

THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1953—54

HOUSE OF ASSEMBLY

Tuesday, 8th December, 1953.

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

Present:

His Honour Mr. K. N. R. HUSBANDS (*Speaker*), Mr. J. E. T. BRANCKER, Dr. H. G. H. CUMMINS, M.D., C.M., Mr. A. E. S. LEWIS (*Deputy Speaker*), Mr. M. E. COX, Mr. L. E. SMITH (*Chairman of Committees*), Mr. R. G. MAPP, Mr. F. E. MILLER, Mr. J. C. MOTTLEY, Mr. V. B. VAUGHAN, Mr. C. E. TALMA, Mrs. E. E. BOURNE and Mr. E. W. BARROW, B.Sc.

Prayers were read.

MINUTES

The Minutes of the Meeting which was held on 3rd November, 1953, having been printed and circulated were taken as read and confirmed.

Mr. HAYNES entered the House and took his seat.

DOCUMENTS

Mr. SPEAKER: I have the honour to inform the House that I have received the Financial Report of the Accountant General for the month ended 31st October, 1953;

Also, Statement of Revenue and Expenditure of the Highway Commissioners of the Parish of Christ Church for the half-year ended 30th September, 1953;

Also, Statement of Revenue and Expenditure of the Highway Commissioners of the Parish of St. Joseph for the half-year ended 30th September, 1953;

Also, Statement of Revenue and Expenditure of the Highway Commissioners of the parish of St. Joseph in connection with Tenantry Roads for the half-year ended 30th September, 1953;

Also, Statement of Revenue and Expenditure of the Highway Commissioners of the parish of St. Thomas for the half-year ended 30th September, 1953;

Also, Statement of Revenue and Expenditure of the Highway Commissioners of the parish of St. Thomas in connection with Tenantry Roads for the half-year ended 30th September, 1953.

PAPERS LAID

Dr. CUMMINS: Mr. Speaker —On behalf of the honourable senior member for St. Joseph, I have the honour to lay on the Table of the House the following:—

Message No. 28/1953 from His Excellency the Governor to the Honourable the House of Assembly conveying a reply to the Address from the Honourable House dated 16th of June, 1953.

The Message reads as follows:—

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

His Excellency the Governor has the honour to refer to the Address of the Honourable House of Assembly dated the 16th of June, 1953, and to say that, with the introduction of the new service by the British Overseas Airways Corporation, a more direct connecting link with New York has become available.

2. Before any consideration could be given to the operation into the Island of the foreign airlines mentioned in the Address, it would be necessary for those Companies to make the necessary applications.

R. D. H. ARUNDELL,
Governor.

Government House,
4th December, 1953.

Dr. CUMMINS: I am also commanded to lay on behalf of the honourable senior member for St. Joseph: The Higher Education (Loan Fund) Regulations, 1953; also Statement showing the amounts advanced by the Government of Barbados and the amounts received from Her Majesty's Government in the United Kingdom under the provisions of the Colonial Development and Welfare Act for the period ended on the 30th June, 1953, in respect of the several schemes sanctioned by the Legislature.

Dr. CUMMINS: Also, on behalf of the honourable junior member for St. Peter:—

Report of the Timber Mission to the British West Indies, British Guiana and British Honduras (October—December, 1952).

Mr. BRYAN entered the House and took his seat.

GOVERNMENT NOTICES

Dr. CUMMINS: Mr. Speaker—On behalf of the honourable senior member for St. Joseph, I beg to give notice of the following:—

Resolution to place the sum of \$102,475 at the disposal of the Governor-in-Executive Committee to supplement the Estimates 1953-54 Part I Current as shown in the Supplementary Estimates 1953-54 No. 21 which form the Schedule to the Resolution.

Resolution to place the sum of \$9,000 at the disposal of the Governor-in-Executive Committee to supplement the Estimates 1953-54 Part II Capital as shown in the Supplementary Estimates 1953-54 No. 22 which form the Schedule to the Resolution.

Bill intituled an Act to amend the Bank Holidays Act, 1905.

Resolution to place the sum of \$20,700 at the disposal of the Governor-in-Executive Committee to supplement the Estimates 1953-54 Part II Capital as shown in the Supplementary Estimates 1953-54 No. 23 which form the Schedule to the Resolution.

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

PRIVATE MEMBERS' NOTICES

Mr. BRYAN: I beg to give notice of the following Address:—

*The House of Assembly
To
His Excellency the Governor*

In view of the fact that New Year's Day, the 1st of January, 1954, will fall on a Friday, and in accordance with the Bank Holidays Act 1905 (1905-2), that day will be a Public Holiday, the House of Assembly are of the opinion that Saturday the 2nd of January, 1954, should also be a Public Holiday, so as to enable Government and other employees in this Island to enjoy an unbroken week-end period of rest and/or recreation.

The House, therefore, respectfully request Your Excellency to declare the said Saturday 2nd of January, 1954, a Public Holiday.

Mrs. BOURNE: Of the following Address:—

*The House of Assembly
To
His Excellency the Governor*

The House of Assembly respectfully beg to inform Your Excellency that it is their opinion that grave and serious neglect of duty on the part of those responsible for the running of the Almshouse in the parish of St. Andrew has caused unnecessary suffering to inmates, and also that certain malpractices have been carried on by officials of this Almshouse.

The House request Your Excellency to take immediate steps to issue a Commission of Enquiry concerning the above matters and such disciplinary measures as the law requires and justice demands.

Mr. Speaker, I am asking leave to deal with this Address later in the day.

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

Mr. BRYAN: If I am in order, Mr. Speaker, I am asking leave to deal with the Address of which I have just given notice later in the day. I forgot to do so when I gave notice of it.

Dr. CUMMINS: Mr. Speaker, I do not know if what I will say will help the honourable junior member for St. Michael on the Address of which he has just given notice. I think the House will remember that on a previous occasion when the honourable member gave notice of a similar Address, I promised him that I would take up the matter in the proper quarters and I did so. I will give him the same assurance on this occasion.

Mr. BRYAN: Sir, In view of that assurance, I will not proceed with the leave for which I have just asked.

Mr. MILLER of the following Address:—

*The House of Assembly
To
His Excellency the Governor*

The House of Assembly deeply resents as an insult to the majority of peoples in the West Indies the acts of discrimination based on race and colour which are constantly practised by certain hotels in the colonies of Bermuda and the Bahamas against West Indians entering these Islands.

The House deems it urgently necessary that steps be taken to protect British subjects passing through the aforesaid Islands from such indignities and discourtesies, and in view of the fact that it is unlikely that the Legislatures of the said colonies will pass legislation directed against such discrimination, the House calls on Her Majesty's Government to pass legislation prohibiting discrimination based on colour, race or religion in public offices or places in the British Colonial Empire and Commonwealth.

The House hopes that the several legislatures throughout the Caribbean and other British territories will join in protesting such practices, in view of the fact that coloured subjects of Her Majesty's Government are becoming doubtful of the extent to which actions of such discrimination are discouraged and frowned upon by Her Majesty's Government and the Governments of the Commonwealth and Empire.

The House asks Your Excellency to treat this matter with the urgency that is necessary and forward copies of this Address to the several Legislatures of Her Majesty's colonial territories and to Her Majesty's Principal Secretary of State for the Colonies.

Mr. Speaker, with your permission, I am asking for leave to proceed with this Address later in the day.

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

QUESTIONS

Mr. BRANCKER: To enquire of the Appropriate Member of the Executive Committee present at the next meeting of this House:—

A. (1) Is Government aware that Policemen on duty (in uniform or plain clothes) are engaged in offering Police raffle tickets for sale?

(2) If the answer is "Yes" does Government appreciate that such conduct tends to detract from the dignity and prestige of members of the Force?

(3) Will Government take the necessary precautions to ensure that upon the completion of this said raffle a certified statement of the accounts be published in the local press?

B. (1) Is Government aware of the practice of Writ Servers to apply to Police Magistrates to swear them to their affidavits of service of Summons?

(2) Is it a fact that certain Police Officers, who are Justices of the Peace, are at times unwilling to

perform such functions for members of their Departments?

(3) Does Government appreciate that performance of this duty occupies valuable Magisterial time, which work is frequently held up, through the absence from the Courts, of Policemen who are witnesses before such Courts, but who are elsewhere; e.g. on Parade, or before an officer in his office during Court hours?

C. Is it a fact that certain Policemen (of the Traffic or other Branch) have been transferred, or threatened to be transferred subsequent to such Policemen having reported or threatened to report, for alleged traffic offences the Head of a Government Department, Fire Officer or other allegedly eminent personage?

D. (1) Is Government aware that a bicycle, in the parish of Saint Lucy, was earlier this year taken from the owner by a Corporal of the Criminal Investigation Department, and detained from him for nearly four months before being returned to him?

(2) Will Government, in view of the expense and inconvenience to which this gentleman was subjected until the return to him of his vehicle, give favourable consideration to the question of reimbursing and compensating him for such?

E. (1) Is it a fact that Police permission is given on certain days for Taxi cars, the property of Messrs. Dear's Garage, Limited, to be parked in the Pier Head area in the space allotted, and reserved for, Private Cars?

(2) If the answer is "Yes," will Government issue instructions to the Police Department prohibiting such unfair practice?

BILL READ A FIRST TIME

On the motion of Dr. CUMMINS seconded by Mr. Cox, the Bill intituled an Act to amend the Bank Holidays Act, 1905, was read a first time.

ORDERS NO. 1 AND 2 POSTPONED

Dr. CUMMINS: Mr. Speaker, I am asking leave to further postpone Orders No. 1 and 2, and that Order No. 3 be taken as the First Order of the Day.

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

BILL TO AMEND WATERWORKS ACT, 1895

Mr. SPEAKER: The First Order of the Day now stands in the name of the honourable senior member for St. Michael: Second reading of a Bill intituled an Act to amend the Waterworks Act, 1895

Mr. COX: Mr. Speaker, This Bill seeks to amend the Waterworks Act of 1895 so as to give the Department the necessary authority to carry out what is considered as its usual administrative functions. Section 27 of the Act lays it down that the Department shall maintain, provide and fix proper standpipes upon their mains and other pipes at such places as the Legislature may determine. From time to time, valuable time of this House has been wasted in bringing those trivial matters before the House and on many occasions, various members have suggested, particularly the honourable junior member for the City, that matters such as those could be better carried out by the Department without reference to the Legislature, and it could be done by making the necessary amendment to the Act. I promised on many occasions that I would report the feelings of the House on such matters to the proper authorities, and on doing so, the Government has decided to consent to this Bill which

seeks to remove that unnecessary bit of legislation, if I may so call it.

While doing so, Government has also taken the opportunity to make three more amendments to the Act. They all deal with the question of penalties for the unlawful use of water. The offences are stipulated under Sections 64, 65, and 66. It has been felt by the Waterworks Department that the penalties for offences under those sections should be increased so as to reduce the number of persons who break those laws. The Government has agreed to the increase of these fines, as was suggested by the Chief Engineer of the Waterworks Department.

As honourable members will see, under Section 64 of the Act, the penalty for the unlawful use of water is at present three pounds and it is proposed under Section 3 (a) of this Bill to increase that penalty to twenty-five dollars. Under Section 65, where there is a penalty of five pounds for affixing or altering pipes without the consent of the Department it is proposed under Section 3 (b) of this Bill to increase that penalty to fifty dollars; and under Section 66 of the Act, where there is a penalty of five pounds for the disconnection of pipes without notice to the Department, Section 3 (c) of this Bill seeks to increase that penalty to fifty dollars. As honourable members will see from the Object and Reasons of the Bill, the increase in these penalties has been made so as to serve as a deterrent to the persons who daily commit these offences. Numerous cases have been reported to the Department of people having taps in their homes for domestic purposes as well as water meters to register water used from taps for watering gardens, having connected their water hose to the taps for domestic purposes instead of to those for gardening purposes. The Chief Engineer feels that if the penalties are increased that the chances of these offences would be considerably reduced.

Sir, I am sure that this Bill will meet with the approval of the whole House in view of the fact that from time to time, and as you can remember, quite recently, this House had to pass resolutions to approve of a Book of Reference for the installation of standpipes and hydrants in the Bay Estate Housing Scheme as well as another for the Pine Estate. Some time ago, this House also passed a resolution to approve of the removal of a pipe from one end of Deacons Road to the other end. As I have said, all matters such as these are what can be considered as administrative functions and this Bill seeks to amend the Waterworks Act of 1895 so that the Department can carry out these matters without unnecessary reference to the Legislature. So far as the penalties are concerned, I think every honourable member will be in agreement with the increases. These penalties do not affect the poor man. They affect the people who have large flower gardens and who break the law by what is called the illegal soliciting of water. I hardly think it is necessary for me to say anything more on these amendments. I will only say that so far as lies in my possession, I am willing to give any more information which may be needed.

I now beg to move that this Bill be read a second time.

Dr. CUMMINS: I beg to second the motion.

Mr. ALLDER entered the House and took his seat while Mr. Cox was speaking.

Mr. LEWIS: Mr. Speaker, I have not heard from the honourable senior member for St. Michael what I would like to hear on this matter. Can the honourable member tell this House why he thinks the Legislature was given the right to decide where a standpost should be placed? There must have been some reason for that. This is a matter of standpipes from which water is given

free to people and it seems to me that these standposts should in some measure be controlled by the Legislature. I am wondering whether it is right with the introduction of ministerial status that the Legislature should give up this right to say where public standpipes should be placed. I think this is the time that this matter should be in the hands of the Legislature. Now that the Government in power has the majority of seats, this is the time for people to come and explain their reason to the minister in charge why a public standpipe should be placed a certain place and for the minister in charge to make a decision and come to the Legislature and explain why he has made that decision. It is regrettable that the honourable member did not explain why he thought this matter should be placed in the hands of the Department instead of in the Legislature. Is it one of the things that has just happened by chance or is there a fundamental reason for it? I am naturally a bit jealous of giving up this right. I think that the members of the Executive Committee are very busy people at present. Why is it that this Committee wants to decide everything, and as it were, to make itself busier? In my opinion, this is a matter which I think should be decided by the Legislature. I do not think that there is any great trouble or difficulty in bringing matters of this sort to the Legislature for approval. To make it easier, you may get a year's requirements of a matter like fixing standposts approved at one instance. I do not think that any of the references for sites of standposts has been held up because the Legislature delayed to give its approval or because of objection. I think it is a good thing that these matters should come to the House for approval because honourable members can play a good part in assisting as well as airing grievances which they hear from time to time. Sir, after all, this matter deals with the supply of water to the people and its supply is maintained by the taxes of the people. It is a matter of spending the taxes of the people, therefore, the Legislature should approve of how those funds should be spent, and at the same time approve of the sites of the standpipes to be erected. As I have said, I am yet to know that the siting and erecting of standposts have been held up or denied to the people because the Legislature failed to approve or something of that sort. On the contrary, I think that the supply of standposts to the people of this colony has been very slow in coming to the Legislature for approval.

As regards the amendments for increase in the penalties for offences against the law, I would just like to say, if I am not mistaken, that I have seen something in a Civil Establishment Order which is now before the House for a reduction in the number of Inspectors at the Waterworks Department. Sir, if this is so, you are asking me to increase the penalties on people who commit breaches of the Act and at the same time, you are cutting down inspections because you are also reducing the inspectors. Do you want to encourage the people to break the law by your cutting down of the number of inspectors? Do you think that your increase in the penalties will prevent people from breaking the law and you will not have to exert that same amount of vigilance? I leave those questions for you to determine. I will only say that if you increase your penalty of two pounds in years gone by to twenty five dollars, it might act as a deterrent and I am not against the increase. I consider that if a person commits a wrong, that person brings the penalty on himself.

If I may refer to the Legislature giving approval to the sites of standposts as the Act lays

it down, I think it is a wise provision and it should not be done away with because there is no getting away from the fact that at some time or the other, you will find some member of the Executive being very partial to the constituency which he represents, and so much so, that it will cause him to forget the needs of other constituencies. If this matter continue to rest in the hands of the Legislature, honourable members will be able to say that the matter under consideration is one of urgency, or that another standpost should be erected somewhere else as quickly as possible. Sir, I think we are too easily giving up our little rights and privileges as representatives of the people. We should not let this honourable House be reduced to nothing more than a little debating society.

Mr. CRAWFORD entered the House and took his seat while Mr. LEWIS was speaking.

Mr. HAYNES: Sir, I very much appreciate this Bill and I think it is long overdue. The honourable junior member for the City got very heated and seemed to be bothered about the amendment to give the Department its right to carry out its administrative function in the matter of fixing standposts, but I think if he were a Sanitary Commissioner, he would have more experience of this matter and he would be able to see that the Chief Engineer of the Waterworks Department generally delegates this matter to the Highway Commissioners of the respective parishes as they are the persons with the most knowledge of such matters; therefore, they can offer the best advice. The honourable member should be aware of the time lag in these matters when a recommendation has to go from the Colonial Secretariat to Government House and then to come before the Legislature for approval.

Sir, I am one who does not welcome giving up our right to control things in this House, but the honourable member must remember that we have a perfectly good right up to now in asking questions. If any honourable member thinks that the Waterworks Department should erect a standpost in a certain district, or has erected one in a district which he feels should not be given priority to somewhere else, he has the right of putting the question to the member of the Executive in charge of such matters. The honourable member has the right to ask: How many standpipes have been erected in such and such a parish within the last year and how many have been erected somewhere else? Will Government explain why a standpost has not been erected in such and such a place? Partiality could never enter if that is done. I am sure it will not. On the whole, I think this amendment to the Act will expedite such matters. After all, we must look at a matter like this and say that it concerns the parochial authorities more than it concerns the Legislature. I am rather pleased to see this Bill and I also think that the increase in the penalties should be most welcome because it is known that from time to time water is extracted by certain individuals for purposes contrary to the law. The Government should be given a chance to put its feet down on this matter.

Mr. MILLER: I quite appreciate the remarks of the honourable junior member for St. Andrew. I feel in like manner as he on this question. With regard to getting the approval of the Legislature on matters as contained in Section 27, I do not see any benefit in leaving this Section on the Statute Book as it is and I agree with the amendment of vesting this authority in the hands of the Department. At the moment, the Sanitary Commissioners of the various parishes make the recommendations

for the location of additional standpipes and any change in location of any standposts that have been erected and I see no reason why matters like this should come before the Legislature. Very often, they remain on the Order Paper for many weeks before being considered. I think matters like this can safely be left to the Chief Engineer in consultation with the various Sanitary Commissioners. I see no harm arising out of it. I think, if it is done that way, that the Department will be in a position to expedite work of that kind because there would not be this heap of red tape and usual delay which attend such legislation in this Chamber.

With regard to the question of the increase in penalties, what I am concerned most with is the marketing of water. I do not think that a person who is sold water by a meter should pay for the water used by meter and also pay rent for the meter. I also would like to suggest to the honourable senior member for St. Michael that with the increase in the penalties for using water contrary to the law, there should be the formation of a new scheme whereby an individual would be able to pay for water used in the watering of his small kitchen-garden plot without having to put him to the expense of installing a meter. Many householders now keep a small plot of land around their house so as to cut down the cost of living. I therefore wonder, if when the Government obtains a larger supply of water, it would make it available to these householders so that they could water their plots without their having to put themselves to the expense of accepting the cost of installing the meter system for paying for it. I am hoping the honourable senior member for St. Michael would say something on this suggestion which would bring satisfaction to the thousands of householders who would be only too glad to have a little extra water for watering their small kitchen garden plot without the extra charge of installing a meter.

Mr. BARROW: One of the amendments which this Bill seeks to make to the Waterworks Act of 1895, is to the effect that the word "Legislature" which occurs in Section 27 of the Act should be deleted and the word "Department" substituted in its place. Sir, I wonder how many honourable members have taken the trouble to read Section 27 of this Act. This Section provides that:—"the Department shall maintain, provide, and fix proper standpipes upon their main and other pipes at such places as the Legislature may determine, from which the inhabitants may take water for domestic purposes, for their domestic stock and for stock or for use in vehicles propelled by mechanical power, if they require it when on a *bona fide* journey between the hours of 5 o'clock in the morning and 10 o'clock at night."

The part of the section with which I am most concerned is the provision of standpipes upon the mains and other pipes at such places as the Legislature may determine. The effect of the amendment will be to make the Department a judge in its own cases and to take away from the Legislature the power to say where standpipes should be located in the various parishes throughout the island. The amendment will give the Director of the Waterworks Department the power to decide where standpipes should be placed.

The honourable junior member for St. Andrew has just spoken in favour of these amendments, particularly this one. I would just like to explain something on this amendment for his benefit. According to my interpretation of the honourable member's speech, he is afraid that under the present setup, the Legislature is not as well qualified

to look after the location of standpipes as the Sanitary Commissioners of the various parishes. I fully expected to hear the honourable member support that contention. It is a fact that the various Commissioners of Health throughout the island are consulted by the Waterworks Department as to where public standposts should be placed but as can be seen on perusal of the Act, no mention is made of Commissioners of Health to be consulted on this matter, therefore, that can only be a custom which has grown up in the island either by convention or by arrangement between the Department of Waterworks and the Commissioners. Contrary to popular belief, the Commissioners of Health of the various parishes are in no better position than the representatives of the various constituencies to decide on the location of standpipes. Personally, I feel that in public matters, especially where public money is going to be expended, that honourable members of this House should not give up their constitutional rights to Civil Servants or to any other person or bodies. We are now in the position in which from time to time the Director or the Chief Engineer of the Waterworks Department is a new person to the island every two or three years. In that position, he does not know Dottins Alley in Bridgetown from Bowlings Alley in St. Joseph. He, therefore, cannot be in the position to say where additional standpipes should be placed throughout the island. The best person to determine that matter should be the representatives of the parish and honourable members who sit around this table. We are the people on whom should devolve the responsibility of deciding where standpipes should be placed. Unfortunately the practice has grown up that instead of the Legislature being apprised of this matter that the Director of Waterworks circulates the various Commissioners of Health asking them to decide where additional standpipes should be placed whenever he is ready to allocate more to the various parishes. As honourable members know, owing to the personnel comprising these various Boards, there is not a single standpipe placed in any of the various tenancies; they are placed on the public roads where they are of no use but to the Commissioners themselves. These standpipes, for the most part, are put at strategic intervals along the sugar route to Bridgetown where the bullocks or mules as they were in those days drawing carts, could replenish their thirst and fortify them for their arduous duties. I understand that the Waterworks Department was at first operated by a private company. I would like to know who was the first Director of the Department since it was taken over by the Government that either perpetuated or created the practice of consulting the various Commissioners of Health with regard to this matter. I do not think that anywhere else in this world is this procedure carried out.

Sir, I think it will be entirely wrong to give the Director of the Waterworks Department who invariably is a man completely unacquainted with the island the right to decide where stand pipes should be placed even although it seems that the right of the Legislature to decide such a matter has been in abeyance for some time or has been honoured more in its direlection than in its performance. I am submitting, Mr. Speaker, as I must, that it is the last thing this House should do. Here before me, for the information of the honourable senior member for St. Michael and the honourable junior member for St. Andrew, I have certain letters which were passed between the Chief Engineer of the Waterworks Department and the Commissioners of Health of St. George. I have been given complete

freedom to divulge any information in this correspondence but I will not bore the House with every detail; I will only give the information which will enable me to bear out the point which I am making. On the 17th March last, the acting Chief Engineer of the Waterworks Department wrote the Commissioners of Health, St. George, asking them to submit at their earliest convenience the sites for two stand posts which they consider should be given priority. I do not know who gave him the right to do so, certainly, the Waterworks Act of 1895 does not give him that right. No where in that Act is it stated that the Chief Engineer should consult exclusively the Commissioners of Health, St. George, or any other parish for the location of additional standposts. Well the Commissioners of Health, St. George, replying within a week afterwards suggested that one standpost should be at Newbury near Rose Hill and the other at Retreat Wood near Cottage. This is very interesting; it shows you what can happen. My colleague and I know many more appropriate places where priority should be given to these standposts, but we were not consulted. At any rate, that reply was given and it took from that time in March until the 19th November last for the Commissioners of Health, St. George, to get a reply. As a matter of fact, the Commissioners of Health, St. George, had to re-write the Waterworks Department on the 17th November to say that they were awaiting a reply on the matter and as a result, they got the reply on the 19th following. The Chief Engineer of the Waterworks Department then wrote to say that the allotment received this year was less than one-third of normal, and in consequence, it had not been possible to do work in every parish. It was hoped to receive additional funds from the source of Rural Amenities in the near future, in which case work under that head would be executed in that parish. Please note, Mr. Speaker, that the Chief Engineer, during that time, had already decided that St. George was not to get any standpipes. He had already decided by himself in which parishes he would carry out installations and which he would leave undone. Suppose, Sir, that the answer to this question was that he did not make the decision but that it was made by the Executive Committee. As the law stands, every parish of the island cannot be represented on the Executive Committee by a representative from the parish, therefore, how could the Executive Committee know which should be given priority?

Now, Sir, looking at the matter from another aspect, just fancy that this year—the first of the Five Year Plan—that the money allocated for the erection of standposts is less than one-third of the total amount that has been given normally. It was stated that with the coming into being of the Five Year Plan, a new millenium had arrived and the honourable senior member for St. Michael went so far as to state that he was going to flood the island with water. Yet, Sir, with such high promises, this has not been the case for the parishioners of St. George instead, the Commissioners of that parish were asked to submit location for the erecting of two standposts and then they were told that they would not be getting any at all. Sir, this is the anomalous position which confronts us today, even with the unequivocal language used under Section 27 of the Waterworks Act of 1895. I hope the honourable junior member for St. Andrew has nothing to complain about and that the position of the parish which he has the honour to represent is different from that which I represent.

I will conclude with some other information from the correspondence which I have in hand. I think what I shall read would be very interesting

to honourable members. This is the conclusion of the letter from the Waterworks Department to the Commissioners of Health, St. George:

"It is hoped to receive additional funds from the source of Rural Amenities in the near future, in which case work under this head will be executed in your parish."

Mr. LEWIS: Mr. Speaker, I hope the honourable member will make the document from which he is reading a document of the House.

Mr. BARROW: I will do so, Your Honour. I think it is a historic document. To continue, the letters ends:

"As soon as funds are received, if at all, orders for the necessary pipes will be placed, but work will not be possible before receipt of these pipes."

Sir, what is the position? Is the Government under the Five Year Plan going to flood this island with water or as the conclusion of this letter suggests, money from rural amenities, if received, would have to be deflected into the putting up of standpipes? So far, this year—the first of the Five Year Plan—no additional standpipes can be given to St. George. I know that it is the conception of some high officers in the Administration that the revenue of this colony is purely and solely for the purpose of providing salaries for themselves and for providing leave passages and matters of that kind; therefore, the normal allocations which in the years past were used for improving the social conditions of life of the inhabitants will have to come out of special funds rather than out of the revenue of this colony. This idea seems to have coincided with the advent of the last administrator which we have in this colony. This is the position with which we are confronted today.

As I have said, it is for the members of this Chamber to say whether they are willing to give to the Director of the Waterworks Department their right to say where standpipes should be placed in the various parishes of this island or if any more should be placed at all. If after considering all these matters with the seriousness which they import, honourable members feel that these amendments to the Waterworks Act of 1895 brought in by the honourable senior member for St. Michael, however sincere he may be with his desire of flooding the island with water, will be for the better, I will be the last person to stop them from proceeding with their way of thinking, but I do think that these amendments, particularly that to Section 27, are not in the best interests of what the honourable senior member for St. Michael earnestly desires and that is to flood every district of this island with water.

Mr. WILLIAMS entered the House and took his seat while Mr. BARROW was speaking.

Mr. CRAWFORD: The learned and gallant honourable senior member for St. George in the earlier part of his speech has anticipated much of what I intended to say, therefore it will not be necessary for me to speak at length. The position as it stands at present is that in actual theory, under the terms of the present legislation, the Legislature is responsible for fixing the location of standposts in the various parts of the island, although it does appear that this practice is somewhat abrogated and the Waterworks Department has assumed the responsibility for fixing the location of these standposts for sometime past. The position within recent years is that the Director of the Waterworks Department has found it fairly impracticable to satisfy the various Health Commissioners as regards to where they want the standposts placed and the practice nowadays is for the Chief Engineer of the Waterworks Department to let the Health Commissioners of the various parishes fix the location in

their respective parishes for the additional standposts that would be likely to be erected in the particular year. The practice has also grown up of granting two additional standposts to each parish annually.

It is proposed by this Bill to amend the Waterworks Act of 1895 so as to allow the Department and not the Legislature to fix the location of these standposts, and this is the position which in actual practice exists today. I am surprised to hear the honourable senior member for St. George say that even the small number of two additional standposts which is granted to each parish every year and to which the parish of St. George is entitled has not been granted to that parish this year. I do not know if that position is duplicated elsewhere in the island. In so far as the parish of St. Philip is concerned, I think provision was made to fix two this year and that the Health Commissioners of that parish had actually fixed the location for them. It is remarkable to hear that in St. George this has not been the case and the failure of that parish in not getting any additions this year is not due to any fault of the Commissioners of Health of that parish whom we deery over and over again, so much so, that we eagerly await the day when we will get them out of office, but that it is due to the unavailability of the necessary funds to carry out the erections from the Central Government. It has been the practice to place the blame on the parochial authorities for all the failures to provide social amenities. Sometimes we blame our Government Departments for incompetence and inefficiency. It is significant that these two standposts for each parish that have been whittled down to that number within recent years, have not been granted to all the parishes this year.

Sir, I see no reason for amending the Act as it now stands. I am at a loss to discover why there has been the suggestion to amend it. As the matter now stands, the power is in the hands of the Legislature and surely the question of location of these standposts in the island is a matter for the policy of the majority party and the actual work of the Department is merely administrative, that is, to carry out the policy of the majority party. It seems to me wrong the way in which we are going about this matter. Under British constitutional practice, the position does not appear to me correct. It is not correct to say that the Legislature is the Executive. If you want to put water in the hands of a minister, you may do so, but on the question of policy, it is absurd, to say the least, for you to amend the Act to take this matter out of the hands of the Legislature and put it in the hands of the Department and for you to say that the Department is the Executive. There can be no justifiable reasons for amending this Act at all. Neither in theory nor in practice can the Waterworks Department have any actual policy in matters of this sort. A Director of the Waterworks Department or Civil Servants in that department know nothing about the needs of a particular area in this respect and that is why the practice has grown up to leave the matter of fixing the location of standposts into the hands of the Commissioners of Health of the particular parishes, whom it is presumed to be more in direct contact with the everyday needs of the parish than a Head of a Government Department or even, perhaps, members of the Legislature.

I do feel that the manner in which the Act now stands is quite satisfactory for all practical purposes, to ensure that standposts are established at points where they are mostly needed in the various parts of the colony. If we propose to give the Executive more direct power in this matter under the new

constitutional proposals, in my humble opinion, this is not the way to go about it. It is likely that this Bill was drafted sometime before the new ministerial system had reached the stage of the proposals that have been sent down. If that is the case, there are all the more reasons for reconsidering the phraseology of this Bill so that it can be viewed in the light of the new constitutional proposals.

Mr. E. D. MOTTLEY entered the House and took his seat while Mr. CRAWFORD was speaking.

Mr. BRANCKER : Mr. Speaker, I am not yet convinced that this Bill does not require further study before one decides to give it a second reading. As the Objects and Reasons observe, the Bill seeks to amend the Waterworks Act, 1895, so as to allow the Department (which is the Executive Committee) to fix the location of standpipes. As has been pointed out by the learned, gallant and honourable senior member for St. George, it has been the practice for sometime of the Department to write the Commissioners of Health of the various parishes and ask them to suggest sites for additional standpipes to be erected. Sir, one feels that there is no better body, so far as the present set-up is concerned, which can be found than the Commissioners of Health to make such recommendations and to give such advice to the Department. As is known, water is essential to good health and the Commissioners of Health of the respective parishes are more concerned with the health of the individual than any other body in this island.

There is only one thing that I deprecate about this matter of referring it to the Commissioners of Health and that is they are asked to suggest location for only two standpipes. It has even been pointed out that in the parish of St. George, although the Commissioners of Health were asked to select the location for two standposts this year, that there will be no installation this year. I do not think that the Department should act arbitrarily in this matter. It is arbitrary for the Department to decide that a parish should have two standpipes and two only. It seems to me that too great emphasis is placed by the Waterworks Department on the number of people who live in a certain area to justify the need for a new standpost and that too little emphasis is placed on the distance that people in the rural area have to travel to reach the nearest standpipe. I am not advocating that there should be as many standpipes in certain rural districts as they are in the parish of St. Michael, but at the same time, one cannot help feeling that too great attention is paid to the needs of the metropolitan parish at the expense of the rural parishes. What I do not think many people realise, and perhaps, the Chief Engineer of the Waterworks Department, because they travel mostly by motor car when on a visit to country districts, is the grave hardship under which country people labour bringing a bucket filled with water, in some cases, over a half mile uphill, owing to the scarcity of standpipes.

Section 27 of the Waterworks Act, 1895, states—

"The Department shall maintain, provide, and fix proper standpipes upon their mains and other pipes at such places as the Legislature may determine, from which the inhabitants may take water for domestic purposes, for their domestic stock and for stock or for use in vehicles propelled by mechanical power; if they require it when on a bona fide journey between the hours of 5 o'clock in the morning and 10 o'clock at night."

It has been pointed out in the Objects and Reasons that the Department is to be regarded as the Executive Committee. One does not see in one's lifetime a certain group of people ever getting control of the

Legislature, but suppose those people did get into power and they decided that standpipes should be placed nearest to their friends or where they get the strongest support, one could not stop them from putting such plans into effect; therefore, one has to be very careful of that. If one takes away from the Legislature the power which is now inherent in it to give approval to matters contained in section 27 of this Act, one is not able to contemplate whether the Minister or the Executive Committee would deal impartially with the fixing of standpipes throughout the length and breadth of the island. As it is now, I cannot but feel that too great preference is being paid to the metropolitan parish and too little attention to many of the rural parishes. One will have to hear more to be convinced that this amendment to Section 27 of this Act would be doing the best thing. Of course, under ministerial set-up, the future of a minister would lie in the hands of the House, but one does not necessarily want to go to such a length if one can make it easier for him to carry out his duties. One is doubtful that it will be the best thing to take away this power from the Legislature under section 27 of the Waterworks Act and leave it in the hands of the Department. Sir, at the moment, I am not convinced that it is desirable and in the best interests of the people of this colony to pass the second reading of this Bill this afternoon.

Mr. WILLIAMS: For the short time I have been a member of this Chamber, I have witnessed a great deal of the whittling down of the power of the House and have drawn it to the attention of honourable members on more than one occasion. The last time when I remember doing so was when consideration was given to the Fancy Molasses Marketing and Control Bill and the power was given to the Executive Committee to make the appointments. We have been told that such departures are expedient owing to the advent of ministerial status. When this Bill was introduced to this Chamber on the first occasion, I said in passing to the honourable junior member for the City that I thought it was a very dangerous bill. Now that I have heard more on it, I am more than convinced that it is not in the best interests of the people. I am not going to support it because I feel it is a question of dangling with the people's water. As we have heard, the current policy is that the Department would write the various Commissioners of Health as to the location for the fixing of additional standpipes and on the recommendations of the Commissioners of Health, the Department would come to the Legislature through the channels of the Executive Committee with a plan and the Legislature would be able to see where the standpipes would be located and give its approval. I do not think in a matter like this there can be any harm to allow the power to stay in the hands of the Legislature so that it can approve after the Department has co-opted the good services of the various Commissioners of Health. I therefore suggest that we should let this matter remain as it is.

What also worries me is the ancillary clauses to this Bill on the question of increasing the penalties for unlawful use of water. I would like to find out from the Government how many people within recent months have been caught infringing the Act and using water illegally. I have not heard of the many cases as were told by the honourable senior member for St. Michael. Again, it seems to me as if you are merely increasing fines without increasing general supervision. Are you going to make every neighbour a "peeping tom" on the other so as to find out when either is using water illegally? I see no further provision for supervision. Would this be delegated to the Police? When it comes to a

matters like evading of income tax or custom duties, you have safeguards and adequate machinery for dealing with such matters. The question of increasing the penalties so as to act as a deterrent to people using water illegally cannot eliminate the offences unless you have more persons to exercise vigilance over the matter or you ask every person to be a "peeping tom" on his neighbour.

Sir, I do not agree with moving the power out of the hands of the Legislature and for the reason too, that with the advent of ministerial status, more power will be given to the minister who will have to deal with this question. The minister may act prejudicially in matters like water or roads. As I was saying, when it comes to the question of increasing penalties, it is not only a question of writing something down on paper, you must also have machinery for enforcement. As I have said, I see no such provision. Is it that you are going to ask every villager to spy on his next door neighbour? Oh no! That is not good enough.

Mr. ALLDER: Mr. Speaker,—I do not think that this is so much a relegation of authority for the allocation of these pipes as it is a means of speeding up the department in carrying out its work when standposts are being erected in the respective districts. I, like some honourable members feel that gradually we have been divesting this Chamber of its traditional authority and placing it in the hands of departmental heads and the Executive Committee. But, unlike some honourable members I feel that this is a small matter to fight as regards the taking away of power from this Chamber when compared with some of the greater things that have already been taken away, without any struggle being put up.

Be that as it may, Mr. Speaker, I have my fears about the removal of this authority from the Legislature to the Department. I dislike, sir, when asking for things for my constituents, to have to go to a particular officer or a particular minister to satisfy his whims and fancies before I can succeed in getting any necessary improvement for my constituents. That is the particular fear which I maintain as regards this change, and we also know, Mr. Speaker, that the reason why the metropolitan parish has been able to get numerous improvements over the past number of years is because the Executive Committee is composed as it is. I do not want to reflect on the honourable senior member for St. Michael who is a member of the Executive. Probably if I were in the honourable member's position I would most likely see to it that my constituents got what I felt was there to be got.

The relegation of authority is the most important factor in safeguarding the impartiality of the dispensing of service by the Government, and therefore I cannot promise any support to this amendment. In case it gets a sufficiency of support to become law, I will still say that the authority should not be relegated to the Head of the Waterworks Department; because it will be only putting that officer in a ridiculous position. Having the authority, he will be bombarded with incessant demands by representatives of the people and by the general public, and I am sure that he will not be in possession of the means of meeting all the demands which I know will be made upon him. If I were that officer I would not desire that that authority be relegated to me. I can also see that since the minister who will be in charge of that department will have to dictate to the Head of the Department, you will have to be on the good side of that minister if you want to get things done for your constituency. That is a fact,

sir, and I agree with the honourable senior member for St. Lucy as regards his statement about the partiality as practised by the Sanitary Commissioners in the various parishes. If Mr. X's house is in a particular road or area, the road is put in order and the services are immediately put through. In another area where there may be dozens of householders and they are not serviceable to the powers that be, they have to wait indefinitely before their cases are considered.

For those reasons, sir, I prefer that as many persons as possible have a say in the allocation of any social amenities which the Government intends to set up around the island. I hope that honourable members will scrutinise carefully the matter which is before us, and that they will give the necessary protection, not only to this Chamber, but to the people of the rural areas by making sure that no partiality will be practised when these services are being extended.

Mr. TALMA: Mr. Speaker—It is hardly necessary to speak at great length after listening to so many speeches on this matter. My view of the matter is that the principle of this Bill is far from being noteworthy; but I take it that the principle is based more on expediency as explained by honourable members who have spoken before. In actual practice in the past, the Sanitary Commissioners never sought to know the wishes of this Chamber, with the result that although power was vested in the Legislature, that power was not exercised or enforced. As I have said, the principle of this Bill is based more on expediency—expediting the extension of the water service, more especially in view of the fact that Ministerial Status is just around the corner. The Sanitary Commissioners, in actual practice, are the ones who see after the fixing of these posts. Although it is in the hands of the Legislature there is a lot of red tape. When it comes to the principle of transferring the power from the Legislature to the department I do not think that principle is one with which honourable members here would agree. But my point is, sir, that no harm, it would seem to me, will eventually be done if this Bill is agreed to. No harm in actual practice; because the Sanitary Commissioners at present fix the sites—and make a bad job of it, at least in Christ Church; because you find standpipes along the main roads where residents have the service in their homes; but in the villages where the people have no pipes in their homes you find no standpipes at all. Take Rockley Road. There is a standpost along the main road where the houses are all serviced with water. But in the villages there are no standpipes at all. That practice obtains in all the parishes, I believe.

So what it means is that the Sanitary Commissioners have not done such a good job in the past; and although the power is vested in the Legislature, the Legislature, as the honourable senior member for St. Philip has explained, has never enforced their power, with the result that although the principle of the Bill may not be noteworthy, no harm will be effected in actual practice if it is passed. For that very good reason, and for the implementation of Ministerial Status which we hope will be done very soon, and also in view of the passing of the Maude Bill by this Chamber, and with the expectation that we will see more democratic district councils, composed of people who know where standposts should be put and with the expectation that until that happens the Sanitary Commissioners will assist the Department in selecting sites, I do not see that any actual harm will be done by voting for this Bill.

Mr. E. D. MOTTLEY: Mr. Speaker,—I do not want to create the impression that I want to speak

after the honourable senior member for St. Michael has replied.

Mr. TALMA: On a point of order, sir, I have not yet concluded my speech. I move, sir, that the House do now adjourn for half an hour.

Mr. J. C. MOTTLEY seconded.

The question was put and agreed to and Mr. SPEAKER adjourned the House accordingly.

RESUMPTION

On the re-assembling:

Mr. COX: Mr. Speaker, — I would like at this stage to lay the Reply to Question No. 29, standing in the name of the honourable senior member for Christ Church. I am asking permission to read it out now, because I think the honourable member would be glad to hear it. It reads—

Mr. LEWIS: Mr. Speaker,—I am asking whether it is in order for the honourable member to read out the answer to that question.

Mr. SPEAKER: The honourable member is asking permission. I see nothing against it.

Mr. LEWIS: I am only asking because I do not think it is right.

Mr. COX: This is the reply:—

Yes.

The preparation in the Works Departments of the details of the arrears of pay due to Unestablished Staff and to Casual Employees and the Audit checking of the pay sheets are extremely intricate tasks, and they are being carried out as quickly as the staffs concerned can manage, in conjunction with their normal duties.

Both the Unestablished and Casual Employees in the Waterworks Department have been paid with the exception of a few casual employees who have not yet called for their arrears of pay.

The Unestablished Staffs of the Public Works and Highways and Transport Departments have also received their arrears of pay. The preparation and audit of back-pay sheets for casual employees in these Departments, of whom there are about 700 and 1,300 respectively, are being treated as a matter of priority and it is expected that payments to these workers will be completed about the middle of December.

I know that the honourable member will be glad to hear, and that all honourable members of this House with the exception of the honourable junior member for the City who is not responsible to these people, will be glad to hear that the Highways and Transport Department is on the arrears of pay due to the casual—

Mr. LEWIS: I am rising to a point of order. I claim that the question has not been put. All that has been done is that notice of the question has been given.

Mr. SPEAKER: The honourable member is not debating the reply.

Mr. LEWIS: I am saying that the question has not been put. It has only been given notice of. The honourable senior member for St. Michael is merely laying the Reply.

Mr. SPEAKER: The honourable member has laid the Reply. It is not before the House. The honourable member will not be allowed to give any further explanation on it. I will tell the honourable junior member for the City that there is nothing wrong when permission is sought to lay a Reply.

Mr. COX: I would also like to lay the Reply to Question No. 30 standing in the name of the honourable senior member for Christ Church. I would like to say at this stage that it has always been a custom of the House for the member who lays a

Reply to read it out if he wants to. (Mr. LEWIS: That is not true).

Mr. SPEAKER: The honourable member will cease his interruptions.

Mr. COX: The honourable member laying the Reply can read it if he wants to.

Mr. SPEAKER: As long as permission is sought. (Mr. LEWIS: Not true).

Mr. COX: I object to the honourable member questioning the Speaker's ruling unless he is prepared to make a substantive motion.

DEBATE RESUMED ON BILL TO AMEND WATERWORKS ACT

Mr. SPEAKER: At the adjournment the honourable senior member for Christ Church was addressing the House.

Mr. TALMA: Mr. Speaker,—The principle of the Bill as set out on paper does not, in my opinion, appear to be a highly desirable one. But the object of this amendment is the result of years of experience together with the practice of the last 20 or 25 years. So although on the face of it this amendment appears to be taking away power from out of the hands of honourable members and putting it in the hands of the department, in truth and in fact it is not giving up any power in actual practice because the Sanitary Commissioners from time immemorial have been in the habit of selecting sites in the various parishes and erecting standposts according to their will without consulting the members of the House. So this Bill seeks to do away with a certain amount of red tape as far as the removal of standposts is concerned. As far as the erection of new standposts is concerned, this Bill is nothing to do with that. At present new ones are erected ad lib at the will of the department without securing the approval of the Legislature.

If the intention of this amending Bill is to expedite matters in bringing water to the poorer classes who have been deprived of that right, the Bill should be supported. I want to see the red tape go, and I want to see water carried to the poor classes in the tenantry roads and the backroads. As far as theory is concerned, I quite agree with the remarks of the honourable senior member for St. Philip and some other honourable members who have spoken. But water is not a question of theory. It is a question of having it in hand. Theory carried to an extreme does not help anyone. There is no point approaching this matter by theorising on the intricacies of legislation, or by appearing to be an expert in the drafting of legislation, or the principle involved in certain Bills.

It is a good argument that in the past we have seen much of the power of the Legislature taken away and placed in the hands of the Executive. We are, however, moving towards Ministerial Status. Ministers will not only be responsible for formulating policy, but for seeing that it is implemented; and if we want to see such things as an improved water service implemented quickly, ministers will need greater power. From that angle I see no harm will be done in actual practice by this amendment, although in theory it may seem that we are giving up a right. In the case of the removal or transfer of standposts, as for example in connection with the Government Housing Schemes, it was necessary to seek the approval of the Legislature. But in the case of erecting new standposts approval of the Legislature is not required. If it was required, many standposts that have been erected within the last five or ten years might not yet have been erected.

Now, sir, the practice at present is to have two standposts per year in each parish. Those standposts are erected without the consent or approval of this Chamber. And although on paper a certain amount of power will be taken away from honourable members, it does not prevent them from bringing in an Address and asking for the erection of standposts here, there or anywhere. I hope that honourable members will see that when you are dealing with water there is no point having to come to the Legislature for approval over a few little standposts, whereas, if that red tape was done away with, and we gave power under the Act to get ahead with the job and have water services installed, and water mains run in all the byways and tenantry roads, it would mean that the benefits which would accrue to the people who are in urgent need of this water will be served, and the desire and wish of the majority of honourable members of this House will be implemented. As I have said, there is nothing to prevent an honourable member from coming here with an Address asking that a standpost or standposts be erected in any particular area; so there is no use quibbling over this trifle this afternoon.

Mr. VAUGHAN: Mr. Speaker,—The honourable member who has just sat has a mysterious habit of reading into a Bill things which the Bill does not suggest. No such thing as facilitating the extension of the water supply is in this Bill. As far as I can understand it, the amendment seeks to give the department the power to erect standposts wherever they think they should be erected, or to remove standposts. Right now, as I can understand it, the department has more or less to consult or ask the Sanitary Commissioners where they think is the best place to put standposts, and the Sanitary Commissioners tell them. A local authority would know more where standposts should be put than the department. When the honourable member talked about the extension of the water supply he was reading into the Bill something which the Bill does not suggest.

I deprecate the practice, especially in a small community and before Ministerial Status is implemented, of taking responsibility from the House and putting it into the hands of any particular department; and I am afraid that that practice has been on the increase in Barbados for some time. It is a dangerous practice and I deprecate it. When the Ministerial Status proposals are implemented a minister will be responsible for the water services; but he will have to take the advice of some local authority as to the best place to put standposts.

Mr. COX: Mr. Speaker,—As far as I can see, quite a number of honourable members who have spoken on this Bill have not taken the trouble to read the Bill properly; neither are they acquainted with the actual working of the Waterworks Department and its relationship to the Sanitary Commissioners of the various parishes. The honourable senior member for St. Philip and the honourable senior member for Christ Church explained the position very clearly indeed, and although the honourable senior member for St. Philip has suggested that this Bill should not be passed, his arguments were in favour of passing it.

The Waterworks Department does not say you must place a standpost here or there. Although the Act lays it down, it has been a practice from the time I knew anything about it for the Sanitary Commissioners to recommend to the department the number of standposts they would like in the various parishes and the points at which the posts should be put down. That is so much so, that the Sanitary Authorities are responsible for erecting or construct-

ing what I would call the platform before the pipe itself has been erected on the particular site. The Commissioners are the people who go through the parishes and who are acquainted with the parishes, and they tell the department where the standposts should be erected. As the honourable senior member for Christ Church has quite rightly put it, no reference is made to the Legislature when that is being done.

When the Government develops an area such as I mentioned not long ago, an area like the Pine or the Bay Estate, the practice is to put a plan before the House showing the number of standposts and hydrants which will be erected on the particular site. But under the Public Health Act people who develop their tenancies put in water and standposts without any reference to the Legislature.

Now what is the object of this Bill? Before going further I would say that the honourable junior member for the City who led off this debate has on more than one occasion said that we waste time coming before the House with these frivolous things.

Mr. LEWIS: Mr. Speaker,—The honourable member is entirely wrong, and I told the honourable junior member for St. Thomas that that was not correct. The honourable member came here and made of himself what I would not like to describe.

Mr. COX: Is the honourable member making a speech now?

Mr. LEWIS: The honourable member misrepresented me.

Mr. COX: The records will show that on more than one occasion when I have brought Resolutions for the approval of Books of References and Plans in order to have standposts removed and put at other places the honourable member has said that we were wasting the time of the House. I promised the honourable member that I would raise the point in the proper quarters and see that a Bill was introduced to save the unnecessary waste of time.

Mr. LEWIS: I would like it to be recorded that the honourable member is entirely wrong; that he cannot produce one single instance where that is so ... he is a liar.

Mr. COX: Mr. Speaker,—I must—

Mr. SPEAKER: Is the honourable junior member for the City referring to another honourable member as a liar? I must ask him to immediately retract such words.

Mr. LEWIS: I would like first of all to say what I said. I said that if the honourable member looks up the records and finds that he was wrong I hope that he would be man enough to come here and say that he was a liar. If Your Honour says that I must withdraw the words in that context I would be glad to withdraw them.

Mr. SPEAKER: I have given the honourable member an opportunity to explain himself. The honourable member took exception to what the honourable senior member for St. Michael was saying. As he sat his words became more indistinct; but I heard the word "liar", and he was pointing his finger at the honourable senior member for St. Michael. The honourable member will not be allowed to make such a reference and will now withdraw those words.

Mr. LEWIS: I have said that if Your Honour rules that I must withdraw them in the context I have explained, I withdraw them a thousand times. But the honourable senior member for St. Michael must understand this:

Mr. SPEAKER: The honourable member may not make any further explanation in this House.

Mr. COX: I will stick to that. On the last occasion that a standpipe in St. Andrew was to be removed I brought the question to this House about the removal of the pipe from Walkers Road to

another spot about 200 yards away. On that occasion the honourable junior member for the City expressed the point of view in this House that it was unnecessary to come here with a matter like that—moving a pipe 200 yards. I promised to report the honourable member's views to the Executive Committee. I did so, and the Government agreed that it was a waste of time. (Mr. LEWIS: Tell me the date of the debate).

Mr. SPEAKER: The honourable member will not interrupt.

Mr. COX: The Government agreed that it was a waste of time and as a result this Bill is before the House. It does not matter one whit to me. It is only a question, as I have said, of honourable members feeling that it was a waste of time to bring such trivial matters before the House.

Unfortunate references have been made during the course of the debate to the question of partiality which came from the honourable junior member for the City. He referred to a member or members of the Executive who would be partial in seeing after these standposts.

Mr. SPEAKER: Other honourable members made similar references.

Mr. COX: I am going to say that a man measures another by his own yard stick.

Mr. LEWIS: On a point of explanation. I said that in case an honourable member wanted to be partial the House could hold the matter up and point it out to him.

Mr. COX: I would like the House to know that even the honourable senior member for St. Lucy made an unfortunate reference when he referred to the metropolitan parish being taken too much care of in so far as water supplies and things of that sort are concerned. I want to tell him that in St. Michael, the parish which contains two fifths of the island's population only two standposts were erected this year. The honourable senior member for the City can bear me out. The honourable senior member for St. Philip said that that parish had only been given two. So when the honourable member tries to hit at me about being partial to a particular parish where water is concerned because I am a member of the Executive it is sheer nonsense, and is only a question of measuring someone else by his own yard stick. Just what he would do if he were a member of the Executive he is assuming that someone else would do. But all people are not the same.

As far as the remarks of the honourable senior member for St. George are concerned, I regret very much that the Sanitary Commissioners of St. George have acted in such a manner. Instead of consulting the Government, which many of them do by way of petitions, delegations etc., they have briefed the honourable senior member for St. George.

Mr. BARROW: Mr. Speaker,—I would like the honourable member to withdraw his remarks. I have never suggested that I was briefed by the Sanitary Commissioners of St. George or of any other parish. There is nothing about the Sanitary Commissioners in the Waterworks Act. There is no question of the Sanitary Commissioners in this respect.

Mr. SPEAKER: The honourable member is well aware of that.

Mr. COX: The honourable senior member for St. George has been making a second speech.

Mr. BARROW: I am asking the honourable senior member for St. Michael to withdraw his remarks about my being briefed by the Sanitary Commissioners of St. George.

Mr. COX: I am not withdrawing anything.

Mr. SPEAKER: There must be order. I think it would be more decorous for the honourable senior member for St. Michael to refer to the honourable senior member for St. George as appearing to have been briefed.

Mr. COX: I accept Your Honour's suggestion. The honourable member appears to have been briefed by the Sanitary Commissioners of St. George. As regards the point about the Chief Engineer of the Waterworks seeking to get money from the rural amenities fund to install standpipes, I was saying that while I agree that it is a very good effort on the part of the Chief Engineer to try to get money from any angle to extend the Water Services, I still feel that it was a wrong step to take; because if, as he has pointed out to me, the allocation which he had to spend under the Five Year Plan was insufficient, I think the best thing for him to have done, and the only way to handle the situation would have been to tell the Government that he wanted to install so many more pipes in the various areas; that the amount which he had to spend was small; and that he would like to ask for more money to extend the water services. That is the line the Chief Engineer should have taken, rather than dealing with an outside person when he has the means of dealing directly with the Government on the question.

Honourable members have talked a good deal about protecting the right of the House to say where a pipe should be put. But the House does not have that right at present. All that this Bill is seeking to do is to avoid unnecessary legislation as regards the removal of standpipes. Sometime ago I had a Resolution passed here with reference to the removal of a pipe at Beckles Road. To my great surprise I found after the Resolution was passed that the pipe had been moved some weeks before. That shows how unnecessary it is to waste the time of the House with such legislation, as has been said on more than one occasion by honourable members.

Now, sir, I regret very much to hear that the allocation of standposts to St. George has not been made. As a matter of fact, as I said just now, St. Michael got two, and I am sure that St. Lucy got two, and various other parishes also got two each. There was no partiality in spite of the fact that the honourable junior member for St. Lucy talked about having to be *persona grata* with the minister to get what you want. Nothing of that sort operates where this Government is concerned.

I have been taken up on a point which I made at the time of the debate on the Five Year Plan, when I said that the Government was going to flood the island with water. If the honourable member who took me up on that had been following the activities of the Waterworks Department; if he had been reading the reports of that Department; and taking his car sometimes and driving around the island, he would see the number of mains which have been laid throughout the island. He would know that the Belle has just sunk an additional well which brings the total to three. He would also know that we are sinking another well at a place called Sweet Vale from which we will get about a half million gallons of water. In one area in St. Philip pumping is not going on to full capacity due to our not having the facilities at present.

I have had a talk with the Chief Engineer of the Waterworks recently, and he has assured me that all the material for the re-organisation of the water supplies has been received, and that it is only a question now of having more feeder mains in order to carry out the expansion necessary to flood the island with water. Everyone knows that we do not have any trouble at Boscobel now, the trouble that even caused

the death of some one there. That in itself can be regarded as flooding at least part of the island with water.

I must impress on honourable members that this is not a Bill which has as its object the taking away of power from the House. It is merely a formal measure. All that the Bill says is that instead of having to come to this House for permission to remove a pipe from Deacons Road up to Black Rock corner, or from Chapman Lane to Lightsfoot Lane, the department can remove the pipe without having to come to the Assembly for permission. Honourable members should bear in mind Section 5 (1) of the Waterworks Act which says:—

The management of the Waterworks constructed and maintained under this Act is hereby placed in the hands of the Executive Committee who are hereinafter referred to as the Department, and who shall report annually for the information of the Legislature on the revenue and expenditure, and on the general condition thereof.

The Executive Committee is now responsible for the department. Therefore there is no question of taking away power from the House of Assembly. As the law stands, when people apply for mains and that sort of thing for the various tenancies they have to apply to the Executive. There is no reference to the House. I repeat for the last time, Mr. Speaker, that at present pipes are installed all over the island—the two pipes to which the honourable senior member for St. Philip referred were installed without the question coming before the House. Nothing like that comes before the House. The honourable senior member for the City can bear me out that a pipe has just been installed in Carington's Village and another in Chapman Lane, and the question of neither installation came before us. It is no use misleading the House by saying that power is being taken away. From the time that I had the portfolio in 1948 I have never had to bring such legislation before the House. It is only when a removal is to be made. For instance, there is a pipe in Fontabelle Main Road where it should not be. If that pipe is to be removed to Kensington we would have to bring legislation. There is no point in that. We are not asked where a pipe should be put. We are told that the Sanitary Commissioners say it should be put in such and such an area and we are only asked to agree to putting it there by legislation.

The honourable junior member for St. John asked about fines. I made it clear that in view of the fact that the Chief Engineer of the Waterworks had made some reports about illegal —

Mr. VAUGHAN: I never asked anything about fines. It was the honourable junior member for St. Lucy.

Mr. COX: The honourable member just asked *sotto voce* about fines. Perhaps I should not have taken notice of *sotto voce* remarks. Anyhow increasing the fines is suggested to serve as a deterrent to persons who use water illegally. We have the experience of people who have both a domestic tap and a garden meter. They use the meter, but also use the domestic tap for watering gardens. They pay less for using the domestic water. In other words, there are two services — a domestic service and a garden or other purposes service. With the garden service you pay for the amount of water you use, plus meter rental. You pay so much per thousand and gallons. If a person has two services — domestic and meter — he can easily connect a hose to the domestic service and water the whole of his garden without the water passing through the meter. In view of the fact that we have had cases like that from

time to time the Chief Engineer suggested an increase in the fines. After all, these fines have not been increased for a long time as honourable members will see. One honourable member, I think it was the honourable junior member for St. Philip, said that if people break the law they should stand the consequences of doing so. That cannot be considered unreasonable.

Mr. Speaker, for the last time I say that the purpose of this Bill is to remove an anomaly from the Statute Book. I will assure the honourable senior member for St. George that I will take up at the earliest possible opportunity — if possible to-morrow — the question which he raised about the two pipes not having been installed in St. George. I want to assure him in the meantime that it is due to no fault on the part of the Executive. I ask honourable members to support the motion for the second reading of this Bill.

Mr. E. D. MOTTLEY: Mr. Speaker, — My reason for speaking after the honourable senior member for St. Michael is not because I did not want him to reply. It is a bit confusing after listening to him; but there is much in what he has said. The Bill seeks to amend Section 27 of the Act, and Sections 64 to 66 which deal with fines, but I think we should deal with them separately. Now in practice what the honourable senior member for St. Michael says is correct. At present the law which is here is really not observed. It is not my duty to point out this to the Government, but I am wondering whether same particular statute that deals with this water question has not been overlooked—I do not mean willfully omitted, but overlooked.

In practice, as the honourable senior member for St. Michael said, the Waterworks Department actually notifies the Commissioners of Health of the fact that for the year 1952, or 1953, or whatever year it is, the Executive Committee has allocated so much money for the erection of two standpipes for the parish of St. Michael, St. George etc. Those letters are sent out to the Commissioners of Health and are on file. And the Commissioners recommend the sites. So when the honourable member says that the Executive does not recommend the sites he is correct. That is what has been going on for some time; and at least from the time that I have been on the Commissioners of Health that has been the practice and I have had an opportunity of making a lot of recommendations. And those cases never came before the House. I do not know if there is some particular section which is being observed in the breach. It is not my duty to point any neglected section which is not before the House. The Manager of the Waterworks Department tells the Commissioners that he has so much allocated by the Governor-in-Executive Committee for the erection of so many pipes in St. Michael, or St. George or whatever the parish may be, and the Commissioners recommend the sites.

Another thing is this: Of all the public standposts in this island I doubt whether you can find one per cent. of them erected on government land. The honourable Deputy Leader knows that that is so. Almost every month you get people writing in to say that the standpipe which is on their land is now a nuisance, will you have it removed. In practice whenever these letters come to the Colonial Secretary or the Water Works Department they are referred to the Commissioners of Health of the various parishes. There is some law or regulation that if a pipe is to be removed more than 200 yards you must come with the case before the House. In practice, if a standpipe is in front of the house of the honourable senior member for St. Thomas and

people get up at 3 o'clock in the morning — only last year I think a standpipe was in front of a hospital and both doctors and patients complained that the people in the hospital were disturbed when drawers of water made noise at the pipe early in the morning. An application for the removal of the pipe was made, and it was pointed out that under an existing regulation you could not remove a pipe for more than a certain distance without the permission of the Legislature. You had to come with a plan. If that is the amendment that you are seeking here I agree with it. But that is not the amendment that you have here. If that is the amendment that the Government wants to effect, they should look for the appropriate section or regulation and amend it.

I would suggest to the honourable senior member for St. Michael to postpone this Bill. I am speaking with ten years' experience. With the greatest respect to the authorities who drafted this, I suggest that they should have gone further with the matter. The section that they are amending will not remedy the situation. I believe that I can sit now. I do not think that the honourable member would be so strong headed as not to accept my suggestion.

Take Section 27 which talks about "maintaining, providing and fixing proper standpipes. As I have said, sir, in all my years of experience recommendations for these pipes are made by the Commissioners of Health. I have never seen one such case come before this House. I hear someone saying *sotto voce* that we have the authority. I have said that I am not the Minister in charge of water, and it is not my duty to point out where the existing legislation is. I suggest to the honourable member to postpone the Bill. There must be some regulation that has been overlooked.

I pass on now to the question of fines. I have a few criticisms to make. It is strikingly strange that here you are seeking to amend the Waterworks Act merely to reduce the power which the House should have and to increase fines, and not to do something for which there has been a demand for years and years. Sir, Conservatives and Socialists alike have been hammering home one point. Years ago standpipes were erected on the main roads and highways, and within recent years you have been carrying them to the public as soon as the Government took over roads in common. But the bulk of the people live in privately owned tenancies from which you collect taxes. What many of us have been asking for years is that you amend the Landlord and Tenants Act or some other legislation so that Government can go into these tenancies and erect standposts. In a tenancy where you may have 2,000 people living and eight or nine hundred houses you should be able to go in and erect public standpipes. That would be much more appreciated than an amendment to increase fines to be imposed if someone used water that they were not entitled to use.

Now I know what will catch some people; and this suggestion about people who are able to afford two services—domestic and garden using water illegally would appeal to the honourable senior member for St. Michael. But I want to tell him that this section can rope in practically every shopkeeper in this town. He should be cautious, and read it carefully. It says for domestic purposes. Does the honourable member know that any man using water for a rum shop is not using it for domestic purposes? How many people who have installed a meter service for their gardens and who pay 80 cents per thousand gallons for water will worry to buy a hose and run it from the domestic tap to the garden just to save 80 cents per thousand gallons? There is more in this than that. This is not meant for those people. Let him

read the section. Note the words "domestic purposes". I ask the legal men in here to say if that does not mean just one's usual household purposes. If you have someone living at your home and she starts to make bread for sale the water she uses from your tap for that purpose is not being used for domestic purposes. I ask the Government to go carefully into that.

But the suggestion by the Chief Engineer was one that would catch a Socialist Minister and a Socialist House. Here are these people attaching hoses to their domestic taps to water gardens when they have a meter service. It has caught the honourable member because it appears to apply to a particular section of the community.

I ask the honourable member to postpone this matter. Almost every month you get applications for the removal of a standpipe; the last one was at Deacons Road. If you want to remove a standpipe more than a certain distance you have to come to the Legislature. If that was what was to be amended I would agree with the Bill now. But I do not think that applies in this Bill. I move, Sir, that further consideration of this Bill be postponed.

Do not run away with the idea that the Health Commissioners decide how many pipes must be fixed; the Executive Committee say how many pipes can be fixed. The blame must not be laid on the Health Commissioners. The Executive Committee allocates the amount of money it can spend on the matter in each particular parish. The Committee may say that it can only allocate as much money as to provide for one standpipe to St. George's parish, two to St. Philip, and so on.

I move that further consideration of this Bill be postponed.

Mr. COX : I accept that motion.

Mr. LEWIS : Mr. Speaker, I rise on a point of order. The honourable member cannot accept the motion for the postponement. The question that is brought before this House must be determined by this House. I will just draw attention of this House to Rule 85 which states: "A question being put, is resolved in the affirmative or negative by the majority of voices, "Aye", or "No." You will also see under these Rules that a motion for the adjournment of the House is to be seconded. If an honourable member is placed in a position where he can withdraw something whenever he likes, he denies honourable members the right to say that this House agrees to the withdrawal. If a motion for the postponement is made, honourable members who spoke already can speak again on the motion for the postponement. The honourable senior member for St. Michael should not be allowed to accept the motion for the postponement.

Mr. SPEAKER : I should ask that the motion for the postponement be seconded.

Mr. MAPP : I beg to second the motion.

Mr. BARROW : Mr. Speaker, I am speaking on the motion for the postponement of consideration of the second reading of this Bill. I would like to warn the honourable senior member for St. Michael that whatever may be the understanding or misunderstanding on this motion, if he comes back to this Chamber with this Bill in the same manner as it is today, I am going to adopt the same attitude as I have adopted today on it. Mr. Speaker, by the honourable senior member for St. Michael own remarks, I am opposing this motion for the postponement, and my reason for doing so is because the honourable member has misdirected this House.

Mr. COX : Mr. Speaker, I must object to those remarks by the honourable senior member for St.

George. I have done no such thing. I am asking that those remarks be withdrawn.

Mr. SPEAKER : The honourable senior member for St. Michael objects to the remarks used by the honourable senior member for St. George when he mentioned that the honourable senior member for St. Michael misdirected the House. I too consider that they are very strong remarks and certainly reflects on the honourable member. I would ask the honourable senior member for St. George to withdraw those remarks.

Mr. BARROW : Sir, if it were understood that I was accusing the honourable senior member for St. Michael of deliberately or through consciousness and knowledge on his part of misdirecting this House on this matter, I withdraw those remarks unreservedly. I cannot accuse the honourable member of malice. At the highest, I will only accuse him of ignorance. There can be no malice on his part. He is ignorant of what the amendments of this Bill mean to the Waterworks Act of 1895. If the honourable senior member for St. Michael took the trouble—

Mr. COX : Mr. Speaker, the honourable member is speaking on the Bill when there is a motion before this House for postponement of consideration on it.

Mr. BARROW : Sir, I was about to give the reasons why I opposed the motion for the postponement. This Bill takes away the constitutional rights of members of this Honourable House. It is not as the honourable senior member for the City tried to make out. If honourable members would carefully read and peruse the Waterworks Act, they will find that this amendment as to the Department dealing with this matter of fixing of standpipes instead of the Legislature, is not as the honourable senior member for the City tried to make out. If anyone perused all the regulations that were made under the Act, even those that have been withdrawn, he will see that no mention is made that the Commissioners of Health of the various parishes are to be consulted everytime there is to be a change in the location or for the fixing of a location for an additional standpipe.

Mr. E. D. MOTTLEY : There are regulations.

Mr. BARROW : Sir, whenever a standpipe is erected in any parish with the collaboration of the Commissioners of that parish, that act is *ultra vires*. There is nothing in the Act which says that the Chief Engineer of the Waterworks Department should get together with the Commissioners of Health of the various parishes and decide where a standpipe should be placed and for the reasons which I enumerated earlier. The power was vested by Section 27 of the Waterworks Act in the members of this House to decide where a standpipe should be placed, and I am saying that they are the best persons to know where these standpipes should be placed. The effect of the amendment in this Bill is to take away this power from the House; therefore I cannot support any motion for the postponement.

As I have said, I do not accuse the honourable senior member for St. Michael of any malice because I feel that what he has said on this matter springs from his ignorance of the whole matter. Sir, to postpone this debate is to postpone it until the evil day. The only provision made with regard to the Commissioners of Health in this matter is that they should keep the gutters around standpipes clean. That is all that the honourable senior member for the City as a Commissioner of Health for the parish of St. Michael should have done.

Mr. E. D. MOTTLEY : Mr. Speaker, what does the honourable member mean when he says that that is all that I should have done. I rise at a point of order. The honourable senior member for St. George

has misquoted me all along. I did not get up before because I did not want the honourable member to think that I was trying to interrupt him.

Mr. SPEAKER: The honourable member must say how the honourable senior member for St. George misquoted him.

Mr. E. D. MOTTLEY: I never said anything with regard to the removal of standpipes. I said that I was going to support the section of the Bill which takes this matter out of the hands of the Legislature and leaves it to the Department.

Mr. SPEAKER: The honourable member is out of order.

Mr. BARROW: Mr. Speaker, as I was saying, any authority which the Waterworks Department has taken to consult the various Sanitary Commissioners on matters determining the positions where standpipes should be placed has been self given. It is true that this evil has been going on for some time, may be, through convention, but whenever it was done, the parties were acting *ultra vires*. As I have said, to postpone consideration of this Bill is merely postponing the evil day. The honourable senior member for St. Michael wants to flood the island with water. Is this the way in which he is going to flood it?

Mr. SPEAKER: The honourable senior member for St. George is not now speaking on the motion for the postponement.

Mr. BARROW: All I was saying was this. To suggest that all this amendment sought to do was to leave the matter in the hands of the Department—

Mr. SPEAKER: Is the honourable member referring to what the honourable senior member for St. Michael said?

Mr. BARROW: The honourable introducer of this motion for the postponement suggested that the only effect of this amendment—

Mr. SPEAKER: The honourable member is now straying directly from the motion for the postponement.

Mr. BARROW: I only wanted to say that the honourable member who introduced this motion for the postponement is not correct in what he said with regard to the regulations. If you take the Waterworks (General) Regulations of 1953 which repeal the regulations of 20th May, 1895; and the regulations gazetted on the 21st December, 1914, and the regulations of 7th March, 1921, gazetted on the 15th August, 1921; and the regulations of May 1921 gazetted on the 1st August 1921; and the regulations of 12th February 1925, gazetted on the 21st September 1925, you will see that there is nothing to show that the Chief Engineer should consult the Commissioners of Health of the various parishes for the fixing of location of standpipes. If there were such regulations, they would be *ultra vires* and contrary to the spirit of Section 27 of the Act.

Mr. COX: I should like to say that in referring to the remarks made by the honourable senior members for St. Philip and Christ Church that I made it crystal clear that it was the practice for the Chief Engineer of the Waterworks Department to fix the location of standpipes after consultation with the Commissioners of Health of the various parishes. And, that practice was in existence for many years. I did not say that there was any regulation, or any bill, or anything of that sort, on which the practice was based, as the honourable senior member for St. George is trying to make out. I would therefore like to tell this House once for all that in spite of my short-comings, the honourable senior member for St. George owes it to members of the Labour Party that he is able to get up in this Chamber and say that other members are ignorant.

Mr. SPEAKER: The honourable member must speak on the postponement.

Mr. COX: Sir, more often than not, we have seen that education has served as a means of bringing out more fully one's criminal instincts and it is only people like us—

Mr. SPEAKER: The honourable member must not generalise now.

Mr. COX: I will obey Your Honour's ruling. I will say that I have had dealings with the Waterworks Department for some time and I do know that there is no regulation or anything of that sort to make the Chief Engineer of the Waterworks Department consult the Commissioners of Health on matters like fixing of the location for a standpipe, but I did point out to the House that it was the practice to do so, and it had been in existence for many years. I did make that point crystal clear. Whether the Commissioners of Health or somebody else have acted *ultra vires* is a matter for them. I was only stressing the point that such was the practice. I was also asking that the Bill be passed in order to avoid unnecessary discussion and delay of such matters by having to submit to the Legislature a Book of Reference on them, and it is a fact that honourable members of this House from time to time have asked that this be done. Honourable members have repeatedly asked the Government not to waste their time on such matters.

Mr. LEWIS: Sir, before the motion for the postponement of the debate is put, in spite of what the honourable senior member for St. Michael has said, I must tell him that he has not begun to read the Act, therefore, he does not fully understand what he wants to bring to this House at all. This is not only a case of the siting of a standpost coming before the House; it is a case also for approval. I would advise the honourable member to read not only Section 27 of the Act but also Sections 12 and 28.

Sir, if this motion for the postponement is carried, I sincerely hope the honourable member would take the opportunity of reading the Act as a whole. It is not a case of only coming to the Legislature for fixing the location of standpipes.

The question that further consideration on the Bill be postponed was put and resolved in the affirmative, the House dividing as follows:—

Ayes: Mr. SMITH, Mrs. BOURNE, Mr. MILLER, Mr. MAPP, Mr. TALMA, Dr. CUMMINS, Mr. WILLIAMS, Mr. ALLDER and Mr. E. D. MOTTLEY.—9.

Noes: Mr. LEWIS, Mr. BARROW, Mr. J. C. MOTTLEY, Mr. VAUGHAN and Mr. CRAWFORD.—5.

Dr. CUMMINS: Mr. Speaker, This brings us to the close of Government Business for the day.

ADDRESS *RE* RUNNING OF THE ST. ANDREW ALMSHOUSE

Mrs. BOURNE: Mr. Speaker, I am asking leave to proceed with the Address of which I have given notice earlier to-day.

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

Mrs. BOURNE: Mr. Speaker, Honourable members have in their hands a copy of the Address which reads as follows:—

The House Of Assembly To His Excellency The Governor

The House of Assembly respectfully beg to inform Your Excellency that it is their opinion that grave and serious neglect of duty on the part of

those responsible for the running of the Almshouse in the parish of St. Andrew has caused unnecessary suffering to inmates, and also that certain mal-practices have been carried on by officials of this Almshouse.

The House request Your Excellency to take immediate steps to issue a Commission of Enquiry concerning the above matters and such disciplinary measures as the law requires and justice demands.

Mr. Speaker, I have brought in this Address as a result of certain facts and personal observations which I have of the institution. I have paid several visits to the St. Andrew Almshouse within the last two weeks, my first being on the 16th November when I took a friend of mine from Trinidad to visit it. Seeing the unfavourable conditions which were existing on that occasion, such as fowls being roosted in the kitchen; their droppings being noticed all over the wards; as well as the sheets covering the beds being in a dirty condition, I took up the matter with the Matron on the following Wednesday. By her remarks to me when we discussed the matter showed that she was indifferent to the state of affairs because she remarked that she was in a hurry to go somewhere and actually did not have the time to discuss it then. It was only after my insistence that the matter be discussed then that she consented. I told her of my findings on the 16th November and she said that she was not going to allow worries to kill her. She also remarked that I had come along to send her blood pressure up.

However, Sir, after discussion was broken off on that day, I made another visit on the following Saturday to the Institution and discovered that things were even at a worse point than on my former visit. There I saw the Senior and Junior Guardians and we discussed such things which I shall state to the House now. Apparently, the Clerk to the Board of Guardians was on holiday at the last meeting of the Board of Guardians when some woman who was trying to get outdoor relief for herself and children of hers were turned back without any help because all the cash in the hands of the Board was paid out. The woman was told to return on that Saturday to get a ticket from the Institution for two weeks' supply of groceries. She did not return herself but sent one of her children and on the child enquiring for the Matron so as to get the articles, was told that the Matron was on weekend leave, therefore, the groceries could not be obtained then. Sir, not only was the Matron on weekend leave, but she had taken away with her the keys to the storeroom. On my visit then, the nurse on duty showed me supplies which the Matron had weighed and left to serve the 21 inmates in the institution, a cook and a washer for the weekend. They were as follows:— Two plates, each containing 2½ lbs. sugar, one with about one spoonful of coffee with a little salt thrown over the sugar and in the other plate was about a spoonful of cocoa and salt also thrown over the sugar. There were also two small loaves of salt bread and I was made to understand those rations were to serve for tea on the following morning. I was then shown two dirty looking butter tins, one containing about one gill of cooking oil and the other two ounces of margarine. There were also 2½ ounces of onions, which seemed to be rotting, 4 pints and 1 gill of rice, two tins condensed milk, 1¼ lbs. salted meat, 20 lbs. of potatoes in a bag and a little less than that in another. One lot of the potatoes was to serve for dinner on the Saturday afternoon and the other was to serve for the Sunday's dinner. There were also 7 lbs. corn meal, 1½ lbs. salted fish and 2½ pints fresh cow's milk and a tin containing 1½ pints of

kerosene oil. As I understand it, the fresh milk is supplied by the Matron's husband. The kerosene oil was to be poured into three lanterns to supply the lighting of the institution for the night.

Mr. Speaker, the manner in which these articles of diet were left was such that they would not be fit for dogs to eat never mind human beings. I was really going on a visit to the nurses' quarters when Mrs. Rock, one of the Guardians, invited me to see how these things were left. In the kitchen, I also saw an old rusty, dusty saucepan and cover and part of a serving spoon. There were also in a press without any back, biscuit packets containing biscuits for the inmates. In every corner of the press were cockroaches and you could also notice that the press was searched by rats. The biscuits contained in that press were served to the inmates.

Here, Sir, I have in my possession the only three spoons which were used at that Institution. They could not be more rusty looking. I hold them for honourable members to see. I am prepared to keep them until a Commission of Enquiry is set up to enquire into the running of the Institution when I will put them in as evidence. I cannot be charged for larceny of them as they were handed to me by the Junior Guardian. After she had seen the condition for herself, she bought four for the Institution and allowed me to take these. Sir, I have no sympathy for any person who is unkind and unsympathetic to people who have no redress and cannot defend themselves. The poor people at this institution are defenceless. If I did not bring this matter to the attention of this House, I would have failed to do the duty which I owe to my constituency.

What is worse, Sir? Quite recently, a young girl found it necessary to enter the Institution to be delivered of a baby. Allow me to tell you that old pieces of blanket were used as sanitary napkins for the young mother and as diapers for the little child. Be not horrified when I tell you that in that institution there is an inmate suffering from pellagra and another whose skin is so scaly that you can rake them off him. After I had seen those things, I thought I should go to the Director of Medical Services and take the matter up with him. I did so, and as the Director promised me, he paid a visit to the Institution. On the day the Director of Medical Services visited the Institution in answer to my request, he found the cook about to serve a meal of stewed potatoes and salt fish. Sometimes, it is not what you eat but how it is served. I can put it no better than to say that conditions are deplorable at the St. Andrew Almshouse.

Sir, the fresh milk received at the Institution is supplied by the Matron's husband. I do not know if it is legally right for the Matron to receive milk for the Institution from her husband. I consider that it is her property and she pays herself for what she receives. I have been told that there is a pig at the institution and that it was bought by the Churchwarden, Mr. Vaughan, because he thought that the swill from the institution could go towards the raising of pigs for the benefit of the inmates. On an occasion last week, when I visited the Institution, I saw a boy taking away some of this swill to feed the Matron's pigs. I have been told that the Matron cooks and sends her husband's meals from the Institution.

I also understand that there is a rule that on days when the cots of inmates are bug-poisoned and scrubbed, the inmates are not allowed to go under the trees in the yard of the Institution, but that they have to sit on the floor of the almshouse until the cot covers are brought back to the institution.

Sometimes, they are replaced in a half wet condition. I think all of those things are wrong and should be investigated. I also understand that the inmates are not given soap to bathe their skins and that the same clothes which they wear in the day, they sleep in. There is no nightwear for them. I think all of these things are wrong and should be investigated.

The rules of the Institution are not observed. If they were, when I visited the Institution on an occasion and asked the Matron after I had seen a duty roster, if it were used, she would not have told me that she does not use it but that she sets up duty daily on a blackboard. I understand that there is a reason for that. Every other day the Matron leaves the institution to learn to drive her motor car. She produces no medical certificate of ill health. A Poor Law Guardian just gives her the time off. At the last Speech Day of the Alleyne School, she took the day off so as to make preparations at her home for it. You will be surprised to learn that the Matron seldom sleeps in at the institution. Because of that, there is no regular hour to serve tea at the Institution. I also have a letter in my hands from the young girl who went to the Institution recently to be delivered of a baby. It reads as follows:

Haggatts Road,
St. Andrew,
7th Dec. 1953.

Dear Mrs. Bourne,

I went to the Almshouse the 25th of November. I gave birth to a baby and all that nurse used with me was old pieces of blankets which made me very uncomfortable, the baby also used pieces of blankets for diapers. I am sending this letter to you as you are our representative. I was also given stewed potatoes for meals. Do you think this is right?

I am,
yours sincerely,
(Miss) NOLA BECKLES.

Sir, in my opinion, there are many things wrong at the Institution. I can enumerate many more. On Thursday morning last, I went over to the Clerk's Office and asked him to allow me to see the vouchers of things purchased for the Almshouses. He told me that he supposed I was aware that the majority of the stores in Bridgetown nowadays were billing their customers with only the amount of their purchases; the stores were not sending out itemised accounts. On account of that, he only had bill-head accounts. Sir, imagine there were no itemised accounts at all. Of course that is not a matter for me; that is a matter for the persons who run the institution. I was told that when goods are received at the institution, the person who receives them, shows the bill to the Churchwarden who okays it. It therefore is a fact that these itemised bills are received, but they are not there for taxpayers to inspect. I would like to know how the accounts are audited. Of course, the St. Andrew Vestry has peculiar ways of doing things. When supplies of potatoes are delivered at the Institution, the Matron writes up the vouchers. She then carries these vouchers to the Churchwarden who signs them. The Matron, in turn, signs those vouchers for receipt of the money from the Parochial Treasurer. I think this a wrong way of doing things. Sometimes, these vouchers are for two or three hundred dollars. How are you to know that this money is paid out when there is no other signature to the voucher but the Matron's? I am not assuming that the money is not paid out. I am only saying that each person who supplies provisions to the Institution should apply his signature to the

voucher to show that he has received payment for them.

If I may refer to the spoons which I have in hand again, would any honourable member think that they were ever cleaned with Dutch Cleanser? I saw a bill with Dutch Cleanser on it. When I asked the cook what she cleansed those spoons with, she said that she cleansed them with ashes. If that is so, what becomes of the Dutch Cleanser? Sir, it looks to me as if something more than malpractices goes on at that institution. Conditions at that institution are so shocking that I regret to stand here and make these criticisms. Last Thursday, you would have thought that the institution had been burnt out, there was so much smoke emitting from the burning of rubbish there. I have come to understand that every inmate was given a new gown on that date. There was to be a meeting of the St. Andrew Vestry on that day, but there was no quorum. I understand that the members of the Board of Guardians expected that the Director of Medical Services would have paid a visit to the institution on that day and that was the reason for the burning out of the rubbish there and the new look of the inmates.

Sir, more often than not, you meet inmates of that institution begging for a penny from passers-by and saying that they are hungry. I have now come to the conclusion that they are really hungry and are in need of a penny.

I think I have put most of the facts that prevail at the St. Andrew Almshouse before the House and I leave the matter in the hands of honourable members to say whether they think that the happenings there should be enquired into. I move that this Address do now pass.

Mr. BRANCKER: I beg to second the Address. As a Vestryman, I am naturally interested and equally horrified at the tale which the honourable mover of this Address has told. What I wonder most of all is whether all the things which I have heard could have happened if there were proper supervision. I do know that there is a Medical Officer attached to that parish. There can be no question about it that matters so serious as was related by the honourable member should have been gone into,—if not all, some of them,—by the Medical Officer of that parish. Sir, one is flabbergasted to think that certain of these matters which should have been noticed by the Parochial Medical Officer of that parish were left unnoticed and nothing appears to have been done. I wonder if this Officer has noted anything in the Minute Book and the Guardians and Churchwarden have ignored the Minutes. If the Parochial Medical Officer noted something and it has been ignored, I would suggest as a Vestryman, that without any further delay, the honourable mover of the Address, who found things as were enunciated, should have taken the matter to the Director of Medical Services so that that Officer could pay a surprise visit to the Institution. If in case the Director of Medical Services proved uncooperative, well then, of course, it would be a fit case for a deputation from that Vestry to go to Government House and wait on His Excellency the Governor. I may say that if that Vestry wanted the co-operation of other Vestrymen, I think they would receive it from the honourable junior member for St. Joseph and should I include myself. I can say with all certainty that St. Lucy does not run its institution in the manner in which the institution in St. Andrew appears to be run.

With regard to the other matter of disbursements to which the honourable senior member for St. Andrew made reference, one must think that the Auditor does not perform his work satisfactorily.

although it is known that all professional men seek to carry out their work efficiently. It is therefore amusing to learn that money has been paid out by that Vestry and there is no signatures on vouchers to show how that money has been paid out. If there is an auditor, what does he survey? Apparently, he has no vouchers to survey. There can be no denying of the fact that a case has been made out for a Commission to enquire into the running of that institution, if one accepts what the honourable mover of the Address has said. If there were any contradiction, I think her colleague, who, although he is not in his place at the moment, would have come to dispute them. Apparently, that honourable member is not in a position to dispute the facts which his colleague has presented to us, therefore, I see no reason why we should not accept what the honourable mover of the Address told us. One cannot imagine that the honourable member has not spoken with a full sense of her responsibility.

I think, Mr. Speaker, a case has been made out for the taking of steps to enquire into the issue by a Commission of Enquiry. A Commission of Enquiry should go into this matter to decide what disciplinary measures should be taken to remedy the state of affairs at that Institution. One wonders whether there are not persons connected with the running of the institution who have not committed offences for which they can be brought before Her Majesty's Courts. I take great pleasure as a Vestryman in seconding this Address which was moved by the honourable senior member for St. Andrew.

Mr. E. D. MOTTLEY: I think under the circumstances, very little comment should be made. Listening to the honourable senior member for St. Andrew, I say that if the statements made by her are correct—and I take it that the honourable member said what she did with the fullest sense of her responsibility not only for St. Andrew but for the community as a whole—I think it would be rather unwise of this House if it refused to support the passing of this Address. The statements made by the honourable member seemed to be rather inhuman. The Address asks that immediate steps be taken to set up a Commission of Enquiry concerning the running of the institution. As is known, the Poor Law Board is a separate and distinct Board from the Vestry which is its parent body. This has been the ruling of the highest judicial courts in these parts. Because of that, I just want to draw to the attention of the honourable introducer of this Address that as the Address reads, it is purely a matter for the Board of Guardians of the parish of St. Andrew, but from some of the remarks made by the honourable member they seem to go further than applying to the Board of Guardians of that parish.

I do not believe that this House should comment on what the honourable mover of the Address stated and for two reasons. In the first place, it would not be fair because of our position to accuse persons in administrative positions and in the second place, if we were to do so, we would be putting them on guard for what they will be accused. Sir, nothing makes one more incensed than when one hears of ill treatment to poor unfortunate people. At first, I thought it was purely a domestic matter, but after listening carefully to the honourable member, I came to the conclusion that the matter of ill treatment to those poor and unfortunate inmates was more than a domestic matter. At first I was wondering whether the Head of the Administration would have seen the necessity for setting up a Com-

mission of Enquiry into the matter. I was thinking that there may be other means of remedying the situation, probably, by removing the particular officer. I think I need not remind this House that the asking for a Commission of Enquiry to go into the matter would suffer if it were required to enquire into the working of the staff at the institution. As I read the Address further, I see that mention is made of certain malpractices carried on by officials of that Almshouse. As is known, there is still the Poor Law Act which gives the Director of Medical Services the right to visit the various institutions of that sort throughout the island and make reports, but this matter seems to be more far reaching than what that officer can do because it deals with more than the staff. The malpractices which the honourable member made reference to this afternoon, go beyond neglect of duty by any servant or member of the staff at the Almshouse. The honourable member stated that proper vouchers are not kept and are not presented to the Auditor and that money is paid out without the signatures of those who received it. Certainly those statements are worth a Commission of Enquiry to enquire into them. Despite what old parliamentarians of this Chamber may think, I still think that what is contained in the Address at the end merely applies to the Board of Guardians of that parish and the staff at the Almshouse. However, I am going to vote for the passing of the Address so that a Commission of Enquiry should be appointed to go into the matter.

I think that a Commission of Enquiry should be appointed to go into the matter not because the Address asks for it or because you have a right to ask for it, but if as the honourable mover of the Address has said, the vouchers are not properly signed. With regard to the working of the staff, although there is security of tenure, if there has been dereliction of duty or any cause like that, strong disciplinary action can be taken. I envisage any Attorney General directing you that according to the sections of the Poor Law Act, you can use disciplinary measures other than having a Commission of Enquiry appointed. Therefore, the one strong point which the honourable mover of the Address made for the appointment of a Commission of Enquiry was when she stated that there were malpractices by the Clerk or Parochial Treasurer of the parish. The honourable member mentioned that the Parochial Treasurer refused to show her, as a Vestryman of that parish, and as a representative of that parish in this Chamber, vouchers for money which he paid out.

Mrs. BOURNE: Mr. Speaker, I would just like to correct that statement of the honourable member. I did not say that the Clerk of the Board of Guardians refused to show me the vouchers. What I did say was that with respect to the bills for groceries in June or July, he told me that there were stores in Bridgetown which were sending out bills with only the amount of the credit. I then asked him for the delivery bills which were sent along with the goods delivered to the institution and he said he did not have those. He said that he could not produce those because he did not know what became of them. What I also said was that the Parochial Treasurer who is Clerk to the Vestry and Clerk to the Poor Law Guardians, still takes it upon himself to carry out work for the parish other than the duties of his offices.

Mr. E. D. MOTTLEY: Sir, in view of what I have heard, I am supporting the passing of the Address by which I believe a Commission of Enquiry would be appointed to enquire into certain mal-

practices which have been complained about at the St. Andrew Almshouse.

Mr. MAPP: Mr. Speaker, The House has listened to a recital of complaints by the honourable senior member for St. Andrew over the running of the Almshouse which I hope an impartial Commission of Enquiry would look into. If the state of affairs as stated are borne out, by future examination, I doubt that there would be anything to compare with it. I cannot remember, during my lifetime, seeing such dramatic evidence as the spoons which were produced by the honourable member in this Chamber tonight. They seem to have come from feeding the earth; you could not imagine that they were used for the putting of food into people's mouths.

Sir, I am not going into details on these complaints, nor do I think that this House should ask for a Commission of Enquiry and at the same time be judge of the facts. There is one amendment which I would like to make to the Address and I hope it would be acceptable to the mover of the Address as well as honourable members on the other side of the Table would support it. I think there should be a further paragraph asking for an enquiry into the activities of the Parochial Treasurer. If what has been said is true, then that officer is breaking the law. He is breaking section 40, sub-clause 3 of the Vestries Act, 1908. I do not see how this House as a responsible body should allow it to continue without having an enquiry. Sub-clause 3 of Section 40 of the Vestries Act specifically states that no Parochial Treasurer after taking up his appointment can carry on, or be engaged in any business other than that of his office. He cannot be a director of any private company. The Parochial Treasurer of that parish has been appointed to that post long ago, therefore, he should be well acquainted with the Act. This House will be guilty of a serious dereliction of duty if it allows that officer to continue to break the law.

I am going to move without any more ado that paragraph (2) of this Address be amended so that after the word "matters" the following words: "as well as the general conduct and business activities of the Parochial Treasurer of the said parish" be added. I am also suggesting that after the word "Almshouse" in line (4) of the first paragraph, that the words: "as well as certain officers and servants connected therewith" be inserted.

Mrs. BOURNE: I beg to accept those amendments.

Mr. WILLIAMS: I beg to move that this House do now adjourn for three quarters of an hour.

Mr. COX: I beg to move that further consideration of this Address be now postponed.

Mr. TALMA: I beg to second that.

Question that further consideration of the Address be now postponed was put and resolved in the negative the House dividing as follows:—

Ayes:—Dr. CUMMINS, Mr. Cox, Mr. WILLIAMS, Mr. MILLER and Mr. VAUGHAN—(5).

Noes:—Mr. SMITH, Mrs. BOURNE, Mr. MAPP, Mr. LEWIS, Mr. TALMA, Mr. BRYAN, Mr. BRANCKER, Mr. J. C. MOTTLEY, Mr. E. D. MOTTLEY and Mr. ALLDER—(10).

Dr. CUMMINS: Mr. Speaker,—I beg to move that the House do now adjourn for three quarters of an hour.

Mr. Cox seconded.

Mr. LEWIS: Mr. Speaker, — The honourable senior member for St. Michael cannot second that

motion. He has made a motion for the postponement of the Address which motion was lost.

Mr. SPEAKER: Read the rules.

Mr. LEWIS: Rule 141 says:—

A member who has already spoken to a question or has moved or seconded an amendment thereto or a motion for the adjournment of the debate may not rise again to move an amendment or the adjournment of the House, or of the debate, or any similar question, though he may speak to these new questions when proposed by other members.

Mr. BRANCKER: I beg to second the motion.

Mr. LEWIS: The honourable senior member for St. Lucy cannot second the motion either. He has seconded the motion for the passing of the Address which is before us.

Mr. MILLER: I beg to second the motion.

The question was put and agreed to and Mr. SPEAKER adjourned the House for three quarters of an hour.

RESUMPTION

On the re-assembling:—

Dr. CUMMINS: Mr. Speaker,—I really do not want to speak on this question, for obvious reasons. I only moved the adjournment just now for dinner. There is, however, one thing that I must try to impress on the mind of the honourable senior member for St. Andrew, and that is that I do agree that the word "malpractices" should be included in an Address of this sort.

Mr. TALMA: Mr. Speaker,—I would like to say that the Address which has been presented by the honourable senior member for St. Andrew could not have been more timely put than at the present moment. The terms of the Address explain quite vividly the conditions and malpractices as evinced and experienced not only by the inmates of St. Andrew's Almshouse, but of the entire island. (A MEMBER: No.) Those conditions are experienced at the majority of the almshouses of this island. The almshouse system is the system of a bygone day. In my view, and I believe in the view of the majority of the members of this Chamber as at present constituted, it represents the old slave system whereby when the worker ceases to be useful, after he becomes destitute and decrepit under the old plantation system, he is forced to resort to the almshouse. He is sent there not to live, but no matter how hard it may seem—

Mr. SPEAKER: I think the honourable member is going rather beyond the terms of the Address.

Mr. TALMA: I am referring to the two main points which the honourable senior member for St. Andrew has made much of. I refer to the unnecessary suffering of inmates and to the malpractices which we know so much about. Speaking on the point about the unnecessary suffering of inmates, I am saying that the old Almshouse system which we all know so well, which has done such great harm in the past and is still perpetuating it today is part of the old slave system; and the unnecessary suffering experienced at almshouses in this island from time immemorial is not a question of accident but a question of design. I am saying that the idea of former governments or the plantocracy in erecting almshouses island wide, and the treatment, or ill treatment meted out therein was not a question of accident, but one of design. So when the honourable member paints this very deplorable picture this evening one can well sympathise with her views and appreciate the points which she has made. The blame cannot be laid at the door of the present Government, because at present there is the Local Government Bill passed by

this House and which is now being considered by the Other Place. That in itself proves conclusively that the present Government is not in any way a party to such malpractices, nor is it attempting to perpetuate conduct of that sort.

An amendment has been suggested whereby the activities of the Parochial Treasurer and the performance or otherwise of his duties would be investigated. With that amendment I am in thorough agreement, and I sincerely hope that when this Commission of Inquiry has been set up and the necessary investigations conducted on a proper basis not only will the injustice and inhuman treatment meted out to inmates of that particular almshouse be relieved, but at many of the other almshouses of the island where these same malpractices and others obtain. The question of investigating the duties of the Poor Law Guardians should also be gone into; but with the coming into operation of the Local Government Bill we hope that a different type of individual will be in the position in which the Poor Law Guardians are in today, and I hope that this body of persons will be composed not merely of people who have a genuine interest in the welfare of the masses, but that it will be drawn in some instances, from people of their own class. When I say "their own class" I mean the working class.

There is not much more that I can say because previous speakers have, in my opinion, covered the necessary points. But I am saying again that the almshouse system represents a bygone day. It is a bygone day. It is a rotten system which should be got rid of, and will be got rid of by the implementation of the Local Government Bill. It is a system created in a bygone day whereby old and decrepit workers could be sent to these institutions, not to live, but to die, with the result today that there are only three spoons at the St. Andrew Almshouse; and those three spoons are unfit for a human being even to contemplate, much less to use as a means of providing himself with sustenance.

The honourable senior member for St. Andrew has served, and is serving not only as a member of this House, but as a member of that Vestry, and she has done a great service to this community in bringing this matter on the floor of this House. I heartily commend the honourable member and lend her my support. I must however, say that such conditions once existed in the constituency which I have the honour to represent. But due to vigorous action taken by former members of the Vestry that is no longer the case. When I say so I have a living example sitting in front of me, a former member of this House and member of the Vestry of Christ Church, who has now put his services at our disposal and is our Clerk. Thanks to his service, and to the service of his organisation of that day the malpractices now being experienced in the parish of St. Andrew no longer obtain in the parish of Christ Church, which can be regarded as a parish in which such malpractices and old time grievances have been removed and a new day has been ushered in.

I say to the honourable senior member for St. Andrew that she has our support and she can be sure that with the coming into operation of the Local Government Bill which is now for the second time before the Other Place — the Other Place only passed the second reading of that Bill under pressure on this occasion — all the grievances and the bad legacies of former Conservative Governments where local government is concerned will be removed and destroyed once and forever.

Question that the Address as amended do now pass was put and agreed to without division.

Mr. SPEAKER: I will call on the honourable senior member for St. Andrew to present the Address to His Excellency the Governor.

Mrs. BOURNE: As Your Honour pleases.

DEBATE ON MAGISTRATE'S SUSPENSION

Mr. BRANCKER: Mr. Speaker,—I am asking leave to move the adjournment of the House so that I may refer to a matter of exceptional public importance, and which has taken place recently in connection with the Judiciary. I have given an intimation to Your Honour that I intended to ask leave of the House to deal with this matter.

Mr. SPEAKER: The honourable member may proceed.

Mr. BRANCKER: I will mention a matter which has been causing us a great deal of concern during the past few months. As you will agree, Sir, there is nothing more important in the British Constitution than to ensure the independence of the Judiciary. There is nothing more integral in the running of any British and democratic community than that the Bench should be free of any taint of partiality, and that there should be no fear in the minds of occupants of the Bench that they must be subservient to the Administration.

Now, sir, we are all aware that some months ago a Police Magistrate of this island, at District A, was suspended and interdicted and put on half pay. It is also common knowledge, sir, that in accordance with the Civil Service Regulations an inquiry was held in regard to that Police Magistrate into the subject of the charge; and that inquiry was conducted, as we know, by a most distinguished member of the local Judiciary. Although one does not know whether the result of that inquiry will ever be published, we have very good reason to believe that the particular magistrate has been completely exonerated.

It is a very serious thing, sir, to suspend or interdict a member of the Bench. The last thing we would like to see in this country is the existence of a police state; and that is what there is a move on the part of certain officials in this country to create. From time immemorial, from the time that I have been a practising barrister in this island, and in the memory of those who were practising much longer than myself it has been public practice when bail has been refused by a Police Officer for a magistrate to be applied to, and for the magistrate to consider the application and to grant the bail if he thinks fit. All that happened in this case was in accordance with what has been done by every Police Magistrate present or past in the island of Barbados. Police for certain reasons decline to agree to bail in some cases; they have referred the accused or his Counsel to the Police Magistrate to consider the application for bail, and the Magistrate grants bail if he thinks fit.

If it was felt that Mr. E. A. McLeod acted in a manner for which the law does not provide, inasmuch as he was acting as every Police Magistrate had been acting and as magistrates have acted from time immemorial, if he did not have powerful opponents in high places one would have thought that a circular would have gone around counselling all magistrates not to perpetuate the practice. Because every other magistrate now sitting on the Bench has been doing the same thing that was the subject of that inquiry.

I understand that a highly placed official has said that Colonel Duke, that distinguished West Indian, and former Police Commissioner was summarily disposed of, and because this gentleman does not happen to be a Barbadian we would not be disposed to take up the matter on his part.

But the only Barbadians who would not be interested in a matter of this sort would be those who do not respect the independence of the Judiciary and those who constitute the local supporters of Dr. Malan.

It is well known that Mr. McLeod is a West Indian who, from the time that he has been sitting on the Bench in this island has administered justice with the most complete partiality, and with ability. No member of the Profession would say otherwise. But it has come to pass that certain Police Officials in this country feel that unless a person who is charged with an offence is convicted—irrespective of the evidence—the Magistrate must be the object of their criticism, censure and abuse.

If, as I maintained earlier, there is this Police State looming on the horizon in this country we have to consider what it means. If a magistrate can only consider an application for bail when he is actually sitting in court, it means that anyone who is the subject of personal dislike by a senior Police Officer may be arrested some evening after the court has closed at 4 p.m.—and worse still the evening may be a Saturday evening, with the following Monday a bank-holiday—and the result is that even though there is no charge, or only the flimsiest of charges that person will be incarcerated until the Tuesday and be unable to apply for bail. That is, sir, if it is correct that a magistrate can only consider an application for bail when he is sitting in court.

But, sir, even when a Court errs in law you do not suspend the magistrate or judge, or there would be none who would not have been suspended at some time or other. And even if in the view of certain officials a person has made a mistake you do not suspend him and keep him there waiting indefinitely. You know, sir, the latest rumours are that although Mr. McLeod has been exonerated it is to be recommended that he be retired with a gratuity of \$3,000, which is less than a year's salary for a Police Magistrate in this country.

This matter is causing a good deal of misgivings. We want to continue to have an independent Bench. But if magistrates begin to feel that although they may be acting in accordance with the highest canons of jurisprudence, they may run foul of certain police officials, they may begin to lose their independence; and even if the evidence does not support a conviction the magistrate may in every case brought before him, if he feels that the Police want a conviction, say "I feel sorry for this man, but I had better convict him and save my job." In these days when people find it difficult to live on their full salaries, it is horrible to contemplate having to exist indefinitely on half salary. From the standpoint of the public and the Administration, and from the standpoint of British justice in this colony we must ensure that no magistrate sitting on any Bench in this island of Barbados should feel that he has to give decisions to please any official, no matter how highly placed that official may be. He must decide every case on its merits, and in accordance with the canons of British justice as he has sworn to do.

There is a great deal of uneasiness among magistrates today. One does not know if a second magistrate were to be interdicted or suspended how they would feel about it. They take jobs presumably because they cannot do better. There is another aspect of this matter. There is a great deal of concern among people who had cases in that particular magistrate's Court. To my certain knowledge His Worship Mr. McLeod took evidence

in numerous cases which were not completed. The result is that some of those cases are still hanging fire, being adjourned by the Acting Magistrate, while in others the litigants have been put to the trouble of having the case started all over again. Poor people have been put to a lot of expense and inconvenience in having to go back and give evidence all over again. The Acting Magistrate cannot go on adjourning the cases because one does not know when, if at all, Mr. McLeod will resume his place on the Bench.

I would like it to be known to all officials in this colony that as far as we in this Legislature are concerned whenever we find anyone doing his duty we will stand by him regardless of his race, colour or creed, and we will see to it that he gets fair play and justice. No one need think that because we may be of a certain colour if we find anyone not of our colour being ill treated we will not stand up for him. If anyone thinks so, our temper has been misconceived.

Now, sir, if there is any communication to be sent to a magistrate by the Colonial Secretary that communication should be sent by a messenger or at the most by a junior clerk. It should not be taken by the higher official. This was done in the case of Colonel Duke and I am reliably informed that it was also done in the case of Mr. McLeod. It is well that the House should let it be fairly known how we feel about this matter. We who want to ensure an independent Judiciary, an honest Judiciary, one which is devoid of fear and which will accordingly show no favour to anyone irrespective of whom the person is, realise that the fair name of Barbados and of the West Indies and of British justice is on trial in this matter of Mr. McLeod. We realise that this matter must be cleared up in accordance with ethics, decency, fairplay and honesty. Whether any Police Official, for private or other reasons has his knife in this gentleman does not concern us. They can have their private rows in their private drawing rooms. As far as the public is concerned it is essential that nothing be done to this magistrate to cause other magistrates or judicial officers to feel that in the administration of justice they have to curry favour with certain officials. I happen to be a legal practitioner and I can say from personal experience that in this island we have a magistracy which is second to none. It is not well that they should be working under the shadow of the ill treatment and injustice which has been wreaked on this particular gentleman who has fallen into disfavour with one or two of the would be dictators, one or two of the well known "malanites" in this country.

I now move formally, sir that this House be adjourned in order to discuss this matter because of its exceptional public importance.

Mr. E. D. MOTTLEY: Mr. Speaker.—I have very much pleasure in seconding the motion. I speak as a representative of the people and as a West Indian. When I came back here from the U.S.A. a few months ago I heard the talk about this matter all around the town. I made inquiries and I was asked then not to raise the question as the matter was *sub judice*. I feel this way about it, sir. I am going to begin by saying what I said here when Dr. Ashby was dismissed from the Hospital without being given a hearing. I am going to say what I said when Col. Duke, a West Indian like Dr. Ashby, was praised one week for his good work in the West Indies and then summarily dismissed the next week. Today, if you will observe keenly, you will notice that Mr. McLeod is also a West Indian. I would risk putting my head on the block that if an Englishman had come into this country to do any sort of job neither the Colonial

Secretary, nor the Attorney General, nor the Head of the Administration would see him dismissed that way. I hope that rumour is a lying jade on this occasion.

As you know, sir, for all that we said here when Dr. Ashby was dismissed, and for all that we said when Col. Duke was dismissed, we got no reply; and those two gentlemen were just dismissed. I hope that rumour is a lying jade on this occasion. If the Judiciary is not to be free from politics, free from official trammels and free to administer justice without being told what to do, then the people of this country will be in a sorry state. The honourable senior member for St. Lucy was not very strong; and he did not give us all the facts. I believe that when you have these things to deal with you should call a spade a spade.

As a Police Magistrate it was Mr. McLeod's duty to grant bail if he thought fit. Mr. McLeod granted bail to someone, and because the Police did not want the particular person to be granted bail Mr. McLeod was suspended. We have a Court of Appeal Act in this country, Sir. I am reminded of what the now Sir Oswald Duncan once told a Colonial Secretary. He suspended some licence for a long period and when he was questioned about it he told the Colonial Secretary that the Court of Appeal was there and everyone had the right to appeal against any decision of a Police Magistrate. I understand, Sir, that Mr. McLeod has been exonerated. As I understand it, he granted bail to someone who was accused of an offence. After all, this is a British country, and we are proud of our British tradition. I will say, Sir, that the British have a better sense of the administration of justice than any other nation of the World. But as West Indians we have got to bring the officials in this country to their senses.

If this magistrate granted bail to someone, and because he is not, as the honourable senior member for St. Lucy said, *persona grata* with some officials objection was taken to his action, a case was heard and he was exonerated, I think that we are entitled to say what we are saying today. Rumour has it that the magistrate in question will be recommended for dismissal. Rumour has it that a Resolution will be coming down to this House to give him a gratuity. If the Government comes down with such a resolution they will get all the criticism they want and more. When it comes to West Indians I know that the honourable Deputy Leader will stick out for fairplay; but I also know that there are some of his colleagues who will be so over-shadowed by the sentiments of the imported officials that whatever they say will be right.

When Dr. Ashby was dismissed we had a full dress debate on the matter; but the powers that were did not even give him a hearing. Then there was the case of Col. Duke. But you had Englishmen who came down here and taught at Combermere and Harrison College posing that they had all kinds of degrees when they had none, and the Government did not prosecute them when it was found out that they did not have as much degrees as if they had come from under a sandbox tree. They drew money under false pretences, but they were not prosecuted. They were Englishmen, and no one in the Colonial Secretary's Office said a word. Someone has asked me what about Mr. Crowe. That is a sore spot with me. On an occasion when I could not attend the House the Government got up and said that Mr. Crowe had nothing to be ashamed of. But they had to come back and say the opposite. But he was not fired; he was given the opportunity to go home and get a job.

We must be strong on these matters. I differ from you in my political ideology in many respects; but when it comes to things West Indian I say that we are like the fingers on one hand; we cannot be separated. I will not stand by and let any imported official treat West Indians badly. I am thinking of those Englishmen who came down here to teach and drew big salaries under false pretences. Of course I know they will use another argument when it comes to a West Indian magistrate. But things that are lawful are not always expedient.

Government members sometimes say to me that I bring things out too early. I have not even got a friend in the Colonial Secretary's Office to tell me anything. But I am bound to know what they are going to discuss. (A MEMBER: Shame!). He expects to be a minister soon. They are so stupid, those who say "shame", that they cannot even realise that if you take an interest in what is happening in Barbados you are bound to anticipate what the Cabinet will discuss next Thursday; and you know what each member is going to say.

Mr. SPEAKER: I think the honourable member may leave that point now.

Mr. E. D. MOTTLEY: Yes, Mr. Speaker. In this matter I hope that honourable members will support the honourable senior member for St. Lucy and that they will not only look at this as a subject for the backbenchers. There is no party issue in this. We are told that this treatment was meted out to this magistrate because he was a humane man and administered justice with mercy. He granted bail to someone, and because the Police said that bail should not be granted he was hailed before the Governor and the Colonial Secretary. Unless we take a strong stand we will be betraying the cause of West Indian people. I know that if this was an imported English magistrate the officials would not take it this way. Can you imagine Colonel Dickens being treated like Colonel Duke? He was born in England. (A MEMBER: What about Michelin?) Michelin was born in Jamaica, and they might treat him so. I do not dislike English people. There are some Englishmen in this country who are dignified and humane and who make the name of England loved. But there are some who could be relegated to the limbo of forgotten things. They are so stupid that they forget that when you are dealing with West Indians there is no question of colour where we are concerned. It is true that Mr. McLeod cannot claim to have too much of the stain of the tar brush. He can pass. But that is a matter of indifference to me.

I hope, as a West Indian, that he has been exonerated from the charge. I know that the honourable Deputy Leader will listen carefully and let the Government know that if it is true that Mr. McLeod has been exonerated and they are still recommending his dismissal, unless they give very good reasons and come on very sound grounds we will raise one big rumpus in this House. We will not pass any Resolution to give Mr. McLeod money in order to send him home. I have said before that when these private reports go up on people you must always watch carefully to see whether someone does not have someone to put into a job. There are a couple of vacancies in the West Indies. I am not saying that all the jobs in this country are to be filled by West Indians and Barbadians. There are some which should be filled by highly cultured, high ranking Englishmen. I do not say that the staff at Harrison College should be composed of all Barbadians and West Indians. But where you have West Indians or Barbadians who by virtue of their experience and education are qualified to fill any post they should be given the post.

There is no use using the phrase "not acceptable for local conditions". It is really stupid.

I have very much pleasure in supporting the honourable senior member for St. Lucy. He has moved the adjournment of the House for five minutes, but I do not think that a mere adjournment is enough. This thing is a shame. If Mr. McLeod was from New Zealand or Australia they would not treat him so. They would let him go to Jamaica and become a magistrate in Jamaica. I hope that what we say to-day will be taken back to the Governor, and although the Governor should not feel that we are usurping his authority or prerogative we should let him know how we feel when West Indians are treated badly. On this matter there is no division; there is no party. The only division could come from the four members of the House who are on the Executive. I am sure that the left wing socialists, the members of my party and the Government's backbenchers all feel very strong on this matter. I hope that the Government members will not be dominated by the mellifluous speeches of the officials when they meet at Government House and that they will not allow themselves to be prevented from acting fairly in this matter. This debate is nothing against the Government, but against the Governor and his supporters.

Mr. WILLIAMS: Mr. Speaker,—I would like to make a small contribution to the debate on this motion. Mr. McLeod has been suspended, the circumstances being that a man was charged for housebreaking and his counsel went to the Police Station and asked for bail in the usual manner. The Police objected. Counsel went to the magistrate and a form was duly filled up and bail was granted. Mr. McLeod was interdicted, and although I can say on good authority that the charge against him has not been proved, rumour is current that they are preparing to get rid of him by bringing down a Resolution, saying that he is 50 years of age and they are coming to this House for a gratuity.

I am going to ask the Minister who will be responsible for the Legal Department to work under the present Executive Committee Act. Because where you have a provision by which a judge reprimands a magistrate should you have a Colonial Secretary asking, "what, only a reprimand? Should he not lose an increment? The efficiency of the magistracy should be a matter within the province of the Chief Justice, just as in Great Britain it is a matter for the Lord Chancellor. But when you get the Chief Justice reprimanding a magistrate you should not have the Colonial Secretary or the Attorney General asking if a reprimand is the only form of redress.

I think that when things like these can happen we are in danger of having our justice polluted. There is another thing. I have known someone who made application for an appointment and political considerations were brought to bear as regards filling that post. When it comes to the point where political considerations can be brought to bear as regards filling an appointment in the Service or elsewhere or performing any job in a governmental function, I think that we are heading for a police state.

I do not want to delay the time of the House much more. But I think that what I have seen on the minute file — the Colonial Secretary asking if a reprimand was the only thing reveals a very bad state of affairs. I think that when we have Ministerial Status it should be made clear that the efficiency of the magistracy is within the province of the Chief Justice. It should not be the concern of the Colonial Secretary.

Mr. BRANCKER: Mr. Speaker, — I want to make it clear that any criticisms that I have levelled in this matter at officials and the Administration

apply not to the members of this House who are on the Executive, but to officials as such—police officers and certain other officials whom we have in this country today.

The question that the House adjourn for five minutes was put and agreed to without division.

RESUMPTION

On the re-assembling:

Mr. MILLER: Mr. Speaker,—I crave the indulgence of the House to move the passing of an Address that was given notice of earlier to-day. With the permission of the House I would like to start to debate it.

Mr. SPEAKER: If there is no objection you may proceed.

There was no objection.

Mr. MILLER: Mr. Speaker, This Address reads as follows:—

The House of Assembly

To

His Excellency The Governor

The House of Assembly deeply resents as an insult to the majority of peoples in the West Indies the acts of discrimination based on race and colour which are constantly practised by certain hotels in the colonies of Bermuda and the Bahamas against West Indians entering those Islands.

The House deems it urgently necessary that steps be taken to protect British subjects passing through the aforesaid Islands from such indignities and discourtesies, and in view of the fact that it is unlikely that the Legislatures of the said colonies will pass legislation directed against such discrimination, the House calls on Her Majesty's Government to pass legislation prohibiting discrimination based on colour, race or religion in public offices or places in the British colonial Empire and Commonwealth.

The House hopes that the several legislatures throughout the Caribbean and other British territories will join in protesting such practices, in view of the fact that coloured subjects of Her Majesty's Government are becoming doubtful of the extent to which actions of such discrimination are discouraged and frowned upon by Her Majesty's Government and the Governments of the Commonwealth and Empire.

The House asks Your Excellency to treat this matter with the urgency that is necessary and forward copies of this Address to the several Legislatures of Her Majesty's colonial territories and to Her Majesty's Principal Secretary of State for the Colonies.

Mr. Speaker, the persistent cases of colour discrimination which we have been hearing of within recent months happening in the West Indies and all the evils that go with it are robbing civilisation of its meaning. Long before primitive man was touched by civilisation, there was a constant desire on his part for oneness and human understanding with the other fellow. It is regrettable that colour discrimination should be so persistently practised in the West Indies. I am thinking of the recent treatment meted out to His Honour the Speaker while passing through Bermuda on his way to attend the Coronation of Her Majesty the Queen; more recently of the treatment meted out to Sir Frank McDavid another coloured West Indian in that same colony; and quite recently of the treatment meted out to Mr. Hugh Springer, Registrar of the University College of the West Indies, and one who is regarded as a distinguished gentleman in this area. There are also others who have suffered the same fate. Of course I am not thinking of the treatment meted out to any special individual; I am thinking more

of the cause and I am thinking that it has reached such a proportion that we should do something about it. It is true that colonization of the West Indies was brought about during the reign of the famous Oliver Cromwell, who several years after he died, his remnants were taken from the grave, burnt and used as ridicule against the savage maltreatment which he meted out to his people.

I am hoping, Sir, that this Address will have the desired effect. I hope it will help to bring about a better thinking by people who should know better. I also wonder whether the early founders of British justice ever dreamt that this type of discrimination should be meted out to its subjects. I do not think so. I do not think it is fair. Let us take the political side of this question. The Conservative Government in the United Kingdom like the Socialist Government which was formerly in power realises that it must give its people of all races, political advancement, and because of that, is trying its very best to group these dissected and disjointed West Indian islands together so that they can work out their problems as a single unit.

If you may permit me, Your Honour, let me say that it is not passing strange that because of the getting together of these West Indian Colonies that we have the tremendous honour of the first Prime Minister of one of the West Indian colonies sitting in the gallery of our distinguished Chamber tonight. I am referring to the Honourable Alexander Bustamante of Jamaica (Cheers).

I have just said that in passing but to get back to this ugly practice of racial discrimination which is showing itself more and more within recent times in the Caribbean, I am saying that the time has come when something must be done about it. It may be little or nothing in relation to the discrimination that is meted out to the Mau Mau terrorists and it is also known that people of our race living in some parts of the United States still in these days have to use separate pavements and side walks and cannot share rooms in hotels with people of another race. We are conscious of the fact and we know only too well that it is reasonable to conceive that human nature being what it is, must revolt against such treatment. We must do something about this racial discrimination that is showing its ugly head more and more in the Caribbean. We must fight against it.

Sir, I believe that every honourable member would like to say something on this Address, therefore I will not be lengthy. I only want people of whatever race they may be to show their appreciation to people of other races. I want everybody to understand that we are all human beings. Because a man is coloured why should he be penalised and forced in a state of servitude. Is it because there is no authority here on earth to whom he can appeal? I feel strongly on this matter. Where are we heading? The time is not far distant when the West Indies will be coming together as a single unit. If racial discrimination is to continue in these parts, how would we ever become a single unit to work together for the benefit of each and everyone? What dignity would the West Indies ever attain if racial discrimination is allowed to be practised? Sir, where must people of our colour go? Because a person is coloured, must he not rest in peace and be at ease and enjoy life as the other fellow? Must the only escape be found in death? I hope honourable members will support this Address. I beg to move that this Address do now pass.

Dr. CUMMINS: It gives me great pleasure in seconding an Address of this sort. There was a time when people of my colour would be considered luna-

tics in attempting to pass an Address of this sort. Only a few days ago, I read of some speaker from South Africa in attempting to justify Malanism saying that it was nothing new but that it was ordered by God. I think he made reference to that part of the Bible where the children of Ham because of their African descent should be servants unto the children of Japheth for ever. However, since those days, lots of water have passed under the bridge. It has been acknowledged by men of learning, that except for the pigment of one's skin—if that skin be reflected without that pigment,—you would not know which was white from black or any other race. Sir, I have had to study biology in my course as a medical student and I have dissected many forms of animal life, from the earth worm, and nowhere can I remember having seen any peculiarity passed on to any of these forms of life which would confer a difference on the other forms of life. What I saw in one group permeated right through up to man. Normally, Sir, biologically, there is no difference between people of my colour and the different races except for pigmentation and that is physiologically afforded to the different races for protective reasons. Anatomically, I have dissected human beings of different races, and as I have said before, after having dissected the skin of the body and got down to the muscles and the internal organs, you cannot tell which is the body of a negro from a European or from an Asian or anybody else. We all are alike.

Consequently, we are at a disadvantage and at a loss to find out the cause of this arrogance today on the part of some people who still continue to believe in these years of enlightenment that because of a man's pigmentation, he is inferior to other people, especially Europeans. As I have said before, scientists have long ago refused to think that way, therefore, it is only the ignorant and benighted fools of this world who still continue to feel that one's quality depends on one's complexion. Any person who has travelled and studied has come to realise that a man's measure of attainment depends on the amount of grey matter he has in his brain and the amount of his culture. I do wish that thought could be transmitted to people in other parts of the world, especially certain parts of Africa and nearer home in the Bermudas and the Bahamas.

Sir, you too have travelled to Bermuda and you have suffered the indignity which others have suffered because of our pigment. The honourable senior member for the City seems not to know. You therefore know what it is to suffer mental anguish and the torture and the indignity of being treated differently through no fault of your own. Where nature or God—call it whatever you like—has endowed us with some pigment other than that of other people it was done for a wise purpose and because of that we have the many varieties of people that go to make up this world. We are told that nature loves variety. We are told that no two leaves are alike, no two human beings are alike; and all through human nature and other nature of life, you find that variety which is the spice of life and that variety, nature loves. Because of that, Sir, I am one of those who feel that we, who have descended from natives of Africa, have very much to be proud about. We have as much to be proud about as anybody else but there are a few of us, who suffer from inferiority complex; there are a few of us who still have a mentality that is impossible to get rid of in any one year or generation.

We of Barbados hope—and I hope I am speaking for all people of the West Indies because I believe a portion of this Address asks that this Address when passed should be sent to all Colonial

Legislatures,—that the Legislatures of the other colonies will join in our demand for equality, because, after all, public opinion is stronger and mightier than the sword, and when we create strong public opinion against these indignities that are perpetrated by certain people of a colour, those who perpetrate these indignities must eventually hang their heads in shame. Sir, I take great pleasure in seconding the passing of this Address and I have no fear that it will be unanimously passed by this House.

Mr. COX: Mr. Speaker, I do not think that I can allow an Address such as this to pass this House without saying a few words. While, it is true, that the honourable junior member for St. Thomas and I are more or less breaking new ground in that we of the Government have made it a rule that we should not vote on questions which more or less would eventually come before the Executive Committee, I think a question of this magnitude, which stabs at the very root of civilization, and at the race to which we are proud to belong, we should express right here and now our feelings and also support the same when it reaches the Executive Committee.

Sir, for some years, I have been reading quite a lot about the discomfitures, inconveniences, unpleasantness and indignities which have been meted out to people of my colour. I have not said race, because I am one of those who, perhaps, might be convinced that there is only one race and that is the human race and that race is sub-divided just as you may have your ledger sub-divided alphabetically or otherwise. I am one who is convinced that there is only one race, therefore, I refer to people of my colour when I wish to point out a difference. As I have said, I have seen and read quite a lot which makes me feel very hurt and indignant, particularly when I read of the atrocities which are more or less committed by people of a different hue on another set of people. Quite recently, we have had the unhappy spectacle as the honourable junior member for St. Thomas has said, of Your Honour while passing through Bermuda being asked to withdraw from the line in which you were proceeding and the excuse given was that your colour was not welcome at the place to which those in that line were proceeding. Sir, I can well imagine how you felt on that occasion and it happened through no fault of your own; you had no control over such a thing; you were not responsible for your colour whether it is blue, black or pink. I wish to say most emphatically that we all are entitled to human rights, privileges and citizenship as anybody else. There should be no difference. I am forced to remember the great Frederick Douglass, who was once travelling in a train in the U.S.A. and after his having paid fare for first-class passage, was forced to sit amongst some baggage. One of his white friends went down to him between the baggage and said to him that while he was very sorry that he was degraded into such a position but Frederick Douglass reiterated by saying that it was not he who was degraded, as no man could degrade the soul of Frederick Douglass, but it was the individuals who inflicted it upon him that were degraded. Sir, despite the fact that you may have felt unhappy at that time, it was not you who was the sinner or the aggressor or the person who was degraded, but it was those uncivilised, uncouth type of individuals who inflicted it upon you that degraded themselves.

Sir, recently again, a very distinguished individual, Sir Frank McDavid, and his wife, Lady McDavid, were also subject to this same type of humiliation. More recently we have seen that same treatment meted out to one of our sons, a former

member of this House, a man who is well respected throughout the world, a man of dignity and high culture, a man whom one can truly say has been born great, a man who is now resident in Jamaica as the Registrar of the University College of the West Indies, and of whom I am sure every Jamaican will say the same thing as what I have said of him. Sir, when you get that sort of behaviour, when you get a type of low-bred, uncouth people treating men of the calibre as I have mentioned in that way, we must open our mouths and with all the strength that God has given us let the Colonial Office know that something must be done to redress those grievances and that that thing must not continue and if it is allowed to continue, we will have no confidence in our Mother Country any longer. We will feel that they have broken faith with us. We will feel that there is no genuine promise to accept us as their equals if we do not get some redress for what was done to those distinguished coloured people of these parts. Not only am I speaking for coloured people in these parts but for coloured people wherever they may be. Whether they be Africans, or what ever else they may be, they must not suffer these indignities.

Sir, these indignities make one's heart boil with anger. They also bring on a feeling of sorrow and sympathy for those uncivilised, primeval beasts that perpetrate such indignities. (A VOICE: That is unkind). It is not unfair to call those people by that name because as soon as one set of people refuses to accept another set of people of the same civilised standard as human beings, you have every right to call them everything except human beings.

I am saying Sir, that not only the coloured people of this island, but the people of the West Indies, and all people of African descent throughout the world would agree with this House this afternoon in saying that these indignities and inhumanities to people of our colour should not exist any longer. We are prepared to do everything that lies in our power to uproot these things once and for all. Every morning that you read the newspapers, you read about peace; you read about Sir Winston Churchill having that meeting and that meeting; you read about all the world figures having various conferences and talks; yet instead of spending that money to relieve the suffering of mankind, or to improve the conditions of the downtrodden, hard working people who contribute the wealth of the country and who still live in sub-standard conditions, you find those people spending thousands and thousands of pounds in an attempt to bring about peace. But, Sir, how can you have peace when there is no happiness within you? How can you have peace when so many millions of people are denied the right to live as human beings? You can never have peace unless there is a change of heart that way. Peace is of God and it will only come when one recognises the other fellow as his sister or his brother; it will only come when one is prepared to accept the commandment: "Love thy neighbour as thyself." Peace will never come to us or to any nation until we realise that love for one another as we love ourselves. As I have said, when I read of these various conferences all over the world and then read of the behaviour of Dr. Malan and what he is trying to do to override the Judiciary of his country by placing the Legislature foremost in order that he might be able to carry out his designs of race segregation; when he breeds that hate and distress and non-co-operation, it does not work for the peace of that country or any other country. However, that is the type of policy he is carrying out in his country and has succeeded so far. Sir, there is

that same policy being put into effect in many other countries and while it is true, that it may not be so pronounced in the other countries as it is in South Africa, yet it is being practised. We have the unhappy spectacle of what is happening in Kenya and places like that. There the poor people to whom the land can be said to belong are being oppressed and pushed about and are denied the rights of citizenship. Sir, all these things are happening, therefore, how can you expect that peace can reign? Peace cannot reign when such things are happening. You must realise that all human beings are being placed on this earth by the Almighty to enjoy equally the fruits of the earth and they should be treated in that manner. If man cannot treat his fellow-man equally and live with him in peace, there must be war and rumours of war; there must be earthquakes, pestilences, and all such evils to man, because there has been a violation of God's most sacred laws and writs.

Sir, tonight, I speak with a full heart. When I read of these things from time to time; when I realise that the race to which I belong has done absolutely nothing wrong to any other race; when I consider that it is the most docile, most civilized and most considerate; when I realise that our crime is innocence and I see the injustices and the atrocities meted out to people of my race as compensation for their innocence, I sometimes wish that Almighty God would consume us all and bring in a new world. Sir, I am one of those who believe that one has to give account somewhere of the activities he carried on while in this body.

Mr. SPEAKER: The honourable member seems to be entering celestial realms.

Mr. COX: Sir, I was saying that the time has come when we of the West Indies must make it crystal clear to Colonial Office that we are not at all satisfied with the treatment which is meted out to people of the coloured race, not only in Bermuda, not only in the Bahamas, but throughout the world wherever racial discrimination is practised. Recently I have had some information on one of our local hotels but I am not sure that that information is accurate, therefore I am not going to mention its name at this stage. I would only say that I have been informed that one of our local hotels refused to board and lodge a man a few weeks ago because his colour looked something like my own. I understood that his wife who was fairer than he, was told that she could be accepted but not him. I have promised to investigate the matter further. Sir, as long as this Government has the power, it is our duty to see that racial discrimination is not practised in this country. I think it will be our duty to do everything that lies in our power to see that it does not exist in Barbados.

Sir, I can speak for hours on this question but I am not prepared to do so tonight. Several members, such as the learned, gallant and honourable senior member for St. Lucy, seem eager to say something on this question and I would not detain them. I know that when it comes to questions like this to be discussed, that honourable member sees what we call red. However, before I sit, I must emphasize that this racial discrimination is a very, very serious thing that is happening in the West Indies and that we have the right to shout as loud as we can and tell Colonial Office that we are not prepared to put up with that sort of treatment to our people. This Address asks that an Imperial Act be passed so that our people will be protected from this practice of racial discrimination which does absolutely no good to a community, but which only breeds and stirs up strife,

envy and viciousness. I close by appealing to honourable members to make this an occasion of a very strong pronouncement against racial discrimination.

Mr. E. D. MOTTLEY: Mr. Speaker, while the honourable member was speaking words of a poet coursed through my mind. I cannot remember the name of the poet, but the words were:

“When the rich or noble suffer,
Then the cry is spread abroad,
When the meek and lowly suffer,
No one hears it, only God.”

Sir, I am not voting for this Address as it stands. I think it is just too petty as it is. As it is, it is unadulterated nonsense. I have listened attentively to the honourable senior member for St. Michael and I can say that I was only amused at his remarks. Do not think that I am upholding any illtreatment of the race to which I belong. I think I have always made it clear that I would never allow anybody to sit on anybody of my race. I have always said that I walk on top with the rich, but I have never lost the common touch. I listened carefully to the honourable senior member for St. Michael when he was addressing this House and what made me amused was when I remembered what he said on his return from the Mother Country some time ago. I made some remarks to him of African culture and in reply he said that he had British culture.

There is nothing hypocritical about what I am going to say. I believe it is fully recognised in this country what my position is in regard to colour prejudice. It is known that I get on platforms with my colleagues and talk with some of the most influential people who are not of my own colour, but I have made my position known to them so far as colour is concerned. I think everybody has heard my pronouncement recently in this Chamber over the question of the British West Indies Airways Company's inability to find a stewardess of my complexion suitable to be employed in that service. On the other hand, I am not one of those people who encourage people of my colour to dislike white people. You cannot contribute anything to the community without them neither can they contribute anything without you. Both must work together. You must respect people for their position in the community; you must respect people for their age and various other reasons. On the other hand, they should also give to you that same respect. I have lived in the United States of America for some years and have been in a position to study very carefully race prejudice. Sometimes, I begin to think that racial discrimination and ostracism to some learned West Indians of colour is a wonderful experience for them. You will recall that during the last war a few West Indian journalists going up to England were discriminated against because of their colour at Bermuda. You will remember that I have said that you should take some of our West Indian coloured people who have graduated at English Universities, and send them to the United States so that they can undergo some of the racial discrimination that is practised there. I said so because I think it is a great education for them, because when they come back to the West Indies, they would appreciate what they are and they would understand with whom they should live. Some of them because they acquire a smattering bit of education in the Mother Country feel that they are far removed from their own people.

Sir, I was amazed when I heard from the honourable junior member for St. Thomas of the treatment which was meted out to Your Honour at Bermuda on

your journey to witness the Coronation of Her Majesty the Queen. I also read of the treatment meted out to Sir Frank McDavid and Lady McDavid in the same colony. Had I been in Barbados at the time when that treatment was meted out to Your Honour, I certainly would have protested in no uncertain terms. Your Honour happen not to be a man of wealth, nor do you possess the same political views as I, but on the question of race, we are united. I am going to support the passing of the Address but with some amendments to it. I think members of this House of Assembly should bow their heads in shame for not protesting most vehemently long ago over the treatment which was meted out to Your honour in Bermuda. The position which Your Honour holds as Speaker of this House of Assembly is one above those who think they are high and mighty and is one which should call for a protest not only from this Chamber but from all over the West Indies.

(A VOICE): But the Speaker never told us about it.

Mr. SPEAKER: Has the honourable senior member for St. Michael said something *sotto voce* which he intends to reach my ears. Does the honourable member want me to challenge the truth and fact of what appeared in the *Barbados Advocate* with respect to treatment meted out to me in Bermuda while on my way to the Coronation of Her Majesty the Queen? Has the honourable member forgotten what I told him? Has the honourable member forgotten what I told other honourable members? Has the honourable member forgotten what was said in England about it? If the honourable member has forgotten, I will now remind him.

Mr. MOTTLEY: Sir, I feel very hurt over it, because, as I have said, even if we differ politically, surely nobody would get away with that disrespectful treatment of Your Honour without a very strong protest by me soon afterwards.

Sir, this Address reads: "The House of Assembly deeply resents as an insult to the majority of peoples in the West Indies the acts of discrimination based on race and colour which are consistently practised by certain hotels in the colonies of Bermuda and the Bahamas against West Indians entering those Islands." I would like to think of the 15 million coloured people in the United States in the same terms as I think of the West Indians because I feel that it was only by accident that the voices of those 15 million people are in those parts, the slave ships dropping our forefathers at different points along this part of the world from Africa. I will not vote for any Address which speaks about discrimination to coloured West Indians. Suppose Justice Hastie or Dr. Bunche travelled through those parts and were treated with discrimination, should we not resent it? I count them as two really distinguished coloured gentlemen never mind their nationality. I am therefore counselling honourable members of this House not to vote for the Address worded: "against coloured West Indians entering those Islands."

Mr. MILLER: At a point of explanation, Sir, when I read out the Address, I used the words "coloured people entering those Islands" The Address is changed in like manner.

Mr. MOTTLEY: Sir, I feel that the whole of that paragraph should come out or be re-written. Bear in mind that the destiny of coloured people in the West Indies is bound up with the negro in the United States of America. If you want to know that, when Sir Frank David was refused admission in some hotel in Bermuda, four leading newspapers

in the U.S.A., took the matter up and made strong protest. They did not say that Sir Frank McDavid was not an American negro; they did not take up the matter because Sir Frank was a West Indian negro; they took the matter up because Sir Frank was a coloured man and they resented that treatment to such a distinguished man of colour. Let us remember that. Let us amend the whole of the text in the first paragraph about coloured people in the West Indies. We must bear in mind our brothers in the United States. I feel that the whole of paragraph (2) should come out. It does not make sense. It reads: "The House deems it urgently necessary that steps be taken to protect British subjects passing through the aforesaid Islands from such indignities and discourtesies, and in view of the fact that it is unlikely that the Legislature of the said colonies will pass legislation directed against such discrimination, the House calls on Her Majesty's Government to pass legislation prohibiting discrimination based on colour, race or religion in public offices or places in the British Colonial Empire and Commonwealth."

Mr. MILLER: I rise again on a point of order, Mr. Speaker.

Mr. SPEAKER: The honourable member will sit. The honourable member is out of order.

Mr. E. D. MOTTLEY: Mr. Speaker, I will proceed to criticise the Address and will then produce an amended one which I am sure will meet with full agreement on all sides of this House. Sir, how can you vote for that paragraph? It does not make sense. You have something in common with other coloured people in these parts. That paragraph is absolutely stupidity. How can you pass legislation in England to say that an agent or proprietor of a hotel in any of the colonies cannot practise discrimination against a particular section of the public. That paragraph must come out.

The next paragraph reads as follows:—"The House hopes that the several legislatures throughout the Caribbean and other British territories will join in protesting such practices, in view of the fact that coloured subjects of Her Majesty's Government are becoming doubtful of the extent to which actions of such discrimination are discouraged and frowned upon by Her Majesty's Government and the Governments of the Commonwealth and the Empire."

In my considered opinion, Sir, on this occasion, one should not make a speech which only appeal to sentiment. It is not necessary to do so. What we must think of tonight is not in terms of what has happened to Mr. Hugh Springer, Sir Frank McDavid or Your Honour, but what has happened because of your colour. I always give honour to dignitaries. I believe one should always do so because in heaven there are dignitaries. We read in the Good Book of the higher order of angels: principalities, powers, cherubims, seraphims, and so on. Your Honour's case is made stronger by your being elected as a representative of people in this colony to represent them at such an important festive event as the Coronation of Her Majesty, and that you should have been refused permission at a certain hotel in Bermuda because of your colour is something which should be resented by the people.

Mr. Speaker, I would not mind if the honourable junior member for St. George would come around to this side of the Table. The honourables senior and junior members for St. Lucy and I are trying to arrive at a properly worded Address. Sir, legislation in itself is not good enough to break down the coloured bar. I do not think it is a good thing

to have legislation to break it down. I think you will get a better understanding among the various people in the West Indies other than by that course. More important is the fact that we have a distinguished, learned, cultured and refined coloured section in the West Indies who can make it crystal clear to the other set of people—the white people—that merely to take them and hob nob with them is not sufficient to prevent them from expressing their resentment of any ill-treatment to any one of their complexion. If I may put it this way: it is known that Mr. H. W. Springer is one coloured man who can go any place in this world and take the highest place for his dignity, manner, education and general deportment. He is one man that cannot make our race feel ashamed. Then there is Your Honour and Sir Frank McDavid, who by circumstances, besides education, general ability and good character, have been raised to the positions where each of you have attained. But respect to coloured people who have reached your standard is not good enough. Certainly, there should be that same measure of respect shown to the honourable senior member for St. John. That is the American attitude to this colour question. Personally, I have been moved by the greatness of Dr. Ralph Bunche, yet he is not of British nationality. I think the greatest misunderstanding that exists between us in the West Indies is that educated West Indian negroes who go to England for further education come back to the West Indies somewhat snobbish and want to get away from the common man; they feel that there is no coloured woman of their equal but prefer to associate and even marry the fairer daughters of Maude. Mr. Speaker, I sit and amuse myself at times when people of that type get snobbed because I feel that they have brought it upon themselves. What also happens is that when such people are being treated insultingly by people of other race, they then fall back on people of their race for protection. Sometimes, it is good that this thing happens to some of us. However, I am not saying because of that, we should not protest most strongly.

Sir, there are some coloured people in the West Indies who feel that to raise a question like this and support it as we are going to do in this Chamber would be raising a hornet's nest. What I would say is that although we are aware of racial discrimination, we should never teach our children to dislike other people because of their complexion—because they may be white. We should teach our children to have pride in themselves, and to respect another person, not because of colour, but for what that person is worth in all aspects. Another thing I would like to say is that one must not believe that every white person is in favour of racial discrimination being practised. Some of them resent it as much as we do.

I will just reply to what the honourable senior member for St. Michael said that he was informed of some racial discrimination meted out to some person at one of our local hotels. When I was in the United States of America, around that time, I had a talk with officials of the Pan American Airways and I made it crystal clear to directors of that Airline Company that the standard of intellect of the coloured people in Barbados demanded that they be given positions of trust and responsibility other than that of porters should that company decide to extend its service to this colony. I emphasized that if the company did not intend to operate here on that premise, that it should not come. I also told them that should their Airline Company bring passengers from behind the Mason-Dixie line to tell those passen-

gers that when they get here, they would not see any racial discrimination being practised. If I may be allowed to express this, Your Honour; sometime ago, I was in the upper part of Christ Church and having to express my views on matters of this sort, I made it clear that as long as those Goddards owned hotels in this country, people of colour who could pay their bills and who could acquit themselves like gentlemen would be admitted. Of course, I will say this also. A club is a different thing to a hotel. If Mr. Morgan is running his club for a set of people which did not include the honourable senior member for St. Michael, I would join with that proprietor in turning back the honourable member from that club should he want to enter. Of course, I am just making a reference when I say so.

A lady came in to me one morning and asked me for advice. She said she sent her son to the Pine Hill School and that he had been discriminated against. I listened carefully and then told her that the only advice I could give her was that no one compelled her to send her son to the Pine Hill School. Once it is a man's private business, or club or school no one can interfere with him. Let me say this: the greatest evil in this discrimination business is among Negro people themselves. (Cheers).

I strongly support this protest today. I know Mr. McDavid and from the time I knew Mr. Springer I became very fond of him. There is an Address which I have here to substitute for the Address moved by the honourable junior member for St. George. It will read as follows:—

*The House of Assembly
To
His Excellency the Governor*

The House of Assembly strongly protest against the racial discrimination practised by certain hotel proprietors in Bermuda and the Bahamas in refusing to accept people of colour, more especially the recent treatment of Mr. H. W. Springer, M.A., Registrar of the University College of the West Indies, Sir Frank and Lady MacDonald of British Guiana and His Honour the Speaker of the House of Assembly of Barbados, Mr. K. N. R. Husbands.

2. The House of Assembly being doubtful of the extent to which such acts of discrimination are discouraged and frowned upon by Her Majesty's Government in the United Kingdom respectfully request Your Excellency to treat this matter with the urgency that is necessary, and that copies of this Address be forwarded to the Governments of the several Caribbean Colonies and to Her Majesty's Principal Secretary of State for the Colonies.

You cannot say that this is practised by everyone in Bermuda and the Bahamas. It is practised by certain hotel proprietors. In every community deep down south you will get white men who will fight other white men for the rights of Negroes. That is why I propose that you should pin it down to hotel proprietors in Bermuda and the Bahamas, who refuse to accept people of colour. I use the words, "more especially the recent treatment of Mr. H. W. Springer et al." We want to draw to their attention, that certain hotel proprietors practise this discrimination against people of colour.

That is the most you can do in a matter of this sort. Leave out the Dutch people and the French people. Leave out the American people. I am suggesting to the honourable junior member for St. George that the amendment which I am suggesting be accept-

ed. The part of the honourable member's Address dealing with Imperial legislation is not practicable.

I move that all the words of the Address be deleted, and the Address which I have just read be substituted for it.

Mr. MAPP: Mr. Speaker,— No one has yet risen and seconded the honourable member's Address. This is not the first time that a debate of this nature has taken place in the House of Assembly, nor is it the first time that we have had opposition from some honourable members when it is proposed that definite action be taken to stop these discriminatory practices. We have seen it happen here already when we discussed the treatment of South African natives. When we protested against such treatment and asked that strong action be taken to bring the South African Government to their senses, and when we proposed to do something practical we heard from the Other Side of the House that a protest was enough. I think that the honourable senior member for the City joined in that opinion.

Mr. MOTTLEY: The honourable member is disregarding the truth and relying upon his imagination. He knows when he says that, that he is being deliberately dishonest. He knows that I brought an Address here dealing with the South African question.

Mr. MAPP: I am not being unfair or dishonest to the honourable member. He joined in opposing the motion that practical steps be taken to stop South African goods from coming here.

Mr. MOTTLEY: The honourable member is deliberately lying.

Mr. SPEAKER: The honourable member should not allow his temper to get the better of him.

Mr. MOTTLEY: The honourable member can use his education to distort what people say. His mentality is warped.

Mr. MAPP: I am asking that the honourable member withdraw those remarks.

Mr. SPEAKER: The honourable senior member for the City said that you can do so and so. He did not say that you actually do it.

Mr. MAPP: I object to that.

Mr. SPEAKER: I would counsel the honourable member for the City to withdraw the words "he can" and use the words "he may".

Mr. MAPP: I am going to say this: The debate on what took place on the South African question is there for the public to see who is distorting and who is not. Let us deal with this debate to-night. What has the honourable member said? He has said that the honourable junior member for St. George should know that it is not practicable for us to ask the British Government to take steps to pass legislation.

Mr. MOTTLEY: The honourable member's Address did not say to ask the British Government. It said take steps to pass it.

Mr. MAPP: The Address states: "...the House calls on Her Majesty's Government to pass legislation etc." The honourable senior member for the City said that is not practical. I wonder what has happened to his memory. I do not believe that he so easily forgets what happens in the British Commonwealth or the world, especially when it comes to race relations. He cannot forget that when a member of the British Parliament, a Socialist back-bencher made a motion that Her Majesty's Government pass legislation concerning racial discrimination it was not defeated on the ground that it was impractical. It may not affect Barbados; but surely there

are African colonies that the British Government can do it in.

This Address was not brought in here without proper consideration. A lawyer had a hand in it. If the lawyer knows his constitutional law and he realised that this Address was not practical he would have said so. Every time that something like this happens we get up in this House and protest and protest. We do nothing to show that we are serious. We just make mamby pamby protests. Whenever it is suggested that we go further we hear that it is not practical. It is nonsense merely to talk and talk. People laugh at us and they continue to insult us. The same people in Bermuda and the Bahamas laugh at us. But when the Colonial Office gets an Address like the one moved by the honourable senior member for St. George they cannot laugh at it. The Barbados House of Assembly passing an Address calling on the British Government to take note of these things, and the Jamaica House of Representatives doing the same thing would get us a thousand times further than just making a protest. Every time that something is done to bring pressure to bear we hear that it is not practical.

There is much more that I could say, sir, but I fear that we may not have a quorum. I think that we would be making fools of ourselves to pass a simple Address of protest, and cut out the one part of the Address that has any force in it. A lot of bark and no bite! I heard the honourable member talk about certain hotels in Bermuda. This is a settled policy in Bermuda. Recently when the Queen was on her visit to Bermuda we know that no coloured guests were invited in honour of the Queen. During a debate in the Bermuda Assembly one of the members said in this year of grace, 1953, that there was no coloured man of sufficient experience or training or ability to be put on the Executive Council, and therefore no coloured person in a country in which coloured people are in the majority was of sufficient status to be invited to a dinner of that sort. That happened in a colony like Bermuda, and we are going to get here and bark and bark, and when someone suggests something with bite in it we are going to refuse to accept it.

Reference was made to Your Honour by the honourable senior member for the City. He referred to the treatment meted out to Your Honour and said that no protest was lodged in this House. You will know, sir, that when you returned from Bermuda you spoke to me about the incident and I expressed to you my opinion that we should protest. I got in touch with you and I prepared an editorial for the *Beacon* and it appeared in that paper. I feel that it was a serious oversight on the part of members of the House not to lodge a protest. But there is no reason why at this time something should not be done about the matter. Recently I received a late invitation by an airways company as the representative of a newspaper to attend a certain function to mark the inauguration of an airline in the West Indies; and sir, not only did I resent the manner in which the invitation came, but when I heard that the honourable senior member for St. Michael was not among those invited although he is the member of the Executive responsible for Communications I turned down the invitation because I felt that it was an insult to a member of our Party.

As I said, sir, it was an oversight on the part of the House not to protest at the treatment meted out to you; but that is no reason why we should ignore this further insult, and not take strong action against it. Your Honour and the other people

to whom you referred were not stopping in Bermuda; you were only passing through. In the present case the plane broke down suddenly. Mr. Springer was insulted and made to suffer indignities that were not meted out to his fellow travellers because they were not coloured. That is an insult to the West Indies as a whole.

Let me add this: I feel that it is a remarkable co-incidence that in the first place this thing happened to Barbados and then to British Guiana. In Your Honour's case one Trinidad organ took the matter up, a weekly organ that is doing a good job. I do not know about the Jamaica papers. Some of the more conservative organs, it is true, took up the matter of the British Guiana delegate. Now it has happened to a Barbadian who is at present working in Jamaica, and the Chief Minister of that colony has stated that they will take up the matter in Jamaica. It teaches us this lesson: If it happens to one West Indian, no matter how humble he may be, it should be a matter of protest by all. It is not a party matter, neither is it a matter which should be lightly set aside. I feel that if we cannot protest effectively when such things happen near to us we may as well ignore all that is happening in other parts of the world.

I do not agree that the few words which have any bite in them should be taken out of the Address. We should let the British Government know that coloured peoples throughout the world are demanding action. We are not saying that coloured people in America are not affected. But we are telling the British Government, "these are your people. If you tell us that we are part of the Colonial Empire you should do something about this."

I feel that we have heard some sincere speeches tonight and I feel that we should pass this Address as the honourable member brought it in, and bring home to Her Majesty's Government even at this late hour, the feelings of coloured people even in the remotest part of the Colonial Empire.

Mr. WILLIAMS: Mr. Speaker,—I am seconding the motion made by the honourable senior member for the City. As part of my education I have been taught that you should do things in the right way or do not do them at all. Now sir, looking back a little, we remember the Constantine incident in England, and then more recently the cases to which the honourable senior member for St. Thomas referred. We remember the suggestion which came from the "Times" that the British Government should legislate about hotels. We also know that there are certain snags in getting this type of legislation on the Statute Book.

Now what are we trying to do? We are attempting to pass an Address telling Her Majesty's Government that we deprecate this type of behaviour. I am saying that we can only do that within the framework of our constitutional position *vis à vis* Great Britain. We see the difficulties which the United Nations Organisation has in discussing the matter of racial discrimination. In spite of what is said by sovereign countries like Great Britain, Pakistan and the United States you still get Dr. Malan in South Africa saying that they can talk from now until Doomsday, what they say cannot bind him. We are not in any better position than South Africa. I would say that South Africa is in a better position because they are a sovereign country and we are not.

From the point of view of British Constitutional Law I would say that the Address put before the House by the honourable senior member for the City is the most practicable way of dealing with this matter. I quote sir, from "British Constitutional Law", 1950, 8th Edition.

On page 487 the author in his classification of colonies puts the Bahamas, Barbados and the Bermudas into Group IV and says: "This comprises three colonies to which representative legislatures have been granted, the Crown retaining only the right of veto, but controlling the public officers . . . and in these the Crown cannot legislate by Order in Council."

On page 490 we read: "A colonial legislature is not a delegate of the Imperial Parliament even if created by it; it has plenary power in its sphere and can choose its own means of action, and can confer on executive officials powers of making regulations. . . Their power is limited in general territorially to the colony and its territorial waters, etc."

That is why I say that this island is still a colony and this House is still a Colonial Legislature. When we talk about the Imperial Parliament of New Zealand or Australia how can we follow them? I am in sympathy with the Address. No one was happier than I when those Elementary School Teachers went to America. I said to some of them that when they travel outside and came face to face with some of these problems it was a far different kettle of fish. When I joined the R.A.F. in 1939 they put the sheep in one place and the goats in another. When you land in Bermuda and you are a coloured man the only place you can ask for is "Dick Richards", I can sympathise with the treatment meted out to Mr. Hugh Springer.

There is no use criticising the Attorney General or anyone else for the manner in which they draft things and then when you yourself have it to do you cannot do it the right way. We would like to put more sting in the Address; but we cannot do it. You cannot make the Imperial Parliament legislate for Bermuda. I agree with the remark of the honourable member who said that we do not want to give the impression that we are only trying to protect British West Indians. There are coloured people in chains in America. With those few remarks, sir, I beg to second the motion.

Mr. BRANCKER: Mr. Speaker,—I do not have a copy of the amending Address. I have a copy of the original one which I agree could do with some amending. I entirely approve of the deletion of the words "and Commonwealth" in the second paragraph, because it would be pointless to call on the Government to pass legislation prohibiting racial discrimination in the Commonwealth. That would refer to the Union of South Africa, Australia, the Dominion of Canada and New Zealand.

Those words could be deleted and the proposals in the original Address and those in the amending one kept together. That would call for a spirit of compromise with which we know these two honourable members to be particularly gifted; and we will avoid more talk. The amending Address is more specific; I must say that I favour it. There is another point. If and when they pass legislation dealing with hotels in Bermuda we have to remember the tendency in Barbados to turn hotels into clubs to which you can only come if you are a member, and of which people of European origin are automatically members. We have to be prepared to deal with that when it happens.

British West Indian Airways have been censured in this House for discrimination. B.O.A.C. stops at Bermuda and has certain responsibilities for arranging with hotels to take passengers. They should let the hotels know that when they (the Airways) have passengers of colour they must go to the same place as the Europeans. The Airways should

tell the hotels that they do not discriminate on the 'plane and that they should not discriminate in the hotels. There can be no question but that the insult meted out to Mr. Springer is an insult to the people of the West Indies, and the time has come when we must take urgent steps to protect the people of the West Indies from such insults.

The honourable senior member for the City talked about discrimination among coloured people. What he said was perfectly true. There is a boarding house in the parish of Christ Church in this island. Sometime ago a distinguished West Indian arrived in this island. When that dark Guianese tried to get living quarters in that boarding house he was told that there was no room. It was plain for all to see that it was a question of colour, the amazing thing about the matter being that the Guianese was of the same colour as the husband of the proprietress.

I am sure, sir, that this Chamber will join with all the other Legislatures of the area in protesting against this sort of thing. I was happy to read in the Daily Newspaper that the Chief Minister of Jamaica has said that he will take all the necessary steps to see that this insult is not allowed to pass by unnoticed by his country. We must in Jamaica and in Barbados and in every part of the West Indies let it be known how we feel about this matter.

The amending Address which was moved by the honourable senior member for Bridgetown and duly seconded by my colleague might be improved upon by the addition of certain words in the second paragraph which I will move should be added in the hope that my proposal will be accepted. The words which I move should be added to the end of paragraph 2 are, "with a view to the enactment of legislation against such discrimination."

Mr. E. D. MOTTLEY: I accept that.

Mr. MILLER: Mr. Speaker,—I think I will exercise the right to reply. In the first place I will say that this happens to be my Address which I have introduced. Honourable members have moved amendments which are nothing but changes in the phraseology; they do not really change the meaning; so I do not see why all these amendments should be necessary. The last amendment we heard was "with a view to the enactment of legislation against such practices." My wording was "to pass legislation prohibiting discrimination based on colour, etc." It is exactly the same thing.

We are asking the British Government to circulate copies of this Address to British Colonial Legislatures. Our sympathy is with coloured people everywhere; but a British parliament in a British territory cannot pass legislation for the negroes in America. The most we can say is that a coloured man of any race should not be denied entry into a hotel as long as he can pay the rates. The honourable junior member for St. Lucy had to bring in a large volume and give the House a lecture on British West Indian Constitutions.

If any honourable member has a new idea and he wants to bring it forward he can bring in a new Address. I am not thinking of what takes place in Bermuda and the Bahamas only. I am thinking of what happens in all the islands, including Barbados; and as a British Colony we have the right to pass an Address to be forwarded to the Colo-

nial Office whether they ignore it or not. All that I am asking is that the Secretary of State be requested to pass copies of this Address around to the various legislatures of the territories. To produce amendments ridiculing my Address is being silly.

Mr. WILLIAMS: I do not think that any member of the House was trying to ridicule the honourable member's Address. Any Constitutional Jurist knows that you cannot legislate extra-territorially. We are trying to hammer out a worthwhile Address. Whenever satisfactory work is done in this Chamber I will stand by it.

Mr. MILLER: The honourable senior member for the City talked about the foolishness of the Address. Why did he not use his ability to bring in something original?

Mr. COX: I was in sympathy with the motion made by the honourable senior member for the City more especially since the honourable senior member for St. Lucy made an amendment to that amendment. But from what I understand I am afraid I will have to support the original Address. It is not that I am backsliding. I do not believe in two-timing anyone. I want my position to be made clear. I was instrumental in telling the honourable member.

Mr. SPEAKER: I think I have indulged the honourable member enough.

The question that the Address moved by way of amendment do now pass was put and resolved in the affirmative the House dividing as follows:—

Ayes: Mr. TALMA, Mr. BRANCKER, Mr. HOLDER, Mr. WILLIAMS and Mr. E. D. MOTTLEY—(5).

Noes: Mr. MILLER, Mr. MAPP, Dr. CUMMINS and Mr. Cox (4).

Mr. SPEAKER: I will now call on the honourable junior member for St. George and the honourable senior member for the City to present the Address to His Excellency the Governor.

Mr. MOTTLEY: Mr. Speaker,—I do not want to take away any glory from the honourable junior member for St. George.

Dr. CUMMINS: Mr. Speaker,—I would like to appeal to both honourable members. I have been a member of this House for a number of years and I have seen a number of Addresses amended. In such cases both the member who brought in the original Address and the member who proposed the amendments presented the Address to the Governor. I have never heard any honourable member refuse. I am sure that both of these honourable members will conform to that ancient practice.

Mr. MOTTLEY: I have no desire to cause any inconvenience to Your Honour. I made certain suggestions and the honourable junior member for St. George did not appreciate my efforts. I am broad minded enough to consent to present the Address.

Mr. MILLER: I did not refuse to present the Address, sir. As Your Honour pleases.

ADJOURNMENT

Dr. CUMMINS moved seconded by Mr. Cox that the House adjourn until Tuesday, 15th December, 1953, at 3 o'clock p.m.

The question was put and decided in the affirmative without division and Mr. SPEAKER adjourned the House accordingly.