expenses of the Board out of their profits, rather than the taxpayers having to pay them; and it must be a fact that this principle has worked well, otherwise Newfoundland would not have followed it. The Clause which follows this one was really put in to cover the first year of working; that Clause says that the Colonial Treasurer may advance annually out of the Treasury such sums as may be required to meet the annual expenses of the Board. When the Board first starts to operate, it would not have any money, and it would be necessary for the money to be advanced from the Treasury; but under this Clause II, if in a particular year the running of the Board costs two, three, four or five thousand pounds, the expenses will have to be divided among the public utility companies in proportion to their gross earnings. Sub-clause (1) of this Clause says: "Each year the expenses of the Board for the preceding calendar year including the remuneration of the members thereof shall be assessed upon and borne by the several utilities carrying on business during the whole or any part of the preceding calendar year." That is to say, you have started and you have to run a year before you know what it costs you to run that year; you have to get the money from somewhere and therefore Clause 12 has been put in saying that the money may be advanced from the Treasury. That is the lawyers' way of drafting this Clause; but it means only the first year. (A MEMBER: But it does not say so). In this Clause mention is made of the preceding year; there is no preceding year for 1951 and you have to make provision for the expenses of the Board; therefore we put in Clause 12 saying that the Colonial Treasurer may advance annually out of the Treasury such sums as may be required to meet the annual expenses of the Board. The year 1951 could have been put in, but that is the lawyers' way of drafting the Clause out of an abundance of caution. Under Clause II, every year the expenses of the Board including what is paid to the three Commissioners, are determined and after that is done, the Board tells the Telephone, Gas and Electric Companies; "The expenses of the Board are so much, your share is so much." If any company does not pay its share of the expenses, the Board sues for it. After the first year, the Board sues for

the amount assessed on any public utility; it does not go to the Treasury for that money. I repeat that it is only the lawyers' way of drafting to cover every possible expense, so to speak, that has caused the word "annually" to appear in Clause 12. If the honourable member does not accept that, he need not accept it. There is no necessity to change the wording of the Clause; it has been worded in that way out of an abundance of caution. Another point of which I have been reminded is that one of the things which occurred to the mind of the Draughtsman was the fact that the winding up of the books of the public utility companies may not be done at the same time; it might be done in September in some cases and in June in others.

I would like to be careful in what I am going to say now. I will say that a careful examination of our duty justifies us in feeling that the expenses of running this Board in a small island like Barbados should not be such as to warrant the imposition by any of these companies, of extra rates on their customers. Let us think for ourselves of what complaints are likely to arise; as regards the Telephone Company, luckily for us in Barbados, they give pretty good service — I might almost use the term excellent service — as compared with the big countries of the world where you have more trouble than you ever get in Barbados. Except for an occasional crossing of the lines you get very excellent service. How many complaints are you going to make about the Telephone Company? It is different with the Electric Company; some of us are going to complain about the price of electricity, everybody is going to complain about the meter rent and I hope that the Board will abolish that right away. Everyone of us is going to complain about having to pay the value of posts which still remain the property of the Electric Company and the Telephone Company. It is perfectly true that nobody should be called upon to pay \$600 for installing a telephone and it is easy to see that you have not got to employ any £1,000 a year man. That is why I am asking the Committee to agree with me that we need not worry about customers having their electric or telephone rates increased. I am trying to give hints to the Committee without disclosing what I should not disclose, but I do not think you will find that we have to pay the three members of this Board any big salaries. There are going to be other expenses incurred, it is true, because under Clause 8 provision is made for the appointment of experts who will have to be paid. If you summon an engineer and ask him to give expert evidence as to voltage or pressure, you have to pay him, and under Clause 9 the Board may appoint a secretary and other officers. However, if we have to summon the Government Electric Inspector, the Colonial Engineer or any person like that, we will not have to pay him, since he is a Civil Servant. I use that argument to show that these expenses are not excessive so as to cause us to fear that the amount of our bills at the end of the year will be increased because of this Act. I therefore ask honourable members to accept this Clause as it is and let the expenses of the Board come out of the pockets of the public utility companies instead of putting these expenses on the taxpayers of the island as a whole.

Mr. GODDARD: The argument of the honourable senior member for St. Joseph is quite sound in one sense and I would say that good arguments have been put forward on both sides. The honourable member says that the expenses of the Board should come out of the public utility companies; that may or may not be so because the Board may find that the expenses must be borne by the companies or the

consumers. The honourable member has told us that he foresees that the only complaints which will be made to the Board will be in respect of meter rent and so on; I see that the major job of the Board will be in respect of those people who are now consumers, and for that reason, the expenses should come out of general revenue. The consumers are the persons who will be making most of the complaints. I cannot see why the expenses should not be paid out of general revenue. In the parish of Christ Church, one of the services which we carry on is scavenging, but every taxpayer in that parish does not benefit from that service. In my opinion, the arguments on both sides are sound, and it is just like tossing a coin in the air and calling "head" or "tail". I do not see why such a long debate should have taken place over this Clause.

Mr. MOTTLEY: There are just a few points on which I would like to reply to the honourable senior member for St. Joseph. The honourable member has mentioned the Newfoundland Act which has only come into being in 1949, as against the Alberta Act which has been working for very many years, and in which these expenses are met out of general revenue. The Newfoundland Act has only been in operation from 1949 and nobody can say whether it is workable or not. Now when you come to Clause 12 which begins "The Colonial Treasurer may pay and advance annually out of the Public Treasury....." How can I or any other member of this House, not being a lawyer, say that that means that money may be advanced only for the first year of the working of the Board? Any ordinary layman will interpret that to mean that the money is to be advanced every year and I am not accepting any other interpretation; it means that year after year the money can be advanced from the Treasury. I do not know what was in the draughtsman's mind when he drafted this Clause, but I know what is in my mind when I read it. "Annually" can only mean "annually."

Mr. ADAMS: I am sorry to interrupt the honourable member, but I said that out of an abundance of caution the word "annually" was put in, because the question of advancing money may arise in any year. It may happen that in other years the money has to be advanced and we would have had in the word "annually." The honourable senior member for St. Andrew has just put certain points to me and I will say that unless the regulations made by the Executive Committee are made carefully, "annually" may turn out to be "annually". If we are not very careful we may find that we have to advance the money every year.

Mr. MOTTLEY: The honourable member has now given me a different impression from what he gave at first. In conclusion, let me say this; The honourable member has stressed the point that he cannot see why the expenses of the Board should come out of general revenue, or why the taxpayers should have to pay these expenses; but will he not agree that transport is a public utility service and that the expenses of the Transport Board are not borne by any concessionaires? The expenses of the Transport Board are borne out of general revenue. (A MEMBER: That is a Government service). The honourable member said that not only will the members of the Board be paid but incidental expenses will also have to be paid and my argument is that the position is the same with regard to the transport service, and the expenses of the Board are borne out of general revenue. May I suggest to the honourable member to postpone the consideration of this Clause and deal with other Clauses which are not controversial?

Mr. ADAMS: The point has not been raised before, but of necessity, if we have this Clause in our Act, we have to put in our Estimates a sum of money to cover possible advances. If honourable members look at the Act carefully they will see that it amounts to our having to put a sum of money in the Estimates annually for this purpose. I have avoided saying this before because it might sound harsh; but the attitude of the Government is that the public utility companies have to pay these expenses, not the taxpayers generally. To begin with, we are bound to advance money out of the Treasury, and the way in which we have to get back the money out of the companies is to see what the expenses of the Board were for the previous year. We would not know what the expenses were for last year until the year had elapsed, and therefore money would have to be advanced from the Treasury so as to make a start; but when the assessment is made in July, the companies will have to reimburse the money.

Mr. MOTTLEY: I am not voting for any Bill unless I understand it, and I am going to deal with this Bill as thoroughly as I can. The honourable member cannot say that he agrees with me, but he agrees with the honourable senior member for St. Andrew; he has agreed with him that money would have to be put in the Estimates for us as legislators to know something about the money advanced from the Treasury in connection with this Bill. That is a different interpretation which he has put on the matter.

Mr. REECE: Mr. Chairman,—I do not agree with that interpretation; as this Clause reads there is absolutely no necessity for putting any money in the Estimates. The Clause simply says that the Colonial Treasurer may advance annually out of the Public Treasury on the warrant of the Executive Committee the money required to meet the annual expenses of the Board. What the honourable senior member for St. Joseph has said has a lot of truth in it; you must have a source from which the first year's money has to be paid, and that first year's money will have to be paid out of the Treasury. The honourable senior member for St. Joseph knows what he is talking about, but it is impossible for him at all times to view things in their proper perspective. I agree with the honourable member that Clause 12 is necessary out of an abundance of caution, because there might come a year when there is no money with which to start; the public utility companies might not pay anything. Because those companies are public utility companies it does not follow that they are going to make a profit every year, and therefore the expenses of this Board should be borne by the Government. The object of this Clause is that the expenses of the Board are to be advanced out of the Treasury for certain years and the word "annually" has been put in. The argument has been advanced by more than one honourable member that the money which has been advanced from the Treasury will be replaced, but I do not see any such provision in this Clause; all the Clause says is that the Board shall make an assessment of the previous year's working, and shall collect that money. There is not one word said about the money being paid into the Treasury; the money which the Board shall collect should be paid into the Treasury. The expenses should be paid by the Executive Committee and that would give the Executive Committee a check on the working of the Board. Sub-clause 3 of this Clause says that the amount assessed on a public utility shall be paid by the public utility, but it does not say where it should be paid; I think we should insert the words "into the Public Treasury." The money which this Board collects from the public

utility companies should be paid into the Public Treasury to reimburse the taxpayers. If that were so then there would not be any argument; in fact, the argument of the honourable senior member for the City supported by the honourable junior member for St. Joseph, would in large measure be met, because the money would be going into the Treasury. The Board, when in need of funds, would have to go to the Executive Committee and say: "We have run short of funds; we want money to carry on the Board." Then the Executive Committee, being responsible for the Board, would come to the Legislature which would, of necessity, have to advance certain funds so that the Board could carry on the year's working. It has been said that these public utility companies are making money and we should take from them some of the profits which they have made and let them pay the expenses of running this Board; but, as I have already said, it might be that a company has not made any money and there will not be anything to assess on it. As the honourable senior member for St. Joseph has said, we have a Telephone Company with a service second to none; I tell you, Mr. Chairman, that the service of the Telephone Company in Barbados is on a par with that of London. I repeat that, in the first place, money must be provided by the Government so as to give the Board a start, and if that is so, is it not reasonable to say that the money collected by the Board should be paid into the Treasury? And I am submitting that this money should be paid by the public utility companies directly into the Treasury.

Mr. DOWDING: Mr. Chairman,—Far be it from me to try to emulate the eloquence of the last speaker, or throw myself between the two masters of the law; but looking at this matter as an ordinary layman, I, personally, do not like the idea contained in Clause II. This Clause makes it lawful for the Board, which is about to be formed to control the public utilities, to be paid out of the profits of the same concerns which it is going to control. That principle, in my opinion, is wrong; no person who is controlling any business for the Government should be paid out of the profits of that business. Mr. Chairman, if the members of this Board are to be paid out of the profits of the public utilities, is it not in the interest of the Board to see that the profits are suited to them? I feel that the line which the honourable senior member for St. Joseph has drawn between a service and a public utility is too fine. Let us take Seawell Airport, for instance; how many of the taxpayers in this island have the use of the Airport and how many people have to pay taxes for the upkeep of the Airport? The honourable senior member for St. Joseph says he is hoping that these utility services will be installed in every agricultural labourer's house in this island; but, Sir, these things are going to take time and money to bring them about and they will need plenty personnel to control them. I envisage that there will be much expense entailed in respect of the running of these services, not necessarily in the near future but within a few years, if this Board is going to function correctly. I repeat, Sir, that I do not like the idea of the payment of the members of the Board being made out of the profits of the companies.

Mr. LEWIS: I would not swear that the honourable senior member for the City was in this House during 1949, because I know that he was out of the island for some time in the interest of his life; but during that year there was before this House a Bill entitled the Cinematograph Film Censorship Bill. In connection with that Bill, I pressed the same point as that which the honourable member has been

pressing, and I was alone in it. I asked that the members of the Board be not paid by the persons who were producing the films, because it might be thought that the Board would be partial to these people. We have it on record that this House said that the members of that Board are to be paid by the people with whom they are dealing. It is true that that principle was tried in respect of the sugar industry, but it had to be changed. However, that is a different matter. I would like to say that in many of our Acts we have the wording: "All salaries shall be paid out of the Public Treasury on the warrant of the Governor-in-Executive Committee"; the honourable junior member for Christ Church would take that to mean that the Governor-in-Executive Committee could pay out the money without its being put in the Estimates, but that cannot be done. The point is that you do not have to vote the money because you have agreed to it by law. If in the matter which is before us, you find that you cannot meet your obligation, would you not have to borrow the money? There is one thing which is worrying my mind and it is this; I would like to see it mentioned in Sub-clause (3) of this Clause that the amount assessed on a public utility shall be paid into the Treasury, and, in my opinion, Clause II has been put where Clause 12 should have been put. In several of our laws I have seen the wording that the money shall be paid into the Treasury for the benefit of the public revenue; the Cinematograph Film Censorship Act says in respect of the people who are to pay money, that the money shall be paid into the Treasury. I should like to ask the honourable senior member for St. Joseph whether this money is going to be budgeted for. If the honourable member assures me that this money will be paid into the Treasury annually I will not have any fear, because I know that under Clause 12 the money is going to be advanced from the Treasury annually. I would like to know whether the Board will have to pay the money into the Treasury.

Mr. ADAMS: I appreciate the hon. member's point. It is perfectly true that in many of our Acts on the Statute Book there is the wording that the money shall be paid into the Treasury; but nowhere are we giving the Board authority to hold money. The Board cannot do anything that we have not given it authority to do by this Act. We do not have to say that the money shall be paid into the Treasury, because the only place where Government money is received is the Treasury. The hon. member has made a good point; it is impossible for one cent to be paid out of the Treasury unless it appears in the Estimates. Let us take C.D. & W. funds; the Barbados Government is not paying them, but they have to appear in our Estimates year by year. The amount to be advanced from the Treasury under this Act will appear in the Estimates and on the opposite page there will be a note saying that the money is recoverable under Clause II of the Public Utilities Act. The Newfoundland Act says that each year the reasonable expenses for the preceding calendar year shall be assessed upon and borne by the several public utilities that carried on business during the whole or any part of the preceding calendar year.

Mr. WILKINSON: We have had a long discussion on this Clause and various opinions have been expressed in connection with it. My mind is not yet clear: it might be confused by the excellent diet which we have just enjoyed, but I would like to suggest to the hon. senior member for St. Joseph that the further consideration of this Clause should be postponed. It still seems uncertain to everybody that this Clause will work, and I do think that the hon.

member would be well advised to postpone the further consideration of this Clause. We are not going to postpone this Bill: I take it that it is the intention of the honourable member to go on Tuesday after Tuesday with this Bill until we finish it. I am suggesting that we be given a little more time to consider the different points of view which have been very interesting, I think it is due to this House and the hon. member for us to postpone the further consideration of this Clause. On one occasion I think the hon. member changed his opinion as regards the interpretation of this Clause: that indicates to me that he believes that the expenses of this Board should be a charge on the whole community and not on certain sections who now happen to use electricity, gas or telephone. I therefore formally beg to move that the further consideration of this Clause be postponed.

Mr. DOWDING: I beg to second that.

Mr. ADAMS: There is no necessity whatever for any postponement. What has unfortunately happened, Mr. Chairman, and I do not mean any offence to you, Sir, is that most of us have made the mistake of discussing Clause 12 in which the word "annually" appears, but which is not before the Committee. Clause II says that at the end of the year you count up what the Board's expenses were and divide them among the three public utility companies. That is the Clause before the Committee, but, I repeat, hon. members have made the mistake of discussing Clause 12. As the hon. junior member for the City has said, Clause 12 should probably have preceded Clause 11. In the Newfoundland Act it is so, but, for some reason or other, the draughtsman of this Bill has reserved the position of these two Clauses.

Mr. MOTTLEY: I should like to know if the hon. member will agree to having it set out clearly in this Clause as to whether the amount assessed on a public utility shall be paid into the Public Treasury or to the Board.

Mr. ADAMS: There is only one place where public money is paid and that is the Treasury.

The question that the further consideration of Clause II be postponed was put and resolved in the negative, the following division being taken:—

Ayes: Messrs. GILL, MOTTLEY, DOWDING, BETHELL, GODDARD, WILKINSON and REECE—7.

Noes: Mr. SPEAKER, Messrs. MILLER, MAPP, LEWIS, BRYAN, COX, F. L. WALCOTT, ADAMS, FOSTER and Dr. CUMMINS—10.

The question that Clause II stand part of the Bill was put and resolved in the affirmative, on the following division:—

Ayes: Mr. SPEAKER, Messrs. MILLER, FOSTER, MAPP, LEWIS, BRYAN, COX, F. L. WALCOTT, ADAMS and Dr. CUMMINS—10.

Noes: Messrs. GILL, MOTTLEY, DOWDING, BETHELL, GODDARD, WILKINSON and REECE—7.

Mr. MOTTLEY: Mr. Chairman,—At this stage—it is now 10.30 p.m.—I am suggesting to the hon. senior member for St. Joseph that we should report progress in respect of this Bill inasmuch as it is not a Bill which is needed tomorrow. It is all well and good for members supporting the Government to continue with this Bill now because they have not got to raise much opposition; but in a Bill of this sort you must have your "pros" and "cons" and I am suggesting to the hon. member that we should now adjourn. I beg to move, Mr. Chairman, that you do now report progress and ask for leave for the Committee to sit again.

Mr. DOWDING: I beg to second that.

Mr. ADAMS: I am appealing to hon. members supporting the Government not to agree to that

motion. This Bill was given its second reading in July, we are only now dealing with it from the Select Committee and we have to consider the members of the Other Place. I am prepared to postpone the consideration of Clauses 27 and 36 until next week and I am also prepared to postpone the consideration of the question of the right of appeal to the Court of Error, which is Part VIII of the Bill, until next week, because those are the parts of the Bill in respect of which the Minority Report was submitted; but we are all in agreement with the other Clauses of the Bill. It is all very well to be in the Christmas spirit, but when the Government's programme is affected and it might mean that this Bill might never see the light of day, I appeal to the supporters of the Government to remain here half an hour longer.

Mr. WILKINSON: The hon member has insinuated that it took four months before the Select Committee reported on this Bill. I would like to say that eight meetings were called and at each of those meetings the hon. senior member for the City and myself turned up, but many of the Government members did not turn up. That is the reason for the delay.

Mr. ADAMS: I am not blaming anybody. If what the hon. member said is true, if there was nothing deliberate and four months slipped by, suppose there had been anything deliberate?

The question that the Chairman do now report progress and ask for leave for the Committee to sit again was put and resolved in the negative.

A division was taken as follows:—

Ayes: Messrs. GILL, MOTTLEY, GODDARD, WILKINSON and REECE—5.

Noes: Mr. SPEAKER, Messrs. MILLER, FOSTER, MAPP, LEWIS, BRYAN, COX, F. L. WALCOTT, ADAMS and Dr. CUMMINS—10.

Mr. ADAMS: Mr. Chairman,—In view of the promise I have made, and in view of the fact that in the Minority Report objection is taken merely to Clauses 27, 36 and Part VIII of this Bill, I am going to move that the other Clauses of the Bill be taken as read since the Opposition does not differ from us in respect of these other Clauses. I am suggesting that the Clerk call these Clauses by number only and that we pass them with the exception of Clauses 27, 36 and Part VIII of the Bill. I would just like to remind the honourable senior member for St. Peter that in the House of Commons you take a Bill to a Select Committee and the Select Committee goes through it and reports to the House; that is what was done by the Select Committee in respect of this Bill. I beg to move that all the other Clauses of this Bill, except Clauses 27, 36 and Part VIII of the Bill be taken as read on the number of these Clauses being called.

Dr. CUMMINS seconded the motion which was agreed to.

Clause 12 was called as follows:—

12. (1) The Colonial Treasurer may pay and advance annually out of the Public Treasury on the warrant of the Governor-in-Executive Committee such sums as may be required to meet the annual expenses of the Board.

(2) Any such advances shall be made on such terms and be subject to such conditions as may be determined by the Governor-in-Executive Committee.

Mr. ADAMS: One of the conditions in Sub-clause (2) of this Clause will be that the money is to be repaid at such and such a time into the Treasury to the credit of general revenue. I beg to move that Clause 12 stand part of the Bill.

Dr. CUMMINS seconded the motion which was agreed to.

Clauses 13 to 20 inclusive were called and passed.

Clause 21 was called as follows:—

21. In any proceeding upon the motion of the Board involving any proposed or existing rate of any public utility, or in any proceeding upon complaint involving any proposed increase in rates, the burden of proof to show that the rate involved is fair and reasonable, shall be upon the utility.

Mr. ADAMS: I ask leave to insert immediately before the last word "utility" the word "public".

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

Mr. ADAMS: I beg to move that Clause 21 as amended stand part of the Bill.

Dr. CUMMINS seconded the motion which was agreed to.

Clause 22 was called as follows:—

22. Every public utility shall maintain its property and equipment in such condition as to enable it to provide, and shall provide, service to the public in all respects adequate, efficient and reasonable and shall make all such repairs, changes, alterations, substitutions, extensions and improvements in or to such service as shall be necessary or proper for the accommodation and convenience of the public.

Mr. ADAMS: I ask leave to insert immediately after the word "respects" appearing in line 3, the word "safe".

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

Mr. ADAMS: I beg to move that Clause 22 as amended stand part of the Bill.

Dr. CUMMINS seconded the motion which was agreed to.

Clause 23 was called as follows:—

23. Where the Board, after a hearing, upon its own motion or upon complaint, finds that the service or facilities of any public utility are inadequate or unreasonable, or unreasonably discriminatory, the Board shall determine and prescribe the adequate, reasonable service and facilities to be provided, including all such repairs, changes, alterations, extensions, substitutions, or improvements and facilities as

shall be reasonably necessary and proper for the accommodation and convenience of the public and shall fix the same by its order.

Mr. ADAMS: I ask leave to insert immediately after the word "are" appearing in line 3, the word "unsafe".

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

Mr. ADAMS: I beg to move that Clause 23 as amended stand part of the Bill.

Dr. CUMMINS seconded the motion which was agreed to.

Clauses 24 to 26 inclusive were called and passed.

Mr. ADAMS: I ask leave to postpone the consideration of Clause 27.

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

Clauses 28 to 35 inclusive were called and passed.

Mr. ADAMS: I ask leave to postpone the consideration of Clause 36.

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

Clauses 37 to 41 inclusive were called and passed.

Mr. ADAMS: I ask leave to postpone the consideration of Part VIII, Clauses 42 to 48, of this Bill.

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

Clauses 49 to 60 inclusive were called and passed.

The two Schedules were taken as read and agreed to.

On the motion of Mr. ADAMS, seconded by Dr. CUMMINS, the CHAIRMAN reported progress with leave for the Committee to sit again.

Mr. SPEAKER resumed the Chair and reported accordingly.

THE ADJOURNMENT

Mr. ADAMS: The Order Paper will remain as it is. I beg to move that this House do now adjourn until this day week, the 30th day of January, 1951, at 3 p.m.

Dr. CUMMINS seconded the motion which was agreed to, and Mr. SPEAKER adjourned the House accordingly.

