

THE House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1954—55

HOUSE OF ASSEMBLY

8th February, 1955.

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

PRESENT

His Honour Mr. K. N. R. HUSBANDS (*Speaker*); Hon. G. H. ADAMS, C.M.G., Q.C., B.A., (*Premier*); Hon. Dr. H. G. H. CUMMINS, C.B.E., M.D., C.M., (*Minister of Social Services*); His Honour Mr. A. E. S. LEWIS (*Deputy Speaker*); Hon. M. E. COX, (*Minister of Communications, Works and Housing*); Mr. L. E. SMITH, J.P., (*Chairman of Committees*); Mr. F. E. MILLER, Mr. J. A. HAYNES, B.A., Mr. J. C. MOTTLEY, Mr. E. ST. A. HOLDER, Mr. V. B. VAUGHAN, Hon. C. E. TALMA, (*Minister of Agriculture, Lands and Fisheries*) and Mr. E. W. BARROW, B.Sc.

Prayers were read.

Mr. ALLDER entered the House and took his seat.

MINUTES

Mr. SPEAKER: I have the honour to inform the House that the Minutes of the meeting of the 25th January, 1955, have been printed and circulated among hon. members. If there is no objection, those Minutes will be taken as read and confirmed.

Mr. LEWIS: As regards the Minutes of the 18th January, 1955, are they to be confirmed?

Mr. SPEAKER: The Minutes of the meeting of the 18th January, 1955, have also been printed and circulated and I am asking hon. members to confirm both sets of Minutes.

Mr. LEWIS: As far as the Minutes of the 18th January, 1955 are concerned on page three, there is an obvious mistake. Two motions appear for the same purpose and the first one has been set out as having been put and carried.

Mr. SPEAKER: I do not know if there is a mistake as to the sequence of the proceedings.

Mr. LEWIS: I was present, and I know that the Minutes as written up contained the mistake; the motion was not carried at that point. Line 19 of these Minutes should appear below that motion where it appeared lower down.

Mr. SPEAKER: I would like to point out to the hon. member that if he checks through the sequence of events from the Debates, he will see the same error.

Mr. LEWIS: I do not think I can concern myself with the Debates now; I can only say that if the Clerk or the Deputy Clerk of this House has put it down like this he has made a mistake. It is not a correct recording of the proceedings. I was present and I know what I am talking about.

Mr. SPEAKER: The hon. member is trusting to his memory.

Mr. LEWIS: I am not trusting to my memory; I think the Clerks would have to be challenged if they allowed a thing like this to happen.

Mr. SPEAKER: Did the hon. member say that a motion has been made twice?

Mr. LEWIS: The motion was made twice and carried once.

Mr. SPEAKER: Has the hon. member checked the proceedings from the Debates?

Mr. LEWIS: I have not checked with the Debates; I am concerned with the Minutes just now. The motion objected to was properly made and carried. This line 19 in the Minutes has been put in the wrong place. After all, I do not think that hon. members should sit here and allow a thing like this to go without challenging it. We are paying qualified men to do this work; and they should assist in the working of the House, and to see that a motion which is entirely out of order is not put down as carried. Every hon. member of this House knows that the motion was carried where it appears in the second place.

Mr. SPEAKER: I pointed out at the last meeting of the House that that struck me as being an irregularity.

Mr. LEWIS: If these Minutes had been put down for confirmation at the last meeting I would have made that point.

3.15 p.m.

Mr. SPEAKER: Again, I will say that I think the most which can be stated is, that the hon. member is trusting to his memory which may not be accurate. It is passing strange that the same error, if it is an error, should appear both in the Debates and in the Minutes of that meeting.

Mr. LEWIS: I am saying that the Minutes as recorded are not an accurate account of what took place. The Chairman put this motion in the proper way, and it was carried. Must we pay qualified

Clerks to take down a motion twice? Can they render no assistance at all?

Your Ruling was sir, that this whole procedure was out of Order, so it would be useless. I repeat, that the Minutes as written down are not an accurate recording of the proceedings of this House — on the 18th January. I am sure that other members of the House must know that.

Mr. SPEAKER: The House was in Committee at that time. Hon. members will remember that they were debating a certain Resolution of which mention was made in the Minutes of the 18th December. I checked with the Debates and I also checked with the Minutes, and I found that same irregularity appearing in the context of the Debate according to the sequence and again in the Minutes. It is passing strange to find the same error repeated. I was not in the Chair at the time, but I personally believe that the irregularity did take place in Committee and that the Minutes are a true recording of what actually took place. The Chairman must have been unmindful or inadvertent, and it just happened.

Hon. Dr. CUMMINS: Mr. Speaker, the Minutes are correct, and what they say happened did happen. I remember quite vividly that the hon. junior member for St. Lucy made a motion which was irregular. Up jumped the hon. senior member for the City and moved that the Chairman report the passing of the Resolution. I got up and corrected that, moving that the Resolution as amended do now pass. The hon. senior member for the City jumped up and moved it again. That is what happened.

Mr. LEWIS: Is the hon. member saying that the second motion was not put to the Committee?

Mr. SPEAKER: The hon. member said that the Minutes are a true record of what took place.

Mr. LEWIS: Therefore you believe the hon. member?

Mr. SPEAKER: I did not say that. I said I checked the Minutes and the Debate in order to find out if the irregularities did take place. I found it recorded in the Minutes and the Debate, and I said it must have been a slip up on the part of the Chairman. I have pointed out the irregularities, but as regards the accuracy of the proceedings I believe that the Minutes are correct. Something did take place and that something was wrong. That is beyond contention.

Mr. BARROW: Mr. Speaker, I think I should point out that it is my belief and knowledge that the same person who edits the Minutes also edits the Debates.

Mr. SPEAKER: The hon. member is wrong.

Mr. BARROW: Then they should be under the control of the same person.

Mr. SPEAKER: That is not so.

Mr. BARROW: As far as I know, the Clerk of the House would be in charge of editing both the Minutes and the Debates so therefore if there is any conflict between the two, both could be made to read the same way without there being anything strange about it.

Mr. SPEAKER: I think the hon. member needs information. The Deputy Clerk takes a record of the proceedings of the House. At present the Librarian edits the Debates. There are two different offices all together. I think that this information would do the hon. member a lot of good.

Mr. LEWIS: Am I to understand that the Clerk or Deputy Clerk sat here and took down a motion that was already carried?

Mr. SPEAKER: I have already pointed out the irregularity to this House.

Mr. LEWIS: A motion that is irregular and out of order is not to appear in the Minutes.

Mr. SPEAKER: Should not appear.

Mr. LEWIS: Should not appear.

Mr. SPEAKER: The putting of the motion twice should not have been allowed. If the Minutes are records of what took place, they must be accurate and say what took place. I was at pains at the last meeting to point out the irregularity.

Mr. BARROW: I would like to continue where I left off.

Hon. Dr. H. G. CUMMINS: Mr. Speaker—

Mr. SPEAKER: On what footing is the hon. member speaking?

Hon. Dr. H. G. CUMMINS: On a point of Order. I think you have already ruled on this very matter.

Mr. SPEAKER: I have said that I believe the Minutes are a true record of the proceedings. The question is that the Minutes of the meeting held on the 18th January, 1955 be confirmed. Hon. members in favour will please say "Aye" and those against will please say "No". I think the "Ayes" have it.

On a division being called for the question was put and resolved in the affirmative the House dividing as follows:—

Ayes: Mr. SMITH, Hon. G. H. ADAMS, Hon. Dr. H. G. CUMMINS, Hon. M. E. COX, Hon. C. E. TALMA, Mr. HOLDER [Mr. LEWIS sitting: I do not think a member who was not present should vote on the confirmation of the Minutes.] [Mr. SPEAKER: I will check on that.] [Mr. BARROW sitting: More than one hon. member who was not present has already voted. [Mr. SPEAKER: I have taken the names of those members.] Mr. MILLER, Mr. J. C. MOTTLEY, Mr. VAUGHAN, Mr. ALDER, and Mr. HAYNES—11.

Noes: Mr. BARROW and Mr. LEWIS—2.

Mr. SPEAKER: In answer to the objection raised by the two honourable members (the honourable junior member for the City and the honourable senior member for St. George) I quite agree with them that all the hon. members present who voted should not have voted; but there is nothing I can do to prevent them from voting. [Mr. LEWIS: It is a matter of commonsense.] That is not a point of which I can rule on commonsense unfortunately. The question has been decided in the affirmative, 11 hon. members voting "Aye" and two hon. members voting "No." I now declare the "Ayes" have it.

The question that the Minutes of the 25th January, 1955 be confirmed was put and agreed to without division.

3.25 p.m.

Mr. TUDOR entered the House and took his seat.

Hon. G. H. ADAMS: Mr. Speaker, if I am in order. Cannot a member if he has not heard something but has made enquiry earlier on it, vote on it?

Mr. BARROW: Mr. Speaker, was not the previous motion that both sets of Minutes should be confirmed?

Mr. SPEAKER: Objection was taken to the Minutes of the 18th January, 1955, so it was within my province to let the House decide on those Minutes by themselves. The Minutes of the 25th January, 1955 were then taken as read and confirmed, no objection having been taken against them.

Mr. BARROW: Mr. Speaker, on a point of Order. As a matter of interest and ruling I would like to know—

Mr. SPEAKER: The hon. member may enquire of me privately what he is going to say. I

will not entertain the hon. member's question now. The hon. member has the right to ask me those things privately.

PAPERS LAID

Hon. Dr. H. G. CUMMINS: I am commanded by His Excellency the Governor to lay the following: Third annual Report of the Social Welfare Department 1st April, 1953, to 31st March, 1954.

GOVERNMENT NOTICES

Hon. G. H. ADAMS: Mr. Speaker, I beg to lay the following:—

Bill to continue various expiring laws.

Bill to amend the Currency Act, 1950.

A Bill to authorise the raising of a loan to meet the cost of development and for other matters incidental thereto or connected therewith.

Hon. C. E. TALMA: On behalf of the Hon. Minister of Trade, Industry and Labour:

Bill to amend the Trade Act, 1910.

Bill to amend the Protection of Wages Act, 1951

BILLS READ A FIRST TIME

On motion of Hon. G. H. ADAMS, seconded by Hon. Dr. H. G. CUMMINS the Bill to continue various expiring laws was read a first time.

On motion of Hon. G. H. ADAMS, seconded by Hon. Dr. H. G. CUMMINS the Bill to authorise the Currency Act, 1950 was read a first time.

On motion of Hon. G. H. ADAMS, seconded by Hon. Dr. CUMMINS the Bill to authorise the raising of a loan to meet the cost of development and for other matters incidental or connected to therewith was read a first time.

On motion of Hon. C. E. TALMA, seconded by Hon. M. E. COX the Bill to amend the Trade Act, 1910 was read a first time.

On motion of Hon. C. E. TALMA, seconded by Hon. M. E. COX the Bill to amend the Protection of Wages Act, 1951 was read a first time.

ORDER NO. 1 POSTPONED

Hon. Dr. H. G. CUMMINS: I am asking leave to Postpone Order No. 1 and to take Order No. 2 as the next Order of the Day.

Mr. LEWIS: Mr. Speaker, before the Orders of the Day are entered upon, I would first like to make a statement to the effect that I have been instructed by the House at the last meeting to report to you that objection was taken by the House to an interruption of its proceedings by the playing of a military band on the eastern side of the building during the meeting.

COMMITTEE OF SUPPLY

Hon. Dr. H. G. CUMMINS: Mr. Speaker, I beg to move that the House go into Committee of Supply, in order to recommit Head XL of the Resolution for \$23,750.

Hon. M. E. COX: I beg to second that.

Mr. LEWIS: I have drawn attention to the fact, that in view of Your Honour's Ruling, this Item should not appear on the Order Paper as it does. The Item as it appears on the Order Paper is wrong. It should be a motion for moving the House into Committee of Supply to consider these

Resolutions. The Order as it is now is that these Resolutions be moved in the House.

Mr. SPEAKER: I quite agree with the hon. member.

The question that His Honour do now leave the Chair, and the House go into Committee of Supply was put and resolved in the affirmative without division.

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

Supplementary Estimate No. 33 Recommitted

Hon. Dr. CUMMINS: Mr. Chairman, this Resolution for \$23,750 was dealt with and it was ruled that there had been some irregularity. I now beg to move that Head XL of the Schedule be recommitted.

Hon. M. E. COX: I beg to second that.

Mr. LEWIS: If there has been an irregularity in my humble opinion I think it should be put right.

The question that Head XL of the Schedule be recommitted was put and resolved in the affirmative without division.

Hon. Dr. CUMMINS: I beg to move that Head XL stand part of the Schedule.

Hon. M. E. COX: I beg to second that.

The motion was put and agreed to.

Hon. Dr. CUMMINS: I now beg to move that this Resolution as amended do now pass.

Hon. M. E. COX: I beg to second that.

The motion was put and agreed to.

On the motion of Hon. Dr. CUMMINS, seconded by Hon. M. E. COX, the CHAIRMAN reported the passing of the Resolution in Committee of Supply.

On motions of Hon. Dr. CUMMINS, seconded by Hon. M. E. COX in each case the Resolution passed in Committee of Supply was read a first and second time and agreed to.

RESOLUTION TO APPROVE EXTENSION OF WATERWORKS IN ST. MICHAEL

Hon. Dr. H. G. CUMMINS: I ask leave Mr. Speaker to take Order No. 4 as the next Order of the Day.

There being no objection leave was granted the hon. member.

Mr. SPEAKER: The next Order of the Day is to resume consideration of the passing of the following Resolution: Resolution to approve the Book of Reference and Plan of the proposed extension of the Waterworks in the parish of St. Michael.

Hon. M. E. COX: On the last occasion the hon. senior member for the City wanted to see the Plan which is now here. I should just like to reply to a few remarks made by the hon. junior member for Christ Church, dealing with the question of the installation of standpipes throughout the island. The hon. member made the point that the Government would soon have to declare its policy, and he referred to some people in the country districts who are desirous of developing their land to be sold in lots but could not do so, because they were hindered on account of the Waterworks not installing water or rather standposts.

3.55 p.m.

In checking up, Sir, I have found that it is not strictly correct to say that the Act requires that an individual who owns lands and who wants to cut it up and sell it in lots, must put standposts on that

land. Section 52 (1) and (3) of the Public Health Act requires the owner to lay water mains. It refers to water, and not to standposts.

What I have discovered in recent days is that there are some owners of land who are desirous of cutting up that land in lots, and instead of complying with the Public Health Act as it stands, they try to get around it by getting the various Sanitary Authorities in the parishes to install standposts in immediate proximity to that and, thereby getting the land developed without complying with the Act.

I think that the Board of Health allows persons to cut up land in lots without laying mains, if the farthest main is 440 yards from a standpost. But my experience is that after the land is sold without complying with the requirements of the Act, the people who settle on those areas find it difficult to get water installed in their homes, and as a result of that they apply to the Government. That means that after money had been made by the people who cut up the land in lots, the Government has to foot the Bill for installing the mains which should have been installed by those persons who sold the land in lots.

I want to make it crystal clear that the Waterworks does not prevent any one who wants to develop his land from developing it under the Public Health Act. If he complies with that Act that is all that he needs to do.

The question that the Resolution do now pass was put and agreed to without division.

BILL TO AMEND MOTOR VEHICLES AND ROAD TRAFFIC ACT

Hon. Dr. H. G. Cummins asked for and was granted leave to take Order No. 10 as the next Order of the Day.

Hon. M. E. COX: Mr. Speaker, this is a Bill to amend the Motor Vehicles and Road Traffic Act, 1937. It seeks to regularise what is taking place at present relative to the number of persons allowed to ride on a bicycle. It will be remembered that during the War this Act was amended in order to allow two people to ride on one bicycle; but the amendment used to be introduced by way of the Expiring Laws Continuance Act annually, and members of this House have from time to time expressed the view that it should be a permanent Act. The Government feels also that it should be permanent, and as a result this Bill is before the House. As will be seen from the Objects and Reasons, Section 51 of the Motor Vehicle and Road Traffic Act, 1937, prohibits the carrying of more than one person on a bicycle, unless constructed for the carriage of more than one person. The operation of this Section has been suspended by virtue of Sub-section (4) thereof and the Expiring Laws Continuance Acts. It has now been decided to remove the prohibition permanently, and this Bill seeks to give effect thereto by repealing the Section.

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

Hon. C. E. TALMA: I beg to second that.

The question that the Bill be read a second time was put and agreed to without division.

On the motion of Hon. M. E. COX seconded by Hon. C. E. TALMA, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. SMITH being in the Chair.

The two Clauses of the Bill were called and agreed to.

Hon. M. E. COX: I beg to move that you do now report the passing of the Bill in Committee.

Hon. C. E. TALMA: I beg to second that.

Mr. LEWIS: On that point, I would like to say that I hope that there is no inconsistency as far as this Bill is concerned. The section that is being repealed is suspended to the 31st March by the Act. I am wondering if it might not be necessary to insert that this Bill come into operation on the 1st April. At this particular time it cannot be read in the Act, because it is not in the Act until the 1st April as far as we are concerned.

Hon. M. E. COX: Mr. Chairman, I feel that this Bill will pass the Other Place and be assented to by His Excellency the Governor before the 31st March.

The question that the Chairman report the passing of the Bill in Committee was put and agreed to without division.

Mr. Speaker resumed the Chair and reported accordingly.

On motions of Hon. M. E. COX seconded by Hon. C. E. TALMA in each case the Bill was read a third time and passed.

AMENDMENT TO TECHNICAL ASSISTANCE BILL

Hon. Dr. H. G. Cummins asked for and was granted leave to take Order No. 12 as the next Order of the Day.

Hon. G. H. ADAMS: Mr. Speaker, as I pointed out to the House last Tuesday, it was completely my fault that the printed Bill which went to the Other Place bore the year 1955, while the file from which I was reading while dealing with the matter had 1954. I say that, because it has been suggested outside this Chamber that it is the sort of thing which should not have happened, and people were wondering whose fault it was. I take the blame on myself, having failed to notice the difference in date.

I beg to move that this amendment be now read a first time.

Hon. M. E. COX: I beg to second that.
4.05 p.m.

The question that the amendment be read a first time was put and resolved in the affirmative without division.

Hon. G. H. ADAMS: I beg to move that the amendment be now read a second time.

Hon. Dr. CUMMINS: I beg to second that.

Mr. LEWIS: Mr. Speaker, I would like to correct the impression that there was something wrong in the Bill that was sent to the Other Place. That was not so. The Bill which this House considered was a Bill which had 1955 printed in it. I do not think that the impression should be given that the House passed a copy of a Bill which had 1955 printed on it. So far as I know, all hon. members who had a copy of that Bill had a copy with 1955 printed on it.

If reference is made to the debate on the Bill it will be seen from a reply by the hon. senior member for St. Joseph in answer to a question by me, that he hoped to get the Bill through before the end of 1954. I presume that was the reason of 1954. I would like therefore, to correct any wrong impression that either the Clerks of the House or we ourselves left an error in this Bill which went up to the Other Place from this House. The Bill that was signed by you and sent from this House was the Bill that was considered, read a first, second and third time and was passed. From the answer to a question which I put to the hon. senior member

for St. Joseph, the Government confirmed that it wanted 1955 in the Bill.

Hon. G. H. ADAMS: This Technical Assistance Bill was for somebody who came in 1954 and who had left before we sent down this Bill therefore, the date had to be 1954. I did not notice the printed Bill, and when the hon. junior member for the City asked if this date was put in, I was only thinking of the income tax part of his question not noting that the date in the Bill should also be amended to 1954. They came with the understanding that we would confirm it, and one of them who has left already, left with that understanding; and therefore, we had to bring him in too.

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

On motion of Hon. G. H. ADAMS seconded by Hon. M. E. COX, the amendment was agreed to.

ADJOURNMENT

Hon. Dr. H. G. CUMMINS: Mr. Speaker, I understand that this House is to be put in order promptly for the occasion of the visit of Her Royal Highness, Princess Margaret. Government therefore proposes not to go any further with its business to-day. I therefore, make the motion that this House do now adjourn until Tuesday the 15th February, 1955.

Hon. M. E. COX: I beg to second that.

Mr. LEWIS: Before you put the question Mr. Speaker, I am wondering whether it is not the custom to pass an Address to the Other Place relative to the Amendment to which this House has just agreed.

Churchwarden's Address to the Princess

Mr. VAUGHAN: Speaking on the motion for the adjournment, I would like to raise a matter which I consider to be of some importance as a citizen and resident of this island. On the Official Programme for the visit of Her Royal Highness, I notice that the Churchwarden of St. Michael is to present his Address of Welcome to Her Royal Highness instead of reading it. As far as we have read from the reports from the other colonies which Her Royal Highness has visited so far, every minor Mayor or Official of Local Government has read his Address of Welcome to Her Royal Highness; and I do think that the Official responsible for this Programme has tacitly intimated some kind of insult to the Vestry of St. Michael and to the people of this parish by stipulating that the Churchwarden should only present his Address of Welcome instead of reading it.

Certainly, Barbadians are far more literate than other people in these parts. We are supposed to be the foremost in literacy in these Caribbean islands, and I think it only fitting that the Churchwarden of such an important parish like St. Michael in an important island like Barbados should have the same privilege as other Local Government Officials of other Caribbean colonies in the reading of his Address of Welcome to Her Royal Highness, instead of merely presenting it.

I therefore would like to record as a citizen, my strongest objection that the Churchwarden should only present his Address of Welcome instead of reading it. We are still in time. The officials concerned can change the programme to stipulate that the Churchwarden should read his Address of Welcome as well as to present it.

Hon. G. H. ADAMS: The hon. member must realise, as has already been intimated, that this is purely an attack on some local official who has not really done anything to lower the prestige of Barbados. Let me remind the hon. member again that every iota of the Princess' visit had to get the approval of Clarence House. I believe there was general prohibition of any reading of speeches. It may be, that an Address has been read in Arima or Port-of-Spain without being brought to the notice of officials at Clarence House that those persons wanted their Address read, and an agreement was given on it. I am sorry that the Churchwarden of St. Michael did not bring it to the notice of the Committee, because the necessary request could have been made for alteration in that direction.

I just wanted to correct any impression that might be made, that some local official is responsible for it.

Mr. BARROW: I think I should point out that it is my opinion, subject to Your Honour's Ruling, that a motion should be made that the Clerk of the House record that this House is willing to waive its privilege in connection with the amendment to the Technical Assistance Bill.

Mr. SPEAKER: I will direct that.

Mr. BARROW: I just wanted to get Your Honour's Ruling on that point.

Mr. SPEAKER: I direct that the Clerk make a note in the Minutes that this House waive its privileges with regard to the amendment of the Hon. Legislative Council to the Bill intituled an Act to implement certain terms of the Agreement for Technical Co-operation Assistance entered into between the Government of the United Kingdom and the Government of the United States of America.

The question that this House do now adjourn until this day week at 3 o'clock p.m. was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly.
4.18 p.m.