THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1954—55

HOUSE OF ASSEMBLY

Tuesday, 5th July, 1955.

Pursuant to the adjournment the House of Assembly met at 2 o'clock p.m. today.

His Honour 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*), Hon. M. E. Cox (*Minister of Communications, Works and Housing*), Mr. L. E. SMITH, J.P., (*Chairman of Committees*) Hon. R. G. MAPP, (*Minister of Trade, Industry and Labour*), Mr. E. K. WALCOTT, Q.C., Mr. F. E. MILLER, Mr. J. C. MOTTLEY, Mr. E. St.A. HOLDER, Mr. V. B. VAUGHAN, Hon. C. E. TALMA, (*Minister of Agriculture, Lands and Fisheries* and Mrs. E. E. BOURNE.

Prayers were read.

MINUTES

Minutes of the meeting held on the 10th May, having been printed and circulated amongst hon. members were taken as read and confirmed.

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 ending 31st May, 1955.

PAPERS LAID

Hon. G. H. ADAMS: Mr. Speaker, I am commanded by His Excellency the Acting Governor to lay the following:— Statement showing Gross Customs and Excise Receipts for two months ended 31st May, 1955.

Hon. M. E. COX: Mr. Speaker, I am also commanded by His Excellency the Acting Governor to lay the Report of the Waterworks Department for the year 1954-55.

GOVERNMENT NOTICES

Government Notices were given as follows:—

Hon. M. E. COX: Resolution to approve the compulsory acquisition by the Governor-in-Executive Committee of certain land in Speightstown for the purpose of converting it into an esplanade.

Hon. G. H. ADAMS: Bill to amend the Currency Act, 1950.

Bill to amend the Savings Bank Act, 1914.

QUESTIONS

Mr. E. St.A. HOLDER: To enquire of the Minister of Communications, Works & Housing:—

Whether the Minister will give immediate consideration of the old Post Office at St. James for the purpose of establishing a Library.

If the answer is yes,

Will the Minister take steps immediately to implement same.

BILLS READ A FIRST TIME

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

On motion of Hon. G. H. ADAMS, seconded by Honourable Dr. H. G. H. CUMMINS, the Bill to amend the Savings Bank Act, 1914 was read a first time.

COMMITTEE OF SUPPLY

Mr. SPEAKER: The first Order of the Day is to resume Committee of Supply to consider the grant of sums of money for the Service of the Colony.

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

Resolution for Family Planning Association and Boy Scouts' Association—*Concluded*

The question that Item 53, (*New*) *Family Planning Association, stand part was put and resolved in the affirmative without division.*

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, this Resolution is for the sum of $2,000 to send a contingent of scouts to the Eighth World Jamboree of Scouts to be held in Canada from 18—28th August, 1955. The Barbados Scout Association has already raised $8,000 by "Bob-a-Job" activities which would pay the expenses of two scouts only. A Canadian gentleman, Mr. Eric Harvie, offered to assist them. He offered, in the words of the note to the Supplementary Estimates, "to pay half the expenses of each

scout up to an additional six after the first two." A further sum of $2,000 is required to enable a full patrol of scouts to be sent to the Jamboree, and the Government proposes to grant the sum of $2,000 and leave the balance of 400 to be raised by the Association.

I beg to move that the Resolution do now pass.

Hon. G. H. ADAMS: I beg to second that.

The question was put and agreed to.

Hon. Dr. H. G. CUMMINS: Mr. Chairman, I beg to move the passing of this Resolution in Committee.

Hon. G. H. ADAMS: I beg to second that.

Mr. ALLDER: Mr. Chairman,—

Mr. CHAIRMAN: Mr. Chairman what! You are out of order.

The question that Mr. Chairman do now report the passing of this Resolution in Committee was put and agreed to.

Mr. ALLDER: Mr. Chairman, on a point of explanation. Am I to understand that two Resolutions have been passed?

Mr. CHAIRMAN: No, only one.

Mr. Chairman left the Chair, Mr. Speaker resumed the Chair and reported accordingly.

On motion of Hon. Dr. H. G. CUMMINS seconded by Hon. M. E. Cox the Resolution was read a first and second time and agreed to.

RESOLUTION TO APPROVE FREEDOM OF MOVEMENT

Mr. SPEAKER: The next Order of the day stands in the name of the Hon. Premier to move the passing of a Resolution to approve the Report on freedom of Movement in B.W.I Federation.

Hon. G. H. ADAMS: Mr. Speaker, this Order is to move the passing of a Resolution to approve the Report on Freedom of Movement.

I am going to ask the permission of the House to change the language of that motion to read: "to move an Address in reply to His Excellency's Message No. 7/1955." Unfortunately after the House had adjourned on Tuesday last, I was made to understand that there was a Message from the Governor on this point. I do suppose that we could proceed with the passing of the Resolution as it is set out on the Order Paper, but I consider that it would be more appropriate and polite to put the Resolution in the form of a Reply to His Excellency's Message; I therefore asked Your Honour to notify honourable members that I intended withdrawing Order No 2 and substituting therefor a Reply to His Excellency's Message No. 7/1955.

Mr. SPEAKER: The Hon. Premier is asking leave to withdraw Order No. 2 and to substitute therefor a Reply to His Excellency's Message No. 7/1955. Unless there is any objection, leave will be granted.

There being no objection, leave was granted the Hon. Premier.

Hon. G. H. ADAMS: Mr. Speaker, I now formally move the passing of the following Address in reply to His Excellency's Message No. 7/1955 on the subject of Freedom of Movement of Persons etc., who are proposing to enter into a British Caribbean Federation. The Address reads as follows:

THE HOUSE OF ASSEMBLY
TO
HIS EXCELLENCY THE GOVERNOR

The House of Assembly has the honour to acknowledge receipt of Your Excellency's Message No. 7/1955 dated 29th March, 1955 relative to the Report of the Conference on Movement of Persons within a British Caribbean Federation.

The House of Assembly agree with the recommendations contained in the said Report.

I have the utmost pleasure in making this motion. I have always been very closely associated with the very strenuous efforts that have been made in these territories in order to succeed in the establishment of a British West Indies Federation. It is absolutely unnecessary for me to say anything as to our willingness to go into Federation. Both Houses of the Legislature have gone on record as being in favour of Federation and having agreed with the principles contained in the several reports of commissions and of conferences that have been convened to deal with the matter. I emphasise the word "principle" because some of us, and the public in general of today, do not entirely agree with everything that has been agreed upon in this Conference on the Free Movement of Persons. A Barbadian must feel that the proposed Constitution does not go far enough; but this is the maximum of agreement in so far as we who believe in Federation have been able to obtain.

Now, I want to emphasise as strongly as possible that the position of Barbados in a Federation has been established as a result of this Conference, in spite of the somewhat silly remarks occasionally made in the editorial columns of the *Advocate* in connection with the argument that Barbados should never enter into a Federation in which the principle of Freedom of Movement was not accepted; and in which it would not be possible, from the very beginning, for them to have freedom of movement in the proposed Federation. When I am finished speaking, honourable members will see that in spite of some of the completely mis-informed opinions in the Press in the West Indies, the position of Barbados has been established as a result of the Conference in Trinidad last March. Copies of the Report on this Conference have been circulated, and I hope that honourable members have theirs before them since I propose to refer to the language of it. It would be unfortunate if honourable members were not following the wording of the Report.

Without any particular desire to take notice of the "*Advocate*" columns, I repeat that "*Advocate*" or no "*Advocate,*" critics of that sort or not, I would not ask this House or the people of Barbados to enter into a Federation with their hands tied by any perpetuation of the principle of one island passing legislation against the other islands for the purpose of keeping peoples out of that territory after they have agreed to become confederated.

2.35 p.m.

It is inconceivable and it would be utterly stupid and against the very expression "Federation" to say that in a Federation it would be possible for one unit to prevent the peoples of another to move freely from place to place. It would be utterly inconceivable if we had one mass of land to imagine a visible barrier between Grenada and Trinidad or between Trinidad and St. Vincent, if those islands were not divided by water. It would be inconceivable to have trade barriers between St. Thomas and St. Philip or restrictions between St. Lucy and the rest of Barbados.

I realise the possible consequence of what I am going to say; and I have to make clear the position of Barbados, when you examine carefully the legal language which has been maintained at the recent conference in Trinidad. I wish to pay tribute to those Trinidadians in Executive Council who

showed themselves complete West Indians and not narrow parochial islanders. I do not care to mention the name of one Trinidadian (although hon. members will know who I mean) but that Trinidadian in particular very graciously adopted the stand that Federation should mean what it said; and that it would be very silly for Trinidad to maintain the attitude of keeping out Barbadians or Grenadians or other people from Trinidad even although Trinidad is a magnet to the working classes. The conference lasted for seven and a half hours; it was a phenomenon in the West Indies in that on such an important matter we should have reached agreement in the short space of between seven and eight hours. We met and we were off to a good start on Monday the 14th of March. Sir Hubert Rance who had done so much to help bring about Federation, opened the Conference and made a very moving and wise appeal to the East Indians of Trinidad who seemed even now to be likely to be the greatest obstacle to the bringing about of Federation. He made an appeal to them to see that there was no danger to them as a minority group to have Federation; and with that good start with a speech which was on a very high level, we listened to a speech of Lord Lloyd who was chairman of the Conference. He was also on a high level; he recounted the history of Federation and he pointed out that it was about ten years since we talked about Federation. With those two speeches the Conference was started with a feeling that we should put into the background any personal idle predilestion which might stand in the way of Federation.

We had a morning meeting at which a few speeches were made and then we had an afternoon meeting; and we realised even on the first day that although points of view from everybody were not going in the same direction, yet there was an obvious earnest desire on the part of the delegates in this matter of Federation. As I have said before, in a comparatively short time, actually between seven and eight hours of actual talking, we reached agreement and the Attorney Generals who accompanied the delegates as advisers were instructed to put in legal language the conclusions at which we had arrived.

I hope hon. members have copies of the Report before them. I hope the House will forgive me if I refer to the language of the Report at some length; because on the very next morning after we concluded our Conference, the Daily Press came out with statements which were very inaccurate as to the result of the Conference. There were many people in Trinidad who came to the conclusion that we arrived at certain conclusions which we did not arrive at.

It has been actually suggested to me by a very wise member of the Trinidad public, that it would be very dangerous for the public of Trinidad to be rudely shocked by a realisation that some of them are thinking that we reached a conclusion which we did not reach. There is in Trinidad a widespread feeling that the Conference agreed that there will be Freedom of Movement ultimately, but that after five years the Federal Parliament would have to alter the present laws. That is not so; broadly speaking.

As you know, sir, at the London Conference it was a question of emigration and of immigration being put on the exclusive list and that jurisdiction should be given to the Federal Parliament. In the course of that Conference it was rightly conceded that we would avoid that point and that the matter should go on the concurrent list as the Rance Committee had recommended in the S.C.A.C. Report.

2.45 p.m.

But Barbados raised the further point that it might happen (God forbid it should) that the composition of the Federal Parliament for at least the first five years might be such that it might be unwilling to interfere with the Unit Legislation as exists today; and therefore we might be no better off. As an instance, Trinidad with its 137 types of prohibited immigrants regulations might well keep out Barbadians. I stress that point on behalf of the Barbados Legislature, and the concession was made that although it might go back on the Concurrent List, at the end of five years no Unit Legislation will remain in force unless the Federal Parliament by resolution of both Houses would agree that the Legislation should remain in force, though Units may legislate until Doomsday. If that legislation clashed with that of the Federal Government it would mean that the Federal Legislation would prevail; in other words, at the end of five years no Unit Legislation would prevail unless the Federal Parliament approves of it. In short, if in 1957 a Unit made legislation to exclude people or any legislation dealing with emigration at all in any form it would become law, because the two Houses of the particular Unit would have passed it unless if after they passed it the Federal Parliament disapproved of it. You can therefore see that a Unit cannot legislate for itself on these matters unless the Federal Parliament agrees. I say that because when we agree to five years, the fallacious idea got abroad that nothing could be done by the Federal Parliament for five years.

I want to assure the people of Barbados that in spite of what they may have heard, it is not true that it will be of necessity (if it is approved at the final Conference when the recommendations of this Conference are made law) for the Federal Parliament to wait until five years to pass legislation. It does not compel the Federal Parliament but it does prevent the Federal Parliament from passing legislation which would wipe out the legislation of Barbados, Trinidad and every other unit for that matter. Therefore, sir, emigration goes on the concurrent list and that means each Unit can pass its own legislation until the Federal Parliament passes its own legislation. If the Federal Parliament does nothing, of course, the Unit Legislation stands. If the Federal Legislature does nothing for five years, the Unit legislation will prevail, but in five minutes after that, it is theoretically possible for the Federal Parliament to pass legislation saying that there shall be no restriction of emigration. I am stating that lest it should be thought that the position of Barbados has at all weakened by the effects of this Conference.

What I said really sums up paragraph six of the Report of the Conference. These are the Resolutions as drafted by the Attorney Generals of the various colonies and agreed to by the Conference.

> "(1) The Preamble to the Federal Constitution should recite as one of the objects of Federation that there should be the greatest possible freedom of movement for persons and goods within the Federation."

That is in effect just in keeping with the words of the Resolution of the April Conference.

> "(2) Sub-paragraph (*b*) of the Exclusive Legislative List in paragraph 6 of the Plan for a British Caribbean Federation as agreed by the London Conference should be deleted."

That is taking it off.

"(3) Control of the movement of persons between the Units of the Federation on grounds other than health or security should be placed on the Concurrent Legislative List in paragraph 7 of that Plan with a provision that any Unit legislation on this matter in force at the expiry of five years from the date of the coming into force of the Federal Constitution should cease to have effect at the end of a further period of three months unless before the end of such further period a Resolution is passed by both Houses of the Federal Legislature approving such legislation. In calculating the period of three months no account should be taken of any time during which the House of Representatives is dissolved. All such Unit legislation should forthwith upon the expiry of the five-year period be laid upon the Table of both Houses and should be considered by both Houses before the end of the period of three months."

I stop at this point "Control and movement of persons between the Units of the Federation on grounds other than health or security;" that is to say: any person with infectious disease, any well known Communist and any well known anything. It is purely a federal matter that "Control of the movement of persons between the Units of the Federation on grounds other than health or security should be placed on the Concurrent Legislative List in paragraph seven of that Plan but with the provision that any Unit Legislation on this matter in force at the expiry of five years from the date of the coming into force of the Federal Constitution should cease to have effect." And then it goes on to say that "at the end of a further period of three months unless before the end of such further period a Resolution is passed by both Houses of the Federal Legislature approving such Legislation." That has been put in because there may be a hiatus.

Let us say that we start in January, 1957 our Federal Constitution. That means that in January 1963 no unit Legislation will have any effect; but the Federal Parliament may act in January 1963, though not immediately, it has three months grace. That three months is put in in order to give the opportunity to the Federal Parliament to meet and say, "We approve" or "We disapprove." That is the reason; it is put in to give the Federal Parliament time to act.

Resolution 3 goes on to say:—

"In calculating the period of three months no account should be taken of any time during which the House of Representatives is dissolved. All such Unit legislation should forthwith upon the expiry of the five-year period be laid upon the Table of both Houses and should be considered by both Houses before the end of the period of three months."

Obviously, you give that three months so that the Federal Government will have the necessary time to say intelligently that it has all the Legislation that exists in Barbados and elsewhere. It goes on to say:—

"Any Unit legislation on this matter enacted after the expiry of the five-year period should have effect only if it is approved by Resolution of both Houses of the Federal Legislature. Such legislation should forthwith upon enactment be laid on the Table of both Houses and be considered within two months of being laid, no account being taken of any time during which the House of Representatives is dissolved or prorogued."

As I have said, for ten years, perhaps twenty years yet, Barbados and Trinidad can still pass laws; but those laws will have no effect unless the Federal Parliament sits, reads them and approves of them. Therefore, if a Federal Emigration Statute is made which does not cover every point, it may be well possible for each territory to pass legislation affecting emigration.

2.55 p.m.

Resolution No. 4 goes on to say:" Control of the movement of persons between Units on grounds of health and security should remain, as already agreed, as a separate item on the Concurrent Legislative List." That is, Barbados may say for instance. "I will keep out people with small pox."

On the Concurrent List each Colony is at liberty to pass legislation to keep out people purely as a measure of security. Practically every territory has legislation for keeping out Communists except Barbados.

The other two resolutions Nos. (5) and (6), are not of any frightful importance. No. (5) reads as follows:

"That this Conference express the wish that in the interest of the early achievement of Federation, its recommendations should be considered and determined by the various Legislatures at the earliest possible opportunity."

I regret to say that for one reason or another this matter was not debated. We should have allowed the British people to know at an early date what are the impressions of the various Units on this; but Barbados and the other countries have not yet debated it.

No. (6) reads as follows:—

"That the consideration of the recommendations of the Conference should in no way delay any of the work preparatory to the establishment of the Federation including that of the Fiscal, Judicial and Public Service Commissions; and that the British Government should be requested to proceed with the greatest possible speed with the completion of the preliminary measures to enable the Federation to be established.."

Mr. Sidney came yesterday; he is on the Commission for Fiscal matters. Sir Allan has been here for about a week; he is Judicial Commissioner. Sir Hilary Blood is due to arrive soon; he is Head of the Public Service Commission.

I am happy to repeat (and I say it in all sincerity) that this Conference having been held in Trinidad, it is to the great credit of certain Trinidad legislators that they should have been so willing, (even at the risk of their own popularity) to submit to regulations for the removal of no less than 54 categories from the list of prohibited or undesirable persons.

I have here with me a copy of the Trinidad Immigration restrictions containing an Order which sets out the number of categories of undesirable persons made under the Immigration Restriction Orders, Trinidad, Chapter 22. This Order was made in 1952 in connection with those categories of persons who were prohibited from entering that Colony; and the Executive Council of Trinidad agreed to notify us that they would recommend the removal of 54 of the categories from the list of restricted persons.

I am sorry the honourable senior member for St. John is not in his place at this moment; he would hear that an auctioneer may now go to Trinidad and

ply his trade, since these restrictions have been removed. Barbers can go; butchers can go; charcoal burners can go; dental mechanics and domestics can go. Domestics are no longer on the list of restricted persons, and therefore can now go in droves. Seamen were among the undesirable immigrants before; now an unemployed Barbadian seaman can go to Trinidad. It is indeed a great relief to be able to note such an opportunity. I must pay tribute to Trinidad.

Trinidad has for some years been at the bottom of the political ladder, although in the time of Captain Cipriani it was at the top. Tribute is therefore due to Trinidad for having removed the list of restricted persons the two last mentioned categories; especially seamen; I say that because of the large number of both Barbadian and Trinidian seamen who are out of work. Trinidad's decision to meet the demands of Barbados in this respect (i.e. taking them off the undersirable list), must be regarded as a real act of faith, and shows a desire to be really West Indian and not merely Trinidadian.

School teachers may go; reporters may go. That was regarded as a great concession in Trinidad as I remember.

Musicians, mechanics, including motor mechanics, etc., may now go. Honourable members will see that the Conference was successful, not merely in what it produced, but in the manner and atmosphere in which all these questions were deliberated; and especially was this Conference successful in regard to the speed with which all of us came to the conclusion that we should approach these matters as West Indians, realising that we had talked too long of Federation and that the time had now come when we should do our best to establish it.

I, therefore, have great pleasure in moving this Address to His Excellency the Governor saying that we in this House have agreed to the Regulations made at this Conference on Movement of Persons Within a British Caribbean Federation held in Trinidad.

3.05 p.m.

I notice that the Hon. Minister of Labour is reported as saying something rather gloomy on the prospects of Federation. I have not spoken with him since he returned. After his talk at the Colonial Office he is reported to have said that Federation would not come about for three years. However, the present proposals are that the commission should go ahead as quickly as possible; they are actually taking preliminary evidence; they have to be finished by September. Then the plenipotentiary Conference will take place, and the Legislators will go prepared to agree to modifications if necessary in the proposals of the London Conference. After this the plenipotentiaries will not have to report back to their Legislative Councils or House of Assemblies, and it is hoped that that Conference will take place in April next year, possibly in London; thereafter the matter will be put before the House of Commons and the House of Lords. I really do not see this period of three years; as far as I can see, Federation will be a reality by the end of 1956 or 1957.

I have suggested that we should have our Federal Parliament opened in January or February of 1957 because it will be the tourist season then. No matter wherever is decided on as the Federal Capital, hundreds of tourists can come to the West Indies if a tourist ship can arrive in the particular island in which the Parliament meets. At the first elected Government of Puerto Rico, hundreds running into thousands of people were invited from all over the United States to the Caribbean area to be present at this inauguration. It was a unit selling of Puerto Rico, to put it that way. I suggested that the Federal Parliament should open during the tourist season because we would attract people, and we would be able to put over to the world that a new nation is being born in the Caribbean area.

I apologise to honourable members if they think that I have spoken for too long, but I thought it was necessary to say all I could reasonably say about the Conference in the hope that I will not have to speak again. If honourable members want to hear me again on this matter I shall be very pleased to answer any questions which may be asked. I beg to move that this Resolution do now pass.

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

Mr. GODDARD: Mr. Speaker, when the Premier and the now Sir Archibald Cuke left here to go to Trinidad on that occasion for the Conference of movement of persons in the British Caribbean area, we were somewhat concerned as to what would be the outcome of that Conference. We realised that it was a rather important meeting and that it had been debated or was under debate for ten years, and very little headway had been made. We did not see failure at that time; we were concerned because although this House felt that freedom of movement was necessary, we did not wish it to be so put that the Conference could have been broken down.

Freedom of movement must eventually come about no matter what takes place. You could hardly think of a Federation of islands with one island putting up barriers against the other. It was noticeable that we had pointed out that there should be no restrictions against movement of persons. I notice that St. Kitts and Antigua went a little further and said that there should be the least possible restrictions of the movement of persons and goods within the territory. They were concerned with Freedom of Movement of all things within the Caribbean area, with which I heartily agree. The Conference succeeded and I was very pleased to know of that success.

Three commissions have been appointed and in the Report it was stated that with the ratification of the Legislature there will be no holdup against any of these commissions; and the Premier said that they would report by September. I do not know how many territories have ratified it so far, but undoubtedly we will ratify it today; and we are one of the first to do so. I do not see that there will be any dissenting voice, and it is just a matter of saying a few words before we actually ratify this Report. There is nothing new which we can add; at the end of five years legislation which exists will be veiled. A period of five years in the life of Federation is a small period; it will give every Unit the opportunity to realise the benefit of Federation; and at the end of five years the Federal Parliament will meet to decide what should happen.

We have no fear as to what the decisions of the Federal Parliament will be on this matter of movement of persons within the area. We feel confident that they will pass legislation if necessary to remove as many anomalies as may exist. There is nothing more that I can add; we will come down heavily on the side of the Report and we hope that no delay whatever will take place in the Report of the three commissions which have been appointed. The next Conference will be held in April and we

hope the opening of the new Parliament will take place in 1957.

3.15 p.m.

Mr. J. C. MOTTLEY: Mr. Speaker, in accepting this Report we are collectively registering another victory over the obstacles of Federation. You will note that the pathway from the inception of the idea of a Federated West Indies has been a long and tedious one, and I think that this is actually the last questionable hurdle in the way of Federation that we have successfully negotiated. As a representative of the people of this island, I do want to register my approval and appreciation of those of our representatives who were able in unison with the other representatives of the other Caribbean islands to achieve unanimity on this question of Freedom of Movement throughout the Federation.

Sir, this is not the time for a long speech, but it is the occasion which merits a word from each and every one of us to show that the idea born in our forefathers nearly a century ago is so engendered in our minds as to actually usher in the fruits of their labour. With those few remarks I want to subscribe my quota to the acceptance of this Report and to wish God's blessings on this idea of Federation. I do hope that it will be soon an accomplished fact in these islands.

Mr. BARROW: Mr. Speaker, it is a very great pity that even at this stage of the preliminary acts which are supposed to foreshadow the political and economic Federation of the British Caribbean Colonies, that there is so much complete ignorance on the part of the people of the Caribbean themselves as to the constitution of the Federal setup; and moreover, such a complete lack of understanding on the part of the legislators in the several units throughout the Caribbean as to the true purpose and intent not only of the Federal Constitution itself, but of the various manoeuvrings which have preceded the establishment of the several Commissions and the Conferences which have been held from time to time and to which so many West Indian politicians have gone into the question, supposedly, in the interest of the several colonies which they represent.

Now, Mr. Speaker, this is perhaps the fifth speech which I have made in this Chamber on the Federal Constitution; and it is certainly about the third speech in which I have specifically referred to the question which has now become known as the freedom of movement question. Debates took place for the first time in this Chamber on Federation some five years after the Standing Closer Association Committee made its Report. When I say, "for the first time," I do not mean for the first time in the history of Barbados that there were debates on Federation; I mean for the first time there was a debate on the proposals of the "Rance" Committee. The first debate was not only five years after the Committee reported, but it was five years after I myself spoke in London on the ramifications of the Report as it then stood. The debate started in this Chamber on Federation on the 25th January, 1953 and subsequently on the 29th June, 1954 which was one year after the holding of the April Conference in London which had produced the Report (Cmd. 8875).

Mr. Speaker, on each and every occasion that I have spoken on this matter of Federation I pointed out to every member who did not have the opportunity of carefully scrutinising the Federal Constitution, that the Preamble to the two Lists which outlined the powers of the Federal Government on the one side and the Unit Governments on the other side, right at the top of these two Lists it is stated that on all these matters on the Concurrent Legislative List, the Federal Legislature alone should be empowered to make the laws. When I spoke just now of those members who did not carefully scrutinise the Federal Constitution, to be a bit more generous, I am saying presumably through their pressure of business and their diligence over the other matters affecting their constitutions, they did not have the opportunity to do so.

Sub-paragraph 3, of Paragraph 5 regarding the Federal Legislature reads as follows:—

"Both the Federal Legislature and (subject to any restrictions contained in their respective Constitutions) the Legislatures of the Units should be empowered to make laws on matters set out in the Concurrent Legislative List, but in the case of inconsistency between any Federal law and any Unit law on any such subject, the provisions of the Federal law should, to the extent of the inconsistency, prevail."

Now, when the honourable senior member for St. Joseph got up and started to deliberate about Freedom of Movement on the last occasion, I pointed out that it was not a political question; I said it was an economic question and a question of the availability of jobs and opportunity for travel. We have, as I have said then, Freedom of Movement to visit any colony in the West Indies, and almost any place in the world including the mountains of Tibet if we so desired; but there is another kind of mobility; and that is the mobility to go to a place and to make it your permanent home or to work in that particular country for as long as you may desire. I pointed out that the United States of America was even solving the economic problems of Great Britain in the Caribbean area for the past thirty years of this twentieth century. Even today, with the McCarran Act on the restriction of immigration to the United States, because the United States has now overrun its last geographical frontier, that country is not in the true sense of the term an expanding economy, as was thought in the early part of the century.

3.25 p.m.

In spite of these severe restrictions, we now have many West Indian workers in the United States who were permitted to enter not only by Government agencies on the part of the United States but also by private employers on the one side and West Indian Governments on the other. Up to now, although there is a shortage of labour in the United States, we have not seen any suggestions that any scheme should take place in regard to the shortage of labour in America; and I pointed out that the same neighbouring colony of Trinidad which is so constantly villified on public platforms in this Island and in this "Honourable" Chamber, during the war, when there was a shortage of labour, willingly accepted West Indians of different skills, races and colour into that colony to fill the vacancies which had existed at that time.

I also pointed out, Mr. Speaker that you should not leave Barbados starving, as this Government is inviting you to do. Therefore, for those and several other reasons, the question of freedom of movement has boundaries.

Freedom of Movement is a medical term; or you may get it in a Series on the Tourist trade. But movement of workers depends upon the availability of jobs; movement of labour to fill the vacancies or jobs. I think that no more apt illustration could be provided than in the United States of America. I think that since 1950 or '51 Barbadians have emigrated only at the rate of one hundred persons per

year; and that it was only when the fruits were going rotten in California that the Americans were willing to allow those large numbers of West Indian labourers to enter their land. However, honourable members will perhaps remember that private enterprise was also instrumental in influencing the Americans to allow West Indians to come in to save their crops. That is why I refer to the term "Freedom of Movement" as a political shibboleth. [A VOICE: What is that?"]

A shibboleth is a watchword which was used in ancient days when one wanted to distinguish between nations. The ability to pronounce this particular word was the way in which a native country could detect an alien; that is why I call this Freedom of Movement a shibboleth.

I warned the hon. senior member for St. Joseph before the April Conference in 1953 that the Founding Fathers the makers of Australia's Constitution, States, the makers of the Australian Federation, the found that the question of emigration was the one question which was likely to cause dissatisfaction, suspicion and enmity in the actual set-up. That is why in all these constitutions the question of emigration was never put on an exclusive List, because it was felt that it was the one factor which was likely to militate against arbitrary countries, against a federal government etc.

Now what the Founding Fathers of the United and the founders of the Canadian's Constitution had Leaders of Switzerland and the leaders in the Canadian Federation carefully avoided, is what we ourselves with just wisdom in 1948 in the "Rance" Report well decided to leave alone. We in this Chamber gave a mandate to our delegates to the 1953 Conference (what to a fool at least was an avowed antifederationist policy) to beat the drum of "Freedom of Movement"; and even up to that time hon. members of this Assembly were not singular in their lack of knowledge of the constitutional issues involved.

What the Trinidad legislators do not appreciate is that at that very juncture there were three lists. There are two lists which are explicit and there is a third list by implication. There is the Exclusive List of the Federation Government; there is the third list which was, by the antifederationists of Trinidad, best left alone; not using that term in any derogatory sense. There was the third list, I repeat, to which until they were awakened by the hon. senior member for St. Joseph they had diverted their minds; and that third list was the list which, I suppose, was exclusively within the competence of the Legislatures, and which no one ever discussed at the Conference since 1948. If they start beating the 'drum' too loudly the watch-dogs will wake up.

We know that there are groups in Trinidad, (like some honourable members of this House) who are merely anti-federationist; and some of the members of these groups in Trinidad are persistent in their condemnation of any federal prospect which is likely to smother their political aspirations. They were all asleep in April, 1953.

3.35 p.m.

Mr. Speaker, various political figures among the large units of the West Indies were joggling for the top position and for the support of the small islands in the Federation. As the honourable senior member for St. Joseph said, we are going up there to fight as cats and dogs and that was his answer to my supplication, if I might say so, that we should give up something. Each man had his rabbit in his bag, and we pulled the rabbit with the longest ears which was the rabbit of Freedom of Movement. The honourable senior member for St. Joseph waved Cmd. 8837 in our faces and said we have got Freedom of Movement on the Exclusive List, in spite of the fact that it was an economic and not a political question. It was a political question in so far as it was likely to cause a great amount of dissention. The honourable senior member for St. Joseph said that they have accomplished everything despite the Cassandra-like warnings of the honourable senior member for St. George. In the Trinidad Legislature one of their delegates by compromising on this issue did let them down, and it was the sentiments expressed in the Trinidad Legislature over this question of Freedom of Movement that occasioned our debate in this Chamber and the Resolution whereby we called that Conference for Freedom of Movement; which according to the honourable senior member for St. Joseph has already been decided.

In June 1954, the position was that emigration would be put on the Exclusive List; it was off the Concurrent List and we were very close to the stage when I said that Federation rested on the shibboleth of Freedom of Movement. I was derided for saying that it should not have gone on the Exclusive List at all; and now we have had the remarkable experience of the senior member for St. Joseph entering the Chamber today and using this political Dunkirk which we suffered in Trinidad. I am not saying it was a military excursion, but there was this Dunkirk of going back from the Exclusive List.

He had identified migration of labour with a matter of emigration being put on the Exclusive List and the results (whether he likes it or not) of the Conference is that the question of emigration has been put back within a short space of 18 months from the Exclusive List to the Concurrent List, exactly where it was in 1948. Not one Legislature had raised any fuss about it in 1948, because there was no rider attached to the Freedom of Movement; and the senior member for St. Joseph was a signatory to this matter. It was remarkable to hear the same honourable member in here today with the matter relegated to its previous position, and regarding it as a triumph for Barbados or for his level-headedness by patting himself on the back in that he has precipitated this whole crisis himself despite the warning he had received from the elder statesmen and from upstarts like myself; this very crisis which he precipitated nearly wrecked the prospects of Federation. Now that the matter has come back on the Concurrent List where it should always have been, he regards it as a personal victory; not only for himself, but for the people who support him in this Chamber.

If he likes to regard a psychological Dunkirk like that as a constitutional chivalry or victory, it is only another indication of his individuality, since we have had nuumerous instances of this here since I have had the misfortune to be associated with him, although I regard it as an honour to be a representative of the people in this Chamber. He is now using the same statement to establish two diametrically opposed things; and that is a misfortune from my point of view. I do not regard this Report to be any triumph for anybody; I say that this Conference was unnecessary and this Conference has put back the clock where it was before, that is seven years back. Now, sir, it is remarkable that in respect of the very proposition which I was trying to impress on the senior member for St. Joseph two years ago, he has now voiced the same sentiment today; he said that the day when the Federal Constitution comes into force, the Federal Parliament can pass legislation wiping out unit legislation.

I would like to illustrate the hypocrisy to tributing Trinidad on the stand which they have taken. Trinidad drew up a list of about 137 prescribed occupations which no immigrant into the colony could follow if he wanted to reside in Trinidad. It may be that they have a good reason for drawing up that list; they may have economic reasons for having that list of scheduled occupations. I have heard the honourable senior member for St. Joseph defend that position in this Chamber; obviously, Barbadians do not want any horde of people coming here and entering the overcrowded occupations. The Trinidad Government repealed 54 items of the list of scheduled occupations; that had nothing to do with the Conference.

It is true that the occasion for the taking off of those occupations off the Schedule was very nicely done to coincide with the Conference, but that had nothing to do with the Conference; that was only an occasion which was suitably and wisely chosen by the Trinidadian statesmen.

Now, Mr. Speaker, what I would like to point out is that I do not believe in hypocrisy. I no not believe that because you have suffered defeat that we should go and tell the others that we have accomplished a victory. This is a victory which has cost us more in human suffering than in constitution advancement. To illustrate the hypocrisy of the statement that the Trinidad Government has been magnificent in taking off 54 occupations off the Schedule, I would use the words of the Hon. Premier himself What I am going to point out, Mr. Speaker, is the position which I have always pointed out in spite of the fierce opposition coming from the other side of this Chamber, is that the day the Federal Constitution comes into force the Federal Parliament can pass legislation wiping out legislation of its Units.

As the Hon. Premier pointed out today and I pointed it out to him over three years ago, the day that the Federal Parliament comes into power (I believe he will be taken up in aeroplane trips and there will be happenings of that kind of thing) but the day that the Federal Constitution comes into force the Federal Parliament can pass legislation wiping out all unit legislation. Let us ask ourselves what have the Trinidad politicians given us by taking off 54 occupations off the Schedule? I do not like to mince matters, but the price which they exacted for that gesture on their part is that for five years any unit legislation on the matter of emigration in force at the expiry of five years shall cease to have effect; and at the end of a further period of three months shall be wiped out unless before the end of such period, a Resolution is passed by both Houses of the Legislature approving such legislation. In other words, Mr. Speaker, I want to say that a lot of interpretations will be called for on the special wording of paragraph 6, sub-section (3) of this Report; because if according to the honourable senior member for St. Joseph the day that the Federal Constitution comes into force the Federal Government can wipe out all unit legislation, I do not see any unit legislation which is obnoxious to the Federal Legislature being in existence at the end of five years after the Federal Government comes into power. On the day that the Federal Constitution comes into force I fail to see how Federal Legislatures would sit and leave something on the Statute Books of the Units which would be obnoxious to the aspirations of the Federal Unit.

Mr. Speaker, I do not think it is necessary for me to enlarge any more on the observations which I have put before you today. As I have said at the beginning, this is only a reiteration of the stand which I have taken of necessity to see Federation come safely into power. I have warned against the stand which was triumphant at the April Conference of 1953. I have only reiterated the suggestions which I have already made on the floor of this House, but Mr. Speaker, even at the risk of being tedious, I feel that my reiteration of that stand will show my consistency and the ultimate triumph of reason rather than the inconsistencies of our politicians now taking place in the West Indian area. And even at the risk of being tedious, my reiterations have made members of this House more analytical in their study and approach to grave constitutional problems.

I feel sir, that despite the abuse and the villifications, and despite the propensity of West Indian politicians for their lust for Imperial honours and to pat themselves on the back and to applaud and to make speeches seeing themselves in a falsely historical perspective, if my observations have accomplished nothing but the power to analyse and scrutinise with an analytical approach among honourable members, not to speak of members of general public, I feel that I have completely vindicated the stand which I took as early as 1953.

3.55 p.m.

Hon. G. H. ADAMS: Mr. Speaker, there is only one statement which I should like to make: even among those who have had no legal training, a little learning is a dangerous thing. There is a very grave misconception that emigration, immigration and freedom of movement of persons are the same thing. Of course, all four countries, Australia, Canada, the United States of America and Switzerland have concurrent restrictions as regards immigration; but of course, these restrictions are concerned with aliens only. That explanation which I have just given and what the honourable senior member for St. George has said, are two vastly different things. All this tripe, all this talk which he has given about keeping out Czechs and Poles is a vastly different matter. All that the Trinidad Conference dealt with was whether a Grenadian or Barbadian could go to Trinidad without restrictions; not whether aliens could go into the Commonwealth. The Conference dealt with freedom of movement between the islands of the Caribbean. All that tripe that he has spoken is not on a par with — Why should I take notice of the honourable senior member for St. George anyway.

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

SECURITY OF TENURE OF SMALL HOLDINGS BILL

Mr. SPEAKER: The next Order stands in the name of the Hon. Minister of Agriculture, Lands and Fisheries: Second reading of a Bill relating to terms of tenure in respect of small holdings and for providing reasonable security of tenure for tenants thereof and for purposes incidental thereto or connnected therewith.

Hon C. E. TALMA: Mr. Speaker, as honourable members will recall these Bills arose as a result of the numerous addresses which were passed by honourable members from time to time in the House of Assembly which dealt with

(a) the hardships inflicted on persons occupying land on a weekly or monthly basis when called upon to vacate at short notice;

(b) requested legislation to ensure that notice to quit an agricultural holding should not operate until the growing crop was harvested;

(c) suggested monetary compensation determined by a valuation committee as an alternative to Notice;

(d) suggested that the legislation of minimum period of notice should be extended to house-spots.

Under the existing law, tenants who occupy agricultural holdings and chattel house-spots are in a most insecure position. This insecurity arises from the fear of being put to the expense of removing a chattel house if given notice to quit. the fear of a plantation tenant losing his house-spot if he loses his employment and the existence of surplus labour combined with shortage of land leading to the fear of loss of employment and house-spot.

The Bill therefore deals with: (a) tenancies of agricultural small holdings; (b) tenancies of house-spots.

The main object of the Bill is to ensure that agricultural land should be used for the benefit of the community as a whole; that tenants of agricultural land should have every opportunity to obtain the profits of their labour; and that tenants of house-spots should have ample time in which, in the event of eviction, to find a suitable place for their chattel house.

An agricultural small holding as honourable members will observe, is any area up to ten acres.

The Objects and Reasons of this Bill are set out very clearly; and it would be wise in an important Bill like this for me to go through it clause by clause, since these are concerned with the provisions relating to contracts of tenancy of an agricultural holding or house-spot.

The expression "Contract of Tenancy" is defined as to include those arrangements which result in the creation of the relationship of Landlord and Tenant.

Clause 3 of the Bill seeks to enumerate certain terms and conditions which shall be implied in every contract of tenancy of an agricultural holding or house-spot. Those terms and conditions are set out in the First Schedule.

By Clause 4 of the Bill, it is sought to provide that contracts of tenancy of an agricultural holding or house-spot will continue in force despite the expiration of the term (if any) for which they were created until such time as they are terminated by Notice.

This, however, does not apply in the case of a Lease or Agreement for a lease in writing for a term greater than two years.

By clause 5 the tenant of an agricultural holding or house-spot must give notice of absence to the Landlord in case he intends to leave the island.

By Clause 6 the Bill seeks to enable either the Landlord or the Tenant to call upon the other party to a Contract of Tenancy to sign a Memorandum of Agreement containing the particulars set out in the Second Schedule to this Bill.

Clause 7 seeks to exempt such Memorandum of Agreement from stamp duty.

Clause 8 contains incidental provision relative to proceedings concerning the Memorandum of Agreement.

Clauses 9 and 10 deal with penalties imposed on Landlord or Tenant for refusing to sign the Memorandum of Agreement.

PART II deals with provisions as to notices terminating tenancies of an agricultural holding or a house-spot.

The significant feature of this Bill is that the period of notice to quit *where the tenant is not in default is six months expiring* on the 30th June.

We all know that in the case of an ordinary agricultural tenant it is only a week's tenancy and only a week's notice is necessary. With this Bill, in no case is there to be a weekly tenancy. In other words there can be no notice for one week. The shortest notice shall be for six weeks in order to enable the agricultural tenant to reap his crop.

4.00 p.m.

The Landlord could give the tenant three months' notice to quit if the tenant commits a breach of any term or condition of the tenancy which materially prejudices the interest of the landlord, if the holding is not cultivated in accordance with the rules of good husbandry; if the tenant commits a breach of the contract, and if the payment of the rent is in arrears, provided that if the rent was paid within the period of notice, the notice to quit is to be void. The tenant may determine the tenancy without notice where the landlord commits a breach of the tenancy and the tenant is materially prejudiced thereby. Written leases of an agricultural small holding for more than two years would not be subject to six months' notice to quit expiring on the 30th June, but would end in the normal way on the expiration of the terms. In other respects the provisions of the Bill would apply.

Part III. of the Bill makes provision for the setting up of a Small Holdings Committee in each magisterial district and to consist of the Police Magistrate of the district in which it is established and two other persons appointed from time to time by the Governor-in-Executive Committee. The Police Magistrate will be the Chairman and they are appointed for a period not exceeding three years, but such persons shall be eligible for re-appointment. Where a notice to terminate an agricultural small holding or a house-spot has been served, the landlord or the tenant may at any time within one month of service thereof make application to the Committee to determine whether the period of notice to quit should be reduced in particular circumstances and with authority to impose conditions subject to which the notice would be shortened including in appropriate cases provision for payment of compensation for disturbance.

The tribunal or Small Holdings Committee would have regard to such factors as relative hardship, the behaviour of the parties and (in cases in which the tenant was employed by the Landlord) the circumstances in which the employment ceased. The decision of the Committee by Clause 20 shall have legal effect and shall not be attested or set aside solely on the ground that there was a mistake as to the district in which the agricultural holding or house-spot is situate. The Chairman of the Committee has power to summon anyone to give evidence or call for the production of any document in the possession or power of any person and in case of default or refusal to answer a question; the Chairman has all the powers conferred on Police Magistrates by section 22 of the Police Magistrates Act, 1905.

Part VI contains provisions as to compensation for improvements contained in the Fourth Schedule of this Act; e.g. Irrigation works, Drainage systems etc. It stipulates, however, that in certain cases there is no compensation for improvements unless the Landlord has consented in writing to the making of these improvements.

Clause 26 deals with compensation for disturbance equivalent to not less than one year's rent of the agricultural small holding if the reason for terminating the tenancy was that the Landlord had committed a breach of the terms of the contract and the interests of the tenants were materially prejudiced thereby. Improvements undertaken without the consent of the Landlord, or which the tenant made in consideration of a reduction of the rent by the Landlord, or made since notice to quit was given, would not be counted for purposes of compensation

In ascertaining the amount of compensation in respect of improvements, account would be taken of any amount due to the Landlord in respect of rent, breach of contract, wilful or negligent damage committed by the tenant, the value of any benefit allowed to the tenant by the Landlord in consideration of the tenant executing the improvements and unpaid advances made to the tenant by the landlord. In the case of compensation for disturbance, the Landlord is entitled to receive from the tenant a sum which fairly represents the value of any deterioration of the tenancy by failure of the tenant to cultivate the tenancy according to the rules of good husbandry or the terms of the tenancy.

By section 28 where parties fail to reach agreement as to the amount of compensation the Judge of the Petty Debt Court and two arbitrators one of whom shall be appointed by the Landlord or his agent and the other by the Tenant or his agent—but in case either party should fail to appoint an arbitrator or he should die or become incapable of acting or refuse to act the Judge of the Petty Debt Court shall appoint an arbitrator in his place. In other words, arbitrators are to be appointed instead of appraisers as is the practice today.

Arbitrators must take the prescribed oath or Affirmation in the presence of the Petty Debt Judge. On all points of law or usage the opinion of the Petty Debt Judge would prevail; and he has the power to summon witnesses and any person to produce documents etc. and similar powers to those of the Police Magistrate or Chairman of the Small Holdings Committee in Section 21.

Clause 28 sub-clause 8 says: "Every award shall be final and shall be entered as a Judgment of the Petty Debt Court notwithstanding that the sum awarded exceeds the jurisdiction of the Court."

There is, however, an appeal to the Assistant Court of Appeal in its appellate jurisdiction of a point of law; the question of lack of jurisdiction does not arise. The question as to costs lay in the discretion of the Judge of the Petty Debt Court; and no award is void on the grounds of irregularity of form or on grounds of jurisdiction.

4.15 p.m.

It also gives the Governor-in-Executive Committee power to make Rules for giving effect to the purposes of this Act. These Rules must be laid before both Houses of the Legislature for 40 days and either House can resolve that the Rules be annulled before the expiration of 40 days.

It also sets out by section 33 in what manner the provisions of the Act apply to subsisting contracts of tenancy. By section 34, the provisions of the Act would prevail whenever there is any conflict or inconsistency arising in the Landlord and Tenant Law. This Act will come into operation by proclamation in the *Official Gazette* on such day as the Governor shall appoint.

Honourable members will agree with me that this Bill is long overdue. It merely protects the interest of the small tenant, more especially the renters of house spots and of agricultural holdings of half-acre, or of two-acre or of ten-acre plots. It means that a greater measure of security will be granted to the average renter and he will not be called upon to quit with only one week's notice and put to the expense and inconvenience which thousands in the past have found themselves. This Landlord and Tenant Bill is long overdue and I believe the majority of honourable members will agree that it should be passed and passed without very lengthy debates.

Sir, I do not think there is any further point which I can elaborate on at present, but I will be quite prepared to answer any questions as they arise when we go into Committee. I beg to move that this Bill be now read a second time.

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

Mr. J. C. MOTTLEY: Mr. Speaker, I really and truly did not have the time to go through this Bill thoroughly as I would like. The hon. Introducer has it in mind that this Bill will bring greater security of tenure to the small holder but I do not think so.

There is one particular Clause of which I took note and it is Clause 26. Sub-section (1) reads as follows:—

"Subject to the provisions of this Act, where the tenant of an Agricultural holding has carried out thereon any improvement comprised in the fourth schedule to this Act he shall, whether the improvement was or was not an improvement which he was required to make by the terms of his tenancy, be entitled, at the termination of his tenancy, to obtain from the land lord as compensation for the improvement such sum as fairly represents the value of the improvement to an in-coming tenant."

That is outrageous. An acre of land, Mr. Speaker, in St. Philip is now rented at between $24 and $30 per acre annually. The person renting the land may grow cane on it and that cane may be worth $200 or $300 when he reaps the crop. I think this Bill wants a lot of vetting and I am not satisfied that it is going to bring relief to those people whom it sets out to help. This Bill is full of pitfalls and I think it will bring greater hardship to renters than they are experiencing now. I hope when this House goes into Committee on it we will be given every opportunity to go through it and cover all these points thoroughly.

Hon. C. E. TALMA: Mr. Speaker, I rise on a point of explanation. If the honourable member will look lower down he will see that the compensation will be to the equivalent of not less than one year's rent.

Mr. VAUGHAN: Mr. Speaker, this Bill is a very important document where small holding tenancy is concerned; and I must confess that I have not studied even the first page or paragraph, but I do know that it is so fundamentally important where small holding tenancy is concerned that I am going to suggest that the importance of it necessitates that it should go to Select Committee. I assume and I believe I am right in saying that it is a Bill to give greater security of tenure to the tenant farmer.

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

Mr. VAUGHAN: Mr. Speaker, I beg to move that this Bill be sent to a Select Committee.

Mr. BRANCKER: I beg to second that.

Hon. C. E. TALMA: Before you put the question, Mr. Speaker, I would just like to say that this Bill has been the subject matter of numerous Addresses which were passed in this Chamber over the last ten or fifteen years. The general principle has been agreed on *in toto* and I do not see how any useful purpose will be served by sending the Bill to a Select Committee. This is a measure which the people as a whole have been looking forward to for generations. It has been the product of a Select Committee which was appointed in 1953 and that Committee carefully considered it over a long period. After such exhaustive consideration it has now been presented in its proper form. I do think that it will only

entail honourable members sitting down and going through it on their own. If honourable members feel that they cannot undertake reading this Bill unless it goes to Select Committee, then that is a different matter altogether..

Another point Mr. Speaker, is that this Bill has been on the Order Paper since the 3rd of May, 1955, and honourable members have had I believe ample time in which to study it.

4.25 p.m.

Mr. E. D. MOTTLEY: Mr. Speaker, I admit that I should have read the Bill, but I assumed that this Chamber would have been meeting at the usual hour. I have done some work on this Bill but I have not been able to study it in detail.

The Hon. Minister of Agriculture has said that there is room for improvement. It was somewhat of a shock to me to hear him say that because it is so unlike him.

I should like to say first of all that a Bill to amend the Landlord and Tenant Act should be welcomed. I deal with it daily. There is something in this Bill which, from my personal experience as a Landlord, makes it absolutely necessary that certain amendments and certain other provisions which are not now present in the Bill should be made. Anyway in view of what was said last week I was giving particualr study to other matters which I knew would be coming before the House. If honourable members are afraid of sending Bills to a Select Committee I have a suggestion to make.

I come more often in contact with people who have had to do with the working of this Bill than possibly any other honourable member of this House and I have seen what people suffer. When you have a happy and comfortable country and there is not sufficient land to go around to the people, give them a greater security than what they have today.

I understand that the motion has been made that this Bill should go to a Select Committee. Honourable members should come prepared because you should want to hear the views of the Opposition even if we do not agree with the Government. This is not a very easily understood Bill and although, as I said before, I have done some work on it, I find that it will take sometime to study. I am therefore suggesting to the Government to postpone the matter for a week if there is a fear that going to a Select Committee will kill it.

Mr. VAUGHAN: Mr. Speaker, I beg leave to withdraw my motion.

Mr. E. D. MOTTLEY: If a Resolution is on the Order Paper every member should come prepared to deal with that Resolution. The same, however, cannot be said of Bills, especially when they are as extensive as this. I therefore beg to postpone further consideration of this Bill. [Hon. G. H. ADAMS: The Minister of Agriculture has accepted the motion for postponement of the Bill.]

Mr. MILLER: Mr. Speaker, the Introducer of this Bill said that there were several Addresses presented in this House in connection with this matter from time to time.

Hon. G. H. ADAMS: Mr. Speaker, is the honourable member in Order? The second reading is passed.

Mr. SPEAKER He is quite in order.

Mr. MILLER: Is the Hon. Premier attempting to change the constitution right now?

Mr. SPEAKER: The honourable member is not addressing the Chair.

Mr. MILLER: I am, sir. The reason why I never agreed with sending matters to a Select Committee is because that practice has failed so often I am a member of two or more Committees and for one reason or another we have been unable to complete any work in sittings of those Committees. Although I am not in complete agreement with all that is in this Bill, I am yet anxious to see it on the Statute Book.

I am sorry that the honourable Introducer did not see fit to give us a hint of his intention to deal with it today. We have been working on many things; we have been working on the Report on Freedom of Movement; we have been working on the Family Planning matter. The Hon. Minister has said that he has made previous reference to this Bill, but it is some five years ago since my Address related to this Bill was passed in this House.

Mr. SPEAKER: Will the honourable member address the Chair?

Mr. MILLER: Yes, Mr. Speaker. It is now five years since honourable members have supported me in the passing of this Address which the Governor himself in expressing his opinion upon it said in his own words that it was "a bit of sound legislation." But I am asking whether the Hon. Premier would not now be willing to agree to the postponement of the Bill for at least two weeks if he does not regard it to be a contradiction in any way.

We are all rather anxious to see this Bill passed; but I should like at this stage to point out that who ever it was responsible for the drafting of this legislation was just a bit too close in the technique of land tenure.

Mr. SPEAKER: If the hon. member is speaking on the motion for postponement, he should stick to the postponement.

Mr. MILLER: I am only asking, Mr. Speaker, whether the Hon. member would agree to postpone the Bill perhaps for one week more. I consider that in that case it would be more beneficial to hon members. For instance, it is hardly likely that we would be in possession of the Hon. Minister's speech a week from to-day. However, I beg to second the motion for postponement.

Hon. C. E. TALMA: Mr. Speaker, I beg to accept the motion for postponement of this Bill for one week only with the understanding that we deal with it next Tuesday.

The question that this Bill be now postponed for one week was put and resolved in the affirmative without division.

ADJOURNMENT

On the motion of Hon. Dr. H. G. H. CUMMINS, seconded by Mr. T. O. BRYAN, the House adjourned for half an hour.

4.35 p.m.

On reassembling,

REPRESENTATION OF THE PEOPLE CONSOLIDATION BILL

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I ask leave to take Order No 5 as the next Order of the Day.

There being no objection, leave was granted the Hon. Minister.

Mr. SPEAKER: The next Order of the day stands in the name of the Hon. Premier: to move the second reading of a Bill to consolidate the Laws of this island relating to the Representation of the People.

Hon. G. H. ADAMS: Mr. Speaker, this is a rather voluminous Bill but it is really a simple matter. It is in fact a consolidation of the Rep-

resentation of the People Act the principle of which has, as recently as 1951, been agreed to; and it is merely inserting one or two sections which we have discovered should have been in the Bill and were not in it.

The chief one is that when we passed the Representation of the People Bill which gave adult suffrage to the island we tried to be as up to date as possible; and we introduced for the first time in the legislation of Barbados a Section which was aimed at proportion and which said that you could only spend a certain amount of money on your election and that you had to make a return of your election expenses. However we did not put in a Section which specifically said (that was an oversight on the part of the draftsman) what the penalty was to be in case your election expenses were more than that the law allowed.

We have accepted the principle of adult suffrage and we passed the Act of 1951 and we also passed the Special Registration of Voters Act of 1951, but this Bill embodies most of those two Acts bringing them together in a single Bill and putting in new provisions in the Act in accordance with the legislation in the United Kingdom.

If honourable members will read the "Objects and Reasons" of the Bill they will see what I am saying. Perhaps I will help them by reading the "Objects and Reasons." This is what it says:

"The 1951 General Election was the first election conducted on the basis of adult suffrage. Prior to this, elections were held under the Representation of the People Act, 1901 (as amended from time to time) and polling was conducted in accordance with the Ballot Act, 1931. The machinery of the Representation of the People Act, 1901 for registering voters was unsuited to the large number of electors to be registered as a result of adult suffrage."

When we had adult suffrage and people were running around to J.P's writing out forms, that was nonsense. The "Objects and Reasons" go on to state. "It was therefore necessary to provide machinery for the registration of the electors and for matters incidental thereto. Accordingly, the two Acts were passed, namely the Representation of the People (Miscellaneous Provisions) Act, 1951 which dealt mainly with the appointment of the necessary administrative officers for conducting the elections prohibiting certain practices and limiting expenses of candidates, and the Special Registration of Voters (General Assembly) Act, 1951 which provided the machinery for registering electors. This Legislation did not provide for yearly registers of voters and it was felt that the experience gained as a result of the 1951 elections would be a useful guide in preparing permanent legislation....."

I may say that that was deliberately done. At the time I had talks with Mr. Frank Field and Mr. Wylie who were drafting this Bill. We felt that this should be put on the Statute Book. Let us see how the registration applied; Mr. Chase was told that he could register people who were 20 years old but who would be 21 when the election came about. We would have to see how that would work out in practice. We did what we thought was workable (and may be the honourable senior member for the City who knows more of this matter than some of us) also found out that we had too many polling booths, for instance.

5.15 p.m.

We have gained experience and as a result of that, and because of discovering that we had omitted one or two things, we are now getting these several Acts brought up to date and consolidated into one Act. For instance, the number of polling booths is lessened. We have seen that we can very well deal with 1,000 people at a polling booth rather than the 450 which was provided for on the last occasion.

Clause 8 makes the necessary provision for early registration and to have a complete registration every five years; that is British practice. It will in effect serve the purpose which used to be the case of the old Revising Officer.

I do not see what happened in Trinidad happening here, as regards to a whole bunch of people moving from one district into another; nor was there any report of impersonation in Barbados or anything of that sort at the last Election.

Section 8, sub-section (2) is worded as follows:—

"As soon as possible after the commencement of this Act, and in such years as the Governor-in-Executive Committee may direct, in no case being more than five years after the date of the last proceedings General Election, and subject to the provisions of sub-section (3) of this Section, the Registering Officer shall prepare and publish once in each year a register of the electors for each constituency or part of a constituency for which he acts."

That is to say, that every year he can put on people who become 21 years of age. At the present moment those who have attained the age of 21 years since the last registration are not put on. There are some people who are now 22 years and 23 years who are not on the register simply because there was no registration for those people. That subclause (2) makes the necessary provision and the person so desirous of registering will not have to wait for a longer period to be registered as exists under the present system. [A VOICE: Who is to put him on?] Frankly, I do not know the particular section which makes provision for that; but when you look a little further on you will see it. Whatever provision there may be, it will be never necessary as happened in the past whereby you ran around and got somebody to sign an affidavit.

As I have said, there is very little new additions in this consolidated Bill except to make this new annual provision.

If you look at Section 69, you will see that the Governor-in-Executive Committee will make regulations; so you will see by that section that regulations will have to be made for the annual additions.

Section 42, deals with the corrupt withdrawal of candidature; Section 49, deals with punishment for failure to make a return of election expenses; Section 50, provides a penalty for sitting and voting after failure to transmit returns and declarations; Section 51, authorised the excuse for failure to make returns; Section 52, power of courts to require information; Section 54, inspection of returns and declarations: Section 55, rights of Auditors; Section 56 computation 57, the meaning of Court in that part of the Act: Section 60, punishment for alleged payments; Section 63, time limit for prosecution; Section 64, offences by Corporations; and Section 65, evidence by certificates.

Honourable members who have time and the inclination to scrutinize these sections will have the opportunity to do that in this Bill. They can also see set out what is the local provisions and what is the United Kingdom provision from which these Sections are taken. Those honourable members who have read the Objects and Reasons of this Bill and checked it will see that there is particularly nothing new in this Bill; there is no new principle. This is what we have already agreed to when the Adult Suffrage Bill, as most people call it was brought in and passed. You cannot call it a new principle if you are now saying that people have to be registered every year.

Although I am willing to give enlightenment on any specific clause, Mr. Speaker, I do not propose to say anything more ot this stage. As I have said, this is just taking the two Acts and bringing them together in the same condition to what they were before, with just the addition of some little slips which we have not discovered, such as the cutting down of the voting districts. [A VOICE: What is the question with respect to bankrupts?]

Frankly, I was of the opinion that it was in our laws. The English Act does not have it in; it is in the Bankruptcy Act and the legal draftsmen in the past have copied the English Representation of the People Act and therefore left it out. When you look up the Barbados Act, you will see that the English section is not there.

Some of us have been labouring under the impression that this was in the law. I will say that the U.K's law is so strong about it, that a peer who is a bankruptor and who does not pay his debts cannot sit in the House of Lords. He cannot even sit in a Select Committee of the House of Lords if he becomes a bankrupt. That is a new addition to this Act due to the oversight of draftsmen in the past. I must frankly confess that I believe it was the Law of Barbados; until the present Legal Draftsmen put it to me that the local law as regards bankruptcy was not copied word for word from the English law.

5.25 p.m.

If you look at the Bankruptcy Law of England you will find it under the Bankruptcy Act and not under Representation of the People Act. It was thought that instead of altering the Bankruptcy Act it would be more scientific to let it appear in this Act. If hon. members feel that they would like to make it apply to the Other Place as it applies to Great Britain, we can take that section from the Bankruptcy Act as it applies to Parliament. This is more due to an oversight than the adoption of a new principle.

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

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

Mr. GODDARD: Mr. Speaker, as the Hon. Premier has said, under these separate Acts, it was evident to some of us even before the last election that the polling booths were too numerous. All of us realised on that day what a waste of money it was. All the polling booths were as quiet as a Sunday School. When we had two polling booths it was a struggle to get in between four and five o'clock after the City had been closed to business. It was new to us then, but experience has shown that the number of these booths could be cut down to about one half.

Of course the amendment to the Clause dealing with the returns was not yet there, and many who should have made returns did not do so. That is another matter which needs tightening up if it is to be effective.

On every occasion the elections are becoming more and more tense, and if we do not have proper laws the day may come when we will regret that we did not take steps earlier to correct this. No incidents took place on the last occasion, but something may happen here as it has happened in other places in the Caribbean.

There are people who may say it is too rough for them to stand for election in these days and we may be losing the benefit of some very able people to serve in this Chamber; not that I am advocating that these should be an easy time for any one who would like to seek the suffrage of the people. One must be prepared to give and take.

Although this Bill represents a consolidation of established laws relating to the Representation of the People rather than a new principle, I wonder why Government did not introduce single member constituencies. It has been mooted from time to time and I think that in keeping with a Federal Parliament we should have regulations for that. I do not know what the rules for a Federal Parliament may be, (whether it will be divided into seats of five or not) but I think that the time has come when we in Barbados should have separate constituencies. Often we have either to carry someone or someone carry us; and I do not think if it is really in the interest of the people that we should continue with that principle. It has prevailed for a long time; and hon. members have agreed that a single member constituency is a step forward. There is very much to commend it and very little to go against it.

I think we should divide the parishes except St. Michael into two and St. Michael itself into four; and we should divide our districts into wards, having three or six members to each ward instead of sixteen for a parish as is now the case in our Vestry System. The matter needs to be revised according to population; and those things can be developed either in Committee or in some Committee set up. If it cannot be done now it should be introduced in the near future. I think other honourable members are of that same feeling and I am sure the electorate would be much more effectively represented under such a system. The Bill as it stands is a consolidation of laws relating to the Representation of the People and as such I am willing to support it.

Mr. TUDOR: Mr. Speaker, no one could fail to give support to any measure relating to the Representation of the People, particularly if the principle of adult suffrage has already been accepted and made into law. I therefore welcome this Bill not only generally, but particularly with respect to the provisions which are made for the regular registration of voters.

During the last bye-election campaign in St. Lucy it was a shock to me to discover that nobody who had come of age since the year 1951 had taken the trouble to register as an elector, until it had been pointed out to them that it was their right and privilege to do so. It just did not occur to anybody that upon attaining the age of twenty-one they could go and get registered; and I think that all the three candidates taking part in that bye-election were at great pains to point out to all the possible voters that it was their right and privilege to do so; and all who could manage it succeeded in getting quite a number of young voters to register in time for that particular bye-election. It struck me as something that should be remedied. It was interesting, therefore, to hear the Hon. Premier stress that provision has been made for this.

What I do not understand quite clearly is the machinery for this registration. Perhaps a more detailed reason as to the purpose of the particular section would make it clear. I consider that something like this ought to be done; there should be machinery that, as soon as a person becomes twenty-one, the authorities responsible for the registration of voters must know it and act accordingly. I do not know whether something could be done as is done in England where whenever a birth is registered in some County Council Office a sort of parallel register is kept, so that if you register a baby as having been born on the 5th July, 1955 it is entered almost simultaneously with the birth in the other register

that that person becomes eligible for voting on the 5th July, 1976.

5.35 p.m.

These registers are kept up to date so that in any one year you know what the number of new voters will be. I do not know if that is the method which this Government will adopt; it has a lot to recommend it if the necessary staff can be found. It may be that we prefer to wait until the people do actually become of age and by means of encouragement and propaganda invite them to get registered; or it may be that it is contemplated to send around Registering Officers every year in a sort of house to house campaign to secure all the 21 year olds whether they are willing to be registered or not. Whatever method is used, the fact remains that this Bill is worthwhile because it makes it possible for young people to become registered; and I think it should be pointed out by the Government to the whole electorate that it is the right and privilege of young people as soon as they attain legal age to be registered as electors. If that is done, it would even be a convenient thing for the Government itself.

The choosing of a particular date for an election or for issuing the writ for a bye-election would largely depend in this Act on the date and time of the actual registration. If there is going to be an annual registration of voters that would be convenient for those who had to decide if and when they should be an appeal to the country.

There is another aspect of this matter which I should like to stress, and it is the matter which has been raised by the Hon. Leader of the Opposition with respect to single member constituencies. This is one of those matters on which there can be very good argument on both sides; and of course there could be no hard and fast rule with respect to how the electorate ought to be divided up for the purpose of voting except that, generally speaking, one ought to consult the convenience of the people who have to vote, as well as the efficiency of the persons who have to conduct the particular elections. However, I think the advantages of having single member constituencies in this island can easily be seen. First of all, for purely historical reasons, it has been found convenient to divide the representation of the electorate of this colony on a parochial basis; because for quite a long time and even up to the present time, the parish is to a certain extent the unit of administration. Even with the change which is proposed in the new Local Government administration the parish itself is however, soon ceasing to be the unit of administration. When the new municipal government is set up and when in addition to that the electorate has again to be subdivided for the purposes of election to the Federal House of Representatives, the parish will cease completely to be the unit of administration. I think that we should take advantage of that trend and arrange for our election to the House of Assembly on the fact that the parish is dying as an administrative unit. There is no use in clinging to something which is hailed by tradition but which at the same time is outliving what usefulness it may have had. It is better to move ahead with the times and give a little push to a certain trend by being a little in advance of it, rather than wait until you have to change. It is for the reason that the parish has ceased to be an administrative unit that I advocate a redivision of the total electorate into single member constituencies.

Of course it might mean (I do not see why we should not aim at this) that more chairs would have to be fitted around this horse-shoe table. But surely in principle there is nothing wrong with that. When this island had a population of something like 25,000 people and only 600 of that number had the franchise, we had 24 members representing those 600 people. Now when our population is rather more than 220,000 and the electorate itself is possibly 155,000, we are still accommodating that same electorate with 24 seats.

I know you can argue that there are countries with populations far larger than this one, who have accommodated in their Legislature a smaller number of seats than this one. I do not think that the comparison with ourselves and larger population areas could apply in this issue; our position is that the electorate has grown with the population and the allocation of seats in an election is the same as it was in 1680. I do think that something is wrong there; I do not know if I can make a bid for the support of the Minister of Communications in this matter. He and the hon. junior member for St. Michael represent the largest constituency in this island; I have not got the figures to my hand, but I should imagine that the electorate of St. Michael must be something in the neighbourhood of 32,000, at least, one-third of the total number of voters in the island.

I do not know, of course, what goes on between the two hon. members for St. Michael and their constituents; I do not know how frequent their contacts are with their electorate; but I think you will agree with me, Mr. Speaker, that to look after the interest of 32,000 people, so large a proportion of the total number of electors, is a big job indeed; and I appeal on the ground of convenience to those two members to give a thought to the possibility of having a greater amount of representation even for the people who live in St. Michael. If we think of St. Michael obviously you will see that it is a parish which is like no other.

5.45 p.m.

The whole point of adult suffrage is that the voters make the constituency; no matter what the Government might think. I therefore feel that under the conditions which now exists, if a member of this House had anything between 3,000 or possibly 4,000 constituents to look after, that would be enough. I may say that my colleague the honourable senior member for St. Lucy and I are really not too badly off in this respect, because we represent a parish which is excellent in all respects. It has not got a large number of voters nor is it one of the thickly populated constituencies, therefore we can rejoice in that respect.

The hon. senior member for St. Joseph and his colleague would also share our ease and our relief. St. Joseph itself is not thickly populated and the number of electors is not large. But when it comes to Christ Church, St. Philip, St. George and St. Michael, you will see that the bulk of electorate is concentrated within those parishes. Slightly more than 60% of the total electors is in those four constituencies; so you will see that the other eight constituencies have less than 40% of the total number of electors.

I think from the figures and the proportions alone a case can be made out for the redistribution of seats. I therefore am asking that some attention should be paid to it; that Government should think quite seriously about the redistribution of seats to provide for single member constituencies. I am saying that for one man to have 4,000 electors might be an ideal thing; and it would only mean that if the electors are 100,000 that one more member would come to this House. You would not have to think

of another member in any particular constituency until you have reached twice 4,000 electors in that particular constituency, I do not think there is any danger when you accept the principle of single-member constituencies of having to chop and change every five years. I do not think you will be called upon to redistribute your seats until once in every generation. It would lend itself to a better representation of the people; and members of this House would feel much happier if there was a similar number of constituents in every constituency to which they had to attend.

Another aspect of the matter is that up to now we have no idea in this House as to what the electoral machinery would be to the would-be legislator for the Federal Parliament. If the persons offering themselves for election to the Federal Legislature have got to campaign as it were over the whole island, it is naturally going to be a tremendous strain; because you are asking the candidates for the Federal Legislature to make contacts with possibly 200,000 people.

How can we ensure that the issue of Federation would be properly presented to the electorate if a candidate has to make all those contacts. Therefore, when you consider what is to come you will see the futility in leaving it as it is. If we can manage to accept the principle of single member constituencies and put it into practice, it would be possible for any four or five of these constituencies to be joined to gether to serve as a Federal Constituency for each one of the seat in the Federal Chamber; a candidate for election to the Federal House of Representatives would know immediately that he has only got to seek the votes of only 20 or 24 thousand people which from the point of view of the Federation is much more reasonable. The constitution of which the Hon. Minister of Communications now represents can well be a Federal Constituency; I therefore think, Mr. Speaker, that some attention should be paid to this.

Sir, it does not matter if the principle is not accepted here and now while we are arguing it, but it does raise some matters which would have to be raised; because the principle is part of the technique of running and managing elections; not only for this House and for the change which is to come in local administration, but also in the higher aspect of federation.

With those remarks, as I have said, I associate myself with the aims of this Bill. I welcome more the provision for the annual registration of voters and I think where that is concerned, Government ought to find some means of making it clear to and to encourage prospective voters among the young. It is their right and privilege to vote; and we should leave no stone unturned among those who have to conduct elections to see that people come in large numbers every year to be registered to exercise their right to vote.

Mr. E. D. MOTTLEY: Mr. Speaker, I believe everyone should welcome the consolidating of these two Acts for the purpose of clarifying the Representation of the People Act.

For many years now attempts have been made. Even with the advent of adult suffrage we still have a sort of hybrid or make-shift which we have to work upon. As the Leader of the Opposition has said, we welcome this Bill.

I just want to make a few suggestions; the first and principal one is that when we go into Committee on this Bill the Government should see to it that the marginal head of each Clause is read immediately after the Clause is called for the purpose of clarification, and to the satisfaction of the Opposition. Secondly, whenever this Bill is passed by the Legislature of this colony, I suggest to the Government to have it prepared in small booklet form to be sold cheaply by the Secretariat for the information of the public generally, so that the average person might get to know more about the Representation of the People Act. In this way a would-be candidate for election to the General Assembly would have a foreknowledge of what he can do and what he cannot do.

It seemed quite clear to me in the "Objects and Reasons" that besides having these statutes together you are bringing in certain amendments which are under the English 1949 Act. There are one or two things to which I have always given some thought. Although you may bring in amendments to local laws based as nearly as possible upon the English Statutes, you should always enact your legislation in such a way as to show that you have borne in mind the question as to how well it could be applied to Barbados. Conditions are not in all respects similar; take for instance, what is said here in the "Objects and Reasons" of this Bill:—

"The draft Bill embodies most of the two Acts passed in 1951, viz. the Representation of the People (Miscellaneous Provisions) Act, 1951, and the Special Registration of Voters (General Assembly) Act, 1951, and includes some new provisions based on the most recent United Kingdom Legislation, the Representation of the People Act, 1949."

Speaking as a layman, I think that there are some things in this Bill that could be made a little stronger; I am just drawing that to the Hon. Premier's attention. I am now dealing with that Section which deals with the making of false statements about peoples' personal character during election time. I do not think anybody could raise objections to that. There is a tendency for people to make false statements concerning people's character; I do not mean one's political character. [A VOICE: You must subject yourself to that kind of public criticism.] I think it is in Section 29 Sub-section 1 and it reads as follows:—

"Any person who, or any director of any body or association corporate which, before or during an election, shall for the purpose of affecting the return of any candidate at any election, make or publish any false statement of fact in relation to the personal character or conduct of any candidate shall be guilty of an illegal practice, unless he can show that he had reasonable grounds for believing and did believe, the statement to be true".

I think that that could be a little more strongly put; and penalties for failure to carry out the provisions of the law might be made greater. As a matter of fact, I see no reason why there should not be a separate Act for dealing with persons who persist in making false statements about other people's personal characters. When we come to deal with this particular section in Committee I shall be more expansive in my speech. I see no reason in the world, why, if a candidate cannot conduct himself in such a way as to be able to criticise without dragging to pieces the personal character of another candidate, he should have a seat in this House; and I make no exceptions when I say that.

On the subject of bankruptcy, I heard the Hon. Premier give the explanation as to why it was dealt with in this way and not under the Bankruptcy Act, and whether or not it should not apply also to the Other Place. I am of the opinion that if a person who must seek the support of the electorate of this colony cannot serve in this Chamber because he is a bankrupt, I can see no reason why a person who

may also be a bankrupt should be nominated to a seat in the Other Place at Her Majesty's pleasure.

I consider that I should not be a part of the Legislature at all if I could not sit in this Chamber being a bankrupt. I hold that in bringing these Acts up to date all that will be done on this subject in reference to this Chamber should apply to the Other Place as well. If it cannot be allowed in the House it should not be allowed in the Other Place. I think we should make provision for that.

While the Hon. Premier has not made it clear, (I am dealing with Subsection 3 of Section 8 (Registers of Electors) which talks about the preparation of a register every year.) I am going to suggest that some of these Clauses, and Clause 8, in particular be read. I cannot see how it is possible to do what is set out in Sub-section 3 of Section 8; and I should like to have it fully explained.

6.05 p.m.

What I want to know is this: the Bill says that the Governor-in-Executive Committee may make regulations, but I want it to be made clear whether this is a matter of re-registration or whether it is only just a registration of those who are 21 years of age. I want that point made clear from the layman's point of view in the particular Section of the Bill when we come to it in Committee. I want the Premier to enlighten us on this matter; we have to look at it in this way: in these matters it is a question of expenditure.

In the matter of registration the Government appoints Registering Officers besides their other officers, and I think it has been agreed upon that the most simple machinery for carrying out your registration in the island would be to use your Sanitary Inspectors together with other help.

If the Premier's answer is going to be that this is not re-registration but that it is only a question of registering such persons as have become eligible to vote by virtue of the fact that they are 21 years of age, if there are regulations to be made by the Governor-in-Executive Committee for this, you could have appointed for this purpose other persons besides your Registering Officers; and it is a question of whether you could not appoint these other persons permanently. That is to say, if you have 5,000 persons being eligible for registration during the period from June to December or whenever it is, you only pay so much per head for registration.

If you have in your law the set up for carrying on your List, I am wondering if it would not be better to have these officers appointed permanently. I am wondering whether it is a question of annual compulsory registration or whether it should be necessary for individuals to register as soon as they reach the age of 21 years. Right now there is nothing to prevent a prospective candidate where there are persons qualified for registration from seeing that they are registered. Even when this Bill is passed, unless it can be said that you are going to have a general registration every year, there is nothing to prevent any prospective candidate from saying "I know the area of Bridgetown or of St. John and there is nothing to prevent me from seeing who can be registered." That is something which I think the Premier should explain fully as to how this matter will be done.

I do agree that we are on the eve of having a Federal Government; and one wonders if with the prospect of Barbados having five members elected by the people of this colony to that Government, if in this amendment the Government has not borne this matter in mind.

I think we have reached the stage where party politics have come to stay; and we should have single member constituencies as the hon. junior member for St. Lucy has pointed out. With Party politics there is no point in having two persons running for the same district any longer. Just as you will have your Local Government divided into wards, I see nothing wrong with the Government contemplating in the non-distant future dividing the present constituencies into parts. There is no reason why the parish of St. John or the parish of St. Philip should not be dealt with just as they are going to deal with the island under the Local Government Act; let the island be divided into single member constitutencies.

If you are going to amend your Representation of the People Act and consolidate all these Acts, if you say that this Bill is based on the most recent United Kingdom legislation, I do not see that if you are going forward in one respect why you should not go forward in another respect. There may be some argument strong enough to show that there is no necessity for having more than 24 members ot this House to represent 200,000 people when you consider that there are 600 odd million people in the United Kingdom. There can be no argument (if in the "Objects and Reasons" of this Bill you say in effect that beside putting all these various Acts together and consolidating them for the purpose of expediency and you are also bringing in all the recent features of the United Kingdom Bill) as to why you are not doing other things.

6.15 p.m

Do you see what you are doing? You are making regulations as to how the people should vote on the one hand and on the other hand, you are clinging to the old system in Barbados where you have said that two people must represent, say the City of Bridgetown; a system which with party politics and you have candidates of two parties standing for election for the two seats, you get the people deciding that they are going to vote for a candidate from both parties. You still have that individualistic feelings not only in Barbados, but with people who are not living in a cosmopolitan community.

I am sure the Hon. Premier can find no justifiable argument to explain why we should not have single member constituencies now that there is the advent of party politics, which I would repeat, have come to stay. If you create single member constituencies you will get a much truer picture of the situation as it stands to-day.

Sir, I have much pleasure in supporting the passing of the second reading of this Bill; but it is extraordinary voluminous. Personally, it appears as if it would take some time to go through properly in Committee.. Although I do not want to throw any extraordinary pressure upon the Clerks, I think it is of such importance that hon. members should insist on the reading by the Clerk of any Section with which they are not fully acquainted and on which they want a further explanation from the Hon. Premier.

I am therefore asking that when we get to certain sections, especially Clause 8 which to my mind and I think to the minds of ordinary laymen is not quite clear, that the Premier before moving that they stand part should make some further explanation. As an instance, Sir, if you come in, (as is done in this Bill,) with the most modern English Statute to say that a bankrupt cannot sit in this House as a member, you must see to it that a bankrupt does not sit in the Other Place. I fail to see the reason why you should make laws to govern us

who are the representatives of the people and then those laws are not applicable to the members of the Other Place who are nominated members for the most part.

Mr. BRANCKER : Mr. Speaker, I seldom find myself in agreement with the hon. senior member for the City, but as regards to his last point there is considerable substance in what he has said He queried: why should a member of the Other Chamber who might be an undischarged bankrupt be allowed to sit in that Chamber while in this Chamber such a person is precluded?

Sir, while giving my support to the second reading of the Bill, there are one or two aspects of it which have occurred to my mind. Amongst them is one which has already been raised; and that is in connection with the number of seats in this Chamber. I know of the persistent voice of the hon. senior member for St. Michael (who always clamoured that the Metropolitan parish should be provided with at least four seats instead of the two seats which it enjoys now) and I am surprised to see him sitting quietly and accepting the old suggestion. Imagine if there were four members for the Metropolitan parish applying for more standpipes! Certainly their voices would be more than two.

Sir, another category of voters has engaged our concern. I hope before the next General Elections and even before this present session is legally due to expire, that there will not be less than 10,000 or 12,000 Barbadians in the United Kingdom. If that is the case, we would have to consider whether we should regard those persons as having become integrated in the United Kingdom or whether we should attempt to make provision (as is done in war time with people serving in the Armed Services) where they can record their votes in the place where they are serving when there is a General Election in their home country.

If they feel that they would prefer not to be integrated in the United Kingdom, (and there is no legislation there to compel them) there is no reason why such provision should not be made for such a considerable number of Barbadians not voting in the United Kingdom. It is a matter which I throw out for consideration.

Now, sir, this Bill is principally intended to consolidate two Acts of this island; and in consolidating those Acts it really breaks new ground It should not be surprising therefore if I enlarge on what other hon. members have said. I would like to refer to Section 4, (1) which continues to maintain the age of 21 years and over for a person to be elected as a member of the General Assembly. I for one, (as I have said in this Chamber before and of which I am more confirmed of the opinion now) do not know any reason why with the intelligence of the people of this colony owing to the educational facilities which have been provided them, 18 years and over should not be the qualifying age instead of 21 years. As you know, sir, this would not be first part of the British Commonwealth in which the qualifying age is 18 years. I hope I would be corrected if I am wrong, but certainly there is a place in the British Commonwealth and that place is no less a place than Australia.

I feel that even though you are consolidating the two Acts, that amendment should not be regarded as too drastic a measure to be dealt with now; but we have reasonable time between now and the next Elections to give our serious thought to it. As a matter of fact, 18 years of age is the age when the majority leave secondary schools; and those who would have already left the elementary schools are already working. Therefore, I am submitting that those who reach that age are old and experienced enough to exercise the vote as efficiently as those who reach the age of 21 years.

Now, sir, I have so often supported the principle of single member constituencies that it might be considered superfluous if I said anything more on that subject to-day; but it is well to let it be known that I still have the same strong view on single member constituencies as I have ever held.

6.25 p.m.

Mr. Speaker, I do not regard the argument that if you have single member constituencies it would be a great strain upon political parties to find one member for each of the several constituencies. Single member constituencies, I admit, are more essential nowadays than was the case before. My colleague made some reference to the division of the districts, but I gather, Mr. Speaker, that that will be dealt with under sub-clauses 3 and 4 of clause 10 by the Supervising Officer of the Elections who is to have "regard to the geographical considerations and such other factors as may affect the facilities of communications between the various places within the polling district".

As we have pointed out in regard to the Elections in the United Kingdom, if the officers who are entrusted with the continuation of new constituencies had acted as some persons or parties would have liked them to act, they could so have arranged it that one party could have had a tremendous advantage. But the job was so well done that when the elections were over, it could not be said that the results were due to any manipulations on the part of the Supervisor of the Elections or the parties who were arranging the various boundaries.

Now, I do not recollect if there is a definition in this Consolidation Act, upon the phrase "Minister of Religion"; and I am wondering why that phrase is continued here. I have heard of persons who, before a recent Election in this Country had taken place, were generally known as 'Reverend this' or 'Archdeacon that'; but just at Election time they deprived themselves of their sanctifying designations and became just plain 'Mister'. I feel that it is necessary to define the term 'Minister of Religion'. so that the people may not hide what is commonly called their 'dog collar', then take it up again and resume their ecclesiastical titles as soon as the Elections are declared. I think, sir, that those are the principal comments that I should make.

The enthusiasm which people in this country have shown would justify our doing the same thing, for instance, as Australia. It is not necessary in this island to have the provisions of Clause 10. I will, therefore, go no further at this stage. I think, Mr. Speaker, that my comments on these two clauses can be conveniently dealt with when we go into Committee on this Bill.

Mr. CRAWFORD. Mr. Speaker, I am in agreement with the statement that most of us will no doubt welcome any attempt to tighten up the electoral law in this country and to bring the legislation governing the elections in conformity with that which takes place in other advanced countries of the world. The Bill before us, not only prescribes additional penalties for corrupt practices at election time, but it also seeks to impose very high penalties for any such contravention.

Well now, as I said before, we welcome this attempt to institute this legislation; but one wonders whether in Barbados as we know it, legislation of this kind will really produce results or whether through having it on the Statute Books of the Coun-

try, we really shall see any improvement in the standard of the conduct in our General Elections. It is not fairly known in this Country that more corruption and more illegality goes on than in almost any other country; and what is worse, the offenders are seldom ever brought to board; for the simple reason that the tendency in Barbados is for people in authority to suppose that they can break the law with impunity, and then to resort to all sorts of subterfuges in order to get around the penalties imposed by the law.

I say that, because I have often wondered whether the prosecutions which took place in Jamaica consequent upon the last General Elections would have occurred in Barbados, even if some infringement of the law had taken place. Because of this corruption in high places and because of these people having risen to a position of power, the feeling is that they are entitled to flout or circumvent the law as they may require.

Now, in Jamaica quite recently there were several successful prosecutions for infringement of electoral law; and outstanding members of the Jamaican Parliament lost their seats in consequence of those successful prosecutions. Mr. Speaker, imagine a similar thing taking place in Barbados, unless, of course, those prosecutions were being conducted against members of a minority. In Barbados the tendency from time immemorial, has been that power of any sort, political or financial gives you the power to perform any criminal misdemeanour and then use any stratagem you may like to get away with it.

6.35 p.m.

Is there any other colony in the British Empire in which you can resort to the employment of a Special Jury when you want to make sure that a miscarriage of justice has taken place? We have seen the utilisation of Special Juries in recent times in the most high-handed manner by people who realise that this particular invention was put there to enable people in position and authority to get away literally with murder. I was thinking only a few weeks ago on hearing the news of the hanging of Dr. Singh which took place in Trinidad, whether a man of that social and professional status in Barbados would have been hanged; I doubt whether his case would have reached the Courts at all, because he would have had the influence of people with authority to be mixed with criminality and he would have got away with it.

When you hear people talk about corruption in Trinidad and low moral practices, and what-not, I smile [*Laughter*] because when I consider what goes on in Barbados and how people of all sorts use their position, authority and influence, and how they can debauch the community with immoral and illegal practices and permit people to escape consequences of their misdeeds, I am convinced in my opinion that merely putting this legislation on the Statute Books is almost a waste of time. It is not that there should not be attempts, where there are infringements on the part of the affected people to bring the offenders to book, but I should not be surprised to witness the most blatant infringement of this law during the next election campaign and when the miscreants are prosecuted, attempts are made to circumvent the law; but I sincerely hope that there will be in the community then a sufficiently strong public opinion and a sufficiently determined number of people to ensure that regardless of what attempts are made and how pleased the authors of these attempts may be to protect infringements of this legislation, that we shall see them brought before the Bar and prosecuted successfully and made to pay the penalty for their misdeeds.

It is an open secret where if we had legislation of this sort before on our Statute Books and if people were bound to respect it that even members of this House who are here to-day would not be here. I, for one, am eagerly looking forward to the next General Election, of course for reasons other than and more important than this; because as you are fully aware, Mr. Speaker, the General Election is the time when the public have to return a verdict on the conduct of the country's affairs during the previous session; and they have it in their power either to repudiate or to return to power the Government which either govern them well or misgovern during their period of office.

I am looking forward to the next General Election because knowing the calibre and general characteristics of some people who, unfortunately took part in these elections, I know that we are bound to have a spate of prosecutions for infringements of the legislation before us to-day; and I am anxiously awaiting to see what will transpire. [VOICES: Hear! Hear!] If we had this legislation before certain "Hear! Hears!" that we are hearing now, we would not be hearing these "Hear! Hears!" because the members would not be here. [*Laughter*].

With regard to some of the proposals themselves, for instance in Clause 2 we are reducing the 1951 number of electors for each polling booth, and in fact we are reducing the number of polling booths. In the 1951 election the number of electors per booth was 450; now we are making the number 1,000. In other words we are having fewer polling booths in the electoral areas. At the same time we are actually tightening up the law with regard to election expenses; of course I will deal with that later.

It appears to me that if you are tightening up the law with regard to election expenditure and ensuring that it is kept down to a minimum, where is the justification for decreasing the number of polling booths? Where you had 14 electoral booths before, you are now having 7; and with these 14 electoral booths the electors going to a polling booth would not have any need of transportation. Now you are reducing the number of booths, the electors will have to have transportation in order to go to the polling booth. The candidates will have to get the electors to the polling booth and therefore they will have to spend more money on their campaigns.

The great advantage of the maximum number of polling booths was that in almost every area the electors could get to the booths without the candidate providing motor transport. Now that you have more than reduced the number of polling booths, you will have transportation increased to get to them. You are tightening up your expenditure and the candidate has to make a return of his election expenses. Of course under the 1951 law he had to do it too, but remarkably enough there was no penalty attached if he did not do it.

6.45 p.m.

At the 1951 General Elections, you should have declared your election expenses within six days after the elections, but since there were no penalties attached to it, a number of members in this Chamber did not bother to make a return. [A VOICE: They did not make a return because they did not spend anything.] I have been told that certain people did not have to make a return because it did not cost them anything. [*Laughter*]. Be that as it may there was no penalty then; but the penalty for failing to make a return now is I think abnormally high.

Section 48, (1) says, that within six days after the date on which the result of the election is declared, the election agent of every candidate at the election shall transmit to the Supervisor of Elections a true return in the form set out in the second schedule to this Act, or to the like effect, containing a statement by the candidate of all payments made by the election agent together with all the bills and receipts. That means that all the money spent or the equivalent must be accounted for.

Under Section 49, it says that subject to the provisions of Section 51 of this Act, if a candidate or election agent fails to comply with the requirements of Section 48 of this Act he shall be guilty of an illegal practice. Under Section 50, which is a penalty clause, it says that for failure to transmit the said return and declarations, if he sits or votes in the House in contravention of this subsection he shall forfeit $500 for every day on which he sits or vote in this Assembly. So, sir, you can see that the penalty is not slight.

Sir, I am convinced in my mind that rather than taking steps in this Bill which would increase the cost of election candidates, we should take steps to decrease the cost; therefore, I think that sub-section (2) of Clause 10 should read in the same way as the 1951 Act. Polling districts should not contain more than 450 voters; it should not be the 1,000 voters as this Bill proposes to make it. That is so far as I can see. I do think it is a matter which deserves amending; we should revert to the 1951 Act.

Finally, I would say that since it is too much to hope (because of the peculiar conditions which exist in Barbados) that the mere inclusion of this Bill in the Colony's Statutes would be enough to give us decent election practices, yet still one may be pardoned for expecting that the prosecutions which are bound to take place after the next General Election and probably the one after, will in time to come give Barbados the conduct at Election time which would put us on a par with the more advanced and more decent countries; and which would make it possible for people to serve who have something to offer to the country and who now refuse to be associated in a General Election, because they are not prepared to have their characters and that of their descendants bandied with people with criminal minds and people of a far more degenerate character; and because they are not prepared to suffer humiliations and insults which ill-mannered and more debased adults consider as the qualities for candidates for elections.

I have in my mind now the names of several people in this community who have openly said that they were willing to offer their services to the country by running for Parliament; and they are people that had something to contribute to the country; but they are not prepared to become the victims of foul-mouthed, diseased, mendacious politicians and their touts whose only stock-in-trade for election is vicious lying propaganda.

Sir, I am saying that I think this Bill should go somewhere towards clearing the atmosphere in time to come; I am not saying immediately; I am not so stupid or optimistic as to believe that immediately after we have this legislation the situation would improve as is the case in Jamaica. As a matter of fact, I would not be at all surprised if when this Bill becomes law and there are cases brought against people as a result, that some people will have to go as far as the Privy Council to get justice; because, Mr. Speaker, we are fully aware of how the law courts of Barbados can be subborned or subordinated to suit the machinations of people of certain minds.

One therefore hopes that the people who may regard themselves as victims in the vistation of these laws will have the courage and financial wherewithal to carry their cases to the highest tribunal in the Commonwealth, in order to ensure that people should be made to pay the penalty for their misdeeds.

6.55 p.m.

Hon. G. H. ADAMS: Mr. Speaker, if any honourable member should speak after me, I claim the privilege to reply. First of all I am speaking on Section 8. Section 8 is a revision. If a man calls himself John Thomas today, the Registering Officer changes his name to John Thomas. I say that now because the honourable senior member for the City said that it was not clear to him. It is a question of making the necessary alterations in cases where people have changed their addresses.

As regards the other question asked by the honourable senior member for the City, I am in complete agreement with him. You cannot say that a bankrupt can be a member of the Upper House of the Legislature in this Act. We all agree with what the honourable senior member for the City has said regarding the incompatibility of the situation in which we find that a bankrupt cannot be elected to the House but on the other hand, he may be nominated to the Other Place.

Rightly enough it should be changed; but it will have to be done by first drawing it to the notice of the Secretary of State for the Colonies. It is sufficient for us to inform the Secretary of State for the Colonies that we are going to change the law; but he will have first to change the instructions to the Governor to comply with that.

For years and years I have been thinking that disqualification of a bankrupt from membership of the Other Place was also law; and I now give to this House the absolute assurance that the Ministers of the Government have all agreed that Paragraph (d) Sub-clause (2) of Clause 8 should apply to the Other Place as well. We are going to put it on a par with the other legislation.

If a Justice of the Peace becomes bankrupt he ceases to be a Justice of the Peace. This stipulation is actually in the Maude Bill; and what applies to this House and to Councillors in a Local Government should also apply to the Other Place.

As regards single member constituencies, that is a matter that has been discussed at a meeting of the Executive on the 10th of May, 1953 when we were doing this Bill; and we came to the conclusion that it was a matter that had never been mentioned at a General Election, and that it is somewhat remarkable and logical.

Obviously, if you work out the allocation of members on the basis of the population of the respective parishes there should be allocated to St. Michael some five or six members; but it is strange that electors have never proposed that we should change the law.

Of course, when it comes to St. Michael, the present allocation of two members is so satisfactory to the other two members (that is the junior and senior members respectively) that they do not want others to come in and confuse the issue. In St. Andrew there will be only a handful of electors as compared with Christ Church and St. Michael.

As I have said before, it is a matter that has been discussed at a meeting of the Executive Committee in May, 1953 and we came to the conclusion that we should use a General Election to get the

views of the people on single member constituencies. Doubtless candidates of the next General Election will also make a point of expressing their views.

In England quite recently there was a redistribution of seats due to the shifting of populations. As in England so also in Barbados, you will find disproportionate numbers of electors as compared with those in England. Nobody can say that we have ever put it to the public. No party has ever put to the public that there should be a redistribution of seats in the sense of having numerically more.

Take St. Joseph and St. Andrew; although you would have to go into the details of analysis before you could come to a satisfactory conclusion of facts, St. Joseph and St. Andrew would possibly work out at something like one in two thousand; whereas St. Michael would work out at about one in 18 thousand; so that with St. Michael the allocation of members would work out at about eight or nine

You have got to work out the details; honourable members may feel that to increase the numbers and give St. Michael eight seats might be too many. It is not that we are opposed to the principle; but obviously it is so important and inasmuch as opinion has not been canvassed at a General Election before, it should not come before this House before it is referred to the people at a General Election. In other words, it should not be done unless it is made an Election issue. In a campaign for instance you will get many voters telling you they have only two representatives and they want more. I do not think I need reply to any more questions. I think the chief points were: redistribution of seats and single member constituencies.

As regards the numbers of the polling districts we shall wait and see how voting will work out under the provisions of the Maude Bill. The honourable member who has just sat down made a point which he could not have possibly made otherwise on the Section. Subsection 3 of Section 10 confers to some extent certain powers of discretion upon the elections officer. The Section says in effect that if the elections officer feels that "by reason of congestion or of the sparsity of the population or other special circumstances" he should depart from the one thousand persons provided for in Subsection 1 of this Section, he could depart from it. It is said that at the last Election it was not necessary to have so many. According to what the honourable junior member for the City has said, when an Election comes along again perhaps we may change that thousand in favour of some other number.

7.05 p.m.

Mr. BARROW: Mr. Speaker, I should like to begin my remarks with a quotation from Mr. Churchill when he spoke on the Representation of the People Bill in 1948: "I am sure that those who know the Home Secretary best will be the first to sympathise with him in the task that has fallen to his lot to-day. One cannot help admiring the strategy, if not the actual tactical execution, of his speech, which consisted in devoting more than 50 minutes to reading out this bulky Bill, and for the rest of the time taking refuge in the "Dictionary of National Biography" and giving extremely sketchy and partial accounts of various eminent men who have been connected with the universities. That was a very shrewd—I would not say crafty, but very shrewd—and well-conceived method of dissociating himself, or at any rate standing clear, from all the live and vital issues which this Bill contains.

Mr. SPEAKER: The honourable member must be careful.

Mr. BARROW: I am quoting from a document which is already a document of the House. It is a quotation from no less a person than the Right Honourable Sir Winston Leonard Spencer Churchill, K.G., O.M., P.C., the late lamented (by the Tories) Prime Minister of Great Britain on the 16th February, 1948, when he criticised the introduction of the Representation of the People Act by the then Home Secretary of Great Britain.

Those are the first words uttered by so important a member as the member for Woodford, Mr. Churchill, in the House of Commons. That is the direct narrative from the Parliamentary Debates of the 16th February, 1948 and I adopt those words for my own. As I have already said, this is already a document of the House; and I make no apology to my fellow socialist in finding myself in such a dubious association as that of the member for Woodford.

There are certain matters which present constitutional difficulty if they are allowed to escape through a Chamber such as this without the close scrutiny and inspection of those persons on whom the burden is placed to represent the electors who send them to this House. The Representation of the People Act was heralded by the Home Secretary in England as the last in the series of reforms which started with the Reform Bill of 1832, and the remarks made by Mr. Churchill are appropriate to the present occasion in this Chamber.

For the whole time I have listened to the hon. senior member for St. Joseph circumnavigate the vital issue confronting the country today; and it is his apologia for the present Representation of the People Act which drove me to send for Mr. Churchill's remarks which I had the privilege of hearing myself; and I referred to them and recounted them for Your Honour's delight.

Mr. SPEAKER: Not for my delight.

Mr. BARROW: The Representation of the People Act of 1948 was preceded by a Boundary Commission and that Commission changed the voting districts throughout the length and breadth of the United Kingdom on the principle of one man to one vote, one constituency, one representative. In that Bill, Mr. Speaker, which I referred to as engaging the attention of the House of Commons in the comparative table of the Bill the University Constituencies were abolished and the plurality of voting was wiped out. Now a short time ago I moved an Address, or rather I gave notice of an Address to the Officer administering the Government of this colony, which would have had the effect of modifying Section 3 of the Representation of the People Bill which is now before this House. Section 3 of this Bill states:—

"Each parish and the City of Bridgetown shall return two members to serve in the General Assembly of this Island."

In my Address it was suggested that the island should be reorganised on the basis of single member constituencies and the figure which was quoted was an arbitrary figure because if you adopted the highest figure we would be left with the same representation which we have now. That is why I inserted a number limiting it to 3,000 voters on the expectation that some compromised formula would have been arrived at between the figure of 3,000 or 4,000 per unit.

Barbados is the one country in the whole wide world which has this antiquated system of a double member constituency. In England until the 1948

Act the Universities returned two candidates or two representatives; and one peculiarity of the University vote was that it was worked on the basis of the single transferable vote, a modification of the proposed representation which obtains in the Republic of France.

7.15 p.m.

I am not a protagonist of proportionate registration but I am certainly an adherent of the principle which was enunciated by Mr. Shinwell in 1948 and emphasised by Mr. Churchill in his debate of 1948 of "one man, one vote." Mr. Churchill went on to say that they should make a studied approximation of one vote, one value.

Now, what do you mean by that, Mr. Speaker? Well, the two members for St. Joseph represent a constituency which can only be regarded as a rotten borough. There are 3,500 voters and only a relatively small proportion of that number bestirs themselves to come out on Election Day to honour the representatives of that constituency of Barbados. In that case that can only be regarded as a rotten borough. The members for Christ Church and St. Michael out of the 3,500 voters have 1,300 voters to cope with; and that means in many cases they are returned with eight or nine times as many votes as the members for St. Joseph were returned with.

There is another aspect to this matter. As was pointed out in the debate in the House of Commons, a Boundary Commission dividing the country into one unit thought to rationalise the expenditure between county and county, so that any single candidate in the United Kingdom after the 1948 Representation of the Peoples Act would not have to spend more than £837 for a constituency or let us say of 50,000 or 70,000 voters.

I do not appreciate how the honourable senior member for St. Joseph can say that he is waiting to see how the sub-divisions for Local Government voting units will operate before they make any change in this respect. It is also significant that the English 1948 Representation of the People Act made provision for both Local and Central Government Elections; whereas this Act relates only to election for the General Assembly of this island. In other words, Mr. Speaker, it is no improvement; in many respects it is far worse than the 1951 Representation of the People Act, Miscellaneous Provisions, Clause 35. This is no improvement at all, because here it is we have passed the Local Government Bill with over 220 sections in it and no provision is made in this Representation of the People Act Bill for that although we are modelling this Bill on the 1948 Representation of the People Act of England.

We have chosen to delete those provisions of the English Act which would have rationalised the whole voting machinery of this island so that an ordinary citizen would understand what is expected of him, and so that we can have one vote for one man and one vote of one value whatever it may be.

Mr. Speaker, to suggest that we should wait until the Maude Bill is brought into operation and that we should wait to see how the local sub-divisions work out, is a monstrously inept suggestion coming as it is from a semi-logical member as the member for St. Joseph. I am not therefore voting for Section 3 as it stands and that I believe is the concensus of opinion on this side of the House.

It seems to me as Mr. Churchill the member for Woodford said, that in making that suggestion the honourable senior member for St. Joseph was scurrying around and evading the vital issues which face this Chamber in debating this Bill today. I do not think there is one member who sat in this Chamber for the past three years who is at all surprised at the attitude of the honourable senior member for St. Joseph when he so evades the vital issues. That is now becoming a national pastime of the Ministerial benches, second only of course, to the high escapades and excursions of the Ministers; the results of which excursions do not turn out, as far as we know to be of any benefit to this community.

There are many of the provisions of this Bill, Mr. Speaker, which I feel would be more appropriately dealt with in Committee; but I would like to stress now that the main objection which we have to the Bill as it stands is its failure to do the necessary things. It is over 100 years since the Reform Bill of 1832; and certainly a considerable time has elapsed for appreciating the situation after the 1951 Representation of the People Act. Why should we be fettered now to the mythical state of affairs which has not yet come into being and which may never see the light of day if we know the present Government? That we in the General Assembly should be shackled to the success or failure of local sub-divisions is not a remark which is worthy of this honourable Chamber.

7.25 p.m.

Mr. Speaker, although I will deal with it at a later stage, when it comes to the consideration of Section 29 of this Bill if any Minister on the other side of this table has read this Bill at all, he will see that there are certain things in this Section which have to be deleted. I make that statement without any fear of contradiction. If they are not wiped out in this Chamber they are going to be wiped out in the Other Place, or will be surreptitiously done by the person responsible for doing all the editing himself. I am only warning members of the Ministerial Bench to read the Section carefully.

I know not whether the honourable senior member for St. Philip was afraid to call names, but the honourable senior member for St. Joseph was the person who failed to publish his election returns. When the honourable senior member for St. Philip used the remarks "leading counsel in this Chamber" he could not have meant me; because as the honourable senior member for St. Joseph would say, I am neither "leading" nor a "counsel." I was one of the few members who did publish an election return. He is one of the few members of this Chamber who should set an example; he should not lag behind the ordinary citizens of this country. I have had an experience (arising out of the last Election) where I pointed out to the presiding officer a case of personation, and absolutely nothing was done about it. I am afraid that the fears which have been expressed by the honourable senior member for St. Philip are not entirely without foundation.

Since I have been back to this colony, my personal experience is that in no other part of the British Empire apart from Kenya and South Africa is the rule of law so infrequently observed and corruption in high places so rampant as here. As Bishop Blunt of Bradford said on the eve of the abdication of King Edward, the Head of this Administration needs the grace of God as much as any one of the members of the Ministerial Bench. When they fulminate against the neighbouring colony of Trinidad, I want to assure the Trinidadians that the Trinidadians could never be as corrupt as they are. The political and social morals of Trinidad could never be as debase as those subsisting in Barbados.

When you get responsible persons boasting that they are not going to make any returns and boasting that a certain judicial officer who makes certain

findings must never come back to the colony again, you can see, Mr. Speaker, (I do not want to call any more names) you can see that the rule of Law is more so in speech than in observance in this poor, benighted colony; and I am as much at fault for not correcting this system before now as any other member of the public. This is probably the most corrupt place in the whole British Empire; and we are approximating now to the Peronistic Regime which had existed in the Republic of Argentina.

There is an interesting publication written by the late Mr. George Hall which refers to a Minister in 1894 whose main task was to rewrite history. There is a similar set-up here in Barbados where we have examples of debased corruption of the Press and interference with the due process of justice. All this is done in the name of liberty and democracy; and the Colonial Office is played off against the people while both of them are entirely ignorant of the real position of the people.

Mr. Speaker, you have given me the liberty to digress to that extent and I very much appreciate it.

Mr. SPEAKER: I should like to ask the honourable member not to associate me with any of his opinions.

Mr. BARROW: I am not making any remarks associated with Your Honour; I do not have any intention of making any invidious comparison with you and Sir Winston Churchill. We hope, as regards the Representation of the People Act (perhaps it is a rather sanguine hope) that the Government will make a closer study of the different Representation of the People Acts and modify this Bill in the light of the suggestions which have been made on the floor of this House today.

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

Hon. G. H. ADAMS: I beg to move that Your Honour do now leave the Chair and the House go into Committee on this Bill.

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

The question was put and resolved in the affirmative without division.

Mr. Speaker left the Chair, and the House went into Committee on the Bill.

Clause 1 *was called.*

Hon. G. H. ADAMS: Mr. Chairman,—I beg to move that Clause 1 stand part.

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

Mr. E. D. MOTTLEY rose to speak.

Mr. CHAIRMAN: Is the honourable member talking about something? None of that; what is that?

Mr. E. D. MOTTLEY: If you heard any remarks, Mr. Chairman, they were not addressed to you. What I should like to say is that when you are dealing with the Clauses, I should like in addition to calling the respective number of each clause, that the marginal heads be called as well. When, for instance I hear: Clause 1, I expect to hear: 'Short title' immediately following. 'Clause 2', 'Interpretation', etc.,

Hon. G. H. ADAMS: Mr. Chairman, that is alright; let the side notes be read as well. I agree with the honourable member.

The question that Clause 1 *stand part of the Bill was put and resolved in the affirmative without division.*

7.35 p.m.

Clause 2 *was called.*

Hon. G. H. ADAMS: I beg to move that Clause 2 stand part of the Bill.

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

Mr. BARROW: When the Representation of the People Act was passed in 1951, I was at a loss to understand what was meant by election period. This interpretation Clause slavishly copies the 1951-35 Representation of the People (Miscellaneous Provisions) Act; it does not define what an election is either to my satisfaction or to the satisfaction of the ordinary man in the street. The term "election" is used throughout this Bill in several different ways; I am going to refer to Section 29 of the Bill and I may say that this interpretation Clause covers the whole Bill. It is not a Clause in its own right and therefore I would like to show you, Mr. Chairman, the anomalies which exist in this Clause. In Section 29 of the Bill you have the word "election" used twice and it may be used in two different ways in that Section; all that Section 2 tells you is that "election" means an election of a member or members to serve in the General Assembly of this island."

What do you mean by election? Do you mean by "election" the period between Nomination Day and Election Day? If you commit an offence before election, that may mean five years before or five years after. I have only cited this Clause as an example of the difficulties which I can foresee arising; but as you go through this Bill you will find the term "election" being used several times.

All the interpretation Clause tells you is that " 'election' means an election of a member to serve in the General Assembly of this island." What does that mean? That is something which is exercising the minds of honourable members.

Mr. E. D. MOTTLEY: I was somewhat worried about that matter on the last occasion myself. I am looking at Section 29 which embodies the whole as the honourable member has said. When we were dealing with this Bill I wanted that matter clarified, and the explanation was given that before or during an election meant the period from the issuing of the Writ until the return of the Writ.

What I am worried about in this Section is this: if that is the legal definition, then I am wondering whether that definition should not be put in the interpretation Clause saying exactly that. The point I am raising is this: Writs are issued two weeks before nomination; and according to what the Premier explained on the last occasion it means that a person can actually make a false statement in respect of the personal character of a member when election is going for six or eight weeks.

If it only means from the issuing of the Writs until the return of the Writs then a person can make any false statement anytime before that two weeks. If the Premier is still saying what he said on the last occasion, then I say that too much latitude would be given to any candidate to be abusive in the respect of the personal character of a person during the period. It would mean that if you are campaigning for eight weeks you can make all the false statements about a person's character, his wife and so on, and you can get away with murder. I say that that should be amended; any member should lose his seat for that.

Hon. G. H. ADAMS: If you say anything about a candidate a year before the election you are guilty of an offence.

Mr. E. D. MOTTLEY: I want that clarified.

Hon. G. H. ADAMS: There are droves of cases under the old election law. When the jurisdiction was transferred from the House of Commons to the High Court those said cases were used as authorities. Suppose you lose your seat in an election and you start next day and give a bribe to every voter and you are coming forward at the next

election which may not come off for five years, you are guilty of bribery. [A MEMBER: Nonsense!] Well, if the honourable member says "nonsense" I will sit down.

Mr. E. D. MOTTLEY: I do not think the honourable member should sit down like that.

7.45 p.m.

Hon. G. H. ADAMS: There are numbers of cases in which your very canvassing to be returned and so on can constitute bribery. That can be used against you. Election expenses may vary in proportion to the election you are aiming at. Let us take the question of election expenses.

Some judges go as far as to hold the view that election expenses of one candidate may start from a much further period than another candidate. To give an instance: let us say that the next election may not come until 1960, but when it takes place, I am going out as from now spreading the parishes with leaflets to support my candidature; that is expenses incurred with a view to my subsequent election. Anything that can be held by a court to be done with a view to a pending election can be brought in under one of these sections.

Mr. E. D. MOTTLEY: Sir, I am recalling what the honourable member said on the last occasion; and his explanation now surprises me, to say the least. This Section says "any person who, or any Director of any Body or association corporate which, before or during an election, shall for the purpose of effecting the return of any candidate at any election, make or publish any false statement of fact in relation to the personal character or conduct of any candidate shall be guilty of an illegal practice, unless he can show that he had reasonable grounds for believing and did believe the statement to be true."

Let me ask the honourable member this question: he said that if in 1955, let us say, I signified my intention for standing for an election in 1960, my expenses would begin as from that day. But that cannot be so; there is no declared election; an election is only an election when it is declared by authority. Therefore if you do something when there is no declaration you cannot be charged. I am saying that the Hon. Premier is wrong twice. How can he be right?

I am rather inclined to say that the explanation which the honourable member gave five years ago is the correct explanation; certainly not that which he gave to-day. I think at that time the honourable junior member for St. James was in his place when I was asking the Hon. Premier then for an explanation; and in giving it the honourable junior member for St. James said that it was the only interpretation which could be placed on that section.

If that is the only interpretation which can be placed on it, when we get to this section (Section 29) we would have to amend it; because there would be only one authority to say when an election is going to take place and that authority is, the Executive Committee.

Until that notice is actually Gazetted then there is no election on. Election offences can only take place during that period when there is an election on, and until that election is declared there is no election on; that is how it strikes me.

I would like to submit to the Hon. Premier that that is not only a layman's point of view but it is the feeling of several of the legal people in this country. They are at a loss to understand what it means. It is alright for the Hon. Premier to tell me what is his legal knowledge about cases of the sort in England; but these local youngsters have not seen those books, so they do not have a knowledge of those cases.

Hon. G. H. ADAMS: If the honourable member will just give way for a minute, I will say that strictly speaking an election means the one day that persons are voted for; but I repeat that for the purpose of an election offence it may be five years or it may be five days. That is why Section 29 is drafted with the words "before or during an election."

I repeat for the purpose of an election offence this section is flexible. It may be a day for one man; it may be a year for another; but strictly speaking election means the day on which votes are cast for a candidate. That is the reason why the Interpretation clause puts it in that way. [A VOICE: But it is not in the interpretation clause.] Section 29, only repeats Section 31, of the last Act. The word "before" is only put in.

As I have said, when you read some of those cases in England, you will find judges saying there is difficulty, (not in every case) to see whether the man was doing it for the purpose of gaining an election; I do not see how we can make it any plainer. There is nothing wrong in the interpretation section or in Section 29.

Mr. E. D. MOTTLEY: We have not got to Section 29 yet. It might be as clear as crystal to the Hon. Premier, and probably to the lawyers; but to the ordinary layman it is as clear as mud!

Certainly, I cannot appreciate the point he is making. According to the Hon. Premier, you can go back five or six years for an election offence. According to him a statement made now by anybody who is seeking election at the next elections against Mr. A's character, or against Mr. B's, if Mr. B decides to run for the next election (he is not a candidate now, but the statement is made by someone who is a candidate,) you can go back to that statement and call it an election offence. I certainly do not agree with that.

Mark this, Mr. Chairman, I am 100% with you in making it quite clear that no one should be allowed to make false statements and get away with it, but I want it to be made clear in the interpretation clause what is said here.

7.55 p.m.

Of course I know it is in the 1951 Act; but during the last Election people were at a lost to know exactly what was what. You knew at the night that you had to stop your steel band etc.; but what nobody could understand is this: (shall I put it this way?) when can the abuse start and stop? 'Rant' the Premier for not doing many things, but the reason for which I want the clause inserted is to prevent the practice of attacking people's personal character.

No layman listening to the Hon. Premier tonight could say that he is satisfied with that explanation. [Hon. G. H. ADAMS: That could not possibly be true.] He did argue that the election could only come about when the existing authority said that the elections could come about. Of course, some honourable members would say I should not have the temerity to argue these things; but it is the duty of the Hon. Premier to make it clear to us.

Hon. G. H. ADAMS: Some fifteen years or so ago I made a promise that I would get the Government to make an amendment to the section in this law. I personally got hold of the law and drafted something but nothing was done about it. Later on we decided to put in this section. As regards the law in Barbados, about two years ago, you will find that nobody has ever questioned it. This section is based on English Law and you will find it under the Corrupt Practices Act.

The word "election" in the interpretation section means the process of electing a man; but in regard to the particular wording of the section, the time to stop urging and using undue influence may vary from the morning of the election to years.

It may be difficult to say when a man is a candidate. Some judges would say: whenever that man lets you know that he is a candidate, then he can be considered a candidate. I will repeat what I said before for the last time. There was an election in 1951; suppose somebody who had had a seat had been defeated and the defeated candidate had said: I am going to run at the next election; then in that case, he is a candidate. He, having proclaimed that he is going to run at the next election automatically becomes a candidate.

Each particular section refers to a different period. [Mr. E. D. MOTTLEY: But that is in here; corruption is in here, why refer to bribery?] It is difficult often for judges to determine such matters. In the past rich people always used to give a spree to their workmen; but the moment the owner of a factory or the squire of a particular place giving a spree takes it upon himself to say at that party that he is going to run for the House of Commons the question as to whether or not he is guilty of bribery arises.

As I said before, some judges have said it is a difficult point to determine; it is largely dependant upon the circumstances. It cannot be regarded as bribery if the next Christmas, for instance, a manager or squire gave some sort of a party to the workmen; but if again he should say at that party he is going to run for a coming election he may be guilty of bribery. In short the hon. senior member for the City is accustomed to giving a Christmas bonus and if a judge discovered in his evidence that it is in truth and in fact a Christmas bonus then the question of bribery would in that case not arise.

A man is not a candidate necessarily on Nomination Day; he may be a candidate from the moment after one election is finished. So that when the honourable member says: I am going to suggest an amendment to make it abundantly clear that it refers not only to a candidate in a particular constituency but to a candidate anywhere, he will appreciate the opinion of judges on the matter.

I do not remember if you can find the first laws relating to the Representation of the People Act, but I am perfectly sure that you will never find the term "election" defined in any other way than it is defined today. For the purposes of offences you will find some sections which refer to different things from other sections.

8.05 p.m.

Mr. TUDOR: I do not know whether the honourable senior member for St. Joseph really understands what we were saying. The position is this: you are using the word "election" in this Bill in more than three senses as an opinion; therefore, in your interpretation you must have as many definitions as you have senses in which you use the word.

If "election" means in one instance "election day," in another instance it means what proceeds from Nomination Day and in yet another instance the period it means between the issuing of the writ and the date on which it must be returned, if it means any or all of those things or more than those three things, then there are three distinct senses in which the word is used. You either provide a definition for each sense in which you have used the word or you leave it out altogether. With all the talk he has been doing the honourable senior member for St. Joseph has avoided that which is the only issue.

It is ludicrous to say, if an election finishes today and I choose to canvass from tomorrow though I cannot be nominated before 1965, that I am a candidate as soon as I start canvassing. You are not a candidate until you are nominated; if that is so then the honourable member must tell this House that it is so.

If in this Bill wherever the word "candidate" is mentioned it is also intended that a person shall be a candidate from the time he just whispers to his closest friend that he wants to run for a seat in this House; if that is so, here again, the Interpretation Clause must tell us so. I do not think it is fair to mislead this House or to withhold from this House this information. This is a matter of life and death to all who aspire to become members of this House.

You have in this Bill very heavy penalties attached for breaches of the Election Law and of the various illegal practices which can constitute these breaches. Therefore, it is only fair that prospective aspirants to this Assembly should be able to read the law and understand clearly what they are up against.

You have the term "election of a member", you are using it in five or more senses and therefore, you should provide a definition for each of the senses in which you use the term, I repeat, or leave it out all together. That is all we are saying. I do not know whether the honourable member has taken into account what has been said; you can find corruption of these things further than Trinidad; I do not know whether the droves and droves of cases which have occurred to the honourable member had been pronounced upon by judges or whether they have ever been tried; but I do know that the honourable member has to furnish to the satisfaction of this House the correct interpretation and definition of the senses in which he used this term, because unless he does that we shall be on this Clause all night. Whoever wants to sit up can sit up; I had my sleep already today.

Hon. G. H. ADAMS: In other words, the honourable member does not care whether a definition is given or not. I cannot do more than I have done; I speak the simple truth with a knowledge of these cases. I am asking honourable members whether they will allow the honourable member to carry out his threat. I say that you will not find any other definition of "election" than what has been given here.

All the lawyers of the last 100 years were such nit-wits, according to the honourable junior member for St. Lucy, that they have never threshed out what the honourable member who has just sat has said. For the first half of the 17th Century you would not find any other definition than this; nobody would question that definition. I can only say what I see in the law; if the honourable member is so nasty as to say that the books to which I refer are not printed, well, let him say so.

I have sat down with the Attorney General in 1953 and this very year and looked up the authorities. If honourable members will allow the threat to worry them of having to sleep in here because the honourable member has already had his sleep, let them carry on. I just want to say that as long as I have the honour of having a seat in this House I shall not fear any threat which the honourable member may make.

I cannot make it plainer. Honourable members have known me for 20 years and they can say whether I am deliberately misleading the House.

In spite of that, I say this is the law though the ex-law student knows it better.

8.15 p.m.

Mr. BARROW: I remember the time when the honourable senior member for St. Joseph used to fulminate against the honourable senior member for Christ Church; and when he had similar queries, the Premier called him a half-baked solicitor.

Mr. CHAIRMAN: I am appealing to the hon. member to deal with the Clause before us. I am not allowing the hon. member to go to Christ Church; I am not going to entertain that at all.

Mr. BARROW: I think the public of Barbados has well become accustomed to the exhibitions of intemperance and of bad manners on the floor of the House by the hon. senior member for St. Joseph.

Hon. G. H. ADAMS: Mr. Chairman, I object to those remarks. Over and over again, you hear the same abusive remarks simply because we do not jump up and object to them. If the honourable member cares to talk of the low estate of the island, he can.

If in the very highest seats of business, the General Assembly, this sort of thing goes on, honourable members can easily see how why I got this section put in years ago.

Mr. CHAIRMAN: The hon. senior member for St. Joseph is objecting to the remarks made by the hon. senior member for St. George.

Mr. BARROW: I said that the general public has become accustomed to the bad manners of the senior member for St. Joseph. I am saying that he has called the hon. senior member for Christ Church a half-baked solicitor and that is bad manners.

Mr. CHAIRMAN: I am speaking to the honourable member. Are you going to withdraw the remarks which you made concerning the hon. senior member for St. Joseph.

Mr. BARROW: What remarks?

Mr. CHAIRMAN: I have just told you.

Mr. BARROW: Which part of the remarks must I withdraw?

Mr. CHAIRMAN: Your reference to the bad manners of the senior member for St. Joseph.

Mr. BARROW: I said that the general public has become accustomed to the exhibitions of bad manners displayed by the honourable senior member for St. Joseph. I will withdraw it in this respect: that the general public has not become sufficiently accustomed to them. Is that satisfactory?

Mr. CHAIRMAN: The question is that Clause 2 ———

Mr. TUDOR: Oh no! not yet! It seems Mr. Chairman, that despite what the honourable member———

Hon. G. H. ADAMS: Before the honourable member speaks, Mr. Chairman, I have asked that those words used by the honourable senior member for St. George about me be withdrawn. I should ask now that they be taken down.

Mr. TUDOR: But, Mr. Chairman,———

Mr. CHAIRMAN: The honourable member is out of Order.

Hon. G. H. ADAMS: Mr. Chairman, I am asking the Reporter to read that passage back in order to have the exact words that were used.

Mr. BARROW: Mr. Chairman, you started to put the question after I said that the general public has not become sufficiently accustomed to them and you did not ask me anything further. The hon. senior member for St. Joseph rose at the prompting of the honourable senior member for St. Michael who was talking something about nasty people.

I withdrew that the members of the public have now become accustomed to the exhibitions of intemperance and of bad manners of the senior member for St. Joseph. What I now say is a complete reversal of the stand which I took at first.

Hon. G. H. ADAMS: Is that not more infinitely offensive, Mr. Chairman.

Mr. TUDOR: Mr. Chairman———

Mr. CHAIRMAN: The honourable member is out of Order.

Mr. TUDOR: The Rule says that the objection must come before another member speaks.

Hon. G. H. ADAMS: I am asking that the honourable junior member for St. Lucy take his seat.

Mr. CHAIRMAN: The honourable member must take his seat.

Mr. TUDOR: Of course, sir, at your direction but not at theirs.

Mr. BARROW: I would just like to make it clear, Mr. Chairman. Subsequent to my remarks, I now understand the prompting of the honourable senior member for St. Michael, the Gadfly, the Machiavelli—

Hon. M. E. COX: Mr. Chairman, I want those words withdrawn. I am asking that those words be withdrawn.

Mr. BARROW: What remarks?

Hon. M. E. COX: I object to the remarks made in reference to me.

Mr. CHAIRMAN: Give me a say. The honourable senior member for St. George just now tried to withdraw the remarks which he made in reference to the honourable senior member for St. Joseph, but in the way he did it he made it worse.

Mr. BARROW: But did you not signify your disapproval of my withdrawal? You immediately afterwards moved the question that Clause 2 stand part. That caused another honourable member to rise. If you tell me the way in which you want me to withdraw it, I will do so; of course, depending on many factors.

Mr. CHAIRMAN: You are going further and further in order to confuse the Committee. If you will be broad enough, you will withdraw the remarks in the right way that such remarks should be withdrawn.

Mr. BARROW: In what way did you say that the remarks should be withdrawn?

Mr. CHAIRMAN: There are Rules here governing it.

Mr. BARROW: They govern all members.

Mr. CHAIRMAN: The honourable senior member for St. Joseph objected to the remarks you used of him. I am asking the honourable member to withdraw those remarks in the right way.

Mr. BARROW: If it will make the honourable senior member for St. Joseph happy, I will with draw it.

Mr. CHAIRMAN: Now, since you have withdrawn those remarks, you will have to withdraw the remarks which you made in reference to the honourable senior member for St. Michael.

Mr. BARROW: I thought you only had to withdraw offensive remarks. If I said he was a Gadfly, there is nothing in that which is offensive. There is a mythical story about that which is learnt by all school children. It has nothing offensive about it. As a matter of fact, that it probably the most placid term used on the floor of this House of the honourable senior member for St. Michael.

Mr. CHAIRMAN: I do not care what kind of fly you want to call him and how much you say it is not offensive; you will have to withdraw those remarks.

8.25 p.m.

Hon. M. E. COX: Hs also used the word "Machiavellian".

Mr. BARROW: Machiavelli was a great statesman.

Hon. M. E. COX: He also used the word "Machiavellian" and I object to that.

Mr. BARROW: Mr. Chairman, I shall call the honourable senior member for St. Michael "Churchill". Or shall I withdraw "Machiavellian" and call him "a black Sir Harold Austin".

Mr. TUDOR: Mr. Chairman, you will remember that we were still debating Clause 2. There is another definition given here in this interpretation clause which is only not good enough but which in my view may have to be changed. I therefore beg to move that the words "means a parish or the City of Bridgetown" should be deleted and the following words inserted "constituency means any such number of Polling districts as shall be determined by regulations made under this Act."

The purpose of this amendment is to give substance to the contention which has been made earlier in the evening with respect to single member constituency. It was only in reading again the Object and Reasons and also those sections of this Bill which deal with the set up of polling districts, that I came to the conclusion that it would be very easy as it were to find or discover what a constituency could be. As it is, Mr. Chairman, we have already made provision that polling districts shall not consist of a thousand electors and not 450, as obtained under the present Act; and therefore, I take it that with such a convenient number as 1,000 voters making up a district, a constituency would be 3, 4, or 5 districts to be made by regulations after.

You will see that it would be quite convenient to group the districts into units of 1,000 coming together for the purpose of reckoning at census time; and it would be possible at least to mark out constituency boundaries with ease. While I am on this point I wish to say that it is not quite accurate to say that because we may have single member constituencies and because you would have changed the present constituency boundaries, you are necessarily going to have more members in the House. It need not be so. There will, of course, be redistribution of seats. In a constituency as at present, say in my own or in any of the ones north of this island, where there would scarcely be 4,000 or 5,000 voters———

Mr. CHAIRMAN: The honourable junior member for St. Philip must keep quiet.

Mr. TUDOR: According to the terms of this arrangement, the present constituency with an electorate of 3,500, 3,900 or 4,000 would possibly on the single member basis be given one member instead of two. Whereas if this amendment is accepted, other constituencies, (as we have constituencies now which have more than 4,000 voters) would have more seats allocated to them.

St. Michael as we know it is now a constituency; but under the terms of this amendment it would no longer be a constituency; because geographically, it would be seen that St. Michael would possibly contain 6 or 7 constituencies. Therefore the argument that there would be more members in the House necessarily does not follow. There will only be more if you make your number of voters in a constituency less say, than 4,000 or less than 3,000; but single member constituencies do not necessarily provide more seats; they only redistribute the representation of the people by giving to some voters the representation which they need and taking away from other voters the representation which is not their due. In other words it is only a redistribution of seats and not necessarily an increase in the number of seats.

Mr. E. D. MOTTLEY: I am not advocating that; but we feel that we should have single member constituencies. That is how we feel about it. I do not know how it is that the Hon. Premier has not expressed any view upon this matter of single member constituencies. I am saying that because we are actually making this amendment now.

Hon. G. H. ADAMS: The honourable member might not have been in the House when we sought to extend the life of the House from three to five years. We told the electorate then: "If you give us a majority we are going to vote for the extension of the life of the House to five years.

This question of single member constituencies has never been made an issue at a General Election; and therefore when we discussed it in Executive Committee two years ago (that is in 1953) we said then that it should be put to the people at a General Election as a party issue.

There is nothing wrong with the principle; we accept the principle; and the question as to whether seats should be redistributed or whether St. Michael should have more than St. Joseph should be considered. But as I said before, we have never made it an issue at a General Election and that is the only point against it.

8.35 p.m.

We are perfectly prepared to make it an issue at the next election by bringing it forward to the people. This is not a detail; it is completely a matter of principle as regards the laws existing now from the laws existing years ago. For instance, at the end of two years we said that we were developing our programme and that less than three years would not suffice for us to get through all that we had pledged ourselves to carry out; and the people were told that at the election. Similarly, they were told that three years was too short and that the life of the House should be five years as is the case in most parts of the world.

Hon. Dr. CUMMINS: At this stage, Mr. Chairman, I beg to move that you do now report progress and ask for leave for the Committee to sit again.

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

The motion was put and agreed.

The CHAIRMAN reported and Mr. SPEAKER resumed the Chair, and reported accordingly.

ADJOURNMENT

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

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

The question that this House do now adjourn for three quarters of an hour was put and resolved without division, and Mr. SPEAKER adjourned the House accordingly.

8.40 p.m.

On re-assembling

PETITION

Mr. E. D. MOTTLEY: Mr. Speaker, I am asking leave to present a Petition from Edgar Eugene Alexander McLeod praying the House to pass a Bill entitling him to practice as a Solicitor in this Island.

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

Mr. E. D. MOTTLEY: I beg to present this Petition which is respectfully worded.

The Petition was taken as read.

NOTICE

Mr. E. D. MOTTLEY: Mr. Speaker, I also ask leave to give notice of a Bill in accordance with the Petition which I have just presented.

There being no objection leave was granted the honourable member.

Mr. E. D. MOTTLEY: I beg to give notice of the following:—

"Bill intituled an Act to authorise Edgar Eugene Alexander McLeod to practise as a Solicitor in this island."

BILL READ A FIRST TIME

Mr. E. D. MOTTLEY: Mr. Speaker, I beg to move that this Bill be now read a first time.

Mr. TUDOR: I beg to second that.

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

Temporary Chairman of Committees

Hon. Dr. CUMMINS: Mr. Speaker, the Chairman of Committees will be absent for a short while, and I beg to move that the honourable junior member for St. John (Mr. VAUGHAN) be appointed to act as Chairman of Committees during the absence of the Chairman of Committees.

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

The motion was put and agreed to.

REPRESENTATION OF THE PEOPLE BILL; Cont'd

Mr. SPEAKER: On the adjournment the House was in Committee on the Representation of the People Bill.

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

Mr. ACTING CHAIRMAN: On the adjournment the honourable senior member for the City was speaking.

Mr. E. D. MOTTLEY: On the last occasion, the honourable junior member for St. Lucy suggested an amendment which would have the effect of establishing single member constituencies, and I think the amendment was in respect of the definition of "constituency". The Hon. Premier has said that the Government was neither one way or the other in respect of this idea; but that he felt a matter of such importance should be put to the electorate before such an amendment was made.

I must confess that speaking for myself and the Party to which I have the honour to belong, we had actually suggested during the 1951 Campaign that we should have single member constituencies; and I therefore think, that I should vote for any amendment which would bring into being single member constituencies. I must have it put on record that we should have such constituencies. I quite appreciate the point made by the Hon. Premier that while they are not against or in favour of having single member constituencies, they think the matter should be put before the electorate.

As far as I am concerned, we have discussed the matter on the platform; and I suggest that where you have Party Politics it is much easier for people to make up their minds as to whether they should increase the number of the members of this House. I am not particularly inclined to agree that that is necessary; I think 24 members representing 200,000 people as compared with Trinidad, Jamaica and England seems to me to be quite alright. Now that we are on the eve of changing over our Local Government, I do not see that there is anything wrong in having single member constituencies; and I therefore beg to second the amendment of the honourable junior member for St. Lucy.

9.40 p.m.

Now, we have been all evening fighting over the interpretation of the word "election" and how it should apply to Section 29, and in the event of any candidate making any statement which is false against another candidate. Let me say here and now that I am not personally convinced that the argument put up by the Hon. Premier would be the one which would convince any jurist; nevertheless, as he has pointed out that the interpretation is exactly how it is worded in the English Act, therefore its interpretation here would only be that of what is meant in England; and although, speaking personally, I should like it clarified abundantly clear, I have not heard any of the other lawyers of this House put up any argument contrary to what the Hon. Premier said, therefore I will have to leave it at that although I am not convinced that the word is made abundantly clear to the average layman. Let me say if you have two, three or four lawyers in this House as members, the other members will be laymen, that thank God that it will not always be so, because if the position was the reverse, nothing would be passed at all.

Mr. CHAIRMAN: Are you speaking on the definition now?

Mr. E. D. MOTTLEY: I am speaking on the interpretation of the word "election." I am saying that thank God it will remain that there will be only three or four lawyers in this House and the other members will be laymen; because if you had 20 lawyers and four laymen, one wonders if you will ever get anything passed at all.

In Clause 2, the interpretation clause, there is also the definition of the words "polling day."

Mr. VAUGHAN left the Chair and Mr. Chairman took the Chair.

Yes Sir, as I was saying —

Mr. CHAIRMAN: It may not be in the Rule Book, but I will ask the honourable member not to sit in his chair and address the Chair, but to stand up on his feet.

Mr. E. D. MOTTLEY: Yes, Sir. It is just like sometimes when it becomes appropriate to ask the Chairman not to sleep; that is not in the Rule Book either! Sometimes your eyes get tired; sometimes my feet get tired! [*Laughter*]

I was saying, sir, that the word "polling" has been defined in the interpretation clause and the Hon Premier was at pains to point out to this Committee that those things are made abundantly clear in that clause. I must confess that I am left in some doubt as to what is actually the meaning of during an election; but no further explanation has been made nor anything contrary to what is stated was raised by any other honourable member to say that the practice is not so in England, therefore, I am bound to accept that this is the practice in England, and I will have to vote for it this way.

I will now speak on the point raised by the honourable junior member for St. Lucy relative to the point that the Bill should make provision for single member constituencies. I know that some members may be afraid to face an election if they were single member constituencies; but I think that single member constituencies are better with party politics, where it would be a Conservative member fighting to gain the seat from a Labour Party member or from a Democratic Labour Party member.

It would be better if it were a straight fight for the seat, rather than to have two or three candidates bunching up in one corner.

From the Objects and Reasons of the Bill you say that you are amending the law to bring it up-to-date, in so far as the 1949 Representation of the People Act of the United Kingdom is concerned. The provision for single member constituencies is the only thing which you are leaving out; and I do not think you should have left it out. However, I have much pleasure in seconding the motion for the amendment to this Clause.

The question that the words proposed to be deleted stand part was put and resolved in the affirmative, the House dividing as follows :—

Ayes : HON. G. H. ADAMS, HON. DR. CUMMINS, HON. M. E. COX, HON. C. E. TALMA, HON. R. G MAPP, MRS. BOURNE, MR. HOLDER, MR. J. C. MOTTLEY, and MR. VAUGHAN.—9.

Noes: MR. ALLDER, MR. TUDOR, MR. E. D. MOTTLEY and MR. BARROW.—4.

9.50 p.m.

The question that Clause 2, *stand part was then put and resolved in the affirmative without division.*

Clause 3—*was called. It reads as follows* :—

"Each parish and the City of Bridgetown shall return two members to serve in the General Assembly of this Island."

Hon. G. H. ADAMS : I beg to move that Clause 3 stand part of the Bill.

Hon. Dr. CUMMINS I beg to second that.

Mr. TUDOR: Mr. Chairman, here we are again on the same problem in this clause as the one we have just passed. The clause reads, "each parish and the City of Bridgetown shall return two members to serve in the General Assembly of this Island." That is precisely what we have been work-on; it is the same inconsistency which we have had in the interpretation clause just passed.

All the arguments which have been used on this side of the House are still, I hope, fresh in the minds of honourable members; and I do not think that much more need be said to labour this point, except that I should like to emphasise once again on behalf of all those who feel as I do on this, that we are not necessarily advocating an increase in the membership of this House, but are rather asking for a redistribution in the representation of the electorate. In other words, the same number should be returned but representing the electorate better. Through dealing with it in that way there will be few voters in each constituency. It follows therefore, that we could not accept clause 3 as it stands because it is repugnant on account of the ideas which we represent; and repugnant also in view of the fact, according to the Hon. Premier, that the Government accepts single member constituencies in principle.

We therefore cannot agree on the basis of the argument that each parish should return two members to serve in the Assembly; and I beg to move an amendment in rather different terms: that the words, "parish and the City of Bridgetown shall return two members" be deleted and the following words be inserted instead: "that each voting unit shall return one member to serve in the General Assembly".

Mr. BARROW: Mr. Chairman, most of the observations which I would like to make on this particular clause have already been made by the hon. junior member for St. Lucy. However. I should like to remind honourable members that Barbados is unique in this respect: in having constitutional reform, it still retains this dual membership in each constituency. There is no need for me to repeat the different points in favour of single member constituencies; but it certainly does simplify the voting machinery and does, to a large extent, rationalise the inadequate system which exists in this island today. The parish has long ceased to be the unit of local or central government administration. The parish was a unit which revolved around the parish church. It is an ecclesiastical sub-division and not a political one. Certain laws were vested in the authorities from time to time, and that is how the local idea of Local Government evolved. But the very passage of the Local Government Bill through the Chamber is an indication that the people of Barbados recognised that the parish is no longer the rational or political unit in this Colony.

As I said before, my only regret is that the Act has not made provision for the representation of the people in local and general elections; and therefore, we have to wait until some unforeseen contingencies may eventuate one way or another, according to the personal predilections of the persons who, for the time being, may or may not have established Ministerial Status. I suggest that we take our destiny in our hands now, and decide to bring Barbados into line with all the more progressive territories of the world.

I therefore beg to second the motion of the hon. junior member for St. Lucy.

The question that the words proposed to be deleted stand part of the Bill was put and resolved in the affirmative on a division as follows:—

Ayes: Hon. G. H. ADAMS, Hon. Dr. H. G. CUMMINS, Hon. M. E. COX, Hon. C. E. TALMA, Hon. R. G. MAPP, Mrs. E. E. BOURNE, Mr. HOLDER, Mr. J. C. MOTTLEY, Mr. VAUGHAN—9.

Noes: Mr. ALLDER, Mr. TUDOR, Mr. BARROW, Mr. E. D. MOTTLEY, Mr. GODDARD—5.

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

10.00 p.m.

Clause 4—*was called.*

Hon. G. H. ADAMS: I beg to move that Clause 4 stand part of the Bill.

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

Mr. CHAIRMAN: The question is, that Clause 4, stand part of the Bill. Honourable members in favour of that will please say "Aye" and those against will please say "No". I think the "Ayes" have it.

Mr. E. D. MOTTLEY: Mr. Chairman, I was on my feet ——

Mr. CHAIRMAN: You should have sounded your voice.

Mr. E. D. MOTTLEY: Well, sir, now that you know that I was on my feet, I take it that you will allow me to speak. I wanted to say this: Sub-clause (2) of this Clause says this: the following persons are disqualified from being elected a member of the General Assembly that is to say —

"You have sub-paragraph (a), (b), (c) and then (d) says: " an undischarged bankrupt having been declared a bankrupt under any law in force in any part of Her Majesty's Dominion'.'

I am asking this question for the enlightenment not only of myself but for other honourable members as well.

Hon. G. H. ADAMS: If the honourable member will give way to me, I will say that this honourable member was not in his place when I replied. You cannot put everything in this Act. Members of the Other Place are appointed under instruction given to the Government, and we will notify the Secretary of State for the Colonies that we are putting provisions in our laws so that in making recommendations, if people became bankrupt they should not be appointed.

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

Clauses 5 to 7 inclusive were called and passed.

Clause 8—was called.

Hon. G. H. ADAMS: I beg to move that Clause 8, stand part of the Bill. In doing so I should like to say that if you look at paragraph (a) of Sub-clause (3), I would say that the honourable senior member for St. Lucy spoke without thinking. For instance, a soldier has not left England for electoral purposes; England is his home and if he is anywhere else he votes by proxy. If there is anybody who ceases to be qualified, when it is brought to the notice of the Registering Officer and he is told that Mr. So and So has left, he will have to come off the list. In Sub-clause (3) (c) we are really revising the list and taking out those who should not be there and adding those who should be there.

Mr. E. D. MOTTLEY: The Hon. Premier has said that this Clause 8 would provide for annual registration.

Hon. G. H. ADAMS: That has to be done by Regulation. I personally think that although the honourable member might have a different point of view, the old system should be adopted; that is to say, a man has now got to fill in a form and ask to be put on the List. Some people do it by way of Enumerators; however, I invite suggestions on this matter.

10.10 p.m.

Mr. GODDARD: I hope that this list will be made as simple as possible, because very often you get people of age going to the representative of their particular constituency and asking the question: "What must I do to get on the voting list?" Therefore, it should be made as simple as possible.

Such a person wants to go to a specific place and register without having to get a representative or somebody like that person to take him to a particular person to certify that he is the person. At present a representative of a parish must sign for everything; and I see no reason why it should be so. Representatives of constituencies do not know everybody in the parish.

Take the instance of the number of people who are now going to England. They come to you for a recommendation to certify that they are fit and proper persons, but the persons who are in a better position to certify those things are the schoolmasters or the ministers of religion. It is not fair to representatives of the people. Those are things which should be brought home to the people. They should be told that for such things they sould go to somebody responsible in the district, and that person should be recognised by the authorities concerned.

Mr. E. D. MOTTLEY: I think I understand what the Hon. Premier explained; but actually, except for the fact that you are going to make regulations, it leaves the position in the same way as it was before. You will have General Elections in 1956 and you are not going to have such elections until every five years. There were lots of youngsters between the ages of 17 and 21 at your last General Elections. How are you going to get youngsters like those on the List Of Voters as soon as they reach the age of 21 years?

What happened during the last Bye-Election in St. Lucy was that interested persons went around and got registered those youngsters who had reached the qualifying age and were not registered. That should not be so; the Government should cause registrations to be done annually.

The Hon. Premier says that if you read 8(1) you will see that they say you should be registered. I want to know if after you appoint your Registering Officers under this Act, you are going to get Enumerators. It seems to me that the appointing of Enumerators just as you did when you were getting your List of Voters on the last occasion, would simplify the matter. If you do so, you would be able to take people's names off the List and people who want to change their names or who are removed to another district would be able to get that done. The question which you should direct yourself to is the machinery to put them on the List.

What we on this side are asking is: between the period of one election and another, have you anything in the Act to make provision for people to be put on the List? Unless you set up some machinery for that, you will be denying several persons of their right to vote should there be a bye-election. The suggestion which I am putting to the Government is that what you did for the last General Election, you should do the same thing now; but if you allow the same condition to obtain as happened during the Bye-Election in St. Lucy. you will be denying the youngsters their right of voting. You should not let some person who is interested put people on the List; that should not be so, especially now that you have Adult Suffrage.

You have made provision for the full List but there is the period between elections that no provision is made for; and that is the period when you might have a Bye-Election, and where there will be youngsters who would have become of age to be registered. I am saying that instead of the Government appointing its own Enumerators, it can take the Sanitary Inspectors of the various parishes and make them Enumerators. You can provide for this in your Regulations just as you provide for your Registering Officers. Let your Regulations provide for Enumerators who should be the Sanitary Inspectors. It is necessary for every Sanitary Inspector to inspect every house in his district at least once per month, and in doing so he has to record the inhabitants; it would simplify matters for registering persons as voters if you appoint him as an Enumerator. At all times, whether there is a snap election or any other election, say by virtue of the death of a member or anything of that sort, you will have the List of Voters up-to-date.

The Hon. Premier having said that he agrees that Section 8 (3) makes certain provisions but that there is no actual provision for the matter to which I have referred, I suggest to you this simple way to keep your List up-to-date: keep your Registering Officers appointed annually. It will be a small fee which you will have to pay for that. You can then pay your Enumerators who will be the Sanitary Inspectors so much for registration of the people eligible to vote in the districts which they have to inspect every month. Just as they forward their health report every month to the Public Health Inspector, they can forward to the Registering Officers their report on the persons eligible to vote and who are desirous of registering; and in so doing, your List will always be up-to-date. I therefore throw that out to the Hon. Premier because I am not satisfied from the explanation first given that such action will be taken. I think the Hon. Premier will admit that Section 8 as it stands does not clarify the position.

Mr. J. C. MOTTLEY: Mr. Chairman, is it a fact that the Government have 12 Registration Officers? If so, what have they been doing for their salaries? It is their duty to register young boys and girls. What are they doing for the $80 or whatever it is per month that they are getting?

Hon. G. H. ADAMS: Mr. Chairman, that is really the answer. It is true that when I first spoke I did not have that in mind. I had in mind what the honourable member had told me privately about Sanitary Inspectors.

Registration Officers have had an easy time, and I do not see why they should not go around to the houses. Notices could be posted at convenient points saying that during a particular week a Registering Officer is going to register all who have reached the age of 21 during the week.

Mr. E. D. MOTTLEY: Mr Chairman, sometimes I wonder how the Premier could adopt that method. When the Hon. Premier spoke in here this morning, he made it absolutely clear that you should have, not a re-registering, but an annual registration. You are paying a Registering Officer $50 a month, and just because the honourable junior member for St. Philip has let off that stupidity the honourable senior member for St. Joseph gets up and says: that is the answer.

You have always paid 12 Registering Officers. [Hon. G. H. ADAMS: No.] Mr.Chairman, when the law was amended in 1934 you had 12 Registering Officers; I actually knew them. He is talking of the Registering Officers as from 1951 when Adult Suffrage was first introduced. That is a fact. What does the honourable junior member for St. Philip know about it? [Mr. J. C. MOTTLEY: We had none in St. Philip; Sealy used to do all.] I say that your Registering Officers were appointed long before there was Adult Suffrage. I say that and I challenge anybody in this House to contradict it.

In 1944 long before you had Cost of Living Bonus you had Registering Officers; and I remember how it was argued that they had nothing to do for the Cost of Living Bonus to be paid to them. Registering Officers always existed; I remember too the Hon. Premier having said that you must get away from the idea of somebody just going around with a form. The honourable junior member for St. Philip is arguing but he does not know that at all.

In his own view you only had them since he has been in the House. Part of the Registering Officer's duty is that he received the forms, he himself goes through them and examines them, and then he sends them in to Mr. Chase; but under normal circumstances he takes them in to the Revising Officer.

Are you going to argue that the Registering Officer for the parish of St. Michael must go everywhere? The honourable junior member for St. Philip is arguing one point and the Hon. Premier is arguing another. You should make it possible for everyone of Her Majesty's subjects qualified to vote to get on the list. Your Registering Officers still function under the Vestry Act and they definitely have a job to do. This is the first year when the Act fleeced the Vestry; if I may so use that word. They had all the work of preparing the lists and sending them down to the Revising Officer.

10.30 p.m.

It is a fact the honourable member got up and said that the Revising Officer should do this and the Premier went over the very argument he made this morning. Would it be as easy as possible with the method which the honourable member suggested? The Registering Officers must register so many people, but Government has appointed Enumerators; these Enumerators have to prepare a list for the Registering Officers who then prepare the List for the Revising Officer. There are thousands who will become of the age of twenty-one years and I say that you should have permanent Enumerators.

It is a pity that honourable members know how this matter has been working but they do not say anything about it. It was in 1949 when these Registering Officers were appointed for each parish and when you gave adult suffrage that you appointed Enumerators. What was the position in St. Lucy? If you should have an election in St. Andrew in 1958, rather than have to say that you have 3,000 people on the List while there are another 800 people who should be on the List, you want to know what the position is.

The Premier says that there is going to be an annual registration, but I do not see that there is any provision for such an annual registration in this Clause. I am asking what machinery are you going to use for putting on the List those people who would have become qualified to vote in 1958? The Enumerators fill in forms and return them to the Registering Officers who must prepare the Lists for the Revising Officer. It is good to be in the water but you also want to get out of it.

Hon. G. H. ADAMS: The honourable member in correcting the honourable junior member for St. Philip has forgotten himself. We had the Registering Officers before 1944; we had Police Magistrates and what did we do in 1944? the old Representation of the People Act said that the senior Police Magistrate was to be the Registering Officer for Bridgetown and the junior Police Magistrate the Registering Officer for St. Michael. In 1944 we cut out the words "residing in the parish"; when we had adult suffrage. Obviously we would not ask the Registering Officers to do this Registration because it would be too much work for them; and therefore we appointed Enumerators.

The honourable junior member for St. Philip is saying that the Registering Officers have not done a stroke of work and therefore they should be used. For a reason which is obvious to honourable members I am not calling any names, but there are some people who would not mind working for that extra three cents. All you have to do is to say that on such and such a day I propose to add all those who are twenty-one years of age; you wanted to do it and therefore you paid somebody as Enumerator. I pointed out that regulations will be made; it is the duty of a Registering Officer to know how many people are dead in a village, and how is he going to know that?

Regulations will be provided that he shall hold office; and it will be announced in the Press so that whoever is interested would be able to discover whether he should be put on the List and who should be off the List. I am not saying that that is what we are going to do; we may discard it. However a Registering Officer has to strike out the names of all who should not be on the List.

10.40 p.m.

The only point about that is whether there are likely to be hundreds in each parish around the age of 21 years. If there are not hnndreds the Registering Officers themselves might not mind working for the three cents or so for putting them on. [A VOICE: How would he know?] Mr. Chase would know that; he prepares the census. [A VOICE: You mean that he draws money for preparing the census.]

Mr. ALLDER: What I would like to know, Mr. Chairman, is, if as soon as this Bill becomes law, the 1951 Electoral Roll will be discarded? If that roll is discarded, I am hoping that Government would do the same thing as it did for the 1951 General Elections; that is to say, send around Enumerators who would visit every house and every individual who has reached the age of 21 years and who wants to be registered, and that the Enumerator be given per-

mission by the Registrar to take down the names of such persons who are desirous of being registered as voters as the Enumerator goes around.

If that is being done it will be quite an easy matter to get the annual additionals; and I think it should be left to your Registering Officers whom I hope will be given a good salary (a better one than is given now) as well as travelling allowance so that he will be able to keep his particular parish or his area under control. I say that you should give him a better salary than what he is getting now as well as travelling allowance if necessary. Let him get around and find out those persons who have reached 21 years of age and who want to be registered.

There is another suggestion which was made by the hon. junior member for St. Lucy. He said that in England your Registration Officer or the person who registers the births and deaths was also responsible for keeping the electoral roll. He pointed out that when a child was born his name was put into one book for the registration of his birth and then a record was kept of the same child's birth and as that child reached the age of 21 years his name was automatically transferred to the registration book of voters; and as a result that person became eligible to vote. He went as far as to say that suppose on election day a youngster reached the age of 21 years he could go straight to the ballot box and cast his vote without having to go elsewhere. That suggestion seems to me a manageable one; and while the Government might not be willing to accept it now, yet I hope that it would not be left to candidates to register people who are desirous of voting, but that the Registering Officers of their respective parishes would go around and register the thousands that are to be registered.

I think that it can safely be left to your Registering Officers. The Hon. Premier asked for suggestions; I do not know if you would accept this one.

Hon. G. H. ADAMS: I would not say that section 8 (7) covers the point, but it reads as follows:

"If any part of a register is not published within the required time by this Section, then until the day following that on which it is published the corresponding part of the previous register shall continue in use; and when any part of the register used at an election is a part continued in force by this sub-section, this Act shall have effect in relation to election and the area to which that part relates as if the qualifying date by reference to which that part was prepared were the qualifying date for the election."

[A VOICE: That is what it is now.]

Obviously, just as in the recent St. Lucy bye-election before you even made the law and although the Act had not been complied with, persons were allowed to be registered before you passed that Act. So if the point raised by the hon. member happens, and if this Bill be passed and there is an election before you get your full list, you can say that the present list remains in force.

This section makes provision as soon as possible after the passing of this Act, that regulations must come down. Therefore, we suggest that you wait for the regulations.

Mr. E. D. MOTTLEY: I was never worried as to what you would have to do if you want an electoral roll before the time of the General Election. We always had the provision that the last list which you had should be used. What I am worried about is that you are denying persons between the ages of 16 and 21 years the right to vote because of the lack of machinery to put them on the list and the whole idea behind the suggestions that were made is that those persons should go on the list with as little inconvenience as possible.

Of course I do not agree with the suggestion made by the hon. senior member for St. John about a person being put on the list automatically after he becomes 21 years of age. It is a question of how you can keep an up to date list every month. Unless you make your regulations to cover that point, I see no other way out; because with Section 8 the position remains the same as it is today. It makes no provision for that, and I say so emphatically. The only way out is what was done during the bye-election in St. Lucy where an interested person had to do it, and take a list of the names to the Registration Officer.

I am saying that your regulations should make it possible that the Government should set up the machinery; and Government should pay to encourage the people to register.

Let us say that you are dealing with people in the parish of St. Joseph; you have a tremendous lot of people in that parish living around Bathsheba. If the Registering Officer lives at the other end of the parish, I do not see it possible for it to be done unless you send a Sanitary Inspector to do it. That is the only sensible way of doing it. Again, I do not agree with the suggestion of registering from a birth certificate registration.

The question that Clause 8 stand part was put and resolved in the affirmative without division.

Clause 9—was called. It reads as follows:

"Subject to the provisions of the Act or any enactment imposing any disqualification for registration at an election, all persons who may be entitled to vote as electors at elections for which any register is to be used shall be entitled to be registered therein;"

"Provided that a person shall not be entitled to be registered in more than one constituency."

Hon. G. H. ADAMS: I beg to move that Clause 9, stand part.

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

Mr. CHAIRMAN: The question is that Clause 9, stand part of the Bill.

Mr. E. D. MOTTLEY: Mr. Chairman, I have said already that I do not like the passing of these Clauses in this hurried manner; and I am not going to stand for it. The Clerk should at least get up and read the title of the Clause, and he should read it loudly.

Hon. G. H. ADAMS: He did call it out.

Mr. E. D. MOTTLEY: I did not understand it.

Hon. G. H. ADAMS: The honourable member was not paying attention.

Mr. E. D. MOTTLEY: If you heard that is a matter for you. If you do not like what I say, try and get back to Geneva.

Hon. G. H. ADAMS: The honourable member was not paying attention, else he would have heard.

Mr. E. D. MOTTLEY: If you do not like what I said, do as you like.

Hon. G. H. ADAMS: At whom are you shouting?

Mr. E. D. MOTTLEY: We definitely decided what we were going to do when we go into Committee on this Bill.

10.50 p.m.

The question that Clause 9 stand part of the Bill was put and resolved in the affirmative without division.

On the motion of Hon. G. H. ADAMS seconded by Hon. M. E. COX Clauses 10 to 18 were called and passed.

Clause 19 was called and read as follows:

(1) "The returning officer may, if he thinks fit, preside at a polling station and the provisions of these rules relating to a presiding officer shall apply to a returning officer so presiding with the necessary modifications as to things to be done by the returning officer to the presiding officer or by the presiding officer to the returning officer."

Mr. TUDOR: Mr. Chairman, with respect to Clause 19, "The Appointment of Presiding Officers", I wish to state that you cannot be too careful in the selection of such persons, especially [A VOICE: Especially in some parishes] when, as happens in some cases, that such people who are appointed are subject to all kinds of pressure. This is a very sore point with me in view of the recent experience which I underwent in my election to the parish of St. Lucy.

Persons were appointed to responsible posts in the conduct of that Bye-election who, whether through promises of promotion or other inducements in their spheres of work, acted in a manner not in the best interests of the proper conduct of an election; not impartial but leaning on the side of one candidate against the others; and even where their obvious duty required them to be firm with persons who had no right at all they let them slip in.

Even, Mr. Chairman, in matters where it was clear that certain persons who were not in any way involved in the Election, neither as candidates nor agents, nor even well-wishers, (I will not say voters), yet, those persons, among whom was the honourable senior member for St. Joseph especially, moving themselves in and out of polling booths, brow-beating or intimidating, either by word or frown—

Hon. G. H. ADAMS: Mr. Chairman, I object to the use of those words. They accuse me of a criminal offence, and I call on the honourable member to withdraw them.

Mr. TUDOR: Mr. Chairman, I cannot withdraw them.

Hon. G. H. ADAMS: Then, Mr. Chairman, in that case I shall have to call on the Speaker. I wish to ask that these words be taken down. The honourable member has accused me of the electoral offence of intimidating voters. That is a most serious charge.

Mr. TUDOR: Mr. Chairman, on a point of Order. I have not said such a thing. Mr. Chairman, will you be willing to hear me further?

Mr. CHAIRMAN: The hon. senior member for St. Joseph makes objection to your words. I can only report the matter to the Speaker.

11.00 p.m.

Mr. Speaker In The Chair

The Chairman reported to Mr. Speaker, who took the Chair.

Mr. SPEAKER: The Chairman has reported to me that the honourable junior member for St. Lucy was called upon by him to withdraw objectionable words used by the honourable member and he has refused to do so. Following the Rules of this House—

Mr. BARROW: May I refer Your Honour to Rule 131? The alleged occurrence took place in Committee and Rule 131 says this :—

"In a Committee of the whole House, the Chairman if it appear to be the pleasure of the Committee, will direct words objected to, to be taken down, in order that the same may be reported to the House."

There is a discretion of the Chairman of Committees to direct the words to be taken down. I know the Chairman of Committees is a self-styled——

Mr. SPEAKER: The honourable member is not speaking on a point of Order.

Mr. BARROW: The Rule says: "if it appears to be the pleasure of the Committee the Chairman will direct that the words objected to be taken down in order that the same may be reported to the House." It might have been the displeasure of two honourable members but it was not the pleasure of the members of the Committee which was sitting just before Your Honour resumed the Chair. I am suggesting that the whole matter is an irregularity. It is not on the displeasure of two honourable members but on the pleasure of honourable members that these words are to be taken down.

Mr. SPEAKER: The honourable member is quite right; I used the same words to the Chairman of Committee myself. The Chairman witnessed what took place. Rule 133 says this "Any member having used objectionable words, and not explaining or offering apologies for the use thereof to the satisfaction of the House, will be censured, or otherwise dealt with as the House may think fit."

The House has now been resumed; I have been summoned to the Chair.

11.10 p.m.

The Chairman having slipped up on Rule 131, by not directing that the words objected to be taken down and therefore, no report having been made I will deal with it under Rule 133, in order to give the honourable member chance to explain himself or to make an apology, but before doing so I am going to have the whole report put before me.

Mr. Speaker directed the Acting Clerk to call the Reporter who had taken down the words to read the passage back.

The Reporter read the words back to the Acting Clerk who took them down in writing and reported to the House as follows :—

"Even in matters where it was clear that certain persons who were not in any way involved in the election neither as candidates nor agents or even well wishers—I will not say voters—yet those persons among whom was the honourable senior member for St. Joseph especially moving themselves in and out of the polling booth brow beating or intimidating either by word or frown"

[A VOICE : What was said was the word "gesture"]

Mr. SPEAKER : I think the honourable member would have to give an explanation or an apology to these remarks.

Mr. TUDOR : Mr. Speaker. it may not have been told you how this thing started. In Committee we had reached, I think Clause 19, which deals with the appointment of Presiding Officers and I was hinting that Government has got to be careful in the selection of those people who preside over elections, because quite a number are subjected to pressure of a political nature. I quoted from my own bitter experience in my recent bye-election where some of those people showed their weakness and partiality in a way which was most striking by letting unauthorised persons, that is, persons who were not voters or agents to enter into the polling stations and booths to intimidate and render voters uncomfortable. I said in the course of my remarks that among those persons who were permitted to enter was the honourable senior member for St. Joseph whom I saw myself and who at about eight o'clock in the morning was ordered out of the Half Moon Fort Polling Station by the honourable senior member for St. John, and who at about ten o'clock was asked to put himself at a respectable distance from the precincts of the Selah Polling Station, and who was ordered out of the Checker Hall Polling Station by one of my agents. I have not said anything that is untrue, offensive or unparliamentary about him.

Mr. SPEAKER: Objection has been taken against the word "intimidate". That word is not

unparliamentary, but then the hon. member should not make use of anything like that. I do think that the use of the word "intimidate" in the phrase in which it was used is sufficiently strong that one can reasonably object to it, and I would ask the hon. member to withdraw the word "intimidate." By law it is an offence, to do so.

Mr. TUDOR: Mr. Speaker, my use of the word "intimidate" had no specific reference to the hon. senior member for St. Joseph.

Mr. SPEAKER: Has the hon. member said that when he used the word "intimidate" he was making no reference to the hon. senior member for St. Joseph? Now, I do not want any qualifications whatsover in your answer; no big reference no small reference; I simply want the answer "no reference".

Mr. TUDOR: Mr. Speaker, yes; no reference

Hon. G. H. ADAMS: I must positively object. Everybody in here distinctly heard when the hon. member made use of the word "intimidate" in the following manner:

"People moving in and out of polling stations among whom was the hon. senior member for St. Joseph intimidating them."

How can that be taken as to mean no reference to me? [A VOICE: Pow wow!] He is adding untruth to injury. It does not satisfy me, and I hope that this will not happen again. It was a clear direct accusation, and he just refused to withdraw. He did not try to make out that he did not say it. Even in his explanation he repeated that at elections you must have strong Presiding Officers and he implied that they were not so at the bye-election in St. Lucy, because if they had been so, they would not have allowed people including the hon. senior member for St. Joseph to move in and out of the Polling Booth intimidating the voters. That is a clear direct accusation of having committed an election offence and then the hon. member adds untruth to his accusation by saying he did not mean me.

Mr. SPEAKER: If the hon. junior member for St. Lucy cares to add untruth to his statement, that is a matter for him. If the hon. member says after being asked to withdraw the word "intimidate" that he did not use the word in reference to the hon. senior member for St. Joseph and that is not the truth this House cannot make hon. members if they are not bold enough or honourable enough to repeat what they said on the first occasion and it is most unfortunate that those words were not taken down when the House was in Committee. If the hon. member tells the House that he did not use the word "intimidate" in reference to the Hon. Premier, this House cannot get anything more from him. It is a question of the honour of honourable members. As hon. members know, honour is not anything which anybody can give anybody.

11.20 p.m.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, We on this side of the House are not satisfied. The hon. junior member for St. Lucy has accused the hon. senior member for St. Joseph of an offence before law and I am going to make a motion. Mr. Speaker, I will read Rule 133 now "Any member having used objectionable words, and not explaining or offering apologies for the use thereof to the satisfaction of the House, will be censured, or otherwise dealt with as the House may think fit." And I say that the House is not satisfied.

Mr. SPEAKER: It is quite possible that if the House is not satisfied, I cannot make it satisfied. The House will act, and of course, it will act under the rules. The Hon. Minister of Social Services has quoted Rule 133 as follows: "Any member having used objectionable words, and not explaining or offering apologies for the use thereof to the satisfaction of the House, will be censured, or otherwise dealt with as the House may think fit."

Rule 131 does not refer to me actually. That was when the House was in Committee. I had to call for the words complained of; but unfortunately there was a slight discrepancy. As soon as the matter was referred to me, I wanted to give the hon. junior member for St. Lucy a chance of apologising as I did. In my opinion, if the hon. junior member for St. Lucy had cared to add an untruth by way of apology, it might have been well received. As it is the matter is now entirely out of my hand, because a certain section of the House assumes that this explanation is not to their satisfaction. [Mr. E. D MOTTLEY: Which undermines your authority]. I cannot talk to the hon member so. That is making asides.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, if the hon junior member for St. Lucy refuses to withdraw the words complained of, I am making a motion that the Hon. member be suspended for one week.

Mr. SPEAKER: The hon. junior member for St. Lucy can speak again. Is it the hon. member's desire to explain himself any further?

Mr. TUDOR: Mr. Speaker, I think I have had ample opportunity to explain myself and I have done it, *certainly* to the best of my ability, and as I thought to the satisfaction of yourself; and until now I thought I had satisfied the House. I understand from the honourable junior member for St. Thomas that he and his colleagues require further satisfaction. That Mr. Speaker, is not within my power to offer. [Mr. E. D. MOTTLEY: May I be allowed to speak, Mr. Speaker?]

11.30 p.m.

Hon. Dr. H. G. H. CUMMINS: I beg to move that the honourable junior member for St. Lucy be suspended from the service of this House for two weeks.

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

Mr. E. D. MOTTLEY: Mr. Speaker, there can be no two ways about it, the Bill which we are discussing is an interesting one.

Hon. G. H. ADAMS: On a point of Order. May I draw Your Honour's attention to Rule 139? The Rule says "Every member against whom any charge has been made, having been heard in his place, is to withdraw while such charge is under debate."

Under that Rule the honourable member should leave the Chamber.

Mr. SPEAKER: The honourable junior member for St. Lucy may now withdraw from the Chamber.

Mr. E. D. MOTTLEY: Mr. Speaker, the Bill which we were discussing and which led to what has taken place is a rather controversial one and naturally honourable members will generate some heat because the Bill deals with a very important matter. I am not voting for that motion. If the honourable junior member for St. Lucy had not said that he had withdrawn his remarks — I hate to see people act like tyrants; if the honourable member had stood here tonight and said "I did not say so" I would have said "you are wrong, you did say it." If he had said as far as intimidation goes, "I mean the honourable member for St. Joseph" and Your Honour had insisted that he should withdraw those words and he did not withdraw them he would have had to stand by the consequences. I repeat: I am not voting for this motion. What will this lead to?

Mr. SPEAKER: The honourable junior member for St. Lucy said that he used the word "intimidate;" he did not withdraw that word.

Mr. E. D. MOTTLEY: The Rule says that you must explain or offer apologies to the satisfaction of the House. The honourable member actually said that it was not with any specific mention to the honourable senior member for St. Joseph and Mr. Speaker you said that the honourable member must say that he did not mean it to the senior member for St. Joseph. I will draw this to the attention of the honourable senior member for St. Joseph; this is how I feel about it. When in this House just a few weekes ago the honourable senior member for St. Joseph referred to members as Communists the honourable senior member for St. George took objection to it; the honourable senior member for St. Joseph then said that he was not referring to the honourable senior member for St. George If this attitude goes on to-day, the office of the Speaker, as far as honourable members are concerned—

Mr. SPEAKER: On that occasion this House made absolutely no stand. On this occasion the House is making a stand because a motion has been made. There is a great difference between what happened on that occasion and what happened on this occasion.

Mr. E. D. MOTTLEY: Any fool can see that the House has made a stand. In 1939 the feeling was that might was right. If the honourable junior member for St. Lucy had said "I mean the honourable senior member for St. Joseph" and that motion was made I would vote against the honourable member. Your Honour accepted what was said that it was in no way any reference made to the honourable member. It is the feeling that might is right, but on some day the boomerang will come back. All those who depend upon the honourable member for their seats, let them do it; as a matter of fact if I had made the statement I would have argued all around in a circle and I might have gone on to say something about the intimidation of people. But the honourable junior member for St. Lucy has said that he made no reference to the honourable senior member for St. Joseph; if the Hon. Premier has included the words "going in and out of the polling booths" he said so. As to the Rule which refers to the Committee Your Honour tried to calm down the whole matter and said that the honourable junior member for St. Lucy did not make any specific reference to the Hon. Premier. I want to say this: If my winning an election had to depend on agents and what not, I would not worry with it.

Mr. SPEAKER: The honourable member need not be so general.

11.45 p.m.

Mr. E. D. MOTTLEY: What I am saying is this: I am surprised at the action which the Hon. Minister of Social Services has taken, because he has been in public life and politics longer than most of us; and in politics you must give and take. You say things in here for which you have to get up and apologise at times, and I have done so often; but you cannot find on record in my nine years of public life that I have asked anybody to apologise for anything. I take my blows and give them. Sir, I speak in a broad sense in this manner. I think people who give blows should be able to take them. I have heard the Hon. Premier sharing his blows.

However, the way in which the word "intimidate" was used was in a manner which is an offence, so you will have to look at it in that light. If the honourable junior member for St. Lucy said that the Hon. Premier intimidated the voters in St. Lucy I would have to say that he accused him of a criminal offence and therefore he should withdraw. It is an offence under the Representation of the People Act. In effect it would mean that the honourable senior member for St. Joseph is guilty of bribery in St. Lucy and the honourable junior member for St. Lucy if he meant that would have to get up and withdraw it.

Now, sir, the way I feel about this matter is, that as soon as you showed your impartiality by trying to throw oil on troubled waters and by demanding from the honourable junior member for St. Lucy in his answer that he stressed that he did not say so in reference to the honourable senior member for St. Joseph and did not mean it to him specifically, and as a matter of fact you pointed out clearly in your demand for an answer from him that you did not want the words "specific" in his answer I would have let the matter drop there. The honourable junior member for St. Lucy, scholarly as he is won the election but he is not as courageous as I. I would have said so if I felt it was so, and he could not get me to withdraw.

Mr. SPEAKER: I would remind the honourable member that he is addressing the Chair.

Mr. E. D. MOTTLEY: I meant to say that you could not get me to withdraw. The honourable junior member for St. Lucy made use of certain remarks. The Hon. Premier feels that those remarks definitely referred to him personally. If you read the remarks you will see that they are put in a nice way. However, the honourable junior member for St. Lucy says he did not mean the honourable senior member for St. Joseph. He said, he did not use the remarks with any specific reference to him.

I repeat, that in all my time of public life, I would have expected that from other members on that side of the House but not from the Hon. Minister of Social Services. It has been his policy in public life to throw oil on troubled water. Why should he so suddenly move this motion against the honourable junior member for St. Lucy, I do not know. However, I come to the conclusion that the remarks which were used by the honourable junior member for St. Lucy are really remarks charging the Hon. Premier with a criminal offence, but he got up and said he did not mean it that way. Because of that, the Hon. Minister of Social Services moved this motion for us to say "name that member for me." I am submitting that he has no power to put that motion. If they on that side of the Table had the power to put that motion I will say, before Your Honour entertains it, you should look it up; it would mean that every Tuesday they can come in here with the sixteen members of that Party and make a motion for something to eliminate other members of the House. I am submitting that the respect for the Chair will be on the wane if you entertain that motion.

Sir, I feel that they are getting drunk with power, and you are going to find this boomerang coming back. That is all that is happening. This is a democracy. Do you expect everybody to agree with him? Of course, you will get some sarcastic and biting remarks from all sides of the table at some time or the other. Be broad enough; take your blows. Of course, I do not agree that you should use unparliamentary remarks in reference to other honourable members; but if you use them in the heat of the debate the honourable member who used them should be big enough as to withdraw them. The Hon. Premier has often said that it is a big man who can say something and take it back.

11.55 p.m.

But he said definitely, I have made no specific reference to him. I therefore, under the circumstances, cannot vote for this motion. My counselling the honourable junior member for St. Thomas would be no good on an occasion like this. But if there is one shock I had, it was when the honourable junior member for St. Thomas raised the question of making a motion for suspension. I will say that he did not make this on his own. I say further that he would not do it. It is not in him.

Mr. SPEAKER: Who are you talking about?

Mr. E. D. MOTTLEY: The honourable junior member for St. Thomas. I beg your pardon. The honourable junior member for St. Lucy gives an explanation to the House—

Mr. SPEAKER: I think the honourable senior member for the City has exhausted every point he could possibly have made. I never intend to stifle debate, but the honourable member is making the issue tedious by repeating himself. I think the honourable member would be doing the House a good service not to be tedious.

Mr. E. D. MOTTLEY: I know, Mr. Speaker, it is tedious; but it is also serious. I am sure you will realise how serious a matter it is.

Mr. SPEAKER: The honourable member may not direct his questions to me.

Mr. E. D. MOTTLEY: If, Mr. Speaker, the honourable senior member for St. Joseph adopts this attitude, I suggest, in view of the fact that the honourable junior member for St. Lucy said that he actually said persons have intimidated by actions and otherwise, the people in the booths in St. Lucy, and that the honourable senior member for St. Joseph was among those people, that is not saying that he was one of the people who intimidated anybody; it is merely saying that the honourable senior member for St. Joseph was among the people who were intimidating; but actually, he has not intimidated anybody. The honourable junior member for St. Lucy having said that on his feet here, Mr. Speaker, that the honourable senior member for St. Joseph did not intimidate anybody, what would you do?

Mr. J. C. MOTTLEY: Mr. Speaker, this is an occasion that calls for sober reflection. It calls for someone to throw a little oil upon this troubled sea. There is no doubt that the debates of this Chamber have degenerated to the lowest ebb that any selfrespecting man has ever seen around here. [Applause] When I came to this Chamber, it was with high hopes and a broad determination to contribute something to the uplift of my people; but with the degenerating circumstances you cannot think of it. I wish to ask the hon. junior member for St. Thomas to forget about his motion and the honourable senior member for St. Joseph about the offending words. They cannot detract from his prestige. The hon. junior member for St. Lucy has apologised more or less, and I can only think the honourable senior member for St. Joseph has accepted that.

I also wish to ask that all those honourable members who have contributed to the confusion of this debate by slander etc., be let alone until the time when they will be dealt with according to their due.

Withdraw your motion, Hon. Leader of the House. Do not let him pin-prick your pride. I now formally appeal to the honourable junior member for St. Thomas Mr. Speaker, to forget about this matter.

Mr. SPEAKER: I must attempt to erase from the minds of some honourable members a certain false impression. I never made any ruling. Under the Rules of the House I would not have to make any such ruling. I heard some honourable member suggest that I should not entertain any motion. My hands have been tied in this matter. I just want to ask honourable members to read the Rules of this House and see that point straight as it is. I have not named, nor attempted to name any honourable member.

12.05 a.m.

Mr. ALLDER: Mr. Speaker, I noticed that the honourable junior member for St. Thomas attempted to get up, and I take it that he was influenced by the appeals of the honourable junior member for St. Philip; and if the Hon. Minister intends to use his sympathy in this matter, and have the motion withdrawn, I shall refrain from speaking.

Every honourable member of this Chamber who is saddled with the responsibility of defending the rights and privileges of people has got to be in possession of some measure of the fighting spirit, but a warrior, if he is a true warrior, never sticks his bayonet in the enemy when he is down on his allfours. The honourable junior member for St. Lucy is down on his allfours in view of the fact that there are numerical numbers over there and something is being forced on this honourable member which in my time has not been witnessed. Even if the honourable member is wrong, even although I cannot refrain from submitting that in this Chamber, what faces you is that when you find a member like the honourable junior member for St. Philip whom we know is more reliable than even the official members, an appeal coming from him would make one realise how serious the position is. Nobody knows that better than the honourable Leader of the House. I know that the honourable junior member for St. Philip always remains here to make sure that the Government gets through its business. What is more, sir, I would like to call your attention to Rule 15 which says:—

"Mr. Speaker then in the name and on behalf of the General Assembly, lays claim to their ancient and undoubted rights and privileges; and especially to freedom from arrest and molestation for their persons and servants; to freedom of speech in debate; and to free access to His Excellency whenever occasion may require it; and that the most favourable construction may be put on all their proceedings;— which having been conceded———"

I have quoted that Rule in order to show you how responsible you are, Mr. Speaker, as our Speaker in defending our rights and privileges and although at times the ire of honourable members might be raised and you might have an occasion to use a very strong hand in disciplining us, yet we always look up to Your Honour's position as one to be respected and even to give away our individual rights if the championing of those rights clashes with the rights of the Chair. I say that because in an explanation or an apology or retraction of words by any honourable member such as this Your Honour is the sole representative of honourable members in this Ancient Chamber who should be representative of the feeling of the House. What I mean is this: if you are satisfied that the retraction or the clarification made by the honourable junior member for St. Lucy was in order, if honourable members wanted to respect your dignity, no alternative motions would have been made. Not only does that action hurt the Chair but it also hurts the feeling of other honourable members even although they will not be directly involved in the matter. One has to be secured from now on when you have some unreasonable men putting up something which is not based on the execution of justice but motivated by the desire to suppress and antagonise honourable members when they fail to agree

with everything which has been put forward or said by the Government Bench which controls a majority.

There is not one sober voice to say "we at times have abused each other" and not one has been humiliated and abused more than by the honourable senior member for St. Joseph. He did that and got away with it because of my youth in this Chamber. I think that some consideration should be given to youth in this Chamber; if the honourable member would reflect he would remember the advantage which he has taken of me as a young man. If I saw his attack I would withdraw a mile so that the honourable member might be able to fight again. Of course I have heard the honourable member accuse other people of using a sledge hammer to kill an ant. What justification has the honourable member got for wanting to suspend the honourable junior member for St. Lucy from the service of this place where people might want to come and where when those who are injured their representatives might have to take action whenever it is appropriate. The remarks were not untrue because I can remember the particular election day when the electors of the parish were called upon to stop the honourable member from confusing the voting area. The honourable member knows that we were called and I arrived on the scene and others too. If the honourable member does not want such things to go down in the record—I think the honourable junior member for St. Lucy has explained sufficient to exonerate himself. He rose and said that he did not use the word "intimidate" in connection with the honourable senior member for St. Joseph, and does the honourable member want somebody to stoop down entirely.

12.15 p.m.

Mr. Speaker, I say this for the benefit of the Government, especially the hon. senior member for St. Michael. There were times when I know that there was pressure which was too heavy for the hon. senior member for St. Michael to bear and even although both of us are always at loggerheads I have said, I would not go on fighting him. Why should the honourable member make this motion? Why should he lose his discretion and sympathy? The honourable member does know that there is something inside man which tells him "I should not go beyond this border." The honourable senior member for St. Michael instead of trying to persuade the honourable junior member for St. Thomas to proceed with this motion should have said to him: "we have the supremacy in every respect in this particular struggle; let us call it a day." I believe in going to a constituency and if I can stop my opponent from getting anywhere to stop him but I would not take advantage of an hon. member just because he cannot help himself.

I am appealing to hon. members by saying that this is not a Party issue. It is left to the judgment of men whether they because of Party allegiance would allow themselves to be forced to put a punishment on another honourable member which normally they would not like to be inflicted on themselves. That is something which should be considered by every member of the Government Bench. This is not a motion to make any specific legislation or a motion to bring about something beneficial for the people. It is just a punishment and it is the one thing which I would not do to any hon. member. If my comrade feels that somebody should be shot he would have to pull the trigger himself, therefore every member of the Government bench should make up in his or her mind whether the offence is sufficient to cause him or her by his vote to inflict an injury on the honourable junior member for St. Lucy or any other member for that matter. What you must consider is, that tomorrow some other hon. member might be named, and it is not unlikely to happen because sometimes we get these surprises flare-ups; there are times when we lose our tempers and what-not but what I do know is that after we have our clashes in this Chamber and we adjourn and everybody passes through the arch to go through the lobby they appear as if nothing has happened, and speak to each other again. When we get on the platform to rival each other for a seat in this Chamber, let us try to stop each other from getting in here but when we get in here and have our clashes let us try and smooth them out among ourselves.

12.15 p.m.

Mr. GODDARD: Mr. Speaker, I am speaking as one who is not associated with either of the two parties to which the member concerned belong but as an observer of what took place from the beginning. I am sorry that I did not rise before because so much heat has been generated since the matter started that I do realise that it is a most difficult question to settle now. Apart from some hon. members spreading oil on the troubled water, some have added to it; and I do know that at this stage it would be difficult for all parties to see the matter in its proper perspective.

But to get back to the matter from the beginning when the hon. junior member for St. Lucy withdrew the offending word—the word "intimidating." In his withdrawal, I felt that he had satisfied Your Honour because you actually called on the Chairman of Committees to resume his seat. I was surprised when the hon. junior member for St. Thomas rose to make the motion that he did. However, he has the right to do so, but even at this stage I would ask that that motion be withdrawn. I say so because as far as I am aware it would be the first occasion that such a drastic step would be taken by many of us in this Chamber, I have heard more offending statements than that made by hon members and no action whatsoever was taken on them.

If it is the feeling of this House that things have gone so far that a stop must be put to them before they go further, I would say let this be taken as a warning by hon. members but to treat this member in such a manner and so suddenly, I think, would be wrong and would not be in the best interest of the other side of this House. I would therefore suggest to the hon. junior member for St. Thomas that as sufficient heat has been generated on the matter to let this serve as a warning. If the matter is resolved, you never may know to where it would lead. Tempers are going to be raised and we are going to have rather stormy debates from now on.

I can only say that it is left to the hon. junior member for St. Thomas and I am sure he would willingly heed my suggestion but so much has been said to incense the feelings of the hon. members who have been offended that I do know that it is not easy to withdraw the motion. However, I would say that it is a big person who can do such a thing and who even at this stage can realise that the House might be doing something wrong. Just as this matter came on so easily, it is as easy for other hon. members to fall in a similar trap.

Sir, I am again appealing to the hon. junior member for St. Thomas to withdraw the motion but in the absence of that, he would certainly have known where my feelings are. I would really like to see this matter settled without going as far as resolv-

ing that motion, therefore I again make my last appeal to the hon. member.
12.25 a.m.

Mr. SPEAKER: The question——

Mr. BARROW: Mr. Speaker, I am quoting from page 438 of the 15th Edition of May's Parliamentary Practice, and I should like hon. members to listen to this very carefully: But before I quote I should like to make a few remarks. I have time and time again warned hon. members of this House that the situation in Barbados is closely approximating to that of a Fascist despotism in which the affairs of this country are being carried on in an atmosphere of conspiracy rather than in an atmosphere of consent and agreement; that certain persons, for reasons best known to themselves, have decided to model themselves upon all the worst constitutional examples of history, rather than upon the examples of those persons who are rated as able men of good will throughout the British Commonwealth of nations.

The fact that we could waste so much time tonight on something which an hon. member said to be untrue, which a second hon. member has pointed out has on specific reference to a third hon. member, is another indication that we are under a Peronistic régime. I think I have already reflected on the impunity of the persons who now unhappily control the destinies of this country.

I have pointed out that the Press has been used, even the Barbados press, for the vilification of hon. members and that Members of the Government, on the floor of this House, have reflected on the whole House by making allegations which they knew to be unfounded; and that language of vilification and abuse is often heard by hon. members who are trying to make constructive suggestions.

Now, Mr. Speaker, I am quoting from May's at the page of the Edition aforementioned: "Good temper and moderation are the characteristics of parliamentary language."

Not by the slightest stretch of the imagination could anyone say that the Hon. Senior Member for St. Joseph is possessed of any proficiency at displaying those qualities on the floor of this House. He starts off every debate by saying that somebody is a half-baked solicitor' or that somebody is no lawyer. I have heard him refer to the junior member for the City, even before I was a member of this House, in language which was both intemperate and unparliamentary. It (Mays) goes on to say: "Parliamentary language is never more desirable——than when a member is canvassing the opinions and conduct of his opponents in debate."

"The same right to claim courteous treatment in debate is due alike between both Houses of Parliament; and abusive language, and imputations of falsehood, uttered by members of the House of Commons against members of the House of Lords have been met by the immediate intervention of the Chair to compel the withdrawal of the offensive words."

I blame the hon. junior member for St. Lucy for two things. I understand that, without going over the merits or demerits of the statements that are being made, that they are substantially true and correct. Any hon. member going into a booth should have been criminally charged for going into a booth. I blame the hon. junior member for St. Lucy for not pursuing that point.

The hon. senior member for St. Joseph has accused him of a falsehood; but before the hon. junior member for St. Lucy could withdraw, the senior member for St. Joseph invoked Rule 139 to prevent him from withdrawing.

Rule 139 reads as follows: (Member to withdraw while his conduct is under debate.)

"Every member against whom any charge has been made, having been heard in his place, is to withdraw while such charge is under debate.)

Mr. SPEAKER: I do not think the description by the hon. senior member for St. George as regards the sequence of the evidence is correct, because I distinctly remember asking the hon. junior member for St. Lucy if he had anything further to say and he replied "no"; and he had ample opportunity on that occasion to say what he wanted. When I was shown Rule 139 then I did so; that is, I gave the hon. junior member for St. Lucy opportunity to speak again.

Mr. BARROW: I am talking about the result, Mr. Speaker. In the result it was the same, no matter how one may invoke one's powers of casuistry, in the result the effect was the same.

Mr. SPEAKER: I was not referring to any casuistry. I was referring to the sequence of evidence. I do not agree with the hon. member.

Mr. BARROW: It might also be useful to give the expressions. Now, anyone hearing me read this list. of offensive words from Mays Parliamentary Procedure would think I am reading a list of a vocabulary of the debates made by the honourable senior member for St. Joseph. On page 438 May states: It will also be useful to give examples here of expressions which are unparliamentary and call for prompt interference. These may be classified as follows:—

(1) The imputation of false or unavowed motives.

"The misrepresentation of the language of another and the accusation of misrepresentation; (3) Charges of uttering a deliberate falsehood; (done by the hon. senior member for St. Joseph today.) On page 439 there is a word which I cannot pronounce. However, the list continues:

(4) "Abusive and insulting language" (they are all there); "villains," "impertinence," "rude remarks," gross calumny "ruffianism" impudence, hypocrites, pharisees" slanderer "murderer" hooligan, black-guard, "traitor" charges of treason, (i.e that a member ought to be in prison for high treason, and the honourable junior member for St. Lucy did not go so far as that), although he could have, with every provocation, alleging that a member's statements were "not consonant with personal honour," "malignant slander" an expression used by the honourable senior member for St. Michael last week.

"Scurrilous" another expression to which the honourable senior member for St. Michael is prone. "Dishonest," "vicious and vulgar," malignant attack."

Various offending remarks of the hon. senior member for St. Joseph:

"Criminal", a remark used by the hon senior member for St. Joseph tonight.

"Corrupt", a remark often used by him for describing the state of affairs in this country.

"Caddishness" "pecksniffian cant" "insulting dog", description of a member's speech: as "blether"

"Lie down dog."

Somebody remarked the other day about "barking"; I think it was the Hon. Premier.

"Behaving like a jack ass".

Hon. Senior Member for the City:—"Swine"; "cheat" "not a dam one of you opposite", "stool pigeons", and "bastard".

That is the complete vocabulary of offensive words coming from 1875 right down to the year 1949.
12.35 a.m.

I make a statement of fact whether it is withdrawn or not; I am not going into that matter now because Your Honour has already indicated that the position is rather anomalous. That somebody went into the Polling Station is not objected to; chapter and verse have been given for it, and it was said that voters were intimidated either by gesture or by frown. The only word which was asked to be withdrawn is the word "intimidated". There is something wrong in the State of Denmark. The honourable member is so beholden to the Colonial Office that he does not like anything non-complimentary said, even if it is the truth, about him in a debate in which he is engaged. He has the rather doubtful satisfaction of feeling personally that he is vindicated, because it would imperil his chances of being regarded in the matter of the Caribbean Federation.

The honourable senior member for St. Joseph did not say that he did not go into the Polling Station up to now he has not said that he intimidated anybody. The honourable junior member for St. Lucy has said that he did not refer to the honourable senior member for St. Joseph. The same honourable member for St. Joseph has said that there was a subversive element and he had information that somebody was a Communist; and when I challenged him I was the only member who was exonerated. Then and there honourable members could have ordered the honourable senior member for St. Joseph out of this Chamber but they did not elect to do so. Now the boomerang has gone its circuit and it has come back to them; but I am made of different material from those feeble persons with whom the honourable senior member for St. Joseph has been accustomed to associate in his political life.

As far as I am concerned, for a long time I have tried to exculpate the honourable junior member for St. Thomas for reasons which Your Honour will probably appreciate. I have tried to exculpate him for historical reasons from being part and parcel of any conspiracy to subvert the regular constitutional process which we would expect in a democratic country. I am therefore disappointed that the honourable junior member for St. Thomas has allowed himself to be cajoled, inveigled or intimidated into a position where he has to make a motion of this kind. If that has been the case, I very much deplore it and I would like to make my position clear. I have a responsibility to the members of my Party, which is a democratic one, and the members of my Party have already decided that if a motion like this is carried, it will be held to apply to each and everyone of us; so that we will not be returning to this Chamber, if they persist in rushing down the slope to destruction like the Gardarene Swine. We will resume our places in this Chamber when the honourable junior member for St. Lucy resumes his place, and not on one day before.

The question that the honourable junior member for St. Lucy be suspended from the service of this House for two weeks was put and resolved in the affirmative.

A division was taken as follows:—

Ayes: Mr. SMITH, Hon. G. H. ADAMS, Hon. Dr. H. G. CUMMINS, Hon. M. E. COX, Hon. C. E. TALMA, Hon. R. G. MAPP, Mrs. BOURNE and Mr. HOLDER—8.

Noes: Messrs. E. D MOTTLEY, ALLDER, BARROW and GODDARD—4.

12.45 a.m.

COMMITTEE RESUMED

Hon. Dr. CUMMINS: Shall we go back into Committee and report progress and ask for leave to sit again?

Mr. SPEAKER: Yes.

Mr. Speaker left the Chair and the House went into Committee on the Bill, Mr. Smith being in the Chair.

Hon. Dr. CUMMINS: Mr. Chairman, I beg to move that you do now report progress and ask for leave to sit again.

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

The question was put and agreed to.

Mr. Chairman reported to Mr. Speaker who resumed the Chair and reported accordingly.

ADJOURNMENT

The Order Paper having been fixed,

Hon. Dr. CUMMINS: I beg to move that this House do now adjourn until Tuesday next, the 12th July, 1955, at 3 o'clock p.m.

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

The question was put and resolved in the affirmative without division and Mr. Speaker adjourned the House accordingly.

12.58 a.m.